

AMERICAN INDIAN TRANSPORTATION: ISSUES AND SUCCESSFUL MODELS

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American Indian transportation needs are similar to the needs of most people who live in rural areas, yet to a greater extreme. Without transportation, many American Indians cannot participate in their communities

nor can they access critical services, such as medical care. Many tribal members have to depend upon friends and neighbors for rides to medical centers, school and jobs. However, others are unable to access any transportation and as a result they are unable to manage their health or maintain long-term employment.

Conditions unique to the reservation complicate the mobility problems for many American Indians. Social barriers and tremendous geographic distances across tribal lands make tribal transportation services more difficult to initiate and maintain. There are multiple layers of government – local, state, federal, tribal – that tribes must deal with when establishing and then operating a transportation system. However, even in the face of such challenges, some tribes and nations have developed transportation systems designed to meet the needs of their people.

Part I of this brief will identify issues, funding opportunities under the reauthorized national transit law – Safe Accountable, Flexible, Efficient Transportation Equity Act a Legacy for Users (SAFETEA-LU), and benefits of investing in tribal



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transportation programs. Part II of this brief includes case studies that provide examples of successful tribal transit models. And finally, helpful resources are listed on the last page of this brief.

Part I

Sovereignty

Tribal rights of self-government are recognized and protected by the US Constitution, legislation, treaties, judicial decisions and administrative practice. Currently, the US government officially recognizes 563 tribes as sovereign nations. Federal recognition means that tribes can use federal funds for transportation; without that recognition, states may choose to contract with tribes for transportation, but they are not obligated to do so.

Federal transportation funds are allocated to the states based on population, which includes American Indians. The quality and effectiveness of tribal/state relationships vary widely. Due to tribes' sovereign nation status, relationships with the states can be complicated. Some tribes have solid working relationships with their states, while others have little or no dialogue with state officials. In order to provide an effective transportation service for tribes without compromising their sovereign nation status, the tribal/state relationship must be worked through on a case-by-case basis.

Funding

The reauthorization of the nation's highway and transit programs – the Safe Accountable, Flexible, Efficient Transportation Equity Act a Legacy for Users (SAFETEA-LU) was signed into law by President Bush in August 2005. This legislation, which is administered by the Federal Transit Administration (FTA), provides increased funding for community transportation through a number of existing and expanded federal transportation grants. Tribal Transit will be a beneficiary of such increases.

The affects of SAFETEA-LU on the Rural Area formula grant, Section 5311, will have a direct impact on American Indian Tribes. Section 5311 is a program of formula funding to states for the purpose of supporting public transportation in areas with populations less than 50,000 persons. Funds may be used to support administrative, capital or operating cost of local transportation providers. The maximum Federal share for capital and project administration is 80% and therefore requires a 20% local match, while operating assistance funds require a 50% local match.

Since many tribes are located in rural areas, tribal transit often depends on Section 5311 funds. SAFETEA-LU not only increased Section 5311 funding by about 70%, but sets aside that a portion of Section 5311 funds each year solely for Indian tribes. Beginning in fiscal year 2006, \$8 million will be set aside specifically for Indian tribes. The amount increases to \$15 million by fiscal year 2009. This means that starting in 2006, several tribes will be able to apply for both Section 5311 and Tribal Transit Program funding to support their systems.

Call the toll-free Transit Hotline (1.800.527.8279) to obtain the contact information of your Regional FTA Office to learn about the specific criteria required to participate in the Tribal Transit program. Both the National RTAP (www.nationalrtap.org) and FTA (www.fta.dot.gov) websites are also useful resources.

Tribes may also apply for federal dollars through Section 5310, which provides formula funding to states to assist private nonprofit groups and some public agencies in meeting the transportation needs of elders and persons with disabilities. Traditionally, Section 5310 funds can only used for capital expenses; for example, grant money can be used to purchase vehicles and contract for transportation services. However, SAFETEA-LU allows for a pilot

program in which seven states can authorize the use of Section 5310 funds for operating assistance. The legislation specified that Wisconsin, Alaska, Minnesota, and Oregon be four of the seven states that will be included in the demonstration, which leaves three remaining states to be determined by the Secretary of Transportation.

More federal funding can be found at the US Department of Health and Human Services (DHHS). One example is the Administration on Aging (AoA), a DHHS agency that administers the Older American Act Title VI program. AoA's Title VI program provides funding to meet the needs of American Indian elders, such as nutrition, transportation and other services.

Another DHHS funding resource for American Indian tribes is the Administration for Native American (ANA). ANA provides a limited amount of funding for American Indian social and economic development activities, which can include transportation services.

Medicaid, the public health care coverage that is financed by both state and federal dollars, funds non-emergency medical transportation for its eligible beneficiaries. The Centers for Medicare and Medicaid Services (CMS), an agency within DHHS, administers the program. However, the federal Medicaid legislation gives states flexibility in how they administer this program. Therefore, each state provides Medicaid services and related non-emergency medical transportation differently, though they must follow certain federal guidelines.

Coordination

Transportation coordination is an important way for Tribal services to work together to make a transportation system that is cost-effective and client-efficient. Coordination connects transportation providers with groups needing transportation to improve people's ability to get to health care, jobs and needed services, especially in isolated areas.

A need to coordinate transportation also occurs because several human services programs, like senior nutrition programs, assist non-Indians as well as Indians within the service areas.

In order to come up with an effective plan for transportation coordination, tribes should identify their needs and the extent of transportation services already in place to avoid duplication of services.

Potential coordination partners:

- Head Start programs
- Schools, colleges or universities
- Day care centers
- Alcohol and substance abuse centers
- Tribal industries
- Nursing homes
- Medical centers
- Transit agencies
- Nutrition sites

Coordination can be as simple as sharing information on the transportation needs of agencies and their tribal members and working together to meet these needs through existing programs:

- A group can join together informally for staff training activities.
- Agencies can coordinate their vehicle maintenance in a single facility.
- Dispatching of several agencies' vehicles can be coordinated at one site.
- An existing agency can oversee the transportation activities of several agencies.
- An agency can be created to broker transportation services among separate providers.
- An independent agency can be created to assume all the transportation responsibilities for a tribe.

COORDINATED TRIBAL SYSTEM

The Menominee Tribe of Wisconsin coordinates its Public Transit system with a number of other reservation service providers to meet the needs of the community while stretching resources. The transit system uses coordination to enhance access to employment, health care, recreation, education, and public transit for the Menominee people.

Menominee Public Transit was organized in 1982 as a small service predominately used by senior citizens. However, as word spread that the service was available to everyone ridership grew. Menominee Transit began partnering with Menominee travel day care, the Commission on Aging, the Tribal School, W2 Works, and the Indian Headstart Program. The tribe has also begun researching coordinating non-emergency medical transportation with Medicaid.

Funding for the tribe's \$687,000 annual transit operating budget comes from two major sources – 50% from the Federal Transit Administration's (FTA) Section 5311 grant program and 45% from the Tribe; the remaining 5% comes from other grant sources. FTA Section 5311 also provides 80% of the Menominee Public Transit's annual capital budget of \$200,000.

Source: Shawn Klemens, Director of Menominee Transit, klemens@frontiernet.net

Economic Growth and Transportation

Transportation plays a key role in economic development for American Indians. Indian tribes, whether on or off reservations, are working to bring economic growth to their members. Linking people to their community through work, health care, social events and shopping is essential to a strong economic future.

In the early 1990s, the Center for Urban Regional Affairs at the University of Minnesota conducted a survey of more than 1,200 households, including seven tribes in Minnesota, North Dakota, Wyoming, Utah, and Colorado found:

- 25% of respondents said that they had lost a job because of a transportation problem.
- 36% said they had turned down a job because of a transportation problem.
- 29% said that a health crisis requiring medical attention had created a transportation problem; and
- 27% indicated that they had lost an opportunity for education because of a transportation problem.

Overall, 52% of the households surveyed agreed that transportation would improve their lives “a great deal.”

TRIBAL TRANSPORTATION & ECONOMIC DEVELOPMENT

The Sitka Tribe of Alaska is made up of over 3,700 tribal citizens whose reservation is located on Baranof Island in Alaska. The tribe included transportation in its plan for economic development by creating tourism transportation in 1994.

Shortly after the visitor's transit was started, the tribe held discussions on opening a public transportation system. In 1997, the Sitka was denied a Rural Development Grant, but forged ahead with the help of the Community Transportation Association of American (CTAA) and formed a community committee that included tribal organizations, businesses, schools, non-profits, city officials and hospitals. In 1999, CTAA awarded the Sitka Tribe a United States Department of Agriculture (USDA) technical assistant grant that enabled the tribe to hire a consultant.

The consultant helped the committee to identify existing transportation providers and the community's remaining needs, which enabled the community to recognize key issues, such as employment and medical access. Armed with information, the committee created a management plan and sought funding from FTA Job Access and Reverse Commute (JARC), and USDA grants. After successfully receiving funding from FTA and JARC, the Sitka Tribe began a fixed route service.

Source: Camille Ferguson – camilleferguson@itkatribes.org

Part II

Examples of Successful Tribal Transit Programs

Blackfeet Transit of Montana

There are 15,700 enrolled members of the Blackfeet Tribe with nearly 9,000 living on the 1.5 million acre Reservation in Northwest Montana. The Reservation bordering Alberta, Canada to the north and shares its western border with the Glacier National Park is located in an extremely rural setting. Therefore, the tribal transit system also incorporates the City of Browning in its service area.

Starting in 1978, the mission of Blackfeet Transit's service has been to meet the mobility needs of the transit dependent population on the Blackfeet Reservation, including those individuals with disabilities, individuals who are not able to drive, and individuals without their own means of transportation. It is a public service available to all regardless of age, income, or even tribal status. Seniors, persons with disabilities and children under 5 ride free.

Currently, Blackfeet Transit is demand-response with a full-time dispatcher available 5 days a week to receive calls for rides from 8 am to 4:30 pm. The program includes two mini-vans each

able to transport 7 people and two paratransit buses with wheelchair lifts that can transport 13 passengers each.

Federal and local dollars support Blackfeet Transit. The tribe receives 50% of its funds from FTA, Section 5311 and the other 50% from the Tribe.

Source: Jolene Meineke

Pueblo of Laguna Shaa'srk'a Transit Program

The Pueblo of Laguna reservation is located 45 miles east of Albuquerque in rural New Mexico. The six villages of the Pueblo are home to 5,047 residents, 97% of whom are Native American. The reservation stretches over 547,000 acres and expands into three counties – Cibola, Bernalillo, and Sandoval.

The combined efforts of the Pueblo of Laguna Tribal Council and the Community Health Representative (CHR) Program developed the Shaa'srk'a Transit Program in 1998. CHR provides several community-based health services, including non-emergency medical transportation. CHR both tracked the different requests for transportation (medical, employment, shopping) from the residents and conducted a survey among 1,077 tribal homes to learn of the reservation's need for transportation. Results from the survey showed that 33% of Pueblo Laguna families had no reliable transportation to access services on or off of the reservation. Using the information from the survey, CHR and the Tribal Council wrote an application for 5311 funds in 1998. By 1999 the Pueblo of Laguna's Shaa'srk'a Transit Program began a demand-response service with a 15 passenger, lift-equipped van.

Pueblo of Laguna's Shaa'srk'a Transit Program has grown since its inception to now serve its community through both demand-response and a fixed route service to and from the city of Grants. The transit service runs Monday through Friday beginning before 7a.m. through

5:30p.m.

Shaa'srk'a Transit's fleet now consists of four 15 passenger vans (three of which are wheelchair accessible) and a mini-van. Ridership, which mainly provided access to jobs and health and human services, amounted to almost 8,500 one-way trips in 2004-2005. After recently adding a third full-time driver to its staff of one part-time driver and two full-time drivers, the program expects ridership to increase even more.

In addition to its daily transportation service, Shaa'srk'a Transit has a key role in the Pueblo of Laguna Emergency Management Program as the Transit Coordinator. FEMA and other state resources support the Pueblo's well-coordinated emergency management plan.

Coordination of services within the area is critical in Shaa'srk'a Transit's ability to meet the high demand and needs within the area. Shaa'srk'a coordinates rides with the CHR program and the local Indian Health Services hospital for medical transit, as well as the Department of Education for after-school and other special workforce/training programs. The reservation's public transit also provides support to the senior service programs.

In 2005 a Transit Strategic Planning forum was held with all employers, providers and entities within the reservation to identify and discuss transit needs. Attendees ranged from education providers to major employers, such as the Tribal Casino. CTAA provided a technical consultant to facilitate discussions at the forum and to engage the Tribal Secretary and key individuals in a strategic planning session and evaluation of the current system.

In addition to the reservation's current coordination efforts, Pueblo of Laguna's Shaa'srk'a Transit is part of a proposed strategy that would link transit services from Windrock, AZ to Albuquerque, NM connecting the small urban centers along the way (examples include

Zuni, Grants, Laguna). Discussions with local tribal (Zuni Zee, Gallup-Express, and Navajo Nation) and the Cibola county government have been ongoing regarding a proposed linkage transit strategy.

Shaa'srk'a Transit is funded through the FTA Section 5311 program. Funding levels range from \$124,000 to \$137,000 annually. Matching funds are provided from a variety sources, including the Pueblo of Laguna Government, the Indian Health Self-Determination 638 funds, CHR, and other discretionary sources. Source: Ramona Dillard, Administrator – rdillard@lagunatribe.org

Conclusion

American Indian reservations are particularly vulnerable to the challenges facing rural transit where the need for accessible, affordable transportation is clear and distances are great and personal transportation is not a reliable or viable option. However, with the passage of SAFETEA-LU, which increases the funding to rural areas and especially American Indian Tribes, the Federal Government is providing more options for Tribes to create solutions for affordable and accessible transportation.

In addition to increased federal funding through SAFETEA-LU, coordination of transportation services is an important tool in making all available services accessible to more people. Transportation is a key element in a tribe's economic growth, health, and the overall quality of life of its members. The highlighted programs in this brief provide examples of how a few tribes ensure members have access to essential services available on and off the reservation.

Resources

An important resource in obtaining valuable information on community transportation is the toll-free Transit Hotline – 1-800 -

527-8279. The Hotline is a service of the Federal Transit Administration's Rural Transit Assistance Program (RTAP). It can provide you with a variety of information: answers to basic and complex questions, how to solve a transit problem, written materials and referrals to peers with expertise in the start-up and operation of tribal transportation services. Useful information can also be found on both the RTAP and the Community Transportation Association of America (CTAA) websites

- www.nationalrtap.org and www.ctaa.org.

Another very important resource for funding and coordination inquiries is the FTA website

- www.fta.dot.gov.