

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting Position that Kinder Morgan Be Required to Construct and Replace the
Existing Pipeline on Tumamoc Hill within the Existing 30'-40' Right of Way and
Negotiate Rerouting of the Pipeline away from Tumamoc Hill)

RESOLUTION NO. 03-502

1 **WHEREAS, the O'odham and our ancestors have inhabited the Tumamoc Hill area since time**
2 **immemorial; and**

3 **WHEREAS, our ancestors, the Hohokam, made extensive use of this land for dry farming fields,**
4 **which today are estimated to contain more than 8,000 features, including rock piles,**
5 **contour terraces, check dams, and bordered gardens as well as numerous processing**
6 **sites that contain stone tools, ceramics and possible field houses; and**

7 **WHEREAS, in early September 2003, staff from the Tohono O'odham Nation and other tribal**
8 **representatives met with Kinder Morgan, their archaeological consultant (William**
9 **Self and Associates), the Arizona State Museum, the Pima County Historic**
10 **Preservation Office, the City of Tucson and the Department of State Lands; and**

11 **WHEREAS, at this meeting, the tribal representatives unanimously agreed that the gas pipeline**
12 **be rerouted off Tumamoc Hill and if this was not possible, then construction and**
13 **installation of the new gas pipeline on Tumamoc Hill should be confined to the**
14 **existing 30'-40' foot right-of-way that had been previously disturbed by gas pipeline**
15 **construction; and**

16 **WHEREAS, Tumamoc Hill, which means "horned toad mountain" in O'odham, is a place of**
17 **spiritual, cultural and ancestral significance and we are opposed to any further**
18 **disturbance of this area; and**

19 **WHEREAS, on October 14, 2003, Chairwoman Vivian Juan-Saunders sent a letter to the**
20 **Honorable Janet Napolitano, Governor of the State of Arizona, detailing the above**
21 **facts and position.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
23 **support the position that no new easement be approved for Kinder Morgan and that**
24 **they be required to construct and install the pipeline on Tumamoc Hill within the**
25 **existing 30'-40' foot right of way so as to minimize any further disturbance to this**
26 **area of spiritual and cultural significance.**

27 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council fully supports the**
28 **rerouting of the pipeline away from Tumamoc Hill by Kinder Morgan and that this**
29 **option should be fully pursued by all the parties involved.**

RESOLUTION NO. 03-502

(Supporting Position that Kinder Morgan Be Required to Construct and Replace the Existing Pipeline on Tumamoc Hill within the Existing 30'-40' Right of Way and Negotiate Rerouting of the Pipeline away from Tumamoc Hill)

Page 2 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH Day of NOVEMBER, 2003 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0- AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by Section 1 (c)(8) & (i)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

[Signature]
for Dennis Ramon, Legislative Chairman
07th day of November, 2003

ATTEST:

[Signature]
Vivian Hedrington, Legislative Secretary
4th day of November, 2003.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 07th day of November, 2003 at 2:13 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

[Signature]
for Dennis Ramon, Legislative Chairman

APPROVED
 DISAPPROVED

on the 12 day of November, 2003
at 1:40 o'clock, .M.

[Signature]
VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

RESOLUTION NO. 03-502

(Supporting Position that Kinder Morgan Be Required to Construct and Replace the Existing Pipeline on Tumamoc Hill within the Existing 30'-40' Right of Way and Negotiate Rerouting of the Pipeline away from Tumamoc Hill)

Page 3 of 3

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44

Returned to the Legislative Secretary on the 12th day of

November, 2003, at 1:52 o'clock, p.M.

Vivian Hedrington
Vivian Hedrington, Legislative Secretary

ACTION: SUPPORTING POSITION THAT KINDER MORGAN BE REQUIRED TO CONSTRUCT AND REPLACE THE EXISTING PIPELINE ON TUMAMOC HILL WITHIN THE EXISTING 30'-40' RIGHT OF WAY AND NEGOTIATE REROUTING OF THE PIPELINE AWAY FROM TUMAMOC HILL

MOVED: COUNCILWOMAN FELICIA NUNEZ

SECOND: COUNCILWOMAN PHYLLIS JUAN

DATE: NOVEMBER 04, 2003

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			
	2. EVELYN JUAN ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ ()	107.70	X			
	2. DENNIS RAMON ()	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ** ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN ()	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,629.7	-0-	-0-	-0-

**PASSED VOTES