

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Designating a Portion of the Pisinemo District as the Pisinemo Mesquite Bosque Preserve)

RESOLUTION NO. 02-094

1 **WHEREAS, there is an ecosystem area within the boundaries of the Pisinemo District that the**
2 **District has an interest in protecting and managing; and**

3 **WHEREAS, by Resolution No. 2000-577, the Legislative Council granted authority to the Pisinemo**
4 **District (i) to apply for and receive grant funds and to expend such funds for the**
5 **Pisinemo Mesquite Bosque Conservation Project, (ii) enter into contracts and**
6 **subcontracts related to the Project, and (iii) to report and make recommendations**
7 **to the Council regarding the designation of the area as a Mesquite Bosque Preserve;**
8 **and**

9 **WHEREAS, Pisinemo District did apply for and receive a grant from the Western Region for the**
10 **Bureau of Indian Affairs, U.S. Department of the Interior, the primary purposes of**
11 **which were to evaluate the establishment of a Mesquite Bosque Preserve in Pisinemo**
12 **District with the dual purposes of protecting the ecosystems and enhancing the**
13 **economic base of the District; and**

14 **WHEREAS, through the use of the grant monies received from the Bureau of Indian Affairs, a**
15 **study for the aforementioned purposes has been completed; and**

16 **WHEREAS, Pisinemo District has received technical support from the Nation's Natural**
17 **Resources Department, the Cultural Affairs Office, the Planning Department, and**
18 **others throughout the duration of the grant; and**

19 **WHEREAS, Pisinemo District has been fully responsible and has fully complied with the terms**
20 **of the grant; and**

21 **WHEREAS, through the completion of the project, Pisinemo District has identified an area of**
22 **approximately 52,000 acres in the District suitable for designation as the Pisinemo**
23 **Mesquite Bosque Preserve for preservation, research, education, tourism, and**
24 **economic development in harmony with environmental conservation; and**

25 **WHEREAS, designation of the Pisinemo Mesquite Bosque Preserve is consistent with the policy**
26 **of the Tohono O'odham Nation to promote efforts which will preserve and protect the**
27 **natural and cultural environment of the Nation, including the land, air, water, flora,**
28 **and fauna, ecological systems, natural resources, historic and cultural artifacts, and**

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1 archeological sites; and

2 **WHEREAS, the Pisinemo District Council supports the designation of the Pisinemo Mesquite**
3 **Bosque Preserve as is evident by District Council Resolution No. 2002-06; and**

4 **WHEREAS, Pisinemo District desires to control and manage the Pisinemo Mesquite Bosque**
5 **Preserve in order to protect the ecosystems which support the native riparian habitat**
6 **and for the secondary purpose of enhancing the economy of the Pisinemo District by**
7 **developing small business enterprises and opportunities for the District; and**

8 **WHEREAS, designation of the Pisinemo Mesquite Bosque Preserve will serve a substantial public**
9 **purpose; and**

10 **WHEREAS, the Legislative Council considers it in the best interests of the Nation to designate an**
11 **area of approximately 52,000 acres within the Pisinemo District as the Pisinemo**
12 **Mesquite Bosque Preserve.**

13 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that an area of**
14 **approximately 52,000 acres within the Pisinemo District is dedicated as the**
15 **"Pisinemo Mesquite Bosque Preserve" as depicted on the attached sketch map.**

16 **BE IT FURTHER RESOLVED that the Pisinemo District is assigned responsibility for the**
17 **development of the Pisinemo Mesquite Bosque Preserve.**

18 **BE IT FURTHER RESOLVED that pursuant to Resolution No. 2000-577, Pisinemo District continues**
19 **to be authorized to receive grant funds and expend such funds for the Pisinemo**
20 **Mesquite Bosque Preserve and its management and operations.**

21 **BE IT FURTHER RESOLVED that pursuant to Resolution No. 2000-577, Pisinemo District continues**
22 **to be deemed a "tribal organization" as defined in section 900.6 of title 25, Code of**
23 **Federal Regulations and subject to compliance with other applicable provisions of**
24 **Part 900 of title 25, Code of Federal Regulations, and Pisinemo may enter into P.L. 93-**
25 **638 contracts related to the Pisinemo Mesquite Bosque Preserve provided that the**
26 **Tohono O'odham Nation shall not be held liable for the obligations of Pisinemo**
27 **District under such contracts.**

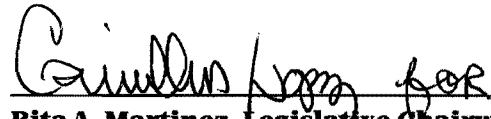
28 **BE IT FURTHER RESOLVED that Pisinemo District is delegated control and management authority**
29 **over the property within the Pisinemo Mesquite Bosque Preserve subject to the**

1 limitation that the Tohono O'odham Nation shall not be held liable for the obligations
2 of Pisinemo District under such contracts, and further subject to the authority of the
3 Tohono O'odham Legislative Council to return control and management authority
4 over the property to the Nation should that be necessary, in the sole discretion of the
5 Legislative Council, to preserve and protect the natural and cultural environment of
6 the designated area.

7 BE IT FINALLY RESOLVED that the Pisinemo District shall provide a written report to the
8 Legislative Council annually on the status of the Pisinemo Mesquite Bosque Preserve.

9 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH Day
10 of MARCH, 2002 at a meeting at which a quorum was present with a vote of 1,823.6 FOR; 94.15
11 AGAINST; 499.75 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
12 Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono
13 O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
14 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
15 Stat. 984).

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17 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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20 _____
21 Rita A. Martinez, Legislative Chairwoman

22
23 12th day of March, 2002

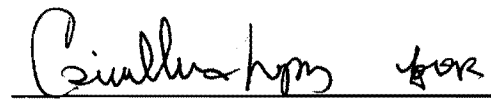
24
25 ATTEST:

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28 _____
29 Julianna Saraficio, Acting Legislative Secretary

30 06 day of March, 2002.

31
32 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
33 Nation on the 12th day of March, 2002 at 8:47 o'clock, A.M.,
34 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
35 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
36 submittal.

37 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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40 _____
41 Rita A. Martinez, Legislative Chairwoman

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APPROVED

on the 12th day of March, 20 02

DISAPPROVED

at 1:34 o'clock, P.M.



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

Returned to the Legislative Secretary on the 12th day of

March, 20 02, at 4:04 o'clock, P.M.

Mashone L Johnson for
Julianna Saraficio, Acting Legislative Secretary

ACTION: DESIGNATING A PORTION OF THE PISINEMO DISTRICT AS THE PISINEMO MESQUITE BOSQUE PRESERVE

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: COUNCILMAN DAVID GARCIA

DATE: MARCH 07, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUITVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	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			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	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			X
	2. DENNIS RAMON ()	92.35	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			X
TOTAL		2,417.5	1,823.6	94.15	499.75	[03]

**PASSED VOTES