

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Bank Stabilization along the Santa Cruz River at the
San Xavier Reservation)

RES. NO. 314-89

1
2 WHEREAS, the San Xavier District Council is responsible for the
3 protection and enhancement of its natural resources
4 (land, water, wildlife, etc.); and

5 WHEREAS, Pima County Flood Control in conjunction with San Xavier
6 Rock and Materials, Inc., are accepting bids to line
7 the banks of the Santa Cruz River immediately north of
8 the reservation boundary with soil cement; and

9 WHEREAS, hydrologists for El Paso Natural Gas Company have made
10 recommendations to the San Xavier District to give
11 immediate attention to stabilizing the river banks in
12 coordination with the adjacent jurisdiction(s) and other
13 affected entities to protect tribal/district lands and
14 their California Pipeline right-of-way; and

15 WHEREAS, if the bank stabilization is not coordinated with Pima
16 County Flood Control, it could cause destruction to,
17 and loss of valuable District farmland along the Santa
18 Cruz River banks; and

19 WHEREAS, the Bureau of Reclamation has agreed to fund approxi-
20 mately 3600 feet of soil cement bank protection and any
21 other improvements necessary to protect the San Xavier
22 Cooperative, Inc., Farming Rehabilitation project.

23 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative
24 Council that it hereby supports the San Xavier District
25 and San Xavier Cooperative, Inc., in their request to
26 give the design and construction of the soil cement bank
27 stabilization top priority.

28 BE IT FURTHER RESOLVED that the Tohono O'odham Nation hereby
29 directs the Water Project Office and Franzoy Corey
30 Engineering Company to give the design and construction
31 of the soil bank stabilization top priority.

32 BE IT FURTHER RESOLVED that an independent hydrological survey be
undertaken by the Bureau of Reclamation coordinated
through the Nation's Water Project Office for the


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purpose of establishing a comprehensive and integrated bank stabilization and erosion control plan and design to adequately protect all O'odham lands in the San Xavier District of the Tohono O'odham Nation.

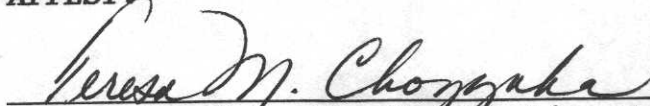
BE IT FURTHER RESOLVED that an independent study be made of existing bank conditions and land use of existing banks both upstream from and adjacent to O'odham lands in the San Xavier District of the Tohono O'odham Nation, to determine liability, if any, to the said O'odham lands by unlawful use and/or diversion of the Santa Cruz River channel and banks by non-Indian owners and/or users.

The foregoing Resolution was passed by the Tohono O'odham Council on the 20th day of September, 1989 at a meeting at which a quorum was present with a vote of 1,610.0 for; 0 against; 114.0 not voting; 01 absent, pursuant to the powers vested in the Council by Section 1(j) & (2)(d) of Article VI 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


Edward D. Manuel, Legislative Chairman
28th day of September, 1989.

ATTEST:


Teresa M. Choyguba, Legislative Secretary
28th day of September, 1989.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 28th day of September, 1989, at 6:32 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


Edward D. Manuel, Legislative Chairman

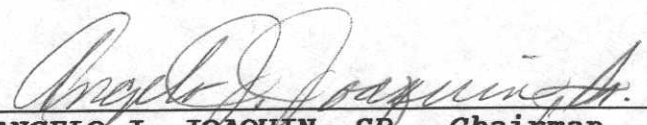
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Page Three (3)

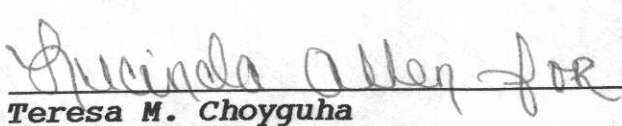
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[] APPROVED) on the 1 day of Oct, 1989.
[] DISAPPROVED) at 10:15 o'clock, P.M.



ANGELO J. JOAQUIN, SR., Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 3rd. day of
October, 1989, at 3:17 o'clock, P.M.



Teresa M. Choyguha
Legislative Secretary

MOVED: Joseph Juan

SUBJECT: Bank Stabilization along the Santa

SECOND: Mary Ann Antone

Cruz River at the San Xavier

DATE: September 20, 1989

Reservation

RESOLUTION NO. 314-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Henry Ramon ()	62.5	X			X
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0			X	
	2. Virgil Lewis (Michael Flores)	57.0			X	
SAN LUCY 106.0	1. John Reno ()	53.0	X			
	2. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
PISINEMO 119.0	1. Edward Manuel (Alex Antone)	59.5	X			
	2. Johnson Jose ()	59.5	X			
GU ACHI 166.0	1. Alex J. Ramon (Fernando Joaquin)	83.0	X			
	2. Percy Lopez ()	83.0	X			
BABOQUIVARI 229.0	1. Joann Garcia (Frances Miguel)	114.5	X			
	2. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael Rios)	63.5	X			
SCHUK TOAK 107.0	1. Joseph Juan (Frances Francisco)	53.5	X			
	2. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Daniel Lopez)	155.0	X			
SIF OIDAK 158.0	1. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
	2. Mary Ann Antone (Nina Jose)	79.0	X			
TOTAL		1,724.0	1,610.0	0	114.0	01