

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting Participation in a Cooperative Agreement and Statement of Work
with Luke Air Force Base on the Identification and Evaluation of Traditional
Cultural Places and Sacred Sites for the Barry M. Goldwater Range, Arizona)**

RESOLUTION NO. 99-071

- 1 **WHEREAS, the O'odham have since time immemorial enjoyed the use of lands which**
2 **now comprise the Goldwater Range, a vast natural landscape of 2.7**
3 **million acres, and regard these lands as part of the sacred Papageria; and**
- 4 **WHEREAS, since 1941, the United States Air Force has used these lands for an aerial**
5 **bombing and gunnery range to train military aircrews how to attack**
6 **ground targets or other aircraft as well as how to maneuver, defend**
7 **themselves and survive in aerial combat; and**
- 8 **WHEREAS, the Air Force's authorization to use the Goldwater Range expires on**
9 **November 6, 2001 and therefore the Air Force is seeking a renewal of the**
10 **land withdrawal which withdrew these lands from appropriation and**
11 **other public uses; and**
- 12 **WHEREAS, the Air Force has released a draft Legislative Environmental Impact**
13 **Statement ("LEIS") to study the impacts of continued military use of the**
14 **Goldwater Range as an aerial bombing and gunnery range; and**
- 15 **WHEREAS, the Air Force is preparing an Integrated Cultural Resources Management**
16 **Plan in Cooperation with the U.S. Bureau of Land Management, the U.S.**
17 **Fish and Wildlife Service, and the Marine Corps Air Station at Yuma to**
18 **better preserve and manage the cultural resources on the Goldwater**
19 **Range; and**
- 20 **WHEREAS, the Air Force has contracted with Dames and Moore to prepare the**
21 **Integrated Cultural Resources Management Plan; and**
- 22 **WHEREAS, the Air Force has approached the Tohono O'odham Nation (the "Nation")**

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1 seeking the Nation's participation in studies of Traditional Cultural
2 Places for use in preparing the Integrated Cultural Resources
3 Management Plan; and

4 **WHEREAS,** the lands within the Goldwater Range contain sacred sites and
5 Traditional Cultural Places which must be protected from destruction by
6 the Air Force or the general public; and

7 **WHEREAS,** the Nation wishes to support the effort to protect these sites through
8 development of an integrated Cultural Resources Management Plan while
9 maintaining its strenuous opposition to the continued use of the
10 Goldwater Range by the Air Force and especially to any renewal of the
11 land withdrawal for the Air Force; and

12 **WHEREAS,** the Nation in Resolution No. 98-319 supported participation in Cultural
13 Resources studies within the Goldwater Range and reiterated its
14 opposition to the renewal of the Goldwater Range withdrawal and
15 requested that the lands of the Goldwater Range be set aside as a natural
16 preserve to be administered and managed jointly by the Tohono O'odham
17 Nation and the Department of the Interior and ultimately be returned to
18 the title of the Tohono O'odham Nation and be held in trust by the United
19 States for the benefit of the Nation.

20 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council:

- 21 1. Agrees to enter into a Cooperative Agreement and Statement of Work
22 with Luke Air Force Base as part of an Identification and Evaluation
23 of Traditional Cultural Places and Sacred Sites for the Barry M.

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1 Goldwater Range which are being coordinated by Dames and Moore
2 for the Air Force as part of preparation of an Integrated Cultural
3 Resources Management Plan, on the condition that:

- 4 a) the Air Force provides funding for this project,
5 b) the Air Force agrees to protect the sacred sites and Traditional
6 Cultural Properties identified by these studies so long as the Air
7 Force continues its use of the Goldwater Range,
8 c) the Nation retains control of all documentation which is
9 produced relating to sacred sites, Traditional Cultural Places and
10 other cultural sites on the Goldwater Range, and that this
11 documentation is not released to the public without the consent
12 of the Nation,
13 d) the Nation is invited to participate as a full partner in the
14 implementation of the Integrated Cultural Resources
15 Management Plan,
16 e) the Air Force, if it continued to use these lands, will consult with
17 the Nation as a full partner on a government to government basis
18 regarding future uses of the Goldwater Range.

19 **BE IT FURTHER RESOLVED** that the Nation's agreement to participate in this
20 Traditional Cultural Places and Sacred Sites study and other studies on
21 the Goldwater Range in order to protect such cultural sites shall in no way
22 be construed as support for continued Air Force use of the Goldwater
23 Range.

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1 The foregoing Resolution was passed by the Tohono O'odham Council on the 10TH day
2 of FEBRUARY, 1999 at a meeting at which a quorum was present with a vote of 1,738.0 FOR;
3 -0- AGAINST; -0- NOT VOTING; and 189.0 [04] ABSENT, pursuant to the powers vested
4 in the Council by Section 1 (c)(8), (d)(2), & (f) of Article VI of the Constitution of the Tohono
5 O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and
6 approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March
7 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

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9 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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13 Dennis Ramon, Legislative Chairman

14 15th day of February, 19 99

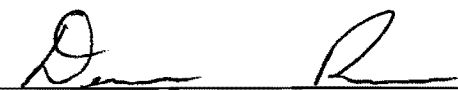
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18 ATTEST:

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21 _____
22 Julianna Saraficio, Acting Legislative Secretary

23 10th day of February, 19 99.

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27 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
28 O'Odham Nation on the 15th day of February, 19 99
29 at 2:24 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the
30 Constitution and will become effective upon his approval or upon his failure to either
31 approve or disapprove it within 48 hours of submittal.

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33 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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37 Dennis Ramon, Legislative Chairman

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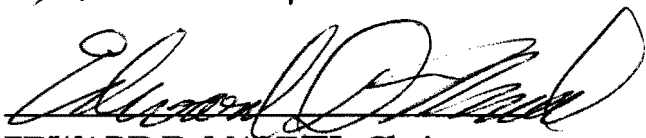
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APPROVED on the 16th day of February, 19 99
 DISAPPROVED at 3:30 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17th day of
February, 19 99, at 9:38 o'clock, A.M.
Denise M. Glover for
Julianna Saraficio, Acting Legislative Secretary

ACTION: SUPPORTING PARTICIPATION IN A COOPERATIVE AGREEMENT AND STATEMENT OF WORK WITH LUKE AIR FORCE BASE ON THE IDENTIFICATION AND EVALUATION OF TRADITIONAL CULTURAL PLACES AND SACRED SITES FOR THE BARRY M. GOLDWATER RANGE, ARIZONA

MOVED: COUNCILMAN TONY BURRELL

SECOND: COUNCILMAN DENNIS JOSE

DATE: FEBRUARY 10, 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			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			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			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	1,738.0	-0-	-0-	189.0 [04]