

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Requesting that the National Congress of American Indians (NCAI) work actively
to maintain current drinking water standards until sound scientific evidence is
gathered, relevant cost/benefits analysis is conducted and proper
Tribal Consultation is observed)**

RESOLUTION NO. 2000-537

- 1 **WHEREAS, the United States Environmental Protection Agency has recently proposed several**
2 **new drinking water standards, including one that would lower the standard for**
3 **arsenic from 50 parts per billion (ppb) to 5 ppb; and**
- 4 **WHEREAS, if implemented as proposed, these standards would have a profound detrimental**
5 **economic and health effect on the Tohono O'odham Nation as well as other Tribes**
6 **and rural drinking water systems in the Southwest and other areas of the United**
7 **States; and**
- 8 **WHEREAS, according to the Tohono O'odham Utility Authority, the new rules for arsenic alone**
9 **would affect nearly 80% of the Nation's drinking water systems, with an initial capital**
10 **cost of over \$13,000,000; and**
- 11 **WHEREAS, when combined with the implementation costs of other proposed drinking water**
12 **rules, the water bills for many small Tohono O'odham Nation communities could**
13 **approach \$200 per month per household; and**
- 14 **WHEREAS, the disparate economic impact on small rural water systems, especially in low**
15 **income areas such as Native American communities has not been adequately**
16 **considered; and**
- 17 **WHEREAS, it is the position of the Tohono O'odham Nation and many drinking water authorities**
18 **throughout the country that these standards are based on other than sound science,**
19 **with no scientific studies conducted in the U.S.; and**
- 20 **WHEREAS, these standards were proposed without proper consultation with Tribal**
21 **governments.**
- 22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**
23 **requests that the NCAI work actively to maintain the current 50 ppb arsenic standard**
24 **until the scientific evidence supporting a lower standard is collected.**
- 25 **BE IT FURTHER RESOLVED that the Tohono O'odham Nation requests that NCAI request that**
26 **the USEPA not apply a linear approach to their cost/benefits analysis, because it does**

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1 not adequately address the needs of the small rural water systems such as those
2 found in Indian Country.

3 **BE IT FINALLY RESOLVED that the Tohono O'odham Nation requests that NCAI work actively**
4 **to ensure that the USEPA and other federal agencies follow the requirements of the**
5 **November 6, 2000 Executive Order entitled, "Consultation And Coordination With**
6 **Indian Tribal Governments."**

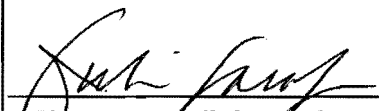
7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH. Day**
8 **of NOVEMBER, 2000 at a meeting at which a quorum was present with a vote of 1,999.6 FOR; -0-**
9 **AGAINST; -0- NOT VOTING; and 165.9 [06] ABSENT, pursuant to the powers vested in the Council by**
10 **Section 1 (c)(2) & (l) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
11 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
12 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
13 **18, 1934 (48 Stat. 984).**

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15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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19 **Dennis Ramon, Legislative Chairman**

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21 9th day of November, 20 00

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23 **ATTEST:**

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27 **Julianna Saraficio, Acting Legislative Secretary**

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29 9 day of November, 20 00.

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31 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
32 **Nation on the 9th day of November, 20 00 at 7:19 o'clock, P.M.,**
33 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
34 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
35 **submittal.**

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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41 **Dennis Ramon, Legislative Chairman**

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APPROVED

on the 9th day of November, 2000

DISAPPROVED

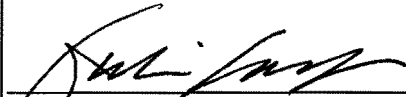
at 7:29 o'clock, P.M.



EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 9 day of

November, 2000, at 7:49 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: REQUESTING THAT THE NATIONAL CONGRESS OF AMERICAN INDIANS (NCAI) WORK ACTIVELY TO MAINTAIN CURRENT DRINKING WATER STANDARDS UNTIL SOUND SCIENTIFIC EVIDENCE IS GATHERED, RELEVANT COST/BENEFITS ANALYSIS IS CONDUCTED AND PROPER TRIBAL CONSULTATION IS OBSERVED

MOVED: COUNCILMAN DAVID GARCIA

SECOND: COUNCILMAN ALBERT MANUEL, JR.

DATE: NOVEMBER 09, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7	X			
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95				X
	2. DENNIS RAMON ()	82.95				X
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			X
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05	X			
	2. GLORIA RAMIREZ ()	64.05	X			
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
HICKIWAN 158.1	1. SHIRLEY MOLINA ()	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	1,999.6	-0-	-0-	165.9 [06]

****PASSED VOTES**