

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Temporary Use Permit for Organ Pipe Cactus National Monument for
the Purpose of Maintenance and Repair of the Northeastern Exterior Boundary Fence)

RESOLUTION NO. 16-154

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to "administer land and other public property, and by law,
3 ordinance or resolution...to manage, protect, preserve and regulate the use of the
4 property, wildlife, land, air and natural resources (including surface and ground
5 waters) of the Tohono O'odham Nation" (Constitution, Article VI, Section 1(i)(2));
6 and

7 **WHEREAS,** the Superintendent of the Organ Pipe Cactus National Monument (the
8 "Monument") has notified the Nation of plans to repair the exterior fence in the
9 northeastern corner of the Monument which borders the Gu Vo District of the
10 Tohono O'odham Nation; and

11 **WHEREAS,** the Monument is part of the National Wilderness Preservation System
12 established by the U.S. Congress, and managed by the National Park Service
13 ("NPS"), which unless specified, does not allow motorized equipment or
14 mechanical support within the monument's exterior boundaries other than on
15 established visitor roadways and camp areas; and

16 **WHEREAS,** the maintenance and repair project is in a remote area of the Monument where
17 roads do not exist to enable the National Park Service access to conduct the
18 planned work; and

19 **WHEREAS,** the Monument informed the Nation and Gu Vo District of plans to access the
20 Monument's fence line through roads within the Gu Vo District, such as existing
21 jeep trails, that certain areas would become staging areas for supplies and
22 equipment, and assured the Nation that the Monument's activities would have
23 minimal impact to the Nation's land; and

24 **WHEREAS,** the Monument expects the Saguaro National Park Trail Crew to undertake the
25 work slated for this project either beginning June 26, 2016 or August 20, 2016
26 dependent upon the Trail Crew's schedule and to complete the project within a
27 two week period; and

28 **WHEREAS,** the Agricultural and Natural Resources Committee recommends approving a
29 temporary use permit, which clearly outlines the responsibilities and
30 expectations for the permittee, the Monument, including completing cleanup
31 operations after the maintenance and repair work is completed.

32 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it approves
33 a temporary use permit, which is incorporated by this reference, for the Organ
34 Pipe Cactus National Monument for the term beginning either June 26, 2016 or

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(Approving Temporary Use Permit for Organ Pipe Cactus National Monument for the Purpose of Maintenance and Repair of the Northeastern Exterior Boundary Fence)

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August 20, 2016; provided that any additional temporary use permit is subject to prior Legislative Council approval.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH day of APRIL, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0- AGAINST; -0- NOT VOTING; and [07] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(i)(2) 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

Timothy Joaquin, Legislative Chairman

21 day of April, 2016

ATTEST:

[Signature]

Evonne Wilson, Legislative Secretary

20 day of April, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 21 day of April, 2016 at 1:24 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

[Signature] FOR

Timothy Joaquin, Legislative Chairman

[X] APPROVED

on the 22 day of April, 2016

[] DISAPPROVED

at 4:15 o'clock, P.m.

[Signature]
EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

EXCEEDED 48 HOURS

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(Approving Temporary Use Permit for Organ Pipe Cactus National Monument for the Purpose of Maintenance and Repair of the Northeastern Exterior Boundary Fence)

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1 Returned to the Legislative Secretary on the 25 day of

2
3 April, 2016, at 2:15 o'clock, p.m.

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5 Evonne Wilson

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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING TEMPORARY USE PERMIT FOR ORGAN PIPE CACTUS NATIONAL MONUMENT FOR THE PURPOSE OF MAINTENANCE AND REPAIR OF THE NORTHEASTERN EXTERIOR BOUNDARY FENCE

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILMAN ANTHONY J. FRANCISCO, JR.

DATE: APRIL 18, 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			X
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50				
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (<i>Absent</i>) (Dallas Lewis) (<i>Present</i>)	125.30	X			
	2. PAMELA ANGHILL (<i>Absent</i>) (Jeffery Antone, Sr.) (<i>Present</i>)	125.30	X			X
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			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 (<i>Absent</i>) (Gloria Ramirez) (<i>Present</i>)	113.25	X			X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			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 (<i>Absent</i>) (Nicholas Jose) (<i>Present</i>)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	3,021.4	-0-	-0-	[07]