

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing Approval of a Programmatic Agreement for the Southline**  
**Transmission Project)**

**RESOLUTION NO. 16-050**

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

4 **WHEREAS, the Nation recognizes the need to protect, preserve and manage cultural**  
5 **resources on its traditional-use lands; and**

6 **WHEREAS, the Nation's Legislative Council passed an Archaeological Resources Protection**  
7 **Ordinance (06-84) for the protection and preservation of cultural resources**  
8 **associated with traditional and sacred values and beliefs important to the**  
9 **Tohono O'odham and of the physical site, location or context in which cultural**  
10 **resources are found; and**

11 **WHEREAS, Southline Transmission, LLC intends to construct, operate and maintain the**  
12 **Southline Transmission Project in New Mexico and Arizona; and**

13 **WHEREAS, a portion of the Southline Transmission Project will cross approximately 2 miles**  
14 **by right-of-way on the San Xavier District of the Nation; and**

15 **WHEREAS, the Las Cruces District (New Mexico) of the United States Bureau of Land**  
16 **Management ("BLM") is the lead federal agency for the Southline Transmission**  
17 **Project and intends to issue a right-of-way grant to Southline Transmission, LLC**  
18 **for the construction, operation and maintenance of a transmission line; and**

19 **WHEREAS, the BLM has consulted with the Nation, the New Mexico State Historic**  
20 **Preservation Office and the Arizona State Historic Preservation Office pursuant**  
21 **to Section 800.6 of the federal regulations (36 CFR part 800) implementing**  
22 **Section 106 of the National Historic Preservation Act (54 § U.S.C. 306108), who are**  
23 **all Signatories to this Programmatic Agreement ("PA"), a copy of which is**  
24 **attached hereto and incorporated by this reference; and**

25 **WHEREAS, the BLM has notified the Advisory Council on Historic Preservation ("ACHP")**  
26 **pursuant to 36 CFR 800.6(a)(1)(i)(c) that the Southline Transmission Project will**  
27 **have adverse effects on historic properties that will be resolved through this PA**  
28 **and the ACHP has agreed to participate to resolve adverse effects; and**

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1 **WHEREAS, the Nation has assumed the role of Tribal Historic Preservation Office ("THPO")**  
2 **for lands within the Nation and the Southline Transmission Project crosses the**  
3 **lands of the Nation; and**

4 **WHEREAS, the Nation's THPO has reviewed and recommends approval of this PA; and**

5 **WHEREAS, the Cultural Preservation Committee has reviewed and recommends the**  
6 **approval of this PA.**

7 **NOW, THEREFORE, BE IT RESOLVED that the Legislative Council hereby approves the PA for the**  
8 **Southline Transmission Project and hereby authorizes the Chairman of the**  
9 **Nation to sign the PA in substantially the form attached hereto.**

10 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup>**  
11 **day of FEBRUARY, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;**  
12 **-0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**  
13 **Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the**  
14 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
15 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**  
16 **June 18, 1934 (48 Stat.984).**

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18 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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22 **Timothy Joaquin, Legislative Chairman**

23 10 day of February, 2016

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27 **ATTEST:**

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30 **Evonne Wilson, Legislative Secretary**

31 9 day of February, 2016

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34 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
35 **O'odham Nation on the 10 day of February, 2016 at 9:00 o'clock, A.m.,**  
36 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
37 **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
38 **hours of submittal.**

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40 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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44 **Timothy Joaquin, Legislative Chairman**

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**RESOLUTION NO. 16-050**

**(Authorizing Approval of a Programmatic Agreement for the Southline Transmission Project)**


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**APPROVED**

on the 12 day of February, 2016

**DISAPPROVED**

at 9:16 o'clock PM .m.

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

**Returned to the Legislative Secretary on the 12 day of**

February, 2016, at 9:23 o'clock, PM .m.

  
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**Evonne Wilson, Legislative Secretary**

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**ACTION: AUTHORIZING APPROVAL OF A PROGRAMMATIC AGREEMENT FOR THE SOUTHLINE TRANSMISSION PROJECT****MOTION: COUNCILMAN LOUIS R. LOPEZ****SECOND: COUNCILMAN ARTHUR WILSON****DATE: FEBRUARY 08, 2016**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH <i>(Absent)</i> (Gloria Zazueta) <i>(Present)</i>	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicentl)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ( )	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ( )	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ( )	109.95	X			X
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( )	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ( )	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ( )	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			X
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ( )	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			X
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>