

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2012 Budget for the Water Projects Office Funded by SAWRSA Trust Fund)

RESOLUTION NO. 11-343

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 eleven 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 2012**
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 **\$517,635.79; and**

11 **WHEREAS, this budget has been reviewed by the Agricultural, Water Resources, and the Budget**
12 **and Finance Committees, which recommend approval by the Legislative Council.**

13 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves**
14 **the FY2012 budget for the Water Projects Office and authorizes the expenditures in the**
15 **amount of \$517,635.79 to complete tasks indicated in the attached budget.**

16 **BE IT FURTHER RESOLVED that funds in the amount of \$517,635.79 are hereby appropriated from**
17 **the SAWRSA Trust Fund to cover expenditures during the period from October 01, 2011**
18 **through September 30, 2012.**

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 22nd Day**
24 **of [JULY, 2011] at a meeting at which a quorum was present with a vote of 2,564.80 FOR; -0- AGAINST;**
25 **215.80[02] NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section**
26 **1 (d) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
27 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
28 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
29 **Stat. 984).**

30 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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35 **Timothy Joaquin, Legislative Chairman**

36 27 day of July, 2011
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(Approving FY 2012 Budget for the Water Projects Office Funded by SAWRSA Trust Fund)

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1 ATTEST:

2
3 Evonne Wilson
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5 **Evonne Wilson, Legislative Secretary**

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7 26 day of July, 2011

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9 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
10 Nation on the 27 day of July, 2011 at 4:46 o'clock, 7 .M.,
11 pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective
12 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
13 submittal.

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15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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17 Timothy Joaquin
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19 **Timothy Joaquin, Legislative Chairman**

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25 APPROVED

on the 28 day of July, 2011

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27 DISAPPROVED

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

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31 Ned Norris, Jr.
32 **NED NORRIS, JR., CHAIRMAN**
33 **TOHONO O'ODHAM NATION**

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38 Returned to the Legislative Secretary on the 28 day of

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40 July, 2011, at 9:08 o'clock, a .M.

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42 Evonne Wilson
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44 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING FY 2012 BUDGET FOR THE WATER PROJECTS OFFICE FUNDED BY SAWRSA TRUST FUND

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILMAN FREDERICK JOSE

DATE: JULY 22, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	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 (<i>Absent</i>) (Michelle Ortega) (<i>Present</i>)	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			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			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			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			X
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,564.80	-0-	215.80 [02]	[04]