

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Proposal for Lower Colorado Conservation and Efficiency Program)**

RESOLUTION NO. 22-416

1 **WHEREAS, the Tohono O'odham Nation is entitled to receive 66,000 acre-feet of Central**
2 **Arizona Project ("CAP") water per year under the terms of the Southern Arizona**
3 **Water Rights Settlement Act, as amended, Title III of Public Law 108-451**
4 **("SAWRSA"); and**

5 **WHEREAS, due to unprecedented drought in the Colorado River basin and other factors, the**
6 **flows of the Colorado River have been reduced and the water levels in Lake Mead**
7 **and Lake Powell have decreased to levels not seen since the filling of those**
8 **reservoirs; and**

9 **WHEREAS, to address these conditions and to increase system conservation and efficiency**
10 **opportunities in the Lower Colorado River Basin, the United States Bureau of**
11 **Reclamation has created a funding opportunity to compensate holders of water**
12 **entitlements such as the Nation for reducing their use of Colorado River water**
13 **and thereby retaining water in Lake Mead under a program entitled the Lower**
14 **Colorado Conservation and Efficiency Program (LC Conservation Program); and**

15 **WHEREAS, the LC Conservation Program contains components similar in design to the 2015-**
16 **2018 Lake Mead Pilot System Conservation Program; and**

17 **WHEREAS, the Nation, pursuant to Resolutions No. 15-331, 16-389, and 18-152, participated**
18 **in the Lake Mead Pilot System Conservation Program from 2015-2018; and**

19 **WHEREAS, to participate in the LC Conservation Program, the Nation must submit a**
20 **proposal to the Bureau of Reclamation; and**

21 **WHEREAS, the Water Resources Committee has reviewed and recommends that the**
22 **Legislative Council approve the proposal for participation in the LC Conservation**
23 **Program substantially in the form presented to the Legislative Council in its**
24 **closed session on November 17, 2022.**

25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
26 **proposal for participation in the LC Conservation Program substantially in the**
27 **form presented to the Legislative Council in its closed session on November 17,**
28 **2022, and authorizes the Chairman of the Nation to promptly deliver the proposal**
29 **to the Bureau of Reclamation; provided, that such proposal shall remain**
30 **confidential and shall not be reported or disclosed; and provided further, that**
31 **any agreement to implement the Nation's participation in the LC Conservation**
32 **Program shall be subject to the approval of the Tohono O'odham Legislative**
33 **Council.**

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BE IT FINALLY RESOLVED that the funds generated by this program will be added to the Water Revenues Account established by Resolution No. 14-525.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17th day of NOVEMBER, 2022 at a meeting at which a quorum was present with a vote of 2,661.5 FOR; 556.5 AGAINST; [01] NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by, Article XVII, Section 2 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

18 day of November, 2022

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

18 day of November, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of November, 2022 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 November, 2022

DISAPPROVED

at 4:31 o'clock, P.m.

Ned Norris, Jr.

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


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Returned to the Legislative Secretary on the 18 day of

November, 2022, at 4:50 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING PROPOSAL FOR LOWER COLORADO CONSERVATION AND EFFICIENCY PROGRAM

MOVED: COUNCILWOMAN LUCINDA ALLEN

SECOND: COUNCILMAN ADAM ANDREWS

DATE: NOVEMBER 17, 2022

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			X
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (Shelia Espino)	278.25		X		
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25		X		
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III <i>(Absent)</i> (Racheal Vilson-Stoner) <i>(Present)</i>	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X		X	
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			X
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			X
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS <i>(Absent)</i> (Cornelius Antone) <i>(Present)</i>	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
	TOTAL	3,218.0	2,661.5	556.5	[01]	[03]