

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approval of Costs of Natural Resources destroyed during the Air Force A-10 crash**  
**on May 12, 1998 near Al Chuckson Community-Baboquivari District)**

**RESOLUTION NO. 2000-206**

- 1   **WHEREAS, the people and the lands of the Tohono O'odham Nation continue to be adversely**  
2           **impacted by the Air Force's repeated military aircraft crashes and incidents; and**
- 3   **WHEREAS, on May 12, 1998, a Davis-Monthan Air Force A-10 aircraft crashed approximately five**  
4           **miles east of Al Chuckson (Little Tucson) Community, located within Baboquivari**  
5           **District. The A-10 crash destroyed natural resources culturally-significant to the**  
6           **members of the Nation; and**
- 7   **WHEREAS, the Nation's Natural Resources Department prepared a damage assessment of the**  
8           **crash site listing destroyed vegetation and animals. The following lists the species**  
9           **and amounts destroyed: 25 saguaro cacti, 125 ocotillo, 130 jojoba, 30 paloverde**  
10           **trees, 25 mesquite trees, 10 prickly pear cacti, 8 fishhook barrel cacti, 6 cholla cacti,**  
11           **2 collared lizards, 1 horned regal lizard, 1 striped tree lizard, 1 rattlesnake and 1**  
12           **Harris ground squirrel; and**
- 13   **WHEREAS, the O'odham respect their land and all that grow, travel, and survive within their**  
14           **homeland; and**
- 15   **WHEREAS, the O'odham utilize most of the vegetation as a source of food, building material,**  
16           **medicinal purposes, and for ceremonial purposes to continue their "Way of Life";**  
17           **and**
- 18   **WHEREAS, the O'odham regard the plants and animals as O'odham and as relatives; and**
- 19   **WHEREAS, the Tohono O'odham Nation is submitting a Federal Tort Claim to the Department**  
20           **of the Air Force to recover costs incurred by departmental personnel and for**  
21           **natural resources destroyed; and**
- 22   **WHEREAS, the damages are as follows: Saguaros @ \$10,000.00 each, Cholla @ \$2,000.00 each,**  
23           **Jojoba @ \$1,000.00 each, Ocotilla @ \$900.00 each, Paloverde @ \$1,000.00 each,**  
24           **Mesquite @ \$1,000.00 each, Prickly pear @ \$750.00 each, Fishhook barrel @ \$1,500.00**  
25           **each, Rattlesnake @ \$600.00 each, Horned lizard @ \$2,000.00 each, Collared lizard**  
26           **@ \$500.00 each, Striped lizard @ \$500.00 each, and Ground squirrel @ \$250.00 each;**  
27           **and**
- 28   **WHEREAS, the O'odham view their culture as being priceless, the O'odham are willing to claim**

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1                    an amount no less than \$583,350.00 for natural resources damages at this one time;

2                    and

3        **WHEREAS, the Cultural Preservation and Natural Resource Committees support the identified**  
4                    **costs for this claim; and**

5        **WHEREAS, the payment for natural resources damages will be placed into the Nation's**  
6                    **Environmental Trust Fund.**

7        **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**  
8                    **approves the natural resources costs to be placed in the Federal Tort Claim and**  
9                    **adopts the statement attached hereto.**

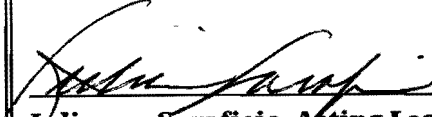
10        **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05<sup>TH</sup>.**  
11        **Day of MAY, 2000 at a meeting at which a quorum was present with a vote of 1,492.9 FOR; -0-**  
12        **AGAINST; -0- NOT VOTING; and 672.6 [11] ABSENT, pursuant to the powers vested in the Council**  
13        **by Section 1 (i)(2) and (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**  
14        **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy**  
15        **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**  
16        **Act of June 18, 1934 (48 Stat. 984).**  
17

18                    **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

19  
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21                      
22                    **Dennis Ramon, Legislative Chairman**

23  
24                    8 day of May, 20 00

25  
26  
27        **ATTEST:**

28  
29                      
30                    \_\_\_\_\_  
31                    **Julianna Saraficio, Acting Legislative Secretary**

32  
33                    05 day of May, 20 00.

34  
35        **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
36        **O'Odham Nation on the 8 day of May, 20 00 at 1:13 o'clock,**  
37        **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will**  
38        **become effective upon his approval or upon his failure to either approve or disapprove it within**  
39        **48 hours of submittal.**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

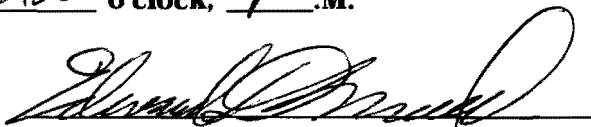
  
**Dennis Ramon, Legislative Chairman**

**APPROVED**

on the 9<sup>th</sup> day of May, 20 00

**DISAPPROVED**

at 3:30 o'clock, P.M.

  
**EDWARD D. MANUEL, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 09 day of

May, 20 00, at 3:40 o'clock, P.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION: APPROVAL OF COSTS OF NATURAL RESOURCES DESTROYED DURING THE AIR FORCE A-10 CRASH ON MAY 12, 1998 NEAR AL CHUCKSON COMMUNITY-BABOQUIVARI DISTRICT**

**Moved: COUNCILMAN TONY BURRELL**

**SECOND: COUNCILMAN CAMILLUS LOPEZ**

**DATE: MAY 05, 2000**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9				X
	2. RITA MARTINEZ (Nicholas Jose)	85.9				X
<b>SELLS</b> 372.7	1. DENNIS E. JOSE ( )	186.35				X
	2. EVELYN JUAN ( )	186.35				X
<b>SCHUK TOAK</b> 133.4	1. MARY FLORES ( )	66.7	X			
	2. AMBROSE ENCINAS ( )	66.7	X			
<b>SAN XAVIER</b> 165.9	1. TONY BURRELL ( )	82.95	X			
	2. DENNIS RAMON ( )	82.95	X			
<b>BABOQUIVARI</b> 286.5	1. FRANCES MIGUEL ( )	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			X
<b>GU ACHI</b> 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ( )	104.8	X			X
<b>PISINEMO</b> 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ( )	78.4	X			
<b>SAN LUCY</b> 128.1	1. ALBERT MANUEL, JR. ( )	64.05				X
	2. GLORIA RAMIREZ ( )	64.05				X
<b>GU VO</b> 160.0	1. FERN SALCIDO ( )	80.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
<b>HICKIWAN</b> 158.1	1. ALEX JOSE (Shirley Santos)	79.05	X			X
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
<b>CHUKUT KUK</b> 222.6	1. KENNETH WILLIAMS ( )	111.3	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
<b>TOTAL</b>		<b>2,165.5</b>	<b>1,492.9</b>	<b>-0-</b>	<b>-0-</b>	<b>672.6</b> <b>[11]</b>

**\*\*PASSED VOTES**