

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2002 P.L. 93-638 Grant for Solid Waste Dump Clean Up and Closures)

RESOLUTION NO. 01-518

- 1 **WHEREAS, the Tohono O'odham Nation ("Nation"), in exercise of its sovereign authority, desires**
2 **to manage and regulate the storage, collection, recycling, transportation and disposal**
3 **of solid waste and certain hazardous waste on lands within the boundaries of the**
4 **Tohono O'odham Nation (Nation) in order to protect the Nation's environment, its**
5 **natural resources, the political integrity and economic security, and the health, safety**
6 **and welfare of its members and all persons present on the lands of the Nation; and**
- 7 **WHEREAS, The United States Congress adopted legislation in the form of The Indian Lands open**
8 **Dump Clean-up Act of 1994, 25 USC section 3901-3908, requiring the Indian Health**
9 **Service provide technical and financial assistance for the closure of all solid waste**
10 **dumps on Indian Lands; and**
- 11 **WHEREAS, the Tohono O'odham Legislative Council ("Legislative Council") adopted the Solid**
12 **Waste Management Code and Solid Waste Management Plan on February 12, 1997 and**
13 **amended the Solid Waste Management Code on October 16, 1997 (Resolution 97-041);**
14 **and**
- 15 **WHEREAS, from FY 1997 through FY 2001 the Legislative Council has approved both the capital**
16 **and operating budgets for the Solid Waste Management Program to establish and**
17 **manage a reservation-wide solid waste and recycling collection and disposal program;**
18 **and**
- 19 **WHEREAS, a detailed cost analysis of the cleaning and closing of all 113 dump sites, entitled**
20 **Closure and Post-Closure Plan Tohono O'odham Nation Open Dumpsites, (August,**
21 **2000) which was funded by the Indian Health Service, has been estimated at**
22 **\$6,200,000; and**
- 23 **WHEREAS, the Nation has applied for and received approximately \$1,085,400.00 from the I.H.S.**
24 **and the Interagency Solid Waste Task Force for starting the process of cleaning up and**
25 **closing all the solid waste dumps; and the Nation will continue to apply for additional**
26 **funds for closure as long as funds are available; and**
- 27 **WHEREAS, the Tohono O'odham Solid Waste Management Code directs that the Solid Waste**
28 **Regulatory Office and the Solid Waste Management Program close all dump sites**
29 **making sure to conform to all applicable environmental standards.**

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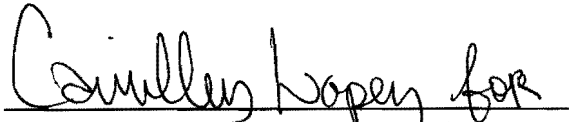
1 **NOW, THEREFORE, BE IT RESOLVED that current and future Indian Health Service funds,**
2 **Interagency Solid Waste Task Force funds and other grant funds earmarked for dump**
3 **closure be directed into a designated account for the Solid Waste Management**
4 **Program to perform such dump closure activity.**

5 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the**
6 **expenditure of \$560,667.28 by the SWMP for FY 2001-2002 in accordance with the**
7 **attached budget.**

8 **BE IT FINALLY RESOLVED that subsequent funding for solid waste dump clean up and closures is**
9 **wholly dependant upon continued funding from Indian Health Service funds,**
10 **Interagency Solid Waste Task Force funds and other grant funds, and there will be no**
11 **obligation for funding by the Tohono O'odham Nation.**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH Day**
13 **of OCTOBER, 2001 at a meeting at which a quorum was present with a vote of 2,256.8 FOR; -0-**
14 **AGAINST; 160.7 NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by**
15 **Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
16 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
17 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
18 **Stat. 984).**

19
20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24 **Rita A. Martinez, Legislative Chairwoman**

25
26 17th day of October, 2001

27 **ATTEST:**

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31 **Julianna Saraficio, Acting Legislative Secretary**

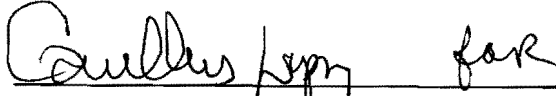
32
33 10 day of October, 2001.

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35 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
36 **Nation on the 17th day of October, 20 01 at 4:47 o'clock, P.M.,**
37 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
38 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
39 **submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 18th day of October, 20 01

DISAPPROVED

at 11:34 o'clock, A.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 18 day of

October, 20 01, at 11:54 o'clock, A.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING FY 2002 P.L. 93-638 GRANT FOR SOLID WASTE DUMP CLEAN UP AND CLOSURES

MOVED: COUNCILWOMAN EVELYN JUAN

SECOND: COUNCILMAN ISIDRO LOPEZ

DATE: OCTOBER 10, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			X
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65	X			X
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			X
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35			X	X
	2. GLORIA RAMIREZ ()	80.35			X	
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35	X			
	2. DENNIS RAMON ()	92.35	X			X
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	2,256.8	-0-	160.7	[06]

**PASSED VOTES