

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY2013 Budget for the Water Projects Office Funded by SAWRSA Trust Fund)

RESOLUTION NO. 12-238

1 **WHEREAS, the Tohono O'odham Legislative Council, by means of Resolution No. 99-334,**
2 **authorized and directed the completion of tribal responsibilities and obligations**
3 **related to construction of facilities for utilization of Central Arizona Project water and**
4 **irrigation systems in the eastern Schuk Toak District; and**

5 **WHEREAS, the irrigation facilities and agricultural operations have been affirmed by subsequent**
6 **amendments to SAWRSA, the expenditure of federal funds to construct and remediate**
7 **the facilities, and additional allocations of water for agricultural uses; and**

8 **WHEREAS, the irrigation structures and facilities have been in use for the past twelve years and**
9 **the Nation has nurtured a viable commercial agricultural enterprise at Schuk Toak**
10 **Farm; and**

11 **WHEREAS, constant use and aging of the irrigation structures has shown some of those structures**
12 **beginning to develop cracks and erosion damage; and**

13 **WHEREAS, excessive damage, failure and loss of the use of these facilities would lead to waste and**
14 **inefficiency and would harm the Nation's ability to put the CAP water to beneficial use;**
15 **and**

16 **WHEREAS, the Nation remains responsible for the repair and replacement of the on-farm**
17 **irrigation system while the federal government is responsible for the off-farm delivery**
18 **and distribution system, as indicated by the Nation's letter dated April 12, 2006 to the**
19 **Bureau of Reclamation and the Bureau of Reclamation's response letter dated April**
20 **26, 2007, which divided federal responsibilities from the Nation's responsibilities and**
21 **which are attached to this resolution; and**

22 **WHEREAS, the Water Projects Office is the Nation's program responsible for the Nation's portion**
23 **of irrigation system repair and replacement at Schuk Toak Farm; and**

24 **WHEREAS, the Water Projects Office has inventoried all of the project structures and developed**
25 **a plan to mitigate the cracking and to repair and replace certain turnouts and other**
26 **facilities which are damaged or are badly eroded; and**

27 **WHEREAS, the inventory has divided the necessary repair and replacement into immediate, short**
28 **horizon and medium horizon categories; and**

29 **WHEREAS, the Nation previously approved budgets from remaining federal construction funds**
30 **to begin replacement of high-priority damaged structures, however, additional**
31 **funding will be necessary to address the remaining high-priority structures; and**

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1 **WHEREAS, the Water Projects Office submitted the attached budget and justification for FY 2013**
2 **to enable the Nation to perform replacement of six turnout structures, begin repair**
3 **of gates, valves, gears and distributions support structures, and to mitigate the**
4 **damage caused by cracking in 79,000 lineal feet of canals, and to bring the entire**
5 **facility into compliance with fire, life safety codes; and**

6 **WHEREAS, the Nation's responsibility for on-farm irrigation system repair and replacement has**
7 **been in the past funded by the SAWRSA Trust Fund; and**

8 **WHEREAS, the Water Projects Office requests approval of funding from the SAWRSA Trust Fund**
9 **to replace and repair irrigation structures on the Schuk Toak Farm for an amount of**
10 **\$717,667.18; and**

11 **WHEREAS, the Agriculture & Natural Resources, Water, and the Budget and Finance Committees**
12 **of the Legislative Council have reviewed this Budget and recommend its approval and**
13 **adoption.**

14 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
15 **the FY2013 budget for the Water Projects Office and authorizes the expenditures in the**
16 **amount of \$717,667.18 from the Southern Arizona Water Trust Fund to complete tasks**
17 **indicated in the attached budget for period from October 01, 2012 through September**
18 **30, 2013.**

19 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the**
20 **Chairperson and any designated official to expend and administer the Budget as**
21 **attached, provided that any Amendments affecting the funds or funding level is**
22 **submitted for further prior approval by the Tohono O'odham Legislative Council.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 28TH Day**
24 **of JUNE, 2012 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST;**
25 **-0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Article VI,**
26 **Section 1 (d) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham**
27 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
28 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

30 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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32 **Timothy Joaquim, Legislative Chairman**

33
34 day of July, 2012
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RESOLUTION NO. 12-238

(Approving FY2013 Budget for the Water Projects Office Funded by SAWRSA Trust Fund)

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1 ATTEST:

2 Evonne Wilson

3 Evonne Wilson, Legislative Secretary

4 28 day of June, 2012.

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8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
9 Nation on the 10 day of July, 2012 at 11:37 o'clock, A.M.,
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
11 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
12 submittal.

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14 TOHONO O'ODHAM LEGISLATIVE COUNCIL

15 Timothy Joaquin

16 Timothy Joaquin, Legislative Chairman

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23 APPROVED

on the 10 day of July, 2012

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25 DISAPPROVED

at 8:30 o'clock, h.M.

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28 Ned Norris, Jr.

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

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35 Returned to the Legislative Secretary on the 10 day of

36 July, 2012, at 9:45 o'clock, a.M.

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39 Evonne Wilson

40 Evonne Wilson, Legislative Secretary

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ACTION: APPROVING FY2013 BUDGET FOR THE WATER PROJECTS OFFICE FUNDED BY SAWRSA TRUST FUND

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN FRANCES STEPHENS

DATE: JUNE 28, 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(Absent) (Vernon Smith)(Present)	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 ()	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			X
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			X
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	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 (Tony Murrietta)	100.35	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			X
SAN XAVIER x 215.8	1. HILARION CAMPUS(Absent) (Racheal Vilson-Stoner)(Present)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			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	2,780.60	-0-	-0-	[05]