

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appointing Joshua Rees as the Tohono O'odham Nation's Advisor for the Drought
Contingency Plan Framework Group)

RESOLUTION NO. 16-417

1 **WHEREAS,** "All waters which originate in or flow in, into or through the Tohono O'odham
2 Nation, or which are stored in the Tohono O'odham Nation, whether found on the
3 surface or underground, are a valuable public resource of the Tohono O'odham
4 Nation to be protected for the present and future use of the Tohono O'odham
5 Nation as a whole." (Constitution, Article XVII, Section 1); and

6 **WHEREAS,** the Nation's Constitution provides that the Tohono O'odham Legislative Council
7 "shall have, consistent with federal law, the control and management of these
8 waters and shall have the power to: (a) Determine how these waters shall be
9 developed, used and conserved for the greatest public benefit. . ." (Constitution,
10 Article XVII, Section 2, (a)); and

11 **WHEREAS,** on December 10, 2004, the Arizona Water Settlements Act, P.L. 108-451 ("AWSA"),
12 including Title III, the Southern Arizona Water Rights Settlement Act
13 Amendments of 2004 ("SAWRSA Amendments") was enacted by the U.S. Congress
14 and entitles the Nation to 66,000 acre-feet of Central Arizona Project ("CAP") water
15 annually; and

16 **WHEREAS,** persistent drought and chronic over-allocation of the Colorado River is causing
17 water levels at Lake Mead, the reservoir from which Arizona, Nevada and
18 California receive much of their river allocations, to decline to levels that may
19 result in shortages in deliveries of CAP water in Arizona; and

20 **WHEREAS,** the Lower Colorado Basin Drought Contingency Plan ("DCP") is a proposal
21 designed to protect Lake Mead's elevation from dropping to critical levels, and
22 specifies voluntary reductions for the Lower Basin states of Arizona, California
23 and Nevada in order to protect Lake Mead water levels; and

24 **WHEREAS,** the director of the Arizona Department of Water Resources in conjunction with
25 the Bureau of Reclamation is forming a Drought Contingency Plan Framework
26 Group including CAP stakeholders to discuss the framework of the DCP; and

27 **WHEREAS,** the Legislative Water Resources Committee is vested with legislative oversight
28 over water resources and with the power to draft and recommend legislative
29 measures necessary to protect the Nation's water resources (Plan of Operation
30 for the Water Resources Committee, III.B. and C.); and

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1 **WHEREAS, it is in the Nation's interest to participate in Colorado River drought planning and**
2 **the Water Resources Committee recommends the appointment of Joshua Rees as**
3 **the Nation's advisor to the Drought Contingency Plan Framework Group.**

4 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council appoints**
5 **Joshua Rees to the Drought Contingency Plan Framework Group as the Nation's**
6 **advisor to monitor and report to the Legislative Water Resources Committee;**
7 **provided that the Nation's official position on the Drought Contingency Plan shall**
8 **be approved by Legislative Council action in accordance with 1 T.O.C. Chapter 3 -**
9 **Government Comment Guidelines.**

10 **BE IT FINALLY RESOLVED that the advisory appointment made by this resolution will terminate**
11 **if Mr. Rees is no longer employed by the Nation.**

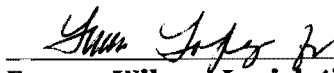
12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22ND day**
13 **of AUGUST, 2016 at a meeting at which a quorum was present with a vote of 3,021,4 FOR; -0-**
14 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by**
15 **Article VI, Section 1(b); Article XVII, Section 1 and 2 of the Constitution of the Tohono O'odham**
16 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**
17 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**
18 **16 of the Act of June 18, 1934 (48 Stat.984).**

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20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24 **Timothy Joaquin, Legislative Chairman**

25
26 24th day of August, 2016

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30 **ATTEST:**

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33 **Evonne Wilson, Legislative Secretary**

34
35 24 day of August, 2016

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37 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
38 **O'odham Nation on the 24 day of AUGUST, 2016 at 11:09 o'clock, 11 .m.,**
39 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
40 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
41 **hours of submittal.**

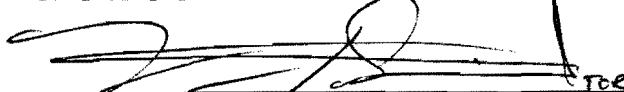
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



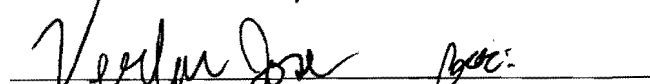
Timothy Joaquin, Legislative Chairman

APPROVED

on the 24 day of August, 2016

DISAPPROVED

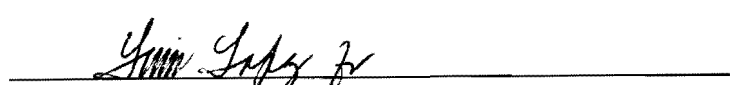
at 2:19 o'clock, p. .m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 24 day of

August, 2016, at 4:22 o'clock, p. .m.



Evonne Wilson, Legislative Secretary

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ACTION: APPOINTING JOSHUA REES AS THE TOHONO O'ODHAM NATION'S ADVISOR FOR THE DROUGHT CONTINGENCY PLAN FRAMEWORK GROUP

Moved: COUNCILWOMAN LUCINDA ALLEN

SECOND: COUNCILMAN QUINTIN C. LOPEZ

DATE: AUGUST 22, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			X
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 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			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 ()	114.3	X			X
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDA 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	3,021.4	-0-	-0-	[04]