



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Approving Memorandum of Understanding between the Tribe  
and Northern Arizona University for the White  
Pine Blister Rust Study)**

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council ("Council") shall exercise the power, "[t]o negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or [the] constitution, with any person, association, or corporation, ... or with the State of Arizona ...", and at Article IV Section 1(f), "[t]o protect and preserve the wildlife, plant life, forests, natural resources and water rights of the Tribe..."; and

**WHEREAS,** By Resolution No. 06-2010-184, the Council authorized Northern Arizona University ("NAU") to study White Pine Blister Rust on the Fort Apache Indian Reservation ("Reservation"); and

**WHEREAS,** The disease still poses a risk and the 10 year monitoring period has arrived, necessitating NAU to continue to conduct their research; and

**WHEREAS,** The information gained through this research will be made available to the Tribe and BIA to better manage the forests and specifically the White Pine in the forests, while contributing to the understanding of White Pine at large; and

**WHEREAS,** a Memorandum of Understanding is being proposed between the parties to govern the conduct of researchers while on the Reservation and the usage of Tribal data gained from the study (MOU attached and incorporated herein by reference); and

**WHEREAS,** Tribal Forestry, this day, requests that the Tribe enter into the attached MOU with NAU, and the Council has reviewed the MOU, and finds that its approval is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the attached Memorandum of Understanding between the Tribe and Northern Arizona University for the White Pine Blister Rust Study.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the research results or findings be presented by NAU to the Tribal Council, BIA, and Tribal Forestry as a presentation and in written format.

**Resolution No. 03-2024-060**

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes NAU to use the data from this study, pursuant to the terms of the MOU, to be used in publication of the research in scientific journals, reports, findings, or other means of communication.

**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 Chairman, 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 MARCH 6, 2024 duly adopted by a vote of TEN for, ZERO against, and ONE 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey Velasquez</u>	<u>3-7-2024</u>	<u>Vanceysa Johnson</u>	<u>03/07/2024</u>
Kasey Velasquez, Chairman	Date	Vanceysa Johnson, Tribal Secretary	Date