

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Permitting Additional Improvements to the Border
Road in Chukut Kuk District along the U.S. - Mexico
International Boundary, and Road Improvements
in Gu Achi District)**

RESOLUTION NO. 93-014

WHEREAS, the United States Border Patrol has requested assistance from the United States Department of Defense, Joint Task Force Six (JTF-6) to repair washouts in the border road along the International Boundary between the United States and Mexico from San Miguel to Christmas Gate, to repair and improve the trail from Buenas Aires to the eastern Boundary of the Tohono O'Odham Reservation in the Baboquivari Mountains, to improve two roads accessing either side of Horses Peak in the Chukut Kuk District, to construct an observation and listening post on Horses Peak, and to repair the access road up to a radio repeater site on Je Wak Du:ag in the Gu Achi District; and

WHEREAS, JTF-6, a unit of the Department of Defense designed to combat the flow of illegal drugs entering this country, has enlisted the services of the United States Army Corps of Engineers (COE) to design and implement the road and trail improvement project; and

WHEREAS, in compliance with the National Environmental Policy Act, COE performed an environmental assessment on the proposed

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road improvement project and issued in draft form a finding of
no significant impact on the quality of the physical or biological
environment; and

WHEREAS, for compliance with the National Historic Preservation Act,
JTF-6 (as the lead agency) and COE have proposed a plan
which requires that all construction activity avoid all
archaeological sites determined to be eligible for inclusion on
the National Register of Historic Places and that all construction
activity avoid all plants on the threatened or endangered species
lists, which plan is contained in the proposed Memorandum of
Understanding (a copy of which is attached hereto and
incorporated herein by reference); and

WHEREAS, the actual construction work will be performed by the 864th
Engineer Battalion of the United States Army pursuant to the
attached construction proposal, which construction work is
scheduled to commence in mid February 1993 and continue for
approximately 45 work days; and

WHEREAS, the above-stated proposals have been presented to the residents
of Chukut Kuk and Gu Achi Districts and by Chukut Kuk

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**Council Resolution No. 93-05, and Gu Achi Council Resolution
No. 1192-64, the districts have approved the proposed projects.**

**The Districts request the support and approval of the Nation's
Legislative Council for the proposed projects.**

**NOW, THEREFORE, BE IT RESOLVED that the Legislative Council
supports the requests of Chukut Kuk and Gu achi Districts and
approves the proposal of JTF-6, the Corps of Engineers, and
the 864th Engineer Battalion of the U.S. Army to conduct those
road and trail projects in Chukut Kuk and Gu Achi Districts as
presented to the Legislative Council on January 7, 1993 and as
proposed in the above-referenced documents.**

**BE IT FURTHER RESOLVED that JTF-6, the Corps of Engineers, the 864th
Engineer Battalion, their agents, employees and subcontractors,
as a condition of their entry upon the lands of the Tohono
O'Odham Nation, shall comply with all applicable federal and
tribal laws including the Nation's Archaeological Resources
Protection Ordinance, Ordinance 06-84.**

**BE IT FINALLY RESOLVED that the Legislative Council approves the
attached Memorandum of Understanding and authorizes the**

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Nation's Chairman to execute the Memorandum of Understanding on behalf of the Tohono O'Odham Nation.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 7TH day of JANUARY, 1993 at a meeting at which a quorum was present with a vote of 1,660.5 FOR; 63.5 AGAINST; -0- NOT VOTING; and 05 ABSENT, pursuant to the powers vested in the Council by Section 1 (i)(1), 1 (i)(2), 2(d) of Article VI and Article XVI, Section 1 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

Mary Ann Antone
Mary Ann Antone, Legislative Chairwoman

11th day of January, 1993

ATTEST:

Teresa M. Choyguha for:
Teresa M. Choyguha, Legislative Secretary

11th day of January, 1993.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11th day of January, 1993, at 1:50 o'clock, PM.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.

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Mary Ann Antone, Legislative Chairwoman

APPROVED on the 13 day of January, 1993

DISAPPROVED) at 9:42 o'clock, A..M.


JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13th day of January,
1993, at 12:10 o'clock, P..M.


Teresa M. Choyguha, Legislative Secretary

MOVED: COUNCILMAN JOHN RENOSUBJECT: PERMITTING ADDITIONAL IMPROVEMENTS TO THESECOND: COUNCILWOMAN ALBERTA LOPEZBORDER ROAD IN CHUKUT KUK DISTRICT ALONG THE U.S. -DATE: JANUARY 07, 1993MEXICO INTERNTL. BOUNDARY & ROAD IMPROVEMNT GU ACHI

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			X
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Manuel Osequeda, Jr. ()	62.5	X			
GU VO 114.0	1. Michael Flores	57.0	X			X
	2. Emilio Lewis (Anthony Flores)	57.0	X			
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			X
	2. John Reno ()	53.0	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0	X			
	2. Willard Anita ()	83.0	X			
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			X
	2. Frances Miguel ()	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5		X		
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
	2. Frances Francisco (Joseph Juan)	53.5	X			X
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK ** 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			
	2. Willard Juan, Sr. (Delbert Thomas)	79.0	X			
TOTAL		1,724.0	1,660.5	63.5	-0-	05

**PASSED VOTES