

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Intervention Before the Arizona Power Plant and Transmission
Line Siting Committee in Case No. 164)

RESOLUTION NO. 11-550

1 **WHEREAS, the Tohono O'odham way of life is to promote “enjoyable harmony between members**
2 **of the Nation and their environment”;** and

3 **WHEREAS, the Tohono O'odham Nation is charged with the responsibility to preserve “its historic**
4 **and cultural artifacts and archeological sites” as well as “preserve and cultivate native**
5 **arts, crafts and traditions” (Constitution, Article VI, Section 1(c)(8) and Article XVIII,**
6 **Section 1);** and

7 **WHEREAS, in Resolution No. 09-569, the Tohono O'odham Nation opposed Augusta Resource**
8 **Corporation’s proposed Rosemont Copper Project;** and

9 **WHEREAS, the proposed Rosemont Copper Project needs power for construction and operation**
10 **of the proposed mine facilities;** and

11 **WHEREAS, Tucson Electric Power has proposed to construct a 138kV transmission line to provide**
12 **the proposed Rosemont Copper Project with 118 MW of power;** and

13 **WHEREAS, in order to construct the transmission line, Tucson Electric Power must first obtain**
14 **a Certificate of Environmental Compatibility from the Arizona Power Plant and**
15 **Transmission Line Siting Committee, a Committee of the Arizona Corporation**
16 **Commission;** and

17 **WHEREAS, Tucson Electric Power has applied for a Certificate of Environmental Compatibility as**
18 **of November 2, 2011, and the case is entitled “In the Matter of the Application of**
19 **Tucson Electric Power Company for a Certificate of Environmental Compatibility**
20 **Authorizing the Construction of a 138kV Transmission Line and Associated Facilities**
21 **from the Proposed Toro Switchyard, Section 29, Township 17 South, Range 14 East to**
22 **the Rosemont Substation, Section 30, Township 18 South, Range 16 East, Each Located**
23 **Within Pima County, Arizona” and was given Case No. 164;** and

24 **WHEREAS, in order to consider the issuance of the Certificate of Environmental Compatibility,**
25 **the Arizona Power Plant and Transmission Line Siting Committee has set a hearing for**
26 **December 12-16, 2012;** and

27 **WHEREAS, the proposed transmission line and the associated Rosemont Copper Project would**
28 **degrade Ce:wi Duag (Santa Rita Mountains), which are eligible for listing as a**
29 **Traditional Cultural Place/Property under the National Historic Preservation Act, 16**
30 **U.S.C. §470a(d)(6)(A), as the area was traditionally used by Tohono O'odham for**

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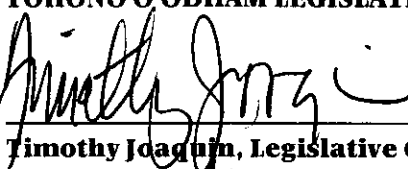
Page 2 of 3

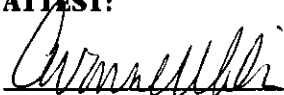
1 hunting and gathering; and
2 **WHEREAS, the proposed transmission line and the associated Rosemont Copper Project would**
3 **adversely impact ancestral lands and destroy natural resources and negatively affect**
4 **the surrounding environment; and**

5 **WHEREAS, intervention in this matter would allow the Nation to present evidence on these**
6 **matters to the Arizona Power Plant and Transmission Line Siting Committee in the**
7 **hearing set for December 12-16, 2011.**

8 **NOW, THEREFORE, BE IT RESOLVED that the Legislative Council hereby authorizes and directs the**
9 **Office of Attorney General to seek intervention in and represent the Nation in Case No.**
10 **164 before the Arizona Power Plant and Transmission Line Siting Committee.**

11 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18th Day**
12 **of NOVEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**
13 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
14 **Section 1 (c)(8) of Article VI and Section 1 of Article XVIII of the Constitution of the Tohono**
15 **O'odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by**
16 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to**
17 **Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**
21 
22 _____
23 Timothy Joaquin, Legislative Chairman
24 21 day of November, 2011

28 **ATTEST:**
29 
30 _____
31 **Evonne Wilson, Legislative Secretary**
32 18 day of November, 2011

34 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
35 **Nation on the 21 day of November, 2011 at 11:57 o'clock, A.M.,**
36 **pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective**
37 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
38 **submittal.**

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Page 3 of 3

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



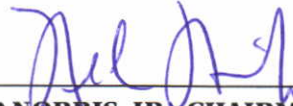
Timothy Joaquin, Legislative Chairman

APPROVED

on the 21 day of November, 2011

DISAPPROVED

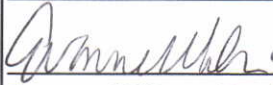
at 3:15 o'clock, P.M.



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

Returned to the Legislative Secretary on the 21 day of

November, 2011, at 3:19 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING INTERVENTION BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE IN CASE NO. 164

Moved: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: NOVEMBER 18, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith)(<i>Present</i>)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			X
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE ()	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			X
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS ()	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. CONDE ()	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF ODAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			X
TOTAL		2,780.60	2,780.60	-0-	-0-	[03]