



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Manuscript Review and Submission to a Peer-Reviewed Journal for the Manuscript Titled, “Seasonal life history and impact of *Nepytia janetae* (Lepidoptera: Geometridae): An emerging pest in Southwestern montane forests” by Dr. Lynch, retired, and FHP Entomologists)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Reservation”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power, “To represent the Tribe and act in all matters that concern the welfare of the Tribe...”, and at Article IV, Section 1(f), the power, “To protect and preserve the wildlife, plant life, forests, natural resources and water rights of the Tribe...”; and

WHEREAS, The United States Department of Agriculture Forest Service (“USDA FS”), the Forest Health Protection (“FHP”) program under State, Private, and Tribal Forestry is responsible for providing forest health services to the Tribe and other federal agencies, States, and non-governmental agencies to protect, maintain, and enhance the health of our Nation’s forests and forest resources by monitoring and managing insects, disease causing agents, and invasive plants affecting trees and forests; and

WHEREAS, FHP resources and services include: 1) technical assistance to monitor extent and severity of forest impacts from native and exotic insects, tree diseases, and/or abiotic events, and to report these results to the Tribe annually for consideration of forest resource management planning and decision making; 2) providing Suppression Funding opportunities to mitigate outbreaks from native or exotic forest insect and diseases; 3) providing technical expertise to develop integrated pest management strategies for emergent forest health issues on tribal lands to mitigate negative impacts on forests and natural resources; and

WHEREAS, FHP entomologists and plant pathologists work with USDA FS Research and Development, such as the Rocky Mountain Research Station (“RMRS”) entomologists and plant pathologists to help determine basic biology, environmental conditions associated with outbreaks, and impacts to forest ecosystems from native and emergent pests when knowledge gaps exist; and

WHEREAS, FHP, RMRS, BIA, and the Tribe collaborate on numerous forest health monitoring projects on Reservation lands and have previously used the Continuous Forest Inventory (CFI) plot network to monitor impacts from forest insect outbreaks and report those findings in peer-reviewed scientific journals to share new information with the Tribe and broadly with the scientific community; and

Resolution No. 04-2024-085

WHEREAS, Dr. Ann Lynch and FHP entomologists requests permission to publish a newly prepared scientific manuscript titled, “Seasonal life history and impacts of *Nepytia janetae* (*Lepidoptera: Geometridae*): An emerging pest in Southwestern montane forests”; and

WHEREAS, The Council finds it in the best interests of the Tribe and its members to continue collaborating with the USDA FS, RMRS Research and Development, and FHP entomologists and plant pathologists to document outbreaks and impacts from native and exotic insects and tree diseases on Tribal forests resources.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Dr. Ann Lynch is authorized to proceed with submission of the manuscript titled, “Seasonal life history and impacts of *Nepytia janetae* (*Lepidoptera: Geometridae*): An emerging pest in Southwestern montane forests” to a scientific journal to be shared broadly.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Dr. Ann Lynch and FHP may use the data from this study 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 the research findings be presented to the Tribal Council, BIA, and Tribal Forestry as a presentation and in written format.

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 APRIL 23, 2024 duly adopted by a vote of TEN for, ONE 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez 4/24/2024
Kasey Velasquez, Chairman Date

Vaneysa Johnson 4/29/2024
Vaneysa Johnson, Tribal Secretary Date