

NOTICE OF THE WHITE MOUNTAIN APACHE TRIBE SATISFACTION OF CAP-AND-TRADE REGULATION SECTION 95975(I) REQUIREMENTS FOR THE WHITE MOUNTAIN APACHE TRIBE FOREST OFFSET PROJECTS

This NOTICE OF THE WHITE MOUNTAIN TRIBE SATISFACTION OF CAP-AND-TRADE REGULATION SECTION 95975(I) REQUIREMENTS FOR THE WHITE MOUNTAIN APACHE TRIBE FOREST OFFSET PROJECTS (“Notice”), dated as of the date of last signature (“Effective Date”), is made by and between the White Mountain Apache Tribe (“Tribe”) and the California Air Resources Board (“ARB”).

WHEREAS, the Tribe previously entered into a limited waiver of sovereign immunity with ARB with respect to the Tribe’s Improved Forest Management Project by Resolution No. 11-2013-213, dated as of November 1, 2013, as noticed in a Notice of Satisfaction dated June 10, 2014;

WHEREAS, pursuant to the Cap-and-Trade regulations section 95975(l)(1), the Tribe has entered into another limited waiver of sovereign immunity with ARB with respect to the Tribe’s additional forest offset projects (“Projects”) by Resolution No. 09-2015-184, dated as of September 28, 2015;

WHEREAS, pursuant to the Cap-and-Trade regulations section 95975(l)(2), the Tribe has provided ARB with documentation demonstrating that this limited waiver of sovereign immunity has been properly adopted in accordance with the Tribe’s Constitution or other organic law, by-laws and ordinances, and applicable federal laws;

WHEREAS, pursuant to the Cap-and-Trade regulations section 95975(l)(3), the Tribe has provided ARB with documentation from the U.S. Department of the Interior, Bureau of Indian Affairs indicating that federal approval is not required for the Tribe’s Project; and

WHEREAS, the Tribe and ARB wish to provide notice to the Offset Project Registries, the public, and any other interested parties that the Tribe has satisfied the requirements of Cap-and-Trade regulations section 95975(l) for the Tribe’s Project.

NOW, THEREFORE, in consideration of the covenants and terms set forth in Resolution No. 09-2015-184 and this Notice, the Tribe and ARB agree that all requirements of Cap-and-Trade regulations section 95975(l) for the Tribe’s Project have been satisfied.

[Signature page follows]

IN WITNESS WHEREOF, the Tribe and ARB have executed and acknowledged this Notice as of the Effective Date.

White Mountain Apache Tribe

By: Ronnie Lupe

Name: *Ronnie Lupe*

Title: *Chairman*

Date: *10/5/15*

Air Resources Board

By: *[Signature]*

Name: *Richard W. Corey*

Title: *Executive Officer*

Date: *10/13/2015*