

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Submission of Comments to the United States Fish and Wildlife
Service on Proposed Rule to Designate Critical Habitat for Jaguar)

RESOLUTION NO. 12-415

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "consult with the**
2 **Congress of the United States and appropriate federal agencies regarding federal**
3 **activities that affect the Tohono O'odham Nation" (Constitution of the Tohono**
4 **O'odham Nation, Article VI, Section 1(j)); and**

5 **WHEREAS, the United States Fish and Wildlife Service ("USFWS") has published notice of a**
6 **proposed rule which would designate critical habitat for the jaguar, which is a**
7 **federally listed endangered species under the Endangered Species Act, that currently**
8 **occurs from southern Arizona and New Mexico to southern South America; and**

9 **WHEREAS, the jaguar holds an important place in the Nation's culture and the Nation has taken**
10 **steps to study and protect and preserve the habitat on the Nation lands that is**
11 **significant to the jaguar; and**

12 **WHEREAS, included in the area proposed for critical habitat designation are portions of Ce:wi**
13 **Duag and portions of Nation trust lands; and**

14 **WHEREAS, the Nation is currently in the process of developing a jaguar management plan, in**
15 **conjunction with the USFWS, which is expected to be completed by the end of this year;**
16 **and**

17 **WHEREAS, the purpose of the jaguar management plan is to allow the Nation to manage the**
18 **jaguar in a culturally appropriate way on Nation's lands; and**

19 **WHEREAS, no jaguar management plan exists for those portions of Ce:wi Duag that are proposed**
20 **to be designated as critical habitat for the jaguar; and**

21 **WHEREAS, the Nation wants to ensure the protection of the jaguar for future generations within**
22 **all areas of the Papagueria while exercising the right to self-determination and self-**
23 **governance; and**

24 **WHEREAS, the Agricultural and Natural Resources Committee has reviewed and recommends**
25 **that the Legislative Council approve the comments in response to the proposed**
26 **designation of critical habitat for the jaguar.**

27 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council adopts the Tohono**
28 **O'odham Nation's comment on the proposed rule designating critical habitat in**
29 **substantially the form attached hereto and authorizes and directs the Nation's**
30 **Chairman to timely submit the Nation's comments to the USFWS.**

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day of OCTOBER, 2012 at a meeting at which a quorum was present with a vote of 2,780.60FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (j) 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

17 day of October, 2012

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

17 day of October, 2012.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of October, 2012 at 4:04 o'clock, P.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

Timothy Joaquin

Timothy Joaquin, Legislative Chairman

APPROVED

on the 18th day of October, 2012

DISAPPROVED

at 10:41 o'clock, A.M.

Ned Norris, Jr.

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

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1 Returned to the Legislative Secretary on the 18 day of

2 October, 2012, at 11:24 o'clock, a.M.

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5 Evonne Wilson
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7 **Evonne Wilson, Legislative Secretary**

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ACTION: AUTHORIZING THE SUBMISSION OF COMMENTS TO THE UNITED STATES FISH AND WILDLIFE SERVICE ON PROPOSED RULE TO DESIGNATE CRITICAL HABITAT FOR JAGUAR

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN FRANCES STEPHENS

DATE: OCTOBER 12, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			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 ()	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			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			
SAN XAVIER 215.8	1. HILARION CAMPUS <i>(Absent)</i> (Racheal Vilson-Stoner) <i>(Present)</i>	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			
	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-	[03]