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RESOLUTION NO. 46-2006  
OF THE GOVERNING BODY OF THE  
YAVAPAI-APACHE NATION

COPY

A Resolution Confirming and Declaring  
a Riparian Conservation Corridor and Management  
Plan for the Verde River

**WHEREAS:** the Yavapai-Apache Nation ("Nation") is a federally-recognized Indian Nation organized pursuant to Section 16 of the Indian Reorganization Act of 1934; and

**WHEREAS:** the Tribal Council of the Yavapai-Apache Nation is vested under the Nation's Constitution to represent the Nation and to act in all matters that concern the health and welfare of the Nation, and is charged to protect the land and resources of the Nation; and

**WHEREAS:** the Tribal Council of the Yavapai-Apache Nation is vested under Article V(e) of the Nation's Constitution to regulate the use and disposition of all land within the jurisdiction of the Tribe, and under Article V(l) of the Constitution to regulate hunting, fishing, trapping, camping, recreation, hiking and all other related activities on lands within the jurisdiction of the Nation; and

**WHEREAS:** the Tribal Council of the Yavapai-Apache Nation finds that it in the best interest of the Nation to formally declare and confirm certain land use restrictions and management plan goals along the Verde River in order to continue to protect the traditional and cultural practices of the Nation, and to preserve those physical and biological features found within the riparian corridor of the Verde River which are essential to native wildlife species, including species listed as endangered or threatened by the federal government under the Endangered Species Act, such as the federally listed spikedace and loach minnow.

**NOW THEREFORE BE IT RESOLVED** that, in order to continue protect habitat within the riparian corridor of the Verde River from development or degradation, and to preserve the traditional and cultural practices of the Nation, the Tribal Council of the Yavapai-Apache Nation formally declares and confirms a riparian conservation corridor on the undeveloped Reservation lands on both sides of the Verde River, beginning at the center of the River and extending outward for three-hundred (300) lateral feet on either side of the bankfull stage of the Verde River.

**BE IT FURTHER RESOLVED** that within this riparian conservation corridor, stocking of non-native fishes shall be prohibited, and livestock, grazing, construction and other activities shall be minimized to assure that no net loss of habitat for federally listed species such as the spikedace and loach minnow shall occur, and that no permanent modification of habitat essential to listed species is allowed;

**BE IT FURTHER RESOLVED** that the Nation will take all reasonable steps to coordinate with the United States Fish and Wildlife Service regarding recreational activities (such as camping and fishing), habitat restoration activities (such as re-vegetation or controlled fires), or other significant activities within the riparian corridor, where such activities may adversely impact habitat essential to the conservation and/or recovery of federally listed species, including the spikedace and loach minnow;

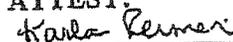
**BE IT FURTHER RESOLVED** that within funding limitations, and subject to confidentiality guidelines established by the Nation, the Nation will coordinate with the United States Fish and Wildlife Service to monitor habitat within the riparian conservation corridor for the presence of federally listed species such as the spikedace and loach minnow, including performing surveys, and to conduct research or other activities pertaining to or for the benefit of federally listed species or their habitat; and

**BE IT FINALLY RESOLVED** that the Yavapai-Apache Land and Water Committee shall implement the management plan goals described in this Resolution in order to protect the habitat within the riparian conservation corridor, and shall cause a certified copy of this Resolution to be delivered to all Departments of the Nation or other entities of the Nation, as the Land and Water Committee may deem appropriate.

#### CERTIFICATION

I hereby certify that the foregoing resolution was adopted at a Special Tribal Council Meeting with a quorum present by an affirmative vote of the Tribal Council, presented for approval on June 15, 2006, by a vote of 8 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation.

  
Jamie Fullmer, Chairman

ATTEST:  
  
Karla Reimer, Council Secretary