

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Delegation to Explore Means of Preserving Salt Pilgrimage Sites)

RESOLUTION NO. 07-714

1 **WHEREAS, incursions by the Spanish and other foreign powers into North America over the last**
2 **five centuries have resulted in dramatic losses of ancestral lands by the Tohono**
3 **O'odham and other Indian tribes; and**

4 **WHEREAS, the Tohono O'odham Nation has suffered additional erosion of its land base and**
5 **restricted access to sacred sites due to the partition of O'odham lands by the United**
6 **States-Mexico border as well as the taking of lands by the federal government; and**

7 **WHEREAS, O'odham access to or use of traditional lands, sacred sites, and pilgrimage routes is**
8 **further restricted by the National Park Service, U.S. Fish and Wildlife Service,**
9 **Department of Defense, Bureau of Land Management, and other federal agencies now**
10 **asserting control over Organ Pipe National Park, Cabeza Prieta National Wildlife**
11 **Refuge, the Barry M. Goldwater Range, Tat Momolikt Dam, Painted Rock Dam, and**
12 **other ancestral O'odham lands; and**

13 **WHEREAS, access to and preservation of the Nation's traditional lands and sacred sites are**
14 **essential to the O'odham himdag; and**

15 **WHEREAS, the Constitution of the Tohono O'odham Nation directs the Nation to preserve**
16 **traditional O'odham lands and provides that**

It shall be the policy of the Tohono O'odham Nation to seek the
return to the Tohono O'odham Nation of lands and natural
resources, including minerals and water rights, within or adjacent
to the Tohono O'odham Nation, or which originally were a part of
the historic Papagueria.

(Constitution, Article XVI, Section 9); and

24 **WHEREAS, from time immemorial, O'odham throughout historic Papagueria made sacred**
25 **pilgrimages across the Pinacate and Gran Desierto to the salinas on the Sea of Cortez**
26 **to gather salt; and**

27 **WHEREAS, salt pilgrimages were a central part of the O'odham himdag; and**

28 **WHEREAS, it is "the continuing responsibility of the Tohono O'odham Council to use all practical**
29 **means [to] . . . [p]reserve important historic, cultural and natural aspects of Tohono**
30 **O'odham national heritage" (Constitution, Article XVIII, Section 2(d)); and**

31 **WHEREAS, the Legislative Council has accordingly authorized the Nation's active participation**
32 **in the management of the El Pinacate-Gran Desierto de Altar Biosphere Reserve**

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1 **(Resolution No. 93-190) and designated official representatives, including a member**
2 **of the Cultural Preservation Committee, for issues regarding the development and**
3 **management of the Biosphere Reserve (Resolution No. 93-459); and**

4 **WHEREAS, construction of a coastal highway on the Sea of Cortez and related development north**
5 **and west of Puerto Penasco, Sonora are now threatening both the salinas where salt**
6 **was traditionally gathered and natural pozos providing rare sources of fresh water in**
7 **the Gran Desierto; and**

8 **WHEREAS, the Intercultural Center for the Study of Deserts and Oceans ("CEDO"), a binational,**
9 **nonprofit organization dedicated to protecting natural and cultural resources in**
10 **Upper Sea of Cortez and Sonoran Desert, has met with the Legislative Cultural**
11 **Preservation and Natural Resources Committees and the Nation's Chairman and Vice**
12 **Chairman to discuss ways of protecting traditional salt gathering salinas and related**
13 **sites by obtaining environmental easements or through other means; and**

14 **WHEREAS, the Cultural Preservation and Natural Resources Committees strongly support the**
15 **protection of salt pilgrimage sites and have recommended that the Legislative Council**
16 **expressly authorize the Committees to explore means of achieving this goal.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council reaffirms the**
18 **policy of the Tohono O'odham Nation that the O'odham be granted unlimited access**
19 **to and unrestricted use of sacred sites in the United States and Mexico, including but**
20 **not limited to the salinas and traditional salt pilgrimage routes in Organ Pipe National**
21 **Monument, Cabeza Prieta National Wildlife Refuge, the Barry M. Goldwater Range, the**
22 **El Pinacate-Gran Desierto de Altar Biosphere Reserve, and the Alto Golfo del California**
23 **Biosphere Reserve.**

24 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council hereby authorizes and**
25 **directs the following officials to serve as the Nation's delegation ("Delegation") that**
26 **will consult and negotiate with the CEDO and other entities, tribes, governmental**
27 **agencies, and persons on means of preserving salt pilgrimage sites:**

- 28 • **the Chairperson and Vice Chairperson of the Tohono O'odham Nation;**
- 29 • **the Chairperson and Vice Chairperson of the Legislative Cultural Preservation**
- 30 **Committee; and**

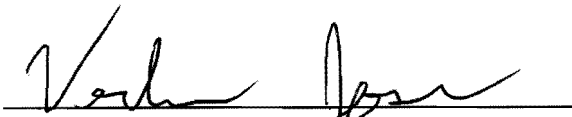
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- the Chairperson and Vice Chairperson of the Legislative Natural Resources Committee.


BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that any agreement negotiated by the Delegation shall be submitted to the Legislative Council for final approval.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH Day of NOVEMBER, 2007 at a meeting at which a quorum was present with a vote of 2,443.95 FOR; 90.55 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(8) and 1(i); Article XVI, Section 9; and Article XVIII, Section 2(d) 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

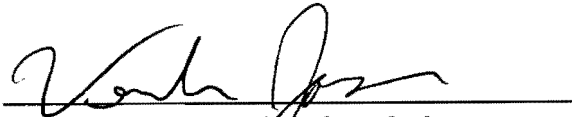

Verlon M. Jose, Legislative Chairman
8 day of November, 2007

ATTEST:


Lucille Lopez, Acting Legislative Secretary
05 day of November, 2007.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 8 day of November, 2007 at 1:35 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Verlon M. Jose, Legislative Chairman

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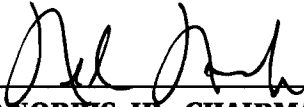
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APPROVED

on the 09 day of November, 2007

DISAPPROVED

at 3:50 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 09 day of

November, 2007, at 4:18 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: AUTHORIZING DELEGATION TO EXPLORE MEANS OF PRESERVING SALT PILGRIMAGE SITES

MOVED: COUNCILMAN GERALD FAYUANT

SECOND: COUNCILWOMAN LORRAINE EILER

DATE: NOVEMBER 05, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	158.45	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. MICHAEL FLORES ()	99.60	X			
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE ()	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55		X		
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (<i>Absent</i>) (Frederick Jose) (<i>Present</i>)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			X
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			X
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,443.95	90.55	-0-	[03]

**PASSED VOTES