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Peers: Alaska Tribal Technical Assistance Program
Arizona DOT
California DOT
Minnesota DOT
New Mexico DOT
Oklahoma DOT
Washington State DOT
Wisconsin DOT

– Peer Exchange Report –

“State Department of Transportation Tribal Liaison Roundtable and Panel Discussion”

Location: Albuquerque, New Mexico

Date: November 15, 2010

Exchange Host Agency: Federal Highway Administration (FHWA)

Exchange Participants: Byron Bluehorse, Alaska Tribal Technical Assistance Program (TTAP), Charla Glendening, Arizona Department of Transportation (ADOT) Myra Rothman, Arizona Department of Transportation (ADOT) Lonora Graves, California Department of Transportation (CalTrans) Linda Aitken, Minnesota Department of Transportation (Mn/DOT) Ron Shutiva, New Mexico Department of Transportation (NMDOT) Jay Adams, Oklahoma Department of Transportation (ODOT) Megan Cotton, Washington Department of Transportation (WSDOT) Kelly Jackson, Wisconsin Department of Transportation (WisDOT) Susan Grosser, FHWA Office of Planning Michelle Noch, FHWA Office of Planning Tim Penney, FHWA Office of Policy Julianne Schwarzer, Volpe National Transportation Systems Center (Volpe Center)

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U.S. Department of Transportation
Federal Highway Administration



State Department of Transportation Tribal Liaison Roundtable and Panel Discussion

Transportation Planning Capacity Building Program (TPCB) staff from the FHWA Office of Planning, staff from the FHWA Office of Policy and Governmental Affairs, and staff from the USDOT Volpe Center attended the event to facilitate discussions, as well as to document proceedings. The resulting report contains the following sections:

- I. Executive Summary**
- II. Introduction**
- III. Safety**
 - A. Tribal Safety Plan
 - B. Incorporation of Tribal Safety Plan into Strategic Highway Safety Plans (SHSPs)
- IV. Project Development**
 - A. Planning Coordination
 - B. Transportation Improvement Programs (TTIP/STIP/IRRTIP)
 - C. Project Development
 - D. Cultural and Environmental Consultation
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 - E. Tribal State Meeting/Summits
- VI. Challenges and Lessons Learned**
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I. Executive Summary

This report summarizes proceedings from a one-day “State Department of Transportation Tribal Liaison Roundtable and Panel Discussion” supported by the [Transportation Planning Capacity Building \(TPCB\)](#) Program, which is jointly administered by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), as well as by the FHWA Office of Policy and Governmental Affairs. The event was hosted on November 10, 2010 in coordination with the 13th Annual National Tribal Transportation Conference in Albuquerque, New Mexico.

This peer exchange brought together State Department of Transportation (State DOT) Tribal Liaisons from around the country to discuss key issues of interest and concern that span the field of Tribal transportation planning. Peers were asked to present a summary of effective practices they have developed and/or implemented; describe challenges, successes, and lessons learned associated with the practice(s); and identify resources they used or would like to see developed.

This peer exchange served as a continuation of the conversation from previous State DOT Tribal Liaison peer exchanges. The first peer exchange was held in 2003 and had 21 participants, and the second was held in 2005 and had 9 participants. Also, a peer exchange held in 2009 on Key Considerations in Metropolitan and Statewide Tribal Consultation featured some of the same participant organizations.

The goal of this peer exchange was to learn more about the different practices in each State and the different capacities of the Tribes in those areas.

Discussions and presentations at the peer exchange led to three main conclusions on the State DOT Tribal Liaison programs:

- The role of the State DOT Tribal Liaison is worthwhile and is producing positive results that could not have been achieved without a Liaison in this function;
- Each State DOT Tribal Liaison has used different approaches and tools. The interchange of ideas and tools at this peer exchange was extremely valuable to the Liaisons; and
- In the long term, the functions of the State DOT Tribal Liaison are critical and should be institutionalized within the State DOT and other planning agencies to ensure that, even in the absence of current Liaisons (incumbents), these functions are still carried out.

In addition, the discussion among participants during the peer exchange surfaced three main subjects: safety, project development, and organizational excellence. Highlights from the three subject areas include:

1. **Safety:** The main safety topics discussed were the Tribal Safety Plan and incorporation of such a plan into the State Strategic Highway Safety Plan (SHSP). As a result of a recent statewide transportation needs assessments for Tribes, Caltrans has identified safety as the greatest need and has been working to identify funding to conduct a safety study. Washington State DOT (WSDOT) has followed New Mexico’s model of including a Tribal section in its SHSP and is engaging Tribes in the update to its SHSP through two summits and through the inclusion of a Tribal representative in the steering committee for the update. Both Caltrans and WSDOT identified data collection as a major challenge in working to improve safety in Tribal areas.
2. **Project Development:** Under project development, States discussed the roles; planning processes and programs; and interaction of the Tribes, State DOTs, Metropolitan Planning Organizations (MPOs), Rural Planning Organizations (RPOs), and the Bureau

of Indian Affairs (BIA). In many cases, because of the rural location of Tribes, States identified that RPOs, often administered by regional Councils of Government, provide an opportunity for Tribes to coordinate and leverage State transportation funding and resources. Similarly, Oklahoma DOT (ODOT) identified coordination of the Tribal Transportation Improvement Programs (TTIPs) with the State Transportation Improvement Program (STIP) as a beneficial practice for projects in terms of quality and funding.

It was noted that participation by Tribes in the transportation planning process is challenged by a lack of adequate funding, technical assistance needs, and sensitivity concerning cultural and environmental resources. In response, Arizona DOT (ADOT) has provided a planning assistance program with funding assistance for rural areas that has allowed Tribes to pursue significant regional projects. To gain a better understanding of Tribal concerns around cultural and environmental resources, Wisconsin DOT (WisDOT) has developed a Memorandum of Understanding (MOU) with Wisconsin's Federally recognized Tribes and FHWA that has led to the establishment of a Task Force and annual listening sessions. A significant challenge in working with Tribes has been the confidentiality of cultural and historical data. Some States, such as Washington, have an exemption for certain cultural resources that allows WSDOT to collect such sensitive information without having to make the information publically available.

- 3. Organizational Excellence:** States have developed a number of organizational practices to improve Tribal transportation planning. In addition to State DOT Tribal Liaisons, States have formed Tribal Advisory Committees and workgroups that include State, Tribal, and Federal/Bureau of Indian Affairs (BIA) representatives and have held Tribal summits. Some States have also used State funding programs to address transportation projects in Tribal areas.

Challenges, Next Steps, and Conclusions: Certain issues discussed at the peer exchange were common to all or most of the States. The following list represents key challenges, and the State DOT Tribal Liaisons hope to develop methods to better address them in the future:

- Although the State DOT Tribal Liaisons have established strong relationships with regional BIA offices, it has been difficult to engage the BIA at higher levels.
- How Tribes can best exercise their jurisdiction in a transportation planning context is a major challenge in the field of Tribal transportation planning.
- The State DOT Tribal Liaisons agreed that they would like to find new methods to be better advocates of getting additional funding for Tribal transportation issues.
- Data gaps and collection continue to be major issues.
- Methods to institutionalize the functions of the State Tribal Liaisons within State DOTs and other planning agencies still need to be developed.

One goal of this peer exchange was for State DOT Tribal Liaisons to establish an action plan for next steps for what each hoped to accomplish between this and the next peer exchange. The participants identified several next steps, including the following:

- All of the State DOT Tribal Liaisons articulated a desire for FHWA to develop a distribution list of the Tribal Liaisons and an online community of practice to allow for the ongoing sharing of ideas.

- Oklahoma suggested that it would like to develop a cultural resources group in coordination with the University of Oklahoma.
- Wisconsin DOT would like to work toward establishing a better relationship with the BIA that would allow the two agencies to better support Tribal transportation issues.

In conclusion, the key themes that were reiterated throughout the peer exchange include:

- Safety is the single most important issue facing the Tribal transportation community today, and improving safety on Tribal roads requires improved data collection efforts;
- Sovereignty continues to be a major issue in work done between State DOTs and Tribes; State DOTs must be more sensitive to working with the Tribe as a sovereign nation;
- Working with MPOs and RPOs continues to be a challenge to rural Tribes, and best practices demonstrate that if Tribes and RPOs work together, they may be able to jointly leverage greater resources;
- States need to establish tangible and replicable practices such as MOUs or Memoranda of Agreement (MOAs) that could benefit other groups; and
- States need to develop ways to institutionalize the work performed by State Tribal Liaisons.

II. Introduction

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This peer exchange built on existing partnerships and strengthened planning practices for the Tribes. Many of the peers that attended this peer exchange had attended previous Tribal Liaison peer exchanges. FHWA believed that by having Tribal Liaisons share their success stories; these peers will help each other and other States to adopt similar practices. FHWA also hoped that the State DOT Tribal Liaisons will be able to develop action items for the future to take back to his or her state to pursue. Finally, not all States have State DOT Tribal Liaisons, so FHWA wanted this peer exchange to generate ideas on how to encourage other States to start State DOT Tribal Liaison programs.

The goal of this peer exchange was to learn more about the different practices in each State and the different capacities of the Tribes in those areas. This peer event is of great benefit, as it

brought together a group of State DOT Tribal Liaisons who face similar issues but rarely get to meet in person. Toward that end, the peer exchange consisted of presentations by participants on three main subjects:

1. Safety,
2. Project development, and
3. Organizational excellence.

Each subject had two to four speakers who provided examples from their State. In some cases, other participants commented on the presentation and shared their State's experience. Speakers touched upon both successes and challenges their State has experienced. The following three sections provide details of the main topic areas of safety, project development, and organizational excellence.

III. Safety

Identifying and addressing Tribal transportation safety issues is a key issue in Tribal transportation planning. A key challenge is the need to collect quality data and then incorporate data findings into a Tribal Safety Plan. Understanding that working with Tribes is a government-to-government relationship is the key to establishing effective Tribal safety plans.

a. Tribal Safety Plan - California Department of Transportation (Caltrans)

California has over 100 Federally recognized Tribes; however, there is little Tribal land and limited funding. Caltrans has focused on building stronger partnerships that may lead to better planning outcomes. Of the 12 Caltrans Districts, 10 have Federally recognized Tribes¹. Each of these 10 Districts has its own Tribal Liaison, and the State DOT Tribal Liaison works to coordinate with each of these districts. Tribal working groups meet quarterly to find ways to collectively support the Tribes overall. Also, Caltrans is working on developing a Tribal partnership with FHWA.

One of the largest challenges for establishing a statewide Tribal Safety Plan in California is achieving good data collection. Collecting fatality and serious injury crash data is extremely difficult as many Tribes are understaffed, and many do not have the resources to collect data needed to establish a robust Safety Plan. In addition, many accidents on Tribal lands and in rural areas go unreported.

Between 2008 and November 2010, California conducted 69 needs assessments statewide to establish a baseline for Tribal transportation needs. The assessments used three different processes to obtain data: public discussions, incident data collection, and surveys. The assessments looked at transportation in general but identified improved safety as the greatest need. Additional findings from the needs assessments included:

- 93% of Tribal lands intersect with State routes and major points of access;
- 37% of Tribes had major safety concerns; and
- 49% of Tribes need roads paved or repaired.

Another challenge to developing a Tribal Safety Plan in California is obtaining funding for Tribal plans and projects. However, the State DOT Tribal Liaison works closely with district Tribal Liaisons and Tribal governments to leverage different funding sources. Thus far, the Tribal

¹ <http://dot.ca.gov/hq/tpp/offices/ocp/nalb/>

transportation program in California has been able to leverage the following funding to help improve Tribal transportation safety:

- Environmental Justice grant: for data collection that will feed into a safety study and road safety audit;
- Caltrans grant: for expansion of the safety study to provide Tribes with a chance to identify mutual safety concerns; to differentiate between Tribal needs and needs perceived by Caltrans; and to facilitate differences between Tribal, State, and MPO planning processes; and
- Additional Caltrans funding (\$250,000): for the completion of the safety needs assessment.

In response to the presentation by Caltrans, NMDOT shared successes and challenges it has had in involving Tribes in transportation safety planning. NMDOT's SHSP contains a Native American section that addresses Tribal needs and concerns. One of the largest safety issues in New Mexico is the number of driving while intoxicated (DWI) incidents that has happened on reservations and in rural areas. As a result, the Governor established a State-Tribal DWI Task Force, consisting of Tribal representatives, NMDOT and a number of other State, Federal, and other agencies and organizations. Despite these successes, New Mexico recognized the funding limitations that California identified. In 2009, New Mexico had a Tribal safety summit at which participants developed a list of critical issues to address; but because of funding, some of these issues may not be addressed in the near future. Unfortunately, many national safety funding programs do not apply to Tribal land. For example, many of the schools on Tribal reservations are BIA schools; and the Safe Routes to School Program does not apply to BIA schools.

b. Incorporation of Tribal Safety Plan into Strategic Highway Safety Plans (SHSPs) - Washington Department of Transportation (WSDOT)

In 1989, the State of Washington entered into the Centennial Accord in which the State committed to a government-to-government consultation process with the 29 Federally recognized rural and urban Tribes in Washington. Ten years later, the authors of the Centennial Accord reconvened and determined that they needed to develop a Centennial Accord Plan to implement the activities within the Accord. At the 10-year follow-up Accord in 2009, Washington followed New Mexico's model of including a Tribal section in its SHSP and of requiring Tribal liaisons.

As a result of the Accord, WSDOT engaged Tribes in the 2010 Washington's Strategic Highway Safety Plan update: Target Zero. The goals of Target Zero are to build partnerships, guide investments, ensure a data and performance driven process, and reach zero deaths or disabling injuries by 2030. The primary reasons identified as leading to fatal accidents include impairment, excessive speed, and run-off road collisions. Target Zero is a multi-

The graphic is a 3x3 grid of images. The top-left cell is a green square with the text 'TARGET ZERO' in white. The top-middle cell shows a white car on a road. The top-right cell shows a group of people in safety vests. The middle-left cell shows a yellow sign that says 'DON'T DRINK AND DRIVE'. The middle-middle cell shows an ambulance. The middle-right cell is a green square with the text 'Zero Deaths | Zero Serious Injuries | 2030'. The bottom-left cell shows a person in a hard hat. The bottom-middle cell is a green square with a white target icon. The bottom-right cell shows two people in safety vests.

agency effort that works closely with law enforcement and educators.

For the update, Tribal participation consisted of two Tribal transportation events and inclusion of a Tribal representative in the Target Zero steering committee. In 2008, Washington held a Tribal State transportation conference with the theme "Safety is Central." In May 2009, Washington held a Tribal traffic safety summit, co-sponsored by FHWA, that focused on the "four Es of traffic safety:" education, enforcement, engineering, and emergency medical services. Through this participation, Tribes asked for a Native American section in Target Zero that is not specific to individual Tribes but looks at Tribal issues overall.

Some findings that were uncovered when developing Target Zero include:

- Traffic fatalities among Native Americans are disproportionately higher than the rest of the population;
- Rural Tribal communities typically rely on walking for local transportation, but rural areas frequently do not have adequate sidewalks;
- There are critical data gaps for roads on Tribal lands and accidents on Tribal roads;
- Current accident data are collected by county, making it difficult to extract data by Tribal lands; and
- Collisions are largely under reported.

Washington's Traffic Safety Commission is working to provide free equipment so that when Tribes log-in to an online data collection system to report an accident, the information will be sent directly to WSDOT. The data will be scrubbed to protect anonymity.

WSDOT established a Tribal Target Zero pilot in Colville, Washington, using a BIA safety grant. At the start of the pilot, there had been 20 fatalities on the reservation in this area; but the current set up of the data, as measured by county, hid this fact. The Colville Target Zero pilot included the following elements: WSDOT designated a Target Zero Manager, established a task force, developed a collision reporting system, and created child passenger safety and bicycle programs. Since the start of the pilot, there have more speed citations and fewer fatalities and collisions in Colville.

Next steps for Target Zero's Tribal component are to:

- Improve data for Tribal roads, closing data gaps by 2012;
- Host a second Tribal safety summit;
- Address WSDOT and the Governor's dissatisfaction with BIA distribution of safety funds; and
- Perform additional outreach with Tribes.

Challenges that WSDOT still faces with its SHSP include:

- Adequately filling data gaps;
- Maintaining consistent and broad Tribal participation while overcoming staffing challenges within the Tribes; and

- Incorporating emergency and health services.

IV. Project Development

To ensure that Tribes are an equal partner in the planning process, it is essential to make sure that Tribal representatives are fully included in the State DOTs' and the RPOs' transportation planning process. This includes being able to review draft planning and programming documents and participating in planning meetings. The lack of quality data is an ongoing challenge in developing plans. A lack of internal planning capacity, which can often result in relying on outside consultants, is also a challenge. The participation by Tribes in the transportation planning process is challenged by a lack of adequate funding, technical assistance needs, and sensitivity concerning cultural and environmental resources.

a. Planning Coordination - New Mexico Department of Transportation (NMDOT)

Most Tribal land in New Mexico is in rural settings. Since MPOs in New Mexico are only located in the four major cities, MPOs typically do not work closely with Tribes. Instead, the seven regional Councils of Government administer and fund RPOs, which oversee rural transportation planning and interface with the Tribes.

Since the last State DOT Tribal Liaison Peer Exchange, NMDOT met with MPO and RPO policy boards to stress that Tribes needed to be included in the planning process. Since then, MPOs and RPOs have been more inclusive and frequently waive Council of Government annual fees for Tribal entities. Tribes and RPOs are now making an effort to work together to leverage transportation improvements in their region and coordinate planning efforts. For example, the Northwest RPO (NWRPO) Technical Committee is a team of transportation planners from each municipality, county, and Tribal government in San Juan, McKinley, and Cibola counties. The primary activity of this group is to identify unmet needs and find ways to address them. NWRPO and other RPOs have been sensitive to cultural differences and customs during the planning process, and this has been a major benefit to Tribal and rural transportation planning.

RPOs and Tribes are strong partners in the transportation planning process. RPOs are funded by the State DOT using FHWA funds and can access funds specifically programmed for planning functions. Often times, RPOs will combine these funds with Tribal funds to plan and implement a project. Tribes also seek to expedite the transportation planning process by presenting shovel ready projects to RPOs, as they can be programmed more quickly than other projects.

Existing challenges to Tribal transportation planning include:

- Tribal governments change leadership on an annual basis, which can make long-term planning extremely difficult;
- Tribes frequently do not have adequate capacity for planning work and often work with consultants to ensure ongoing capacity; and
- Identifying needs on reservations without State roads can be difficult due to data gaps.

To address these issues, Tribes and NMDOT need to improve coordination efforts. One example that highlights this need was the implementation of the new Rail Runner commuter system. This project was programmed with little Tribal consultation. It was only when the right-of-way was being acquired that NMDOT coordinated with the Tribe. This lack of coordination led the Tribes to feel disassociated with the planning process and its outcomes. If the Tribes had been engaged earlier, the Tribes could have worked in partnership with NMDOT to accomplish State and Tribal goals.

group that reaches out to Tribes on a variety of issues and projects. The goal of this group is to build greater interest in transportation choices and to improve data collection.

c. Project Development - Arizona Department of Transportation (ADOT)

One ADOT program directly related to project development in Tribal areas is the Small Area Transportation Study (SATS) program. This program gives local agencies the opportunity to apply for state planning and research funds to create transportation plans. SATS requires a 20% match, which originally created complications in cases where the local or Tribal entity had limited funds or limited staffing to administer funds. In response to these challenges, ADOT developed the Public Assistance for Rural Areas (PARA) program, which does not require a local match. ADOT solicits applications for this program annually from any non-MPO local agency that would not otherwise receive non-matching State funding. ADOT prefers to receive a letter of recommendation from the ADOT district engineer endorsing the planning project before awarding PARA funds. Because there is no match, ADOT works closely with the local lead on the planning project and helps to ensure that the local agency has the appropriate staffing capabilities.

In order to receive PARA funds, the proposed planning study must have a transportation component and/or initiate a LRTP, a comprehensive plan, a plan update, or a multimodal study. PARA funds can only be used for planning efforts and cannot be used for design, construction, or right-of-way purchases. The maximum PARA award is \$250,000, and 20% must be used for public involvement. The PARA program is unique in that it awards 100% funds rather than operating through a reimbursement system. ADOT is responsible for the administrative side of the award. PARA has proven to be a successful program because it often results in a comprehensive transportation plan, which a local government must have to receive Federal funding. PARA provides Tribes with opportunities to pursue meaningful regional projects that might otherwise go uncompleted.

A major challenge for Tribes when using PARA funds is that Tribes frequently do not want data posted online or made publically available. ADOT works with the Tribes to make sure that data is not posted online but makes certain that Tribes understand that if taxpayer dollars are spent, then the work/information must be publically available upon request. This can be especially complicated when doing a corridor study. ADOT needs to be aware of sensitive places but cannot record them in the document as then they would become public. Other States, such as Washington, have an exemption for cultural resources that allows WSDOT to collect sensitive cultural and historical information without having to make it publically available. No other States at the peer exchange have such an exemption.

d. Cultural and Environmental Consultation – Wisconsin Department of Transportation (WisDOT)

In 2005, the Governor of Wisconsin passed an Executive Order that mandated that State agencies enlist and consult with Tribal Liaisons. At that time, WisDOT created an MOA between itself, the 11 Federally recognized Tribes within the State, and FHWA. Through this partnership, it became clear that the most contentious points in State-Tribal relationships were over cultural and environmental resources; and that there is a significant difference between transportation planning and looking at shared common interests.

To begin to address some of the issues uncovered by the new WisDOT-Tribal partnership, the MOA set up a WisDOT/Tribal Task Force that convenes as a group on a monthly basis to discuss pressing issues throughout the State. A goal of the Task Force is to provide training for WisDOT and Tribes on both WisDOT and Tribal environmental and cultural resource policies.

The Task Force holds an annual listening session with stakeholders as a relationship-building opportunity. Consistent Tribal leader attendance at the annual meetings is challenging. In some years, representatives from all Tribes attend; but sometimes Tribes are unable to attend due to

limited staffing and travel time. Some Tribes also have difficulty understanding the difference between participating as a consultant and participating in a consultation. WisDOT can provide funds to Tribes if they are acting as a consultant that is providing data or information; however, during consultation, the Tribes are considered peers and cannot receive funds. The listening sessions are a consultation so Tribes cannot receive consulting fees for participation.

Another output of WisDOT's cultural and environmental consultation programs was the "Redevelopment of Facilities Development Manual." The manual explains how WisDOT consults with Tribes and was drafted through a cooperative agreement with the Tribes, who went through the relevant chapters and updated policies. WisDOT officially adopted this manual on November 17, 2010. Four years in the making, the manual is a landmark document because both the Tribes and WisDOT were involved in developing it.

In Wisconsin, there are several Tribal issues that have been difficult to resolve, including:

- Confidentiality: Tribes are often uncomfortable with public disclosure of historic and cultural data for fear that important resources may be compromised;
- Treaty rights: long-standing treaty issues often make it difficult to get all parties to come to the table (In Washington, the State holds an annual meeting with Tribes to discuss upcoming projects so that the Tribes are prepared for and aware of the proposed work.); and
- Coordination: limited Tribal staffing makes meetings difficult to coordinate and, in many cases, Tribes do not have the tools to think about transportation projects in terms of planning, so additional training may be required.

In the face of these challenges, WisDOT is committed to Tribal engagement and has directed significant funding to build relationships with the Tribes.

V. Organizational Excellence

States have developed a number of organizational practices to improve Tribal transportation planning. In addition to State DOT Tribal Liaisons, States have formed Tribal Advisory Committees and workgroups that include State, Tribal, and Federal agency representatives, including the BIA, and have held Tribal summits. The Arizona Tribal Strategic Partnering Team (ATSPT) won an FHWA Transportation Planning Excellence Award in 2006. The ATSPT is comprised of representatives from within ADOT and outside entities who work on Tribal transportation issues and projects. One of the major projects to be completed under the ATSPT is to develop a department-wide State Tribal consultation policy and process.

a. Funding/Joint Funded Projects - New Mexico Department of Transportation (NMDOT)

In 1996, a crash occurred in the Pueblo on a road with known existing safety issues. Following the accident, the Tribe came forward and stated that it wanted to address this major safety issue for the Tribe and the general public. However, the safety issue was not addressed at that time due to a lack of funding and a breakdown in communication. In 2000, NMDOT spoke with the Tribe and urged it to put forward some Tribal funds for the project, which NMDOT would match. As a result, an interchange that was the cause of many of the safety issues was moved half a mile, dramatically improving safety in the area.

In 2003, New Mexico Governor Bill Richardson launched the Governor Richardson's Investment Partnership (GRIP). GRIP is a \$1.6 billion statewide transportation expansion and infrastructure

improvement project that includes 42 expansion and critical improvement projects statewide.² Many urgent and important projects, such as the interchange relocation described above, were made possible through GRIP.

GRIP2, the second iteration of this project, will fund additional projects of the same nature as GRIP. Many Tribal entities applied to the GRIP2 program. The funds received through GRIP2 were matched with expiring Tribal funds and helped critical projects to be completed. The projects that most successfully applied for GRIP2 were shovel ready projects or basic improvements.



Funding programs like GRIP2 give Tribes the opportunity to jointly fund projects that they would not be able to complete on their own. Joint funding allows Tribes to take ownership of their roads and infrastructure.

b. Interaction/Coordination between BIA and DOT - Alaska TTAP

Alaska faces a number of challenges from a Tribal transportation perspective. Much of life in Tribal Alaska villages focuses on subsistence. In addition many villages in Alaska are not accessible by major roads, and so travel times between villages, and between villages and major cities, may take a great deal of time. Alaska has 229 federally recognized Tribes spread across the State, many in areas that are difficult to access by road.

Alaska is a multimodal State, but in a non-traditional way; nearly as many people travel by all-terrain vehicle (ATV), snowmobile, and boat as do in automobiles. Transportation safety issues in Alaska are frequently related to this multimodal system, and many accidents involve non-automobile travel, such as travel on ice to hunting grounds.

Presently in Alaska there is a task force known as the Alaska Tribal-State-Federal Transportation Task Force. The Task force has been established to improve the delivery of transportation programs and projects that serve Alaska communities by facilitating communication and coordination between the State of Alaska, Alaska Tribal Governments and the Federal Government. The task force is organized to provide a forum and communications network for such individuals and the organizations they represent and to monitor, evaluate, inform, provide comments, and make recommendations regarding transportation issues that impact Alaska Native villages.³ The task force is made up of Tribal, State, and Federal representatives, each of which has a chair on the task force. Currently, the Alaska TTAP works with the task force to assist with facilitating communication and coordination between each governmental entity.

² <http://nmgrip.com/default.asp?section=14740>

³ <http://www.attwg.org/home>

c. Tribal Advisory Committee – Minnesota Department of Transportation (Mn/DOT)

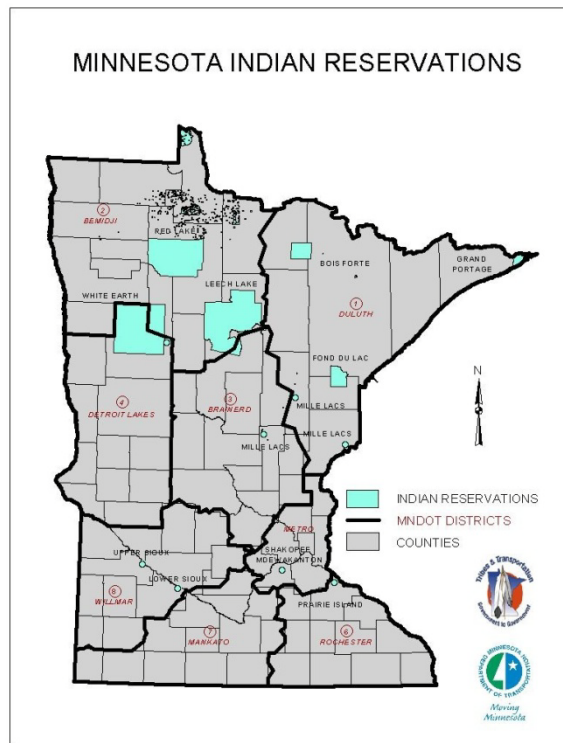
Several States have established State-level Tribal councils or committees. Minnesota has a unique and effective Tribal Advisory Committee known as the Advocacy Council for Tribal Transportation (ACTT). Membership of the ACTT includes Minnesota's 11 federally recognized Tribes, Mn/DOT, FHWA, BIA, Michigan TTAP, Minnesota Indian Affairs Council, the US Forest Service, and Minnesota counties and cities. ACTT meets quarterly with the location rotating between Tribal and other locations around the State.⁴ Membership to the ACTT is voluntary, but members possess the authority to take action. Thus far, there has been little turnover in the membership; but Tribes do have alternate representatives to assure that someone is available when the primary member cannot attend the meeting.

Mn/DOT and the Tribes wanted to structure the ACTT so that it would be an active forum for exchange. One way to ensure this is that at the quarterly meetings, only Tribal members are allowed to vote on sensitive issues. The ACTT is able to address many difficult issues in the Tribal community, such as roadside vegetative management, reservation road signs, Tribal road safety, Tribal communications, and impacts of environmental and crash data collection.

The ACTT has taken on a variety of important projects, including the following:

- Development of a virtual handbook, inspired from the 2005 peer exchange, that will provide guidance on a range of topics;
- Informational training on such topics as the National Environmental Policy Act, Tribal transit, statewide transportation planning, how speed limits are set, functional classification, and data sharing;
- Planning for the annual conference, including developing the locations and themes;
- A roadside vegetative management MOU that won an FHWA Exemplary Ecosystem Initiative Award and an FHWA Exemplary Human Environment Initiative Award; and
- Development of a brochure on a Tribe's options when choosing reservation road signs.

The ACTT marked the first time that all of the member organizations met together, shared plans, and began working collaboratively. Only three other States at the Peer Exchange have similar councils: Wisconsin, California, and Oklahoma. New Mexico also has a coordinating committee that has a similar mission and goals.



⁴ <http://www.dot.state.mn.us/mntribes/actt/index.html>

d. Tribal State Meeting/Summits – ADOT

Several of the presenters noted the importance of holding Tribal State meetings and summits. Arizona has held Tribal Transportation Forum and Safety Summits to address Tribal transportation issues. The Summits are a result of an initial effort by ADOT in 1995 to hold a strategic partnering exchange to encourage Tribal participation. ADOT has been more successful in events that have taken place since. Lessons learned from ADOT's experience with Tribal Summits so far includes:

- Do not set themes for statewide meetings that are too broad to be covered in the allotted amount of time;
- Be persistent in keeping meetings running on time; and
- Change meeting sites, each meeting, to different parts of the State to be fair to all participants.

Every year, the Alaska TTAP holds a Tribal Safety Summit. Engaging all 229 Tribes in this summit is a challenge; however, while some Tribes rarely attend this event, others are committed and passionate about the process. Some individuals represent a consortium of Tribes, but this representation is not optimal because each Tribe has its own unique needs and should have its own representation. The Tribal Safety Summit brings together a diverse range of partners involved in Tribal transportation, including the Federal Aviation Administration, the Alaska Boating Agency, and the Alaska Division of Public Health.

The ODOT Tribal Liaison program allows staff to travel to each of the Tribes, attend meetings, and develop ways that Tribes and the State can work together. This is critical when working with Tribes for cultural reasons and because many Tribes have limited staffing resources and cannot afford to have a staff member travel for an entire day. Some Tribal transportation work and relationship building is done through the Oklahoma Tribal Transportation Council that is made up of Tribal sovereign nations. By working closely with the Council, ODOT can ensure that transportation projects do not have impacts on archeological and cultural resources.

VI. Challenges and Lessons Learned

Certain issues discussed at the peer exchange were common to all or most of the States. The following list represents key challenges, and the State DOT Tribal Liaisons hope to develop methods to better address them in the future:

- Although the State DOT Tribal Liaisons could establish strong relationships with regional BIA offices, it has been difficult to engage the BIA at higher levels. This breakdown in communication has made it difficult for the State Liaisons to understand what sort of Tribal data the BIA is looking for in funding applications and has also made it difficult to address functional classification issues.
- How Tribes can best exercise their jurisdiction in a transportation planning context is a major challenge in the field of Tribal transportation planning. In Arizona, some Tribes have started to discuss attempting to become an MPO, to gain the same benefits, funding stream, and treatment as an MPO. In Washington, some of the Tribes have looked at establishing a consortium to address local jurisdictional issues, but this process is still in its infancy.
- The State DOT Tribal Liaisons agreed that they would like to find new methods to be better advocates of getting additional funding for Tribal transportation issues. FHWA sponsored the 13th Annual National Tribal Transportation Conference, where this peer

exchange took place; and the State DOT Tribal Liaisons would like to work with Tribes to help them make presentations at this type of event in the future.

- Data gaps and collection continues to be a major issue. Most State DOT Tribal Liaisons felt that their State was working toward solutions to closing this data gap; however, collecting accurate data that can better inform safety projects and Tribal needs will continue to be a challenge.
- The State DOT Tribal Liaison role has become an essential part of the Tribal transportation planning process in the States where it exists and has been producing positive results. In the long term, responsibilities for the functions of the State DOT Tribal Liaison should become institutionalized within the State DOT and other related organizations.

VII. State DOT Tribal Liaison Action Plan and Next Steps

One goal of this peer exchange was for State DOT Tribal Liaisons to establish an action plan for what each hoped to accomplish between this and the next peer exchange. The participants identified several next steps, including the following:

- All of the State DOT Tribal Liaisons articulated a desire for FHWA to develop a distribution list of the Tribal Liaisons and an online community of practice to allow for the ongoing sharing of ideas.
- Oklahoma suggested that it would like to develop a cultural resources group in coordination with the University of Oklahoma. Oklahoma also hopes to pursue listening sessions.
- In Wisconsin, one of the key stakeholders is the BIA. WisDOT would like to work toward establishing a better relationship with the BIA that would allow the two agencies to better support Tribal transportation issues.

VIII. Conclusion

This State DOT Tribal Liaison peer exchange brought together most of the Nation's individuals that hold this position. The group at this peer exchange shared best practices and challenges that were common to all State DOTs at the table. The key themes that were reiterated throughout the peer exchange include:

- Safety is the single most important issue facing the Tribal transportation community today, and improving safety on Tribal roads requires improved data collection efforts;
- Sovereignty continues to be a major issue in work done between State DOTs and Tribes; State DOTs must be more sensitive to working with the Tribe as a sovereign Nation;
- Working with MPOs and RPOs continues to be a challenge to rural Tribes; and best practices demonstrate that if Tribes and RPOs work together, they may be able to jointly leverage greater resources; and
- States need to establish tangible and replicable practices such as MOUs or MOAs that could benefit other groups.

The State DOT Tribal Liaison peer exchange proved to be a worthwhile effort leading to important outcomes and an interesting exchange of ideas. The State DOT Tribal Liaisons hope that they

will be able to continue this dialogue through future peer events and through a potential online community of practice.

Through the peer exchange, the group of State DOT Tribal Liaisons reached consensus that the Liaison position has become essential in each of their States and has already significantly reduced some of the challenges facing Tribal transportation planning. Looking to the future, the State DOT Tribal Liaisons will need to seek ways to institutionalize the work they do within their agencies to ensure that the responsibility for forming connections between Tribes and planning agencies is not the responsibility of one individual but is rather a way of doing business.

IX. About the TPCB Program

The [TPCB Program](#) is a joint venture of the FHWA and the FTA that delivers products and services to provide information, training, and technical assistance to the transportation professionals responsible for planning for the capital, operating, and maintenance needs of our Nation's surface transportation system. The TPCB Program Web site (www.planning.dot.gov) serves as a one-stop clearinghouse for state-of-the-practice transportation planning information and resources. This includes over 70 peer exchange reports covering a wide range of transportation planning topics.

The [TPCB Peer Program](#) advances the state of the practice in multi-modal transportation planning nationwide by organizing, facilitating, and documenting peer events to share noteworthy practices among State DOTs, MPOs, transit agencies, and local and Tribal transportation planning agencies. During peer events, transportation planning staff interacts with one another to share information, accomplishments, and lessons learned from the field and help one another overcome shared transportation planning challenges.

Appendix A: Agenda

Time	Agenda Item	Presenter/Description
8:00 am	Welcome and Introductions <ul style="list-style-type: none"> - TPCB Peer Program Goals - Background and History 	
8:30 am	Roundtable Discussions – Safety <ul style="list-style-type: none"> - Tribal Safety Plan (Lonora Graves, CalTrans) - Incorporation of Tribal Safety Plan into Strategic Highway Safety Plans (SHSPs) (Megan Cotton, WSDOT) 	<i>State DOT Liaison will present on topic, followed by Q/A – 30 mins per topic. Structure for presentation is as follows:</i> <ul style="list-style-type: none"> - <i>Description of Process/Effort</i> - <i>Challenges</i> - <i>Successes</i> - <i>Lessons Learned</i> - <i>Available Resources</i>
9:30 am	Break	
9:45 am	Roundtable Discussion – Project Development <ul style="list-style-type: none"> - Planning Coordination (Ron Shutiva, NMDOT) - TTIP/STIP (Partnering) (Jay Adams, OKDOT) - Project Development (Charla Glendening, AZDOT) - Cultural and Environmental Consultation (Kelly Jackson, WisDOT) 	<i>State DOT Liaison will present on topic, followed by Q/A – 30 mins per topic. Structure for presentation is as follows:</i> <ul style="list-style-type: none"> - <i>Description of Process/Effort</i> - <i>Challenges</i> - <i>Successes</i> - <i>Lessons Learned</i> - <i>Available Resources</i>
11:45 pm	Break	
12:15 pm	Roundtable Discussions – Organizational Excellence <ul style="list-style-type: none"> - Funding/Joint Funded Projects (Ron Shutiva, NMDOT) - Interaction/Coordination between BIA and DOT (Byron Bluehorse, AK TTAP) - Staffing/Organizational Structure (No presenter) - Tribal Advisory Committee (Linda Aitken, MnDOT) - Tribal State Meeting/Summits (Myra Rothman, AZDOT) 	<i>Working Lunch</i> <i>State DOT Liaison will present on topic, followed by Q/A – 30 mins per topic. Structure for presentation is as follows:</i> <ul style="list-style-type: none"> - <i>Description of Process/Effort</i> - <i>Challenges</i> - <i>Successes</i> - <i>Lessons Learned</i> - <i>Available Resources</i>
2:45 pm	Break	
3:00 pm	State DOT Liaisons Action Plan Statewide and National Goals	Discussion of where States see themselves. Setting goals based on this meeting.
4:45 pm	TPCB Peer Program Evaluations	Participants fill out TPCB peer program evaluation forms
5:00 pm	Adjourn	