

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Planning & Economic Development Department to apply for the
U.S. Department of Interior, Bureau of Indian Affairs, Energy and Mineral
Development Program Grant 2012)

RESOLUTION NO. 12-075

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to “administer land**
2 **and other public property, and by law, ordinance or resolution...to manage, protect,**
3 **preserve and regulate the use of the property, wildlife, air and natural resources**
4 **(including surface and ground waters) of the Tohono O'odham Nation” (Constitution**
5 **of the Tohono O'odham Nation, Article VI, Section 1(i) (2)); and**

6 **WHEREAS, geothermal is a clean and sustainable energy, which generates continuous, reliable**
7 **baseload power; and**

8 **WHEREAS, the Tohono O'odham Nation has potential geothermal resources that could produce**
9 **utility scale electricity for sale and for use by Nation members; and**

10 **WHEREAS, presentations have been made to all districts on geothermal energy and researching**
11 **the feasibility of geothermal power generation; and**

12 **WHEREAS, the Tohono O'odham Legislative Council has approved every Resolution to research**
13 **and develop geothermal resources:**

14 **10-093, March 11, 2010; 11-091, March 9, 2011; and 11-298, July 13, 2011; and**

15 **WHEREAS, the Tohono O'odham Legislative Council is in the process of creating a 25 U.S.C. § 477,**
16 **Section 17 Corporation to develop the Nation's renewable energy resources; and**

17 **WHEREAS, the U.S. Department of Interior (DOI), Bureau of Indian Affairs (BIA), has issued a**
18 **Solicitation of Proposals, - Grant Program to Assess, Evaluate and Promote**
19 **Development of Tribal Energy and Mineral Resources; and**

20 **WHEREAS, the grant will allow the Nation to assess the potential for geothermal energy power**
21 **generation on the Nation's lands, however, some portions of the Nation may not**
22 **qualify for the study due to issues related to the National Environmental Policy Act,**
23 **Native American Graves Protection and Repatriation Act and/or the Nation's cultural**
24 **and environmental restrictions.**

25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**
26 **authorizes the Grants & Contracts Office and the Planning & Economic Development**
27 **Department to submit an application to the BIA for the 2012 Energy and Mineral**
28 **Development Program Grant for a feasibility study of geothermal energy power**
29 **generation on the Nation's trust land, collect and utilize any relevant data available**

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1 from BIA's Division of Energy and Mineral Development and hire the consultants, if
2 funding is awarded, as identified in the application.

3 **BE IT FURTHER RESOLVED** the Tohono O'odham Legislative Council is committed to developing
4 geothermal power generation in such locations as may be identified as feasible in the
5 study and will consider the public release of information obtained by the study, except
6 as may be considered confidential commercially or financially sensitive.

7 **BE IT FURTHER RESOLVED** the Tohono O'odham Legislative Council requests and authorizes any
8 resultant P.L. 93-638 contract, if funding is awarded.

9 **BE IT FINALLY RESOLVED** that should the grant be awarded, the Planning and Economic
10 Development Department will submit for approval and acceptance the budget and
11 that any amendments affecting the funding levels will be submitted for further prior
12 approval by this council.

13 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12th Day
14 of **MARCH, 2012** a meeting at which a quorum was present with a vote of **2,658.15 FOR; 122.45**
15 **AGAINST; [01]- NOT VOTING; and [05] ABSENT**, pursuant to the powers vested in the Council by
16 Section 1 (i)(2) and (f) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by
17 the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
18 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
19 18, 1934 (48 Stat. 984).

20
21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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23
24 **Timothy Joaquin, Legislative Chairman**

25
26 13 day of March, 2012

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29 **ATTEST:**

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31 _____
32 **Evonne Wilson, Legislative Secretary**

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34 12 day of March, 2012.
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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
2 Nation on the 13 day of March, 2012 at 3:54 o'clock, P.M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

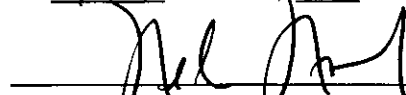

Timothy Joaquin, Legislative Chairman

APPROVED

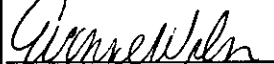
on the 13 day of March, 2012

DISAPPROVED

at 4:11 o'clock, P.M.


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

Returned to the Legislative Secretary on the 13 day of
March, 2012, at 4:15 o'clock, P.M.


Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT TO APPLY FOR THE U.S. DEPARTMENT OF INTERIOR, BUREAU OF INDIAN AFFAIRS, ENERGY AND MINERAL DEVELOPMENT PROGRAM GRANT 2012

Moved: COUNCILWOMAN EVELYN JUAN MANUEL **Second:** COUNCILWOMAN OLIVIA VILLEGAS-LISTON

DATE: MARCH 12, 2012

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 (Vernon Smith)	171.0	X			X
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			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 (Roselda Lewis)	113.35	X			X
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			X
PISINEMO 200.7	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	100.35	X			X
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	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 <i>(Absent)</i> (Anthony J. Rios) <i>(Present)</i>	84.90	X		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 OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,658.15	122.45	[01]	[05]