

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Memorandum of Agreement Among Federal Highway Administration (FHA),
Arizona Department of Transportation (ADOT), Arizona State Historic Preservation Office
(SHPO), Advisory Council on Historic Preservation, U.S. Army Corps of Engineers, The Bureau
of Indian Affairs - Western Regional Office (BIA) and the Tohono O'odham Nation Regarding
the FHA and ADOT Planning of a Road Widening Project along Arizona State Route 86 between
Mileposts 141.10 and 145.69 (Project No. 086-A(200)A – TRACS No. 086 PM 141.1
H7137 01C, Pima County, Arizona)

RESOLUTION NO. 09-214

1 **WHEREAS, the Tohono O'odham and their ancestors, the Archaic Period peoples and the**
2 **Hohokam have inhabited Southern Arizona since time immemorial; and**

3 **WHEREAS, the Tohono O'odham Nation recognizes the need to protect, preserve and manage**
4 **cultural resources on the Nation's lands and on its traditional-use lands; and**

5 **WHEREAS, the Tohono O'odham Legislative Council passed the Archaeological Resource**
6 **Protection Ordinance (06-84) in 1984 for "the protection and preservation of**
7 **Archaeological resources historically associated with traditional or sacred values**
8 **and beliefs important to the O'odham, and of the physical site, location or context**
9 **in which archaeological resources are found"; and**

10 **WHEREAS, the Cultural Preservation Committee and the Domestic Affairs Committee has**
11 **reviewed and approves the MOA for the Proposed FHA/ADOT Road Widening Project**
12 **on Arizona; and**

13 **WHEREAS, the Cultural Affairs Office has reviewed and approves the MOA and Treatment Plan**
14 **report; and**

15 **WHEREAS, the MOA has been reviewed and approved by the Attorney General's Office of**
16 **the Tohono O'odham Nation.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
18 **approves the MOA, in substantially the form attached hereto, for the Road Widening**
19 **project along Arizona State Route 86 Between Mileposts 141.10 and 145.69 (Project**
20 **No. 086-A(200)A – TRACS No. 086PM 141.1 H7137 01C) pursuant to Section 106 of the**
21 **National Historic Preservation Act of 1966 (NHPA, 16 U.S.C. 470f, 36 CFR 800.2(c)(1)(i),**
22 **and 800.6(b) and authorizes the Chairman of the Tohono O'odham Nation to sign the**
23 **MOA for the Road Widening Project along State Route 86 between Mileposts 141.10**
24 **and 145.69, Tohono O'odham Nation, Arizona.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH. Day**
26 **of APRIL, 2009 at a meeting at which a quorum was present with a vote of 2,335.3 FOR; -0- AGAINST;**
27 **-0- NOT VOTING; and 199.2 AND [08]ABSENT, pursuant to the powers vested in the Council by**
28 **Section 1 (d)(2)&(3) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
29 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
30 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
31 **18, 1934 (48 Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Felicia Toney for
Verlon M. Jose, Legislative Chairman

23rd day of *April*, 2009

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

23rd day of *April*, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the *23rd* day of *April*, 2009 at *12:31* 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

Felicia Toney for
Verlon M. Jose, Legislative Chairman

APPROVED

on the *23* day of *April*, 2009

DISAPPROVED

at *5:32* o'clock, *P*.M.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

RESOLUTION NO. 09-214

(Approving Memorandum of Agreement Among Federal Highway Administration (FHA), Arizona Department of Transportation (ADOT), Arizona State Historic Preservation Office (SHPO), Advisory Council on Historic Preservation, U.S. Army Corps of Engineers, The Bureau of Indian Affairs - Western Regional Office (BIA) and the Tohono O'odham Nation Regarding the FHA and ADOT Planning of a Road Widening Project along Arizona State Route 86 between Mileposts 141.10 and 145.69 (Project No. 086-A(200)A - TRACS No. 086 PM 141.1 H7137 01C, Pima County, Arizona)

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Returned to the Legislative Secretary on the 24 day of

April, 2009, at 8:27 o'clock, a.M.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING MEMORANDUM OF AGREEMENT AMONG FEDERAL HIGHWAY ADMINISTRATION (FHA), ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT), ARIZONA STATE HISTORIC PRESERVATION OFFICE (SHPO), ADVISORY COUNCIL ON HISTORIC PRESERVATION, U.S. ARMY CORPS OF ENGINEERS, THE BUREAU OF INDIAN AFFAIRS - WESTERN REGIONAL OFFICE (BIA) AND THE TOHONO O'ODHAM NATION REGARDING THE FHA AND ADOT PLANNING OF A ROAD WIDENING PROJECT ALONG ARIZONA STATE ROUTE 86 BETWEEN MILEPOSTS 141.10 AND 145.69 (PROJECT NO. 086-A(200)A - TRACS NO. 086 PM 141.1 H7137 01C, PIMA COUNTY, ARIZONA

MOVED: COUNCILWOMAN WAVALENE ROMERO

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: APRIL 20, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			X
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			X
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60				X
	2. RAYMOND VICTOR ()	99.60				X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA (Louie Lopez)	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE (Tony Murrietta)	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			X
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			X
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			X
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,335.3	-0-	-0-	199.2 [08]

****PASSED VOTES**