

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adopting an Interim Pesticide Protocol for the Tohono O'odham Nation)

RESOLUTION NO. 02-558

1 **WHEREAS, the Tohono O'odham Nation is devoted to the goals of protecting the environment**
2 **and safe guarding the health and well being of the Nation's members; and**

3 **WHEREAS, Article XVIII of the Constitution of the Tohono O'odham Nation sets out the Council's**
4 **continuing responsibility to assure for all members safe and healthful surroundings;**
5 **and**

6 **WHEREAS, the Pesticides Regulatory Program under the Nation's Department of Public Safety**
7 **was established by Resolution No. 2000-017. The Nation is currently implementing**
8 **a Pesticides Regulatory Program and is responsible for determining the extent of**
9 **pesticide use on the Nation and developing the regulatory infrastructure to ensure**
10 **that pesticide related activities on the Nation's lands occur in a responsible manner;**
11 **and**

12 **WHEREAS, the Pesticide Program has recently conducted a Pesticide Assessment, attached as**
13 **Exhibit A and incorporated by this reference, that shows that there is a significant**
14 **amount of pesticides being applied on the lands of the Nation, including construction**
15 **pretreatment, structural, and agricultural applications; and**

16 **WHEREAS, the Program is currently consulting with affected agencies, programs and farms on**
17 **how to create an effective regulatory program; and**

18 **WHEREAS, while that consultation is occurring, there exists an immediate need for an interim**
19 **protocol to collect specific data about pesticide use on the Nation, including quantity,**
20 **type, and location of applications as well as applicator certification status and**
21 **pesticide storage and disposal; and**

22 **WHEREAS, an Interim Pesticide Control Protocol was developed by the Program, attached as**
23 **Exhibit B and incorporated by this reference, to monitor pesticides usage until such**
24 **time as the Nation can enact a Pesticide Code; and**

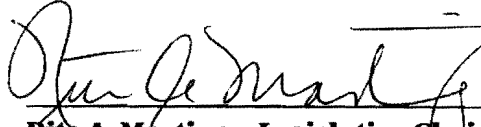
25 **WHEREAS, this Resolution and its attachments have been reviewed by the Domestic Affairs**
26 **Committee which recommends approval by the Legislative Council.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Department of Public Safety, Environmental**
28 **Protection Agency's Pesticide Program Interim Pesticide Control Protocol, as**
29 **attached, are hereby adopted.**

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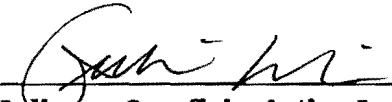
1 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH. Day
2 of NOVEMBER, 2002 at a meeting at which a quorum was present with a vote of 1,263.75 FOR;
3 811.75 AGAINST; -0- NOT VOTING; and 342.0 [09] ABSENT, pursuant to the powers vested in the
4 Council by Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted
5 by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
6 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
7 18, 1934 (48 Stat. 984).
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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13 Rita A. Martinez, Legislative Chairwoman

14 14th day of November, 20 02

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17 ATTEST:

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21 Julianna Saraficio, Acting Legislative Secretary

22 08 day of November, 20 02.

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25 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
26 Nation on the 14th day of November, 20 02 at 3:11 o'clock, P.M.,
27 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
28 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
29 submittal.
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31 TOHONO O'ODHAM LEGISLATIVE COUNCIL


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35 Rita A. Martinez, Legislative Chairwoman

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40 APPROVED

on the 18 day of November, 20 02

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42 DISAPPROVED

at 10:45 o'clock, A.M.

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46 EDWARD D. MANUEL, Chairman
47 TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 18th day of

November, 20 02, at 2:09 o'clock, P.M.

Julianna Saraficio for
Julianna Saraficio, Acting Legislative Secretary

ACTION: ADOPTING AN INTERIM PESTICIDE PROTOCOL FOR THE TOHONO O'ODHAM NATION

MOVED: COUNCILMAN DAVID GARCIA

SECOND: COUNCILWOMAN EVELYN JUAN

DATE: NOVEMBER 08, 2002

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. 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. FELICIA NUÑEZ ()	92.35	X			
	2. DENNIS RAMON ()	92.35	X			X
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			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	1,263.75	811.75	-0-	342.0 [09]

**PASSED VOTES