

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Accepting the Environmental Protection Agency's Renewable Energy
Development Opportunity Technical Study to Evaluate Renewable
Energy Potential)

RESOLUTION NO. 11-443

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, in Resolution 10-484, Tohono O'odham Legislative Council authorized the Nation's**
7 **participation in the Environmental Protection Agency's technical feasibility study to**
8 **evaluate renewable energy potential on 280 acres of Nation land within the San Xavier**
9 **District which were previously leased to ASARCO, LLC; and**

10 **WHEREAS, the Environmental Protection Agency has completed a draft of the technical feasibility**
11 **study entitled "Renewable Energy Development Opportunities - ASARCO Mission Mine**
12 **Tailings Area, San Xavier District, Tohono O'odham Nation" for presentation to the**
13 **Tohono O'odham Legislative Council; and**

14 **WHEREAS, the Environmental Protection Agency continues to work on the geotechnical report**
15 **that will be presented to Tohono O'odham Legislative Council at a future date; and**

16 **WHEREAS, the "Renewable Energy Development Opportunities - ASARCO Mission Tailings Area,**
17 **San Xavier District, Tohono O'odham Nation" fairly analyzes the potential for the**
18 **development of renewable energy development on the 280 acres of Nation land within**
19 **the San Xavier District; and**

20 **WHEREAS, the information contained in the technical feasibility study is important for Nation**
21 **members and potential renewable energy developers to have and understand prior**
22 **to the Nation engaging in the development of a renewable energy project; and**

23 **WHEREAS, the Commerce, Agriculture & Natural Resources and Budget & Finance oversight**
24 **committees have reviewed the technical feasibility study and recommend**
25 **presentation to the full Tohono O'odham Legislative Council for acceptance.**

26 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it accepts the**
27 **"Renewable Energy Development Opportunities - ASARCO Mission Tailings Area, San**
28 **Xavier District, Tohono O'odham Nation" technical feasibility study, dated April 2011,**
29 **and authorizes its distribution to the public and interested parties.**
30

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH Day of SEPTEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST; [01] NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (i)(2) 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



Timothy Joaquin, Legislative Chairman

22 day of September, 2011

ATTEST:




Evonne Wilson, Legislative Secretary

21 day of September, 2011

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 22 day of September, 2011 at 11:07 o'clock, A.M., pursuant to the provisions of Section 4 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



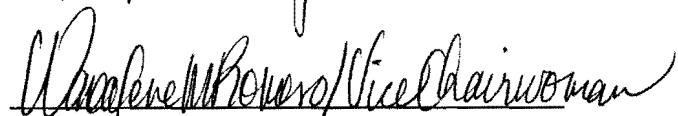
Timothy Joaquin, Legislative Chairman

APPROVED

on the 22 day of September, 2011

DISAPPROVED

at 1:39 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN

TOHONO O'ODHAM NATION

RESOLUTION NO. 11-443

**(Accepting the Environmental Protection Agency's Renewable Energy Development Opportunity
Technical Study to Evaluate Renewable Energy Potential)**

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1 Returned to the Legislative Secretary on the 22 day of

2
3 September, 2011, at 2:00 o'clock, P.M.

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6 Evonne Wilson

7 Evonne Wilson, Legislative Secretary

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ACTION: ACCEPTING THE ENVIRONMENTAL PROTECTION AGENCY'S RENEWABLE ENERGY DEVELOPMENT OPPORTUNITY TECHNICAL STUDY TO EVALUATE RENEWABLE ENERGY POTENTIAL

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN PAMELA ANGHILL

DATE: SEPTEMBER 16, 2011

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			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	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			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta)	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			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			
	2. MARY LOPEZ ()	105.95	X			