

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting United States Fish and Wildlife Service's Assumption of Management of
Sensitive Lands Within Historic Papaguera Near Ajo, Arizona Subject to Meaningful
Consultation with the Tohono O'odham Nation, Including Consultation on
Co-Stewardship with the Nation)**

RESOLUTION NO. 23-114

- 1 **WHEREAS,** “[i]t shall be the policy of the Tohono O’odham Nation to seek the return to the
2 **Tohono O’odham Nation of lands and natural resources, including minerals and**
3 **water rights, within or adjacent to the Tohono O’odham Nation, or which**
4 **originally were a part of the historic Papaguera” (Constitution of the Tohono**
5 **O’odham Nation, Article XVI, Section 9); and**
- 6 **WHEREAS,** **the Tohono O’odham Legislative Council is vested with the power to “consult,**
7 **negotiate and conclude agreements and contracts on behalf of the Tohono**
8 **O’odham Nation with Federal, State and local governments . . . on all matters**
9 **within the authority of the Tohono O’odham Council” and to “consult with . . .**
10 **appropriate federal agencies regarding federal activities that affect the Tohono**
11 **O’odham Nation” (Constitution, Article VI, Section 1(f) and Section 1(j)); and**
- 12 **WHEREAS,** **the historic Papaguera includes sensitive lands in western Pima County, Arizona**
13 **near the Ajo community, including but not limited to the Cuerda de Lena Area of**
14 **Critical Environmental Concern, that are currently managed by the United States**
15 **Bureau of Land Management (“BLM”) and that, if managed by the United States**
16 **Fish and Wildlife Service (“USFWS”), would be incorporated into Cabeza Prieta**
17 **National Wildlife Refuge; and**
- 18 **WHEREAS,** **incorporation into the Cabeza Prieta National Wildlife Refuge would provide**
19 **greater protection, prevent incompatible development, limit damage from**
20 **motorized recreation, and preserve cultural resources and sacred sites; and**
- 21 **WHEREAS,** **the acreage subject to transfer will be more specifically identified through a**
22 **public process that must include consultation with the Nation, and will exclude**
23 **the Do’ag Vecho (Darby Wells) village site and lands around the Do’ag Vecho**
24 **cemetery; and**
- 25 **WHEREAS,** **the BLM, National Park Service, and USFWS have each issued a permanent**
26 **instruction memorandum, director’s order, or policy memorandum supporting**
27 **tribal co-stewardship of federal lands to fulfill the United States’ trust obligation**
28 **to federally recognized tribes and protect the treaty, religious, subsistence, and**
29 **cultural interests of the tribes; and**
- 30 **WHEREAS,** **it is in the Nation’s best interests to support the management transfer of lands**
31 **managed by the BLM near Ajo, Arizona to the USFWS subject to meaningful**

RESOLUTION NO. 23-114

(Supporting United States Fish and Wildlife Service's Assumption of Management of Sensitive Lands Within Historic Papagueria Near Ajo, Arizona Subject to Meaningful Consultation with the Tohono O'odham Nation, Including Consultation on Co-Stewardship with the Nation)

Page 2 of 3

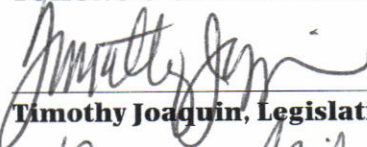
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

consultation with the Tohono O'odham Nation, including consultation on co-stewardship with the Nation.

NOW, THEREFORE, BE IT RESOLVED that the Legislative Council supports the transfer of management of lands managed by the Bureau of Land Management near Ajo, Arizona to the United States Fish and Wildlife Service as part of an expansion of Cabeza Prieta National Wildlife Refuge; excluding the Do'ag Vecho village site and lands around the Do'ag Vecho cemetery, and subject to meaningful consultation with the Tohono O'odham Nation, including co-stewardship with the Nation.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH day of APRIL, 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0- AGAINST; [01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by, Article VI, Section 1(f) and 1(j), and Article XVI, Section 9 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



Timothy Joaquin, Legislative Chairman

19 day of April, 2023

ATTEST:

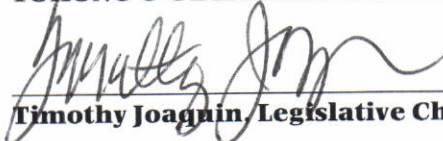


Evonne Wilson, Legislative Secretary

17 day of April, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 19 day of April, 2023 at 8:27 o'clock, A .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



Timothy Joaquin, Legislative Chairman

RESOLUTION NO. 23-114

(Supporting United States Fish and Wildlife Service's Assumption of Management of Sensitive Lands Within Historic Papagueria Near Ajo, Arizona Subject to Meaningful Consultation with the Tohono O'odham Nation, Including Consultation on Co-Stewardship with the Nation)


Page 3 of 3

APPROVED

on the 19 day of April, 2023

DISAPPROVED

at 1:55 o'clock, P.m.



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

Returned to the Legislative Secretary on the 19 day of

April, 2023, at 2:58 o'clock, P.m.



Evonne Wilson, Legislative Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

ACTION: SUPPORTING UNITED STATES FISH AND WILDLIFE SERVICE'S ASSUMPTION OF MANAGEMENT OF SENSITIVE LANDS WITHIN HISTORIC PAPAGUERIA NEAR AJO, ARIZONA SUBJECT TO MEANINGFUL CONSULTATION WITH THE TOHONO O'ODHAM NATION, INCLUDING CONSULTATION ON CO-STEWARDSHIP WITH THE NATION

MOVED: COUNCILWOMAN MARY LOPEZ

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: APRIL 12, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (<i>Absent</i>) (Francis Homewytewa) (<i>Present</i>)	122.8 122.8	X X			X
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>) 2. EVELYN JUAN MANUEL (Arvada Liston)	278.25 278.25	X X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner) 2. JANICE FELIX ()	121.3 121.3	X X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN () 2. EDWARD D. MANUEL (Monica Morgan)	116.35 116.35	X X		X	
HICKIWAN 216.6	1. LOUIS R. LOPEZ () 2. DELMA M. GARCIA ()	108.3 108.3	X X			
GU VO 270.7	1. GRACE MANUEL () 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35 135.35	X X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN () 2. VICTORIA HOBBS (<i>Absent</i>) (Tonya L. Joaquin) (<i>Present</i>)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8 175.8	X X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			
	TOTAL	3,218.0	3,218.0	-0-	[01]	[01]