

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Opposing The Request of Fairfield Canoa Ranch L.L.C., Represented by Frank
Thompson/The Planning Center to Rezone Approximately 5,240 Acres From RH (Rural
Homestead) to SP (Specific Plans) And Opposing The Proposal to Amend The Pima
County Major Streets And Scenic Routes Plan by Adding a Southward Major Route
Extension of Camino del Sol Through The Canoa Ranch Specific Plan)**

RESOLUTION NO. 99-011

1 **WHEREAS, Fairfield Canoa Ranch L.L.C. represented by Frank Thompson/The Planning**
2 **Center has requested the Pima County Supervisors to rezone approximately 5,240**
3 **acres form RH (Rural Homestead) to SP (Specific Plans), located within the San**
4 **Ignacio de la Canoa Land Grant on both sides of the Santa Cruz River and**
5 **Interstate 19, generally south of Demetrie Wash, west of the Canoa Road**
6 **alignment, north of Elephant Head Road, and east of the Land Grant Boundary**
7 **(Co23-97-02, CANOA RANCH SPECIFIC PLAN); and**

8 **WHEREAS, a proposal has been submitted to amend the Pima County Major Streets and**
9 **Scenic Routes Plan by adding a southward major route extension of Camino del**
10 **Sol through the Canoa Ranch Specific Plan with a planned right-of-way of up to**
11 **150 feet; realigning the Camino de la Canoa major route alignment as a scenic**
12 **major route with a planned right-of-way of up to 150 feet to follow the Canoa**
13 **Road alignment along the east boundary of the San Ignacio de La Canoa Land**
14 **Grant to Elephant Head Road; and, extending Canoa Ranch Road and Elephant**
15 **Head Road as major scenic routes with planned rights-of-way of up to 150 feet to**
16 **the new Camino de la Canoa alignment; and**

17 **WHEREAS, the O'odham have lived upon and used these lands located within the San**
18 **Ignacio de la Canoa Land Grant along the Santa Cruz River, from time**
19 **immemorial, from days beyond history's records, far past any living memory,**
20 **deep into the time of stories and legends and regard these lands as part of their**
21 **sacred traditional home; and**

22 **WHEREAS, the O'odham regard the peoples of the Paleo Indian, Archaic and Hohokam**

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1 cultural traditions that lived in southern Arizona from 12,000 BC to AD 1450 as
2 their ancestors; and

3 **WHEREAS, the United States Indian Claims Commission in 1968, recognized these lands in**
4 **the Santa Cruz Valley as being traditional-use lands of the O'odham; and**

5 **WHEREAS, the cultural resources located in this area also have importance and significance**
6 **to the Gila River Indian Community, the Ak Chin Indian Community, the Salt**
7 **River Pima-Maricopa Indian Community, the Hopi Nation, the Zuni Nation and**
8 **the Apache Nations; and**

9 **WHEREAS, the National Historic Preservation act of 1966, as amended, 16 U.S.C. 470 et seq.,**
10 **requires that federal agency preservation activities be carried out in consultation**
11 **with State and local agencies, with Native American tribes, and with the private**
12 **sector, and may be applicable to this case because of the action of the U.S. Army**
13 **Corps of Engineers in issuing a Clean Water Act Section 404 permit; and**

14 **WHEREAS, the American Indian Religious Freedom Act of 1978, 42 U.S.C. 1996, recognizes**
15 **the rights of all Native Americans, Native Hawaiians, Eskimos and Aleuts to**
16 **practice their traditional religions and protect and preserve their sacred**
17 **ceremonial sites; and**

18 **WHEREAS, the Native American Graves Protection and Repatriation Act of 1990, 25 U.S.C.**
19 **3001 et seq., recognizes the rights of all Native American tribes to protect and**
20 **preserve the remains of their ancestors, associated funeral goods and objects of**
21 **cultural patrimony; and**

22 **WHEREAS, the Arizona Burial Discovery Act, Arizona Revised Statutes, Section 41-865,**
23 **requires developers of private land to consult with Native American tribes**

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1 **claiming cultural affinity regarding the repatriation and respectful treatment of**
2 **human remains or funeral objects discovered on their lands; and**

3 **WHEREAS, the lands within this project area may contain sacred sites and Traditional**
4 **Cultural Places significant to the O'odham which must be protected and**
5 **preserved from destruction by this proposed Canoa Ranch development; and**

6 **WHEREAS, ninety-one prehistoric archaeological sites representing Archaic and Hohokam**
7 **cultural traditions dating from as early as 5000 BC to approximately AD 1450,**
8 **have been located in the proposed Canoa Ranch development area and are of**
9 **significance to the O'odham who feel strongly that these sites should be protected**
10 **and preserved; and**

11 **WHEREAS, significant historic sites such as O'odham villages, the Juan Bautista de Anza**
12 **National Trail, the El Camino Real, the "La Canoa" spring, the Canoa Canal**
13 **Company canal, the Canoa Ranch and other historic sites have been located in**
14 **the proposed Canoa Ranch development area and represent significant cultural**
15 **locations for O'odham, Hispanic, and Anglo peoples and should be preserved and**
16 **protected; and**

17 **WHEREAS, the Canoa Ranch development represents a significant threat to the groundwater**
18 **resources of the area with potential to impact the groundwater and surface water**
19 **resources of the Tohono O'odham Nation; and**

20 **WHEREAS, the Canoa Ranch development represents a significant threat to the preservation**
21 **of the riparian zone along the Santa Cruz River; and**

22 **WHEREAS, the Canoa Ranch development represents a significant threat to endangered,**
23 **threatened, and sensitive species including the black-capped gnatcatcher, brown**

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1 vine snake, California leaf-nosed bat, crested coral root, Mexican long-tongued
2 bat, Northern gray hawk, Pima Indian mallow, Pima Pineapple cactus, tropical
3 kingbird, tumamoc globeberry, gila monster, loggerhead shrike, desert tortoise,
4 Peregrine falcon and yellow-billed cuckoo; and

5 **WHEREAS, the Canoa Ranch development represents a significant threat to the habitat of**
6 **that part of the Santa Cruz Valley; and**

7 **WHEREAS, the Canoa Ranch development will contribute significantly to urban sprawl; and**

8 **WHEREAS, the Canoa Ranch development will contribute significantly to poorer air quality**
9 **and light pollution; and**

10 **WHEREAS, the Canoa Ranch Specific Plan does not address and focus on the preservation**
11 **of significant cultural and natural resources in the project area.**

12 **NOW, THEREFORE, BE IT RESOLVED THAT the Tohono O'odham Nation's Legislative**
13 **Council:**

14 **1. Opposes the request of Fairfield Canoa Ranch L.L.C., represented by Frank**
15 **Thompson/The Planning Center to rezone approximately 5,240 acres from RH**
16 **(Rural Homestead) to SP (Specific Plans) located within the La Canoa Land**
17 **Grant on both sides of the Santa Cruz River and Interstate 19 (Co23-97-02,**
18 **CANOA RANCH SPECIFIC PLAN) and strongly urges the Pima County**
19 **Supervisors to reject this rezoning request.**

20 **2. Opposes the proposal to amend the Pima County Major Streets and Scenic**
21 **Routes Plan by adding a southward major route extension of Camino del Sol**
22 **through the Canoa Ranch Specific Plan and strongly urges the Pima County**
23 **Supervisors to reject this road expansion proposal.**

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3. **Supports the efforts of Pima County's proposed Sonoran Desert Conservation Plan with its six elements that focus on Ranch Conservation, Historic and Cultural Preservation, Riparian Restoration, Mountain Parks, Biological and Ecological Corridor Conservation and Critical Habitat and through this plan supports any efforts by the Pima County Supervisors to purchase the lands of the Canoa Ranch development area in order to protect and preserve the significant cultural and natural resources for future generations.**

4. **Reiterates the strenuous opposition of the Tohono O'odham Nation to the continuing destruction by development projects such as Canoa Ranch of its traditional-use lands with their significant cultural resource sites and traditional cultural places that are infused with special traditional, ceremonial, sacred and other cultural meanings that span the past and present. The spiritual geography of the O'odham that spans time and space and contains a deep respect for historical, cultural and environmental values should be respected.**

The foregoing Resolution was passed by the Tohono O'odham Council on the 06TH. day of JANUARY, 1999 at a meeting at which a quorum was present with a vote of 1,927.0 FOR; -0- AGAINST; -0- NOT VOTING; and [1] ABSENT, pursuant to the powers vested in the Council by Section 1(c)(8) of Article VI 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).

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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Dennis Ramon, Legislative Chairman

8th day of January, 19 99

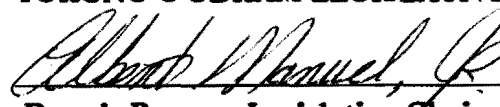
ATTEST:


Julianna Saraficio, Acting Legislative Secretary

7th day of January, 19 99

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 8th day of January, 19 99 at 11:09 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

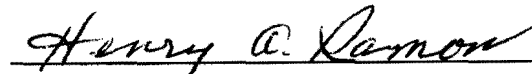

Dennis Ramon, Legislative Chairman

APPROVED

on the 8 day of January, 19 99

DISAPPROVED

at 1:45 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 8th day of

January, 19 99, at 2:10 o'clock, P.M.

Juliana Saraficio
Juliana Saraficio, Acting Legislative Secretary

ACTION: OPPOSING THE REQUEST OF FAIRFIELD CANOA RANCH L.L.C., REPRESENTED BY FRANK THOMPSON/THE PLANNING CENTER TO REZONE APPROXIMATELY 5,240 ACRES FROM RH (RURAL HOMESTEAD) TO SP (SPECIFIC PLANS) AND OPPOSING THE PROPOSAL TO AMEND THE PIMA COUNTY MAJOR STREETS AND SCENIC ROUTES PLAN BY ADDING A SOUTHWARD MAJOR ROUTE EXTENSION OF CAMINO DEL SOL THROUGH THE CANOA RANCH SPECIFIC PLAN

MOVED: COUNCILMAN TONY BURRELL

SECOND: COUNCILWOMAN GLORIA MONTANA

DATE: JANUARY 6, 1999

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
HICKIWAN 146.0	1. ALEX JOSE ()	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			
	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ()	60.0	X			
	2. AMBROSE ENCINAS ()	60.0	X			
SELLS 322.0	1. DENNIS E. JOSE ()	161.0	X			
	2. EVELYN JUAN ()	161.0	X			
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
TOTAL		1,927.0	1,927.0	-0-	-0-	[1]

**PASSED VOTES