



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Adopting the Five Year Solid Waste Management Plan)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(f) that the Tribal Council (“Council”) shall exercise the power “To protect and preserve the wildlife, plant life, forests, natural resources... of the Tribe...”; and
- WHEREAS,** The Constitution also provides, at Article IV, Section 1(s) that the Council shall exercise the power to “...regulate subordinate organization for economic and other purposes”; and
- WHEREAS,** The Tribe’s Solid Waste Division, under the Public Works Department, now proposes to adopt a five (5) year Solid Waste Management Plan (“Plan”), which will provide for the years 2019-2024; and
- WHEREAS,** The Plan, also known as an “Integrated Waste Management Plan” outlines how the Tribe will reduce, manage, and dispose of waste; and
- WHEREAS,** In an effort to reduce the impact of solid waste on its tribal trust land, the Tribe will utilize the Plan to address the areas of the Resource Conservation and Recovery Act (“RCRA”) Subtitle D, which pertains to the tribal landfill, as well as illegal dumps on trust land and diversion alternatives to existing practices; and
- WHEREAS,** Along with addressing these areas, more specifically, the WMAT Solid Waste Department will implement an alternative, cost-effective solid waste management system. The Plan will address waste disposal. Waste collection, waste diversion, community education, regulatory capacity development pertaining to RCRA Subtitle D, and Program administration and sustainability; and
- WHEREAS,** Implementation of the Plan will also yield some very important benefits, including: extending the life of the Solid Waste Department’s only operating landfill, which is 75% full, by preventing waste and increasing recycling; improving the cost-effectiveness of the Solid Waste Management trash disposal program, and; enhancing resident satisfaction with the Tribe’s solid waste management recycling program; and
- WHEREAS,** The Plan will help with future funding opportunities with the United States Rural Development Grants, Environmental Protection Agency, and other government and private funding agencies; and

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WHEREAS, The WMAT Solid Waste Division is primarily responsible for solid waste management in the business and residential sectors of the Fort Apache Indian Reservation; and

WHEREAS, The WMAT Environmental Protection Office will continue to provide technical assistance in the transition of the Recycling Program, with monitoring the Geronimo Pass Landfill, and with other needs of the Solid Waste Division; and

WHEREAS, The Solid Waste Division strives to comply with all applicable federal laws and local ordinances and regulations in its administration of the Plan; and

WHEREAS, The Council has reviewed the Plan and finds that its adoption will improve the Tribe's capacity to deal with waste in a more sustainable manner now and in the future, and is in the best interests of the Tribe and its members.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Five Year Solid Waste Management Plan (2019-2024) is hereby adopted for use by the Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Public Works/Solid Waste Department to comply with and fully implement the provisions of the Five Year Solid Waste Management Plan.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on MAY 14, 2019 duly adopted by a vote of SIX for, ZERO against, and THREE abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	<u>5/22/19</u>		<u>5/22/19</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date