



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Accepting Tribal Wildlife Grant Award for the Construction of a Fish Barrier in Flash Creek for the protection of Apache Trout)

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, natural resources and water rights of the Tribe, and to regulate hunting and fishing on the Reservation”; and

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation also provides, at Article IV, Section 1(j) that the Tribal Council (“Council”) shall exercise the power, “To accept grants and donations from any person, State, or the United States”; and

WHEREAS, The Tribe’s Game & Fish Department was awarded a Tribal Wildlife Grant (the “Grant”) from U.S. Fish and Wildlife Service for the construction of a fish barrier in Flash Creek, and this day requests that the Council formally accept the grant on the Tribe’s behalf; and

WHEREAS, The Grant Award is \$200,000.00 and will be used to construct a fish barrier in Flash Creek (see attached information sheet, incorporated herein by reference) ; and

WHEREAS, The purpose of the fish barrier in Flash Creek is to protect the Apache Trout population from negative interactions with brown trout by keeping them from moving upstream; and

WHEREAS, The Council finds it in the best interest of the Tribe to accept the Grant for the purpose of constructing a fish barrier for the protection of Apache Trout in Flash Creek.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby accepts, on behalf of the Tribe and its Game and Fish Department, the United States Fish And Wildlife Service’s Tribal Wildlife Grant, to be used to construct a fish barrier for the protection of Apache Trout from brown trout in Flash Creek.

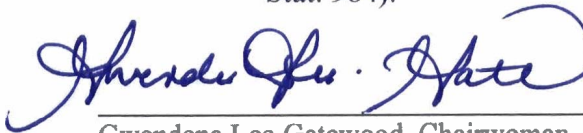
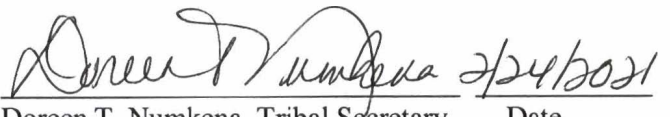
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution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

Resolution No. 02-2021-39

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 his 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 **FEBRUARY 23, 2021** duly adopted by a vote of **ELEVEN** vote for, **ZERO** against, and **ZERO** 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).

 2.24.21  2/24/2021
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date