



Best Practices for Tribal Participation in Transportation Planning and Programming

Requested by
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The Caltrans Division of Research, Innovation and System Information (DRISI) receives and evaluates numerous research problem statements for funding every year. DRISI conducts Preliminary Investigations on these problem statements to better scope and prioritize the proposed research in light of existing credible work on the topics nationally and internationally. Online and print sources for Preliminary Investigations include the National Cooperative Highway Research Program (NCHRP) and other Transportation Research Board (TRB) programs, the American Association of State Highway and Transportation Officials (AASHTO), the research and practices of other transportation agencies, and related academic and industry research. The views and conclusions in cited works, while generally peer reviewed or published by authoritative sources, may not be accepted without qualification by all experts in the field. The contents of this document reflect the views of the authors, who are responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the California Department of Transportation, the State of California, or the Federal Highway Administration. This document does not constitute a standard, specification, or regulation. No part of this publication should be construed as an endorsement for a commercial product, manufacturer, contractor, or consultant. Any trade names or photos of commercial products appearing in this publication are for clarity only.

Table of Contents

Executive Summary	2
Background	2
Summary of Findings	2
Gaps in Findings	8
Next Steps	8
Detailed Findings	9
Background	9
Planning and Programming Practices	11
Case Studies: Transportation Project Success Stories	23
Related Resources	33
Contacts	43
Appendix A: Survey Questions	45

Executive Summary

Background

Caltrans is seeking best practices for ensuring Native American tribes are adequately included in transportation planning and programming processes in California. In interactions with tribes in the state and in work with the Caltrans Native American Advisory Committee, Caltrans staff has noted the need for adequate funding to meet the transportation needs of tribal communities. Tribal transportation needs include the plans and preliminary engineering studies that must be completed before a tribally nominated construction project can be included in the statewide programming process, and the availability of accident and other data that may be needed to support a project request.

To inform its efforts to ensure the 109 tribes in California are included in planning and programming processes, Caltrans is seeking information from selected state departments of transportation (DOTs), metropolitan planning organizations (MPOs) and regional planning agencies about their tribal transportation planning and programming practices. To assist with this effort, CTC & Associates conducted an online survey to gather information about state and regional practices associated with tribal engagement in transportation project planning and programming. A literature search supplemented survey results.

Summary of Findings

An online survey distributed to tribal liaisons or other appropriate staff members from DOTs, MPOs or regional planning agencies in eight states sought information in the following topic areas:

- Planning and programming practices, including:
 - Advancing tribal project funding with committees or other groups and processes.
 - Funding planning and preliminary engineering studies.
 - Training tribal partners.
- Detailed descriptions of a successful tribally nominated transportation project.

Nine agencies responded to the survey, including state DOTs in Arizona, Oregon, South Dakota and Washington. Respondents from five regional planning agencies completed the survey: two agencies in Minnesota and one agency from each of these states: New Mexico, Oregon and Washington.

Survey results are presented below in two topic areas:

- Planning and programming practices.
- Case studies: Transportation project success stories.

A literature search supplemented survey results. Some of the key findings from this literature search are presented in this executive summary under **Related Resources** (see page 7). Additional citations are presented throughout the **Detailed Findings** section of this report.

Planning and Programming Practices

Respondents were asked to describe planning and programming practices that engage tribal partners and improve tribal participation in transportation planning and programming activities.

Advancing Tribal Project Funding With Committees or Other Groups and Processes

Five respondents described committees, commissions, or other groups and processes that engage with tribal communities to advance the funding of tribally nominated transportation projects. Some groups have a tribal focus; others encourage tribal engagement along with other entities competing for transportation funding. The table below briefly describes each committee, group or process; see page 12 for more information about these groups and processes, including recommendations for implementation.

Committees or Other Groups and Processes That Advance Tribal Project Funding			
Agency	Committee, Group or Process	Meeting Frequency	Description
Arizona DOT	Hopi Tribe Transportation Partnership	Annually	Convened in 2007 to identify mutual transportation needs within the Hopi Reservation and recommend potential solutions to address them.
Arizona DOT	Navajo Nation Transportation Partnership	Semiannually or annually	Initiated in 2004, this group is the first of the agency's tribal partnerships. Its mission is to develop, foster and maintain good working relationships in order to construct, operate and maintain the most reliable, economical, efficient and effective transportation system for the safety of the traveling public.
Arizona DOT	SCAT/WMAT (San Carlos Apache Tribe/White Mountain Apache Tribe) Transportation Partnership	Quarterly	Launched in 2009 with the San Carlos Apache Tribe; the White Mountain Apache Tribe joined as a new member in 2015. The steering committee meets regularly to strengthen working relationships, identify transportation concerns and work collaboratively to address those concerns.
Northwest New Mexico Council of Governments	Northwest Regional Transportation Planning Organization	Monthly	Meetings address planning, monitoring and developing transportation infrastructure and services.
Oregon DOT	Area Commissions on Transportation	Regularly scheduled meetings	These groups play a key advisory role in the development of the Statewide Transportation Improvement Program (STIP) and make local-level project selections.
Mid-Willamette Valley Council of Governments (Oregon)	Mid-Willamette Valley Area Commission on Transportation	Bimonthly	Meetings provide a forum for coordination on regional transportation issues and help to prioritize regional projects that compete for state grants.

Committees or Other Groups and Processes That Advance Tribal Project Funding			
Agency	Committee, Group or Process	Meeting Frequency	Description
Washington State DOT	Corridor Sketch Process	Periodically	The agency's Corridor Sketch Process, which is designed to identify all needs within a state corridor, is used to coordinate with tribes on advance planning to ensure an awareness of tribal needs and priorities.
Washington State DOT	Washington Indian Transportation Policy Advisory Committee	Quarterly	This committee, jointly established by Washington State DOT and the tribes, addresses statewide policy issues of mutual concern.

Funding Planning and Preliminary Engineering Studies

Two respondents reported on programs or practices to ensure funding is available for the planning and preliminary engineering studies that are needed to advance a tribally nominated transportation project:

Planning Assistance for Rural Areas (Arizona Department of Transportation)

Sponsored by Arizona DOT's Multimodal Planning Division, the Planning Assistance for Rural Areas program provides federal funds to assist tribal governments and counties, cities and towns located outside transportation management area planning boundaries with multimodal transportation planning needs.

Identifying Alternative Funding Sources (Northwest New Mexico Council of Governments)

With limited resources available to rural communities, the agency's regional transportation planning organization (RTPO) specializes in "maximizing the crumbs that fall off the metropolitan tables." The RTPO seeks as many alternative funding sources as possible through federal, state and private opportunities, and maintains a list of these alternative funding sources for member use.

Most respondents provide limited or no special funding to tribal partners.

Partnering With Tribes to Enhance an Existing State Project

Respondents were asked to describe a partnership between the respondent's agency and a tribal partner to enhance an existing state project that meets the transportation needs of a tribal community. In addition to the case study describing an Arizona DOT intersection improvement project (see page 23), respondents reported on the following projects:

Arrowhead Regional Development Commission (Minnesota): The commission held community meetings to build support for a parallel paved trail through tribal communities. Commission staff provided materials to meeting participants to assist in developing the request to Minnesota DOT to construct the trail.

Northwest New Mexico Council of Governments: In 2017, the Pueblo of Laguna was awarded several hundred thousand dollars to plan and design bike, pedestrian and safety

enhancements along an unspecified state corridor, with another \$1 million awarded in fiscal year 2019 for construction.

South Dakota Department of Transportation: The agency has collaborated with tribes on building several walking paths to tribal housing and provided safety improvements such as rumble strips and stripes. Other projects include the addition of lighting in locations where the tribe is responsible for maintenance.

Washington State Department of Transportation: The Samish Tribe was planning to add a turn lane into the tribe's administration building at the same time Washington State DOT was planning a major repaving project in the same area. The tribe transferred its funds to Washington State DOT, and the DOT incorporated the tribe's project into its larger repaving project.

Training Tribal Partners

Most respondents reported an informal process to train tribal partners. Arizona DOT and Northwest New Mexico Council of Governments respondents were the exception, describing the following formalized training programs:

Integrating Statewide and Tribal Transportation Planning Workshop (Arizona DOT)

Arizona DOT developed an interactive training workshop that provides tribal personnel and lead decision-makers with easy-to-understand procedures to implement projects recommended in the agency's planning studies. The five-module workshop is a computer-based, interactive training program that guides users through the transportation improvement project phases of planning, funding, programming, development and maintenance. The program includes a user's handbook and an Access file containing a database of potential transportation funding sources.

Project Development Training Program (Northwest New Mexico Council of Governments)

The agency's RTPO collaborated with another RTPO and New Mexico DOT's Local Technical Assistance Program (LTAP) to design an intensive project development training program that addresses every phase of transportation project development, from initial planning through construction. The training program is offered periodically around the state through the LTAP. (The respondent did not provide materials or resources associated with this training program; independent research did not uncover program details.)

Other respondents reported using additional opportunities to deliver training, such as conferences (South Dakota DOT's annual Tribal Transportation Safety Summit and Washington State DOT's biennial Tribal-State Transportation Conference), periodic meetings (South Dakota DOT's annual meetings with tribes), monthly RTPO meetings (Northwest New Mexico Council of Governments) or meetings with a tribal planning organization (Washington State DOT's meetings with the Tribal Transportation Planning Organization).

Case Studies: Transportation Project Success Stories

Respondents were asked to describe a recent tribally nominated transportation project or projects (within the last five years) that respondents termed a "success story." Five projects are presented as case studies in this Preliminary Investigation:

- Arizona Department of Transportation (intersection improvement).

- Arrowhead Regional Development Commission (Minnesota) (tribal transit system).
- Northwest New Mexico Council of Governments (multiple projects).
- Oregon Department of Transportation (Newberg-Dundee bypass).
- Washington State Department of Transportation (interchange project).

The case studies, which begin on page 23, provide a description of the project and how it was identified and funded, tribal participation in the project, and logistical challenges (if applicable). Also addressed are practices to build an effective partnership and strategies for success (if provided by respondents).

Below are common themes or unique practices found in the case studies:

Tribal participation. All five agencies reported that a tribal staff member manages tribal transportation projects. Respondents also highlighted the work of tribal staff to facilitate internal project development (Arizona DOT) and the efforts of a tribal transportation manager nominated for a statewide award (Northwest New Mexico Council of Governments).

In Oregon, tribes are voting members of Area Commissions on Transportation that are responsible for making local project selection decisions. In Washington, the state Legislature selects the transportation projects that will receive funding. The Washington State DOT respondent highlighted efforts of the Tulalip Tribes of Washington, early proponents of the project described in the agency's case study, and credited significant lobbying of the state Legislature by the tribe as critical to selection of the project for funding.

Partnership efforts. All respondents reported on efforts to build a partnership with the tribe nominating the project. Some noted the significance of communication (Arrowhead Regional Development Commission of Minnesota and Oregon DOT), while others pointed to benefiting from relationships that have been built over time (Northwest New Mexico Council of Governments and Washington State DOT). Only Arizona DOT reported on a formalized approach, citing three ongoing partnerships the agency has developed with tribes in the state (see page 12 for more information about these partnerships).

Innovative practices. Northwest New Mexico Council of Governments used Federal Highway Administration's (FHWA's) Construction Manager/General Contractor (CM/GC) project delivery method to deliver nine transportation projects in two years—on time and under budget. The CM/GC method involves conducting weekly meetings, beginning with the planning phase and continuing through construction, in connection with multiple projects. Government representatives (Construction Manager) meet with the lead contractor (General Contractor) and subcontractors, as needed, to plan and expedite the phases of each project.

Logistical challenges. Respondents from Arizona and Washington State DOTs reported challenges associated with the transfer of funds. Both reported on a solution that resolved the issue but required additional transfers. Scheduling challenges experienced by Northwest New Mexico Council of Governments could be resolved through the weekly meetings required by the CM/GC project delivery method.

Strategies for success. All respondents noted the importance of communication. The Arizona DOT respondent recommended proactive and continuous communication, and the Oregon DOT respondent highlighted the importance of open, honest communication and meaningful participation in the selection, development and delivery processes. Washington State DOT and the Tulalip Tribes of Washington each established a single point of contact, and “constant communication was key to working through complicated issues and managing expectations.”

The Northwest New Mexico Council of Governments respondent noted that while the CM/GC project delivery method “demands a lot of commitment,” including overtime from agency officials and contractors, the weekly meetings allowed participants to “move projects forward in a very coordinated manner,” and the “regular and clear communication really accommodated efficient and effective project development.”

Related Resources

Related resources appear throughout this report to supplement survey responses. The following summarizes key resources that appear in a separate section of this report in three categories: national guidance, state research and resources, and other research and resources.

National Guidance (see page 33)

Publications and web resources produced by FHWA offer case studies, policies, tribal transportation planning modules and other guidance related to tribal transportation planning. An October 2013 audit report describes opportunities to strengthen FHWA’s coordination of the Tribal Transportation Program.

Publications produced by Transportation Research Board’s Cooperative Research Program include a 2013 examination of successful practices for effective tribal consultation and two guidebooks: a 2012 guide on developing and sustaining tribal transit services, and a 2011 guide for successful communication, cooperation and coordination with tribal communities. A 2007 synthesis that examines tribal transportation programs may offer useful information about assisting tribes in “developing the capacity to effectively perform and manage transportation-related functions.”

State Research and Resources (see page 36)

Among the most significant state-related resources we identified is a November 2017 Arizona DOT report that examines the role of tribes in Arizona transportation decision-making. To supplement interviews with tribal representatives and other stakeholders in Arizona, researchers interviewed tribal and transportation agency representatives from six states—California, Minnesota, Montana, New Mexico, South Dakota and Washington. Research findings include strategies to address challenges associated with planning and programming processes, agency-tribal relations and training.

Other resources include guidebooks for consultation, planning and programming (Arizona, Nevada, New Mexico and Washington State DOTs), and a description of a tribal transportation database project (Washington State DOT).

Other Research and Resources (see page 40)

A research project in progress by the Center for Safety Equity in Transportation seeks to identify effective approaches for community engagement and foster relationships with tribal communities. The September-October 2014 issue of *TR News* offers a wealth of information and perspectives on transportation in tribal lands. Finally, *Transportation Research Record* journal articles recommend best practices for establishing a collaborative environment, strategies for enabling collaboration between transportation agencies and tribes, and innovative coordination practices.

Gaps in Findings

While most survey respondents provided a significant level of detail about their successful projects and planning and programming practices, additional information could be solicited from these respondents or from other agencies not responding to the project's survey. Follow-up inquiries that target specific areas of interest to Caltrans may gather valuable additional information.

Next Steps

Moving forward, Caltrans may wish to consider:

- Consulting with the New Mexico DOT tribal liaison and Dave Deutsawe of the Pueblo of Acoma to learn more about the nine projects completed using FHWA's CM/GC project delivery method. (See page 43 for contact information.)
- Examining the role of Oregon's Area Commissions on Transportation to assess any applicability to the Caltrans environment.
- Contacting agencies with tribal-centric committees or other groups that help to advance the funding of tribal projects (Arizona DOT's three tribal partnerships and Washington State DOT's Washington Indian Transportation Policy Advisory Committee) to learn more about how these groups function.
- Reviewing in detail the modular training program developed by Arizona DOT that guides users through all phases of transportation improvement projects.
- Contacting the New Mexico LTAP to learn more about the project development training program described on page 21.
- Reviewing the recently published Arizona DOT research report that describes challenges associated with tribal transportation decision-making and strategies for addressing them.
- Examining the practices recommended by survey respondents and in relevant literature to develop a list of best practices suitable for application by public transportation agencies in California.

Detailed Findings

Background

Caltrans is seeking best practices for ensuring that the state's 109 Native American tribes are adequately included in transportation planning and programming processes in California. An online survey was distributed to tribal liaisons or other appropriate staff members from departments of transportation (DOTs) and selected metropolitan planning organizations (MPOs) or regional planning agencies in the following states:

- Arizona.
- Minnesota.
- New Mexico.
- North Dakota.
- Oregon.
- South Dakota.
- Washington.
- Wisconsin.

The online survey sought information in the following topic areas:

- Planning and programming practices, including:
 - Advancing tribal project funding with committees or other groups and processes.
 - Funding planning and preliminary engineering studies.
 - Training tribal partners.
- Detailed descriptions of a successful tribally nominated transportation project.

[Appendix A](#) provides the full text of the survey questions.

The survey received responses from six states:

- Arizona (22 tribes).
- Minnesota (11 tribes).
- New Mexico (23 tribes).
- Oregon (nine tribes).
- South Dakota (nine tribes).
- Washington (29 tribes).

Nine agencies responded to the survey:

State Agencies

- Arizona Department of Transportation.
- Oregon Department of Transportation.
- South Dakota Department of Transportation.
- Washington State Department of Transportation.

Regional Agencies

- Arrowhead Regional Development Commission (Minnesota).
- Region Five Development Commission (Minnesota).
- Northwest New Mexico Council of Governments.

- Mid-Willamette Valley Council of Governments (Oregon).
- Tri County Economic Development District (Washington).

Survey results are presented below in two topic areas:

- Planning and programming practices.
- Case studies: Transportation project success stories.

Findings from a literature search that supplement survey results are included throughout this report and in a separate **Related Resources** section that begins on page 33.

Planning and Programming Practices

Respondents were asked to describe planning and programming practices that engage tribal partners and improve tribal participation in transportation planning and programming activities. The following summarizes survey responses in these topic areas:

- Advancing tribal project funding with committees or other groups and processes.
- Funding planning and preliminary engineering studies.
- Partnering with tribes to enhance an existing state project.
- Training tribal partners.

Advancing Tribal Project Funding With Committees or Other Groups and Processes

Respondents' practices to advance tribal funding are described below, including a case study examining Arizona DOT's establishment of formalized tribal partnerships, and the committees, groups and processes described by respondents that focus solely on tribal transportation projects or consider tribal funding needs along with other entities served by the agency.

Tribal Partnership Case Study: Arizona Department of Transportation

Background

In 2004, the Arizona Governor's Tribal Summit on Transportation, a series of three partnership meetings with all tribes in Arizona, launched an initiative to formally establish a long-term transportation partnership process with the Navajo Nation. The Navajo Nation was establishing a transportation department at that time, and coupled that effort with a commitment to begin a partnership with the agency. This initial effort led to the establishment of partnerships with three other tribes.

Each partnership includes a steering committee or working group composed of management-level representatives from partner agencies to guide partnership activities. Task teams are formed when an issue is identified that needs further research, additional partners or resources. Annual partnership meetings are attended by tribal leaders, officials and partner directors, the steering committee or working group, and others.

Establishing the Partnerships

The Arizona DOT district engineer collaborating with tribal representatives advocated for establishment of the partnerships. Other tribes expressing interest in a partnership early on were not ready to engage with the agency at that time. The agency is not aware of recent interest on the part of other tribes to establish a formal partnership; no additional partnerships are planned at this time due to financial and staffing constraints.

Other Partnering Organizations

The Inter Tribal Council of Arizona (ITCA) has taken on a larger role in coordinating communications with Arizona DOT and the tribes to identify and address tribal needs. ITCA was established in 1952 as a nonprofit organization "to provide a united voice for tribal governments located in the State of Arizona to address common issues of concerns." ITCA members are the highest elected tribal officials, including tribal chairpersons, presidents and governors.

As its web site indicates, “ITCA operates more than 30 projects and employs a staff of 70 to provide ongoing technical assistance and training to tribal governments in program planning and development, research and data collection, resource development, management and evaluation” (see <http://itcaonline.com/> for more information).

Committees, Groups and Processes

Five respondents described committees, commissions, groups and processes that engage with tribal communities to advance the funding of tribally nominated transportation projects. Some groups or processes have a tribal focus; others encourage tribal engagement along with other entities competing for transportation funding. The tables below describe these groups and processes; related resources offer additional information about the groups or practices.

Arizona Department of Transportation	
Topic	Description
Committee, Group or Process	Hopi Tribe Transportation Partnership. One of three Arizona DOT partnerships, this group was convened in 2007 to identify mutual transportation needs within the Hopi Reservation and recommend potential solutions to address them.
	Navajo Nation Transportation Partnership. Established in 2004 as the first of the agency’s tribal partnerships, this group’s mission is to develop, foster and maintain good working relationships in order to construct, operate and maintain the most reliable, economical, efficient and effective transportation system for the safety of the traveling public.
	SCAT/WMAT (San Carlos Apache Tribe/White Mountain Apache Tribe) Transportation Partnership. Launched in 2009 with the San Carlos Apache Tribe; the White Mountain Apache Tribe joined as a new member in 2015. The steering committee meets regularly to strengthen working relationships, identify transportation concerns and work collaboratively to address those concerns.
Participants	These groups have a tribal focus. Arizona DOT’s Partnering Office facilitators and tribal liaison oversee partnership-related efforts. Tribal participants include staff and elected officials. Agency participants include district engineers, tribal planners, and staff with expertise in right of way, safety and environmental issues.
Meeting Frequency	Varies from quarterly to annually.
Topics Covered	While transportation issues are the focus of meeting discussions, meetings can often serve as a platform for education and open communication.
Recommendations for Implementation	A written partnership agreement and follow-through is critical to the success and sustainability of the partnership meetings.
Other Comments	The agency’s tribal transportation partnerships are instrumental in developing relationships with tribes across the state.

Related Resource

Tribal Partnerships: Federal-State-Tribal Transportation Partnerships, Arizona Tribal Transportation, Arizona Department of Transportation, undated.

<http://www.aztribaltransportation.org/tribal-partnerships.asp>

This web site describes Arizona DOT's partnership efforts and provides links to web sites maintained by the three tribal partnerships.

Northwest New Mexico Council of Governments	
Topic	Description
Committee, Group or Process	Northwest Regional Transportation Planning Organization (NWRPTO). NWRPTO is one of seven regional transportation planning organizations (RTPOs) in New Mexico. New Mexico DOT has contracted with Northwest New Mexico Council of Governments to administer NWRPTO, which operates as the planning program and is the vehicle through which the four tribes in the region participate in local and regional transportation planning.
Participants	This group engages a number of entities, including tribes. Three representatives from each of four tribes (Pueblo of Acoma, Pueblo of Laguna, Pueblo of Zuni and Navajo Nation) participate with representatives from three counties (McKinley, San Juan and Cibola); three communities (Gallup, Grants and Milan); and New Mexico DOT staff from Districts 5 and 6.
Meeting Frequency	Monthly.
Topics Covered	The meetings address planning, monitoring and developing transportation infrastructure and services.
Recommendations for Implementation	<ul style="list-style-type: none"> • Build honest, transparent relationships that over time develop the respect and trust needed for effective partnerships. • Encourage effective collaboration by ensuring that tribal voices carry the same weight and value as other voices at the table, and recognize that tribal cultural perspectives add value to the consideration of transportation issues. • Engage tribal partners in the early planning stages for any type of development that involves tribal lands and communities.
Other Comments	The respondent noted that the RTPO meetings have “foster[ed] monthly collaboration between local rural governments (tribal, municipal and county) and [New Mexico DOT] to assure that transportation development and maintenance projects stay on time and on target in terms of what they are programmed for, to support effective and efficient development, and prevent reversion of funding due to time constraints or unauthorized use of funding. These meetings also promote better coordination between the local governments and [New Mexico DOT], assuring more effective and problem-free project development.”

Related Resource

Northwest Regional Transportation Planning Organization, Northwest New Mexico Council of Governments, undated.

<http://www.nwnmcog.com/rtpo.html>

Transportation and project funding are addressed on the RTPO's web site, including the following:

The NWRTPPO assists local and county governments or other eligible applicants to submit applications yearly. Roadway Improvement, Enhancement, Bridge, Scenic Byways and Transit projects are rated and ranked by the designated Policy and Technical Advisory Committee local government representatives of the NWRTPPO. Recommendations are combined regionally, by NMDOT district and then are forwarded to NMDOT for possible inclusion in the State Transportation Improvement Program (STIP).

Oregon Department of Transportation	
Topic	Description
Committee, Group or Process	Area Commissions on Transportation (ACTs). Nine ACTs around the state are charged with selecting projects at the local level. The agency does not maintain a committee or group that specifically addresses tribal planning and programming.
Participants	This group engages a number of entities, including tribes. Every tribe in Oregon has a vote on at least one of the ACTs; some tribes have voting rights on multiple ACTs.
Meeting Frequency	Regularly scheduled meetings; frequency not specified.
Topics Covered	<i>From the ACT policy (see Related Resource below):</i> The mission of the ACTs is to provide a forum for the discussion and coordination of current and future transportation issues and to make recommendations to the OTC [Oregon Transportation Commission]. An ACT plays a key advisory role in the development of the Statewide Transportation Improvement Program (STIP). The ACTs shall recommend priorities for state transportation infrastructure and capital investments based on state and local transportation plans related to the geographic boundary of the ACT.
Other Comments	In addition to ACT participation, the agency's cultural resources staff makes at least one in-person visit to each tribe every calendar year to ensure the agency's compliance with consultation requirements in Section 106 of the National Historic Preservation Act.

Related Resource

Policy on Formation and Operation of Area Commissions on Transportation (ACTs), Oregon Transportation Commission, amended March 2017.

http://www.oregon.gov/ODOT/Get-Involved/ACT/OTC_ACTpolicy.pdf

From the introduction: The Oregon Transportation Commission (OTC) established the Area Commissions on Transportation (ACTs) to improve communication and interaction between the OTC and local stakeholders who share a transportation-focused community of interest. That

dialogue will include the OTC, local officials, legislators, the business community and appropriate stakeholders, and the Oregon Department of Transportation (ODOT).

Mid-Willamette Valley Council of Governments (Oregon)	
Topic	Description
Committee, Group or Process	Mid-Willamette Valley Area Commission on Transportation.
Participants	This group engages a number of entities, including tribes. The agency's ACT covers three counties and includes 17 members, including members from the Confederated Tribes of Grand Ronde.
Meeting Frequency	Bimonthly, but occasionally every month.
Topics Covered	ACT meetings provide a forum for coordination on regional transportation issues, and an opportunity to learn about plans and policies and provide feedback to Oregon DOT. Meetings also help to prioritize regional projects that compete for state grants.

Related Resource

Mid-Willamette Valley Area Commission on Transportation, Oregon Department of Transportation, undated.

<http://www.oregon.gov/ODOT/Get-Involved/Pages/ACT-MidWillamette.aspx>

This web site provides information about commission membership and meetings, and includes links to operational documents.

Washington State Department of Transportation	
Topic	Description
Committee, Group or Process	Washington Indian Transportation Policy Advisory Committee (WITPAC). WITPAC was jointly established by Washington State DOT and the tribes.
Participants	This group has a tribal focus. Each tribe is invited to identify a delegate and alternate(s) to the committee. Various Washington State DOT leadership staff participate based on the specific issues discussed at a given meeting.
Meeting Frequency	Quarterly.
Topics Covered	The meetings address statewide policy issues of mutual concern.
Recommendations for Implementation	Collaborate with tribes in the development of this type of committee to ensure the purpose and goals meet everyone's needs.
Other Comments	Protocols developed by WITPAC require that Washington State DOT conduct outreach to tribes regarding funding opportunities and include a tribal representative on funding review committees. In Washington, the state Legislature—not the DOT—determines which projects receive funding.

Washington State Department of Transportation

Topic	Description
Committee, Group or Process	Corridor Sketch Initiative.
Participants	<p>This process engages a number of entities, including tribes.</p> <p>This set of planning activities engages the agency’s partners, including tribes, to determine the context and performance of state highway corridors and identify high-level strategies for addressing performance gaps. The initiative complements and supports regional planning processes around the state.</p>
Meeting Frequency	Periodically.
Topics Covered	The Corridor Sketch Process is designed to identify all needs within a state corridor.
Recommendations for Implementation	Coordinate with tribes on advance planning to ensure the agency is aware of tribal needs and priorities.

Related Resources

Tribal Consultation Best Practices Guide for Metropolitan and Regional Transportation Planning Organizations in Washington State, Washington Indian Transportation Policy Advisory Committee, May 2015.

http://www.wsdot.wa.gov/sites/default/files/2017/01/17/Tribal_Consultation_Best_Practices_Guide_for_MPOsRTPOs_in_WA_FINAL.PDF

From the introduction: The Washington Indian Transportation Policy Advisory Committee (WITPAC) is comprised of delegates and alternates authorized by their Tribes to consult with the State on statewide and policy issues. Improving tribal, MPO and RTPO relationships was a top priority in 2014-2015. WITPAC formed a subcommittee that included representatives from Tribes, WSDOT, FHWA [Federal Highway Administration], FTA [Federal Transit Administration], MPOs and RTPOs to develop the following guide.

....

While there is no “one-size-fits-all” approach, this Best Practices Guide seeks to share best practices for collaboration and recommendations for Tribes and MPOs/RTPOs working together. It is considered a “living document” and will be updated periodically to reflect new practices.

Corridor Sketch Initiative, Washington State Department of Transportation, 2018.

<https://www.wsdot.wa.gov/planning/corridor-sketch-initiative>

From the web site:

WSDOT’s Corridor Sketch Initiative is a set of planning activities that engages the agency’s partners to determine the context and performance of state highway corridors and identify high-level strategies for addressing performance gaps. The initiative complements and supports regional planning processes around the state.

The web site provides links to completed Corridor Sketch Summaries.

Other Respondent Practices That Engage Tribal Partners

Other respondents described practices that, while not designed to focus on tribal needs, engage tribal partners and other stakeholders in transportation planning and programming activities:

- *Arrowhead Regional Development Commission (Minnesota)* participates in the Northeast Minnesota Area Transportation Partnership, which includes tribal members along with elected officials, engineers, planners and other agency representatives from an eight-county area of northeast Minnesota.
- *Region Five Development Commission (Minnesota)* invites the Leech Lake Band of Ojibwe Tribe to participate in its regional Transportation Advisory Council and to participate in a decision-making role on the commission's transit and trail committees.
- *Tri County Economic Development District (Washington)* maintains a committee that works to advance all transportation planning in its region. The region's six transportation agencies work closely within and outside the district's Transit Committee.

Funding Planning and Preliminary Engineering Studies

Highlighted below are programs and practices reported by two respondents to ensure funding is available for the planning and preliminary engineering studies that are needed to advance a tribally nominated transportation project.

Planning Assistance for Rural Areas (Arizona Department of Transportation)

Sponsored by Arizona DOT's Multimodal Planning Division, the Planning Assistance for Rural Areas (PARA) program provides federal funds to assist tribal governments and counties, cities and towns located outside transportation management area planning boundaries with multimodal transportation planning needs. The following describes the uses and limitations associated with PARA program funds:

- Limited to planning and preliminary scoping (prescoping) activities and may not be used for the design or construction of transportation facilities.
- May be applied to address a broad range of planning and prescoping issues related to roadway and nonmotorized transportation modes.
- May also be applied to studies dedicated solely to the planning of public transportation services.

Partnerships between communities are encouraged. PARA funds may be used for planning studies that address the needs of multiple jurisdictions, as well as for needs that are limited to neighborhoods within jurisdictions.

Related Resource:

Transportation Programs: Planning Assistance for Rural Areas (PARA) Program, Arizona Department of Transportation, undated.

[https://www.azdot.gov/planning/transportation-programs/planning-assistance-for-rural-areas-\(para\)-program](https://www.azdot.gov/planning/transportation-programs/planning-assistance-for-rural-areas-(para)-program)

This web site describes the PARA program and includes a link to an FAQ (see <https://www.azdot.gov/docs/default-source/planning/para-program-frequently-asked-questions.pdf?sfvrsn=2>) that describes the types of issues related to roadway, transit and nonmotorized transportation modes the PARA program addresses, including:

- Roadway operations and facilities planning.
- Transit operations and facilities planning.
- Feasibility review of public transit with the intent of seeking FTA or other funding assistance.
- Bicycle and pedestrian planning, including General Plan Bicycle elements.
- Trail planning as part of a multimodal roadway, pedestrian and transit system.

Identifying Alternative Funding Sources (Northwest New Mexico Council of Governments)

With limited resources available to rural communities, NWRTPPO specializes in “maximizing the crumbs that fall off the metropolitan tables.” The RTPO seeks as many alternative funding sources as possible through federal, state and private opportunities, and maintains a list of these alternative funding sources for member use. The respondent noted that the seven New Mexico councils of governments (COGs) also “have a strong voice at the state Legislature to advocate on behalf of our tribal constituents, and we keep them regularly informed of any opportunities that arise to generate funding or other supportive resources.”

Other respondents described competitive funding programs or provide limited or no special funding to tribal partners.

Competitive Programs

Tri County Economic Development District (Washington): Washington State DOT’s Consolidated Grant Program awards funding for public transportation services based on a competitive grant cycle (see <https://www.wsdot.wa.gov/Transit/Grants/competitive.htm>).

Washington State DOT: Tribes are eligible for several unspecified competitive grant programs that include funding for planning and preliminary engineering studies, though the respondent noted that “increasingly projects need to be shovel-ready to compete,” and tribes “do not receive a lot of funding for planning and preliminary engineering” from the agency.

Limited or No Special Funding

Arrowhead Regional Development Commission (Minnesota): The commission assists tribes in applying for federal planning funds but does not maintain special funding programs.

Region Five Development Commission (Minnesota): The commission is not a funding agency. Tribal representatives are advised to attend commission meetings or submit a request to the commission to highlight a tribal funding need.

South Dakota Department of Transportation: All projects are treated equally and are programmed and planned based on need. There is no special funding or process for tribally nominated projects.

Partnering With Tribes to Enhance an Existing State Project

Respondents were asked to describe a project that involved a partnership between the respondent's agency and a tribal partner to enhance an existing state project to meet the transportation needs of a tribal community.

The Arizona DOT respondent noted that the project highlighted in the case study section of this report is an example of this type of partnership (see page 23). Other examples are presented below:

Trails and Other Safety Enhancement Projects

Arrowhead Regional Development Commission (Minnesota): The commission held community meetings to build support for a parallel paved trail through tribal communities. Commission staff provided materials to meeting participants to assist in developing the request to Minnesota DOT to construct the trail.

Northwest New Mexico Council of Governments: NWRTPO provides the tribes with regional support and helps coordinate projects with New Mexico DOT. Multiple projects have added safety or other multimodal features to state or federal roads traversing tribal lands. In 2017, the Pueblo of Laguna was awarded several hundred thousand dollars to plan and design bike, pedestrian and safety enhancements along an unspecified state corridor, with another \$1 million awarded in fiscal year 2019 for construction.

South Dakota Department of Transportation: The agency has collaborated with tribes on several walking paths to tribal housing and provided safety improvements such as rumble strips and stripes. Other projects include the addition of lighting in locations where the tribe is responsible for maintenance.

Roadway and Paving Projects

Mid-Willamette Valley Council of Governments (Oregon): The respondent reported on a partnership outside of his COG between a tribal partner (Confederated Tribes of Grand Ronde), Yamhill County and cities in the region to raise \$20 million to fund construction of the Newberg-Dundee bypass in Yamhill County. See page 29 of this Preliminary Investigation for more information about this bypass project.

Washington State Department of Transportation: The Samish Tribe was planning to add a turn lane into the tribe's administration building at the same time Washington State DOT was planning a major repaving project in the same area. The tribe transferred its funds to Washington State DOT, and the DOT incorporated the tribe's project into its larger repaving project.

Training Tribal Partners

Most respondents reported on an informal process to train tribal partners. Arizona DOT and Northwest New Mexico Council of Governments respondents were the exception, describing the following formalized training programs:

Integrating Statewide and Tribal Transportation Planning Workshop (Arizona DOT)

Arizona DOT developed an interactive training workshop that provides tribal personnel and lead decision-makers with easy-to-understand procedures to implement projects

recommended in the agency's planning studies. The workshop is a computer-based, interactive training program that guides users through the transportation improvement project phases of planning, funding, programming, development and maintenance.

The workshop curriculum is presented through a Tribal Transportation Planning Pathway. Users click on interactive elements to open training modules outlining key steps and processes for implementing transportation improvement projects. The curriculum also includes a comprehensive database of funding sources that tribes may pursue to support the construction and ongoing maintenance of a transportation system. The database includes information on project eligibility, application due dates, program contacts and web sites to obtain more information.

Related Resources:

Training, Arizona Tribal Transportation, Arizona Department of Transportation, undated. <http://www.aztribaltransportation.org/training.asp> (Scroll down the page to see links to the five-module online training course.)

From the web site:

This online training course and accompanying handbook were developed by ADOT in collaboration with the Inter Tribal Council of Arizona, the ASU [Arizona State University] American Indian Policy Institute and the ASU Indian Legal Program to guide the department in conducting its tribal consultation efforts. It provides a wealth of historical, legal and policy information explaining the purpose and background related to federal and state relationships with tribes and their members. It also presents specific approaches and tools that ADOT personnel, consultants and contractors can use to understand processes in carrying out effective consultation and coordination with tribal governments in Arizona.

The Training Course Modules can be viewed using Adobe Presenter and the Handbook is a PDF file that guides the user with detailed information. Modules can be taken in any order of preference. Instructions on how to navigate the course are included at the beginning of each module.

The zip folder available at <http://apps.azdot.gov/files/training/AZ-Tribal-Training/Integrating-Statewide-Tribal-Planning/Integrating-Statewide-Tribal-Planning-Workshop.zip> includes the following:

- *Tribal Transportation Planning Pathway Package*, a PDF file containing the interactive training pathway that guides users through the transportation improvement project process.
- *Tribal Funding Sources*, a Microsoft Access file containing the database of potential transportation funding sources that is referenced in the interactive training pathway. This file can be used as a stand-alone resource. When saved to a user's computer, the file can be modified by the user to insert program updates or add new program information.

ADOT Tribal Transportation Consultation Handbook: Online Training Course for ADOT Personnel, Arizona Department of Transportation, October 2014.

http://apps.azdot.gov/files/training/az-tribal-training/ADOT_TribalTrainingHandbook.pdf

From the preface: This Handbook provides information that supplements the modular ADOT Online Training Course on Tribal Consultation for ADOT Personnel. The

Handbook stands alone and can be used as a reference guide by ADOT management and staff. This Handbook includes a brief introduction on the importance of effective consultation with tribal governments and some of the state and federal requirements for consultation. The purpose and objectives of the training course are discussed and the organization of the Handbook is presented. The Handbook is comprised of five modules corresponding to the online training modules, in addition to a reference section, glossary and dictionary of acronyms. The Handbook contains a substantial number of graphics, including tables, charts, maps and photographs.

Project Development Training Program (Northwest New Mexico Council of Governments)

NWRTPO collaborated with another RTPO and New Mexico DOT’s Local Technical Assistance Program (LTAP) to design an intensive project development training program that addresses every phase of transportation project development, from initial planning through construction. The training program is offered periodically around the state through the LTAP. (The respondent did not provide materials or resources associated with this training program; independent research did not uncover program details.)

Other Training Opportunities

The table below summarizes the activities respondents use to train tribal partners.

Other Training Opportunities		
Activity	Agency	Description
Conferences	South Dakota DOT	The agency partners with tribes to host the annual Tribal Transportation Safety Summit (2017 was the eighth year of the summit).
	Washington State DOT	The agency participates in the biennial Tribal-State Transportation Conference and regularly participates in conferences organized by tribal technical assistance programs and Bureau of Indian Affairs (BIA).
Periodic Meetings	Arrowhead Regional Development Commission (Minnesota)	The agency occasionally meets with tribes and issues invitations for tribal participation in all Northeast Minnesota Area Transportation Partnership meetings.
	Northwest New Mexico Council of Governments	Monthly RTPO meetings are used to announce state and federal training opportunities.
	South Dakota DOT	Annual meetings with individual tribes and the annual tribal STIP meeting with all tribes, moderated by the state’s secretary of transportation, provide opportunities to disseminate information on planning and programming.
	Washington State DOT	Periodic meetings of WITPAC and the Tribal Transportation Planning Organization (TTPO) offer opportunities to provide training. (The TTPO was established in 2003 by Washington tribes with the support of Washington State DOT to “support the development of tribal transportation planning capacity.”)

Other Training Opportunities		
Activity	Agency	Description
Planning Studies	Arizona DOT	Since 1997, the agency has collaborated with tribes in Arizona to complete numerous multimodal planning studies through the agency's PARA program (see page 17 for more information).

Three respondents—Mid-Willamette Valley Council of Governments (Oregon), Oregon DOT and Region Five Development Commission (Minnesota)—do not train tribal partners. (Mid-Willamette Valley Council of Governments does not provide those services outside the MPO, and the tribe is located outside the MPO.)

Related Resources

Tribal Relations (TERO), South Dakota Department of Transportation, 2018.

<http://www.sddot.com/services/civil/tero.aspx>

This web site provides links to previous South Dakota Tribal Transportation Safety Summit reports and presentations, as well as information about the application of Tribal Employment Rights Ordinance (TERO) provisions to transportation projects within the legal or historic boundaries of tribal lands in South Dakota.

2016 Tribal State Transportation Conference, Washington State Department of Transportation, 2018.

<https://www.wsdot.wa.gov/tribal/2016Conference.htm>

This web site provides information about the 2016 conference, including links to conference presentations and other conference-related materials.

Tribal Transportation Planning Organization, Tribal Transportation Planning Organization, 2018.

<http://www.ttpo-wa.org/>

From the web site: The purpose of the organization is to support the development of tribal transportation planning capacity. As envisioned, the TTPO improves Tribal government's planning and programming activity through enhanced coordination with tribal, federal, state and local governments. There are aspects of tribal transportation planning that are very unique in nature, both in comparison to other jurisdictions and also from one Tribe to another. There is a common theme, partnership and connection throughout the tribal transportation planning culture that the TTPO shares and celebrates.

Case Studies: Transportation Project Success Stories

The following case studies describe a recent tribally nominated transportation project or projects (within the last five years) that respondents termed a “success story”:

- Arizona Department of Transportation (intersection improvement).
- Arrowhead Regional Development Commission (Minnesota) (tribal transit system).
- Northwest New Mexico Council of Governments (multiple projects).
- Oregon Department of Transportation (Newberg-Dundee bypass).
- Washington State Department of Transportation (interchange project).

The case studies include information in the following topic areas:

- Project description.
- Project identification.
- Funding.
- Tribal participation.
- Logistical challenges.
- Building an effective partnership.
- Strategies for success.

Each case study is followed by a **Supporting Documents** section that includes publications and web resources related to the agency, tribe or project.

The case studies below lack details in topic areas when a survey respondent provided limited information or did not respond to a question. In some case studies, project details are preceded by a **Background** section that describes a unique agency practice or an agency’s relationship with other entities participating in tribal transportation planning and programming.

Arizona Department of Transportation

Background

All Arizona tribes are members of a COG or MPO. Arizona DOT distributes Surface Transportation Block Grant (STBG) funds and/or Highway Safety Improvement Program (HSIP) funds to all COGs and MPOs in the state. The following describes the COG/MPO project review process for distribution of those funds:

- Each COG and MPO has established a competitive application process to rank and prioritize member needs.
- Once projects are ranked, a technical advisory committee recommends projects to fund, and the list of recommended projects is submitted to the regional council or executive board for final approval.
- After approval, the project is added to the COG’s or MPO’s Transportation Improvement Program and submitted to Arizona DOT for inclusion in the STIP.

While the project selection process is controlled by each COG or MPO, Arizona DOT is responsible for administering the projects.

Success Story: Intersection Improvement

Project Description	The San Carlos Apache Tribe has applied and received funding for a variety of projects, including an intersection improvement for US 70/ BIA Road 6 that included a turning lane, widening and paving of the entrance to BIA Road 6, and lighting.
Project Identification	As members of the state's COGs and MPOs, tribes are eligible to apply for STBG and HSIP funds to plan, design and construct projects.
Funding	The San Carlos Apache Tribe obtained STBG and HSIP funds for this project; BIA funds made up the balance needed for the project.
Tribal Participation	A tribal staff member manages tribal transportation projects. Arizona DOT worked with two tribal staff members who presented proposals to the appropriate boards for approval and facilitated an internal project development process.
Logistical Challenges	A recurring challenge is ensuring that projects are adequately scoped and the resulting cost estimates are appropriate. BIA funds provided the additional funding required by the project; however, transferring the funds proved to be challenging. The tribe had previously been awarded the funds but could not transfer the funds directly to Arizona DOT. To resolve this, the funds were transferred back to BIA, and the tribe was invoiced for the funds. The tribe paid the invoice and requested reimbursement from BIA.
Building an Effective Partnership	<p>In addition to the partnership efforts associated with this project, Arizona DOT maintains a formal partnership with the San Carlos Apache Tribe through the SCAT/WMAT (San Carlos Apache Tribe/White Mountain Apache Tribe) Transportation Partnership.</p> <p>An on-call engineer hired by the tribe previously worked for Arizona DOT and was familiar with federal projects. This individual facilitated communication between Arizona DOT and the tribe.</p>
Strategies for Success	The agency focused on proactive communication and relied on its district staff and the tribal planner to keep the project moving. The respondent noted that "continuous communication" was key to the success of the project.

Supporting Documents

Arizona Tribal Transportation, Arizona Department of Transportation, undated.

<http://aztribaltransportation.org/index.asp>

From the web site: With the adoption of the ADOT Tribal Consultation Policy the department is committed to work with the Tribes, Communities and Native Nations to consult and coordinate on State and Tribal transportation missions and goals. This website was developed to support those efforts and to improve State-Tribal intergovernmental relations through resource information sharing. It is designed to be a central location for state-tribal transportation partnerships, projects, activities, groups, links and other related information.

Intersection Improvement Project at Bureau of Indian Affairs (BIA) Road 6 and US 70 on the San Carlos Apache Reservation, Arizona Department of Transportation and Federal Highway Administration, undated.

<https://azdot.gov/docs/default-source/projects/bia-6-and-us-70-improvements-flier-17-099.pdf?sfvrsn=2>

This one-page summary of the intersection improvement project includes the following description of the work to be completed:

- Constructing a right-turn lane for westbound US 70 to northbound BIA 6.
- Constructing an acceleration lane for traffic entering westbound US 70 from southbound BIA 6.
- Installing a drainage culvert.
- Milling pavement on US 70 and BIA 6 and applying new pavement.
- Replacing the existing cattle guard across BIA 6.
- Removing and replacing the existing guardrail and fencing.

Quarterly Status Report: Southeast District, Arizona DOT Intermodal Transportation, October-December 2015.

<https://www.azdot.gov/docs/default-source/business/safford-district-quarterly-project-status.pdf>

Included in this status report is the District FY 2016 Project List, which includes a line item for “design intersection improvement” for US 70 at BIA 6, estimated at \$247,000.

Arrowhead Regional Development Commission (Minnesota)

Success Story: Tribal Transit System

Project Description The commission worked with the Bois Forte Band of Chippewa to plan and establish Big Woods Transit and secure funding to purchase buses for the tribal transit system. Nontribal members can use the transit system for a fee.

Project Identification The commission surveyed tribal members about their transportation needs and recommended a process for implementing a transit system using buses. Transit was deemed particularly important for this somewhat remote reservation that has employment opportunities associated with its casino. The casino is more than 40 miles away from the reservation’s largest residential area.

Funding The transit system project was funded through the Federal Transit Administration’s Tribal Transit Program.

Tribal Participation A tribal staff member manages tribal transportation projects. Tribal members approved funding for the initial planning process and participated in project planning.

Building an Effective Partnership The commission maintained “good communication” with the tribe and held project-related meetings at tribal facilities.

Supporting Documents

Arrowhead Regional Development Commission, Arrowhead Regional Development Commission, 2018.

<https://ardc.org/about/>

From the web site: The Arrowhead Regional Development Commission (ARDC) is a multi-disciplined planning and development organization serving the Northeast Minnesota counties of Aitkin, Carlton, Cook, Itasca, Koochiching, Lake and St. Louis.

Big Woods Transit, Big Woods Transit, undated.

<https://bigwoodstransit.wixsite.com/main>

This is the web site for the transit system developed by the Bois Forte Band of Chippewa in collaboration with the commission.

Public Transportation on Indian Reservations Program; Tribal Transit Program, Federal Transit Administration, undated.

<https://www.transit.dot.gov/tribal-transit>

From the program overview: Section 5311(j) of the FAST Act, Public Law 114-94 (December 4, 2015), authorizes the Public Transportation on Indian Reservations Program (Tribal Transit Program (TTP)) for Fiscal Years (FY) 2016-2020. The TTP continues to be a set-aside from the Formula Grants for Rural Areas program but now consists of a \$30 million formula program and a \$5 million competitive grant program subject to the availability of appropriations. A 10-percent local match is required under the competitive program, however, there is no local match required under the formula program.

Northwest New Mexico Council of Governments

Background

The Pueblo of Acoma applied the Construction Manager/General Contractor (CM/GC) project delivery method developed by FHWA to expedite completion of nine projects.

The CM/GC method involves conducting weekly meetings, beginning with the planning phase and continuing through construction, in connection with multiple projects. Government representatives (Construction Manager) meet with the lead contractor (General Contractor) and subcontractors, as needed, to plan and expedite the phases of each project. The respondent noted that the CM/GC process can be demanding, requiring “a lot of overtime” to complete the nine projects, but “the results were remarkable.” By comparison, the respondent said, most rural counties, communities and tribes are able to complete one or two projects over a two-year period.

Success Story: Multiple Projects

Project Description Using the CM/GC project delivery method and with collaborative support from FHWA and BIA, the Pueblo of Acoma completed nine transportation projects in two years. In addition to time savings, the tribe realized just under \$1 million in cost savings. These funds were applied to additional projects.

Project Management Rather than describing how the nine projects were identified, the respondent highlighted effective project management practices associated with the CM/GC method:

Project Management	The project team met weekly to discuss administrative issues, team goals, action items, schedules and budgets, project status, and public outreach and involvement. Team meetings resulted in an approved design work package and a guaranteed maximum price for each project. Addressing requests for information during team meetings resulted in zero change orders for the projects.
Funding	The Pueblo of Acoma secured a grant through FHWA's Accelerated Innovation Deployment (AID) Demonstration program to fund the preconstruction and design phases of the nine projects. (According to an October 2015 FHWA press release, the Pueblo was awarded \$563,000.) Several projects received Federal Emergency Management Administration funding, and the Pueblo provided matching funding for some projects. The respondent reported that most of the projects were funded through FHWA; he was unsure whether some may have also received BIA funds.
Tribal Participation	<p>The tribe's transportation manager and public works department took the lead on project development with the full support of elected Pueblo leaders. The tribe's transportation manager kept tribal leaders regularly informed on project progress. The tribe was directly and regularly involved in project development decisions through weekly meetings.</p> <p>The tribe's transportation manager was nominated for a best practice award in connection with the annual New Mexico Infrastructure Finance Conference in October 2017.</p>
Logistical Challenges	Scheduling challenges that arose during construction were resolved during weekly meetings. Everyone involved in the projects worked some overtime because of the accelerated time frame for project completion.
Building an Effective Partnership	The respondent pointed to the long-standing, collaborative and mutually supportive relationship between the NWRTPPO and the four tribes it serves. (NWRTPPO is Northwest New Mexico Council of Governments' planning program.) He emphasized that this enduring relationship, developed through monthly meetings over the course of many years, "has created respectful and 'barrier-free' collaboration and coordination." NWRTPPO staff members have developed relationships with the tribal representatives who serve as voting members on the RTPO and other tribal leaders.
Strategies for Success	The weekly meetings required for the CM/GC method facilitated regular and clear communication among all project participants and encouraged "efficient and effective project development." The respondent noted that while the CM/GC project delivery method "demands a lot of commitment," including overtime from agency officials and contractors, the weekly meetings allowed participants to "move projects forward in a very coordinated manner."

Supporting Documents

Northwest New Mexico Council of Governments, Northwest New Mexico Council of Governments, undated.

www.nwnmcog.com

From the “About” page of the web site (see <http://www.nwnmcog.com/about.html>):

The COG has supported the planning and development needs of Northwest New Mexico for over forty years. The COG has a dual designation as a quasi-governmental and regional planning agency for the State of New Mexico Local Government Division and the US Economic Development Administration as a Planning and Development district and a Economic Development District, respectively. The COG assists with local and regional planning and development initiatives in Northwest New Mexico.

Information about the COG’s planning program, NWRTPO, is available at <http://www.nwnmcog.com/rtpo.html>.

Pueblo of Acoma CM/GC Projects, Pueblo of Acoma, 2018.

<https://www.infrastructureengineers.com/acomacmgc.html>

This project web site provides detailed information about the nine projects completed by the Pueblo of Acoma using the CM/GC project delivery method.

NWRTPO Meeting Minutes, Joint Policy and Technical Committee, Northwest Regional Transportation Planning Organization, September 2017.

http://www.nwnmcog.com/uploads/1/2/8/7/12873976/minutes_9.13.17_final_pdf.pdf

See page 2 of these meeting minutes for a discussion of the Pueblo of Acoma’s use of the CM/GC process.

Construction Manager/General Contractor (CM/GC), Federal Highway Administration, June 2017.

<https://www.fhwa.dot.gov/construction/contracts/acm/cmgc.cfm>

From the web site: The CM/GC project delivery method consists of two phases—design and construction.

When the owner considers the design to be complete, the construction manager then has an opportunity to bid on the project based on the completed design and schedule. If the owner, designer and independent cost estimator agree that the contractor has submitted a fair price, the owner issues a construction contract and the construction manager then becomes the general contractor.

The contractor acts as the consultant during the design process and can offer constructability and pricing feedback on design options and can identify risks based on the contractor's established means and methods. As noted earlier, this process also allows the owner to be an active participant during the design process and make informed decisions on design options based on the contractor's expertise.

“Federal Highway Administration Awards \$6.4 Million to Tribal Government and Six States to Speed Innovative Projects,” News Release, Federal Highway Administration, October 2015.

<https://www.fhwa.dot.gov/pressroom/fhwa1567.cfm>

This news release announced the awarding of grants from the Accelerated Innovation Deployment (AID) Demonstration program. Included is the following project description for the \$563,000 grant awarded to the Pueblo of Acoma:

The Pueblo of Acoma tribal government in New Mexico will use the AID grant to complete several projects in varying stages that include roadway construction, earthwork, retaining walls, accelerated bridge construction (an EDC [Every Day Counts] innovation promoted by FHWA), interchange construction and rock excavation/mitigation using the CMGC project delivery method.

Oregon Department of Transportation

Background

The Oregon Transportation Commission created nine Area Commissions on Transportation (ACTs) to ensure meaningful participation in programming processes and charged the ACTs with selecting transportation projects at the local level. Every tribe in Oregon has full voting rights on at least one of the ACTs; some tribes have voting rights on multiple ACTs.

Success Story: Newberg-Dundee Bypass

Project Description	The Newberg-Dundee bypass is a \$262 million project on OR 99W to bypass congestion in the communities of Newberg and Dundee. This section of OR 99W is subject to significant congestion and safety issues. These challenges affect members of the Confederated Tribes of Grand Ronde commuting to and through the area, and customers of the tribe's casino in Grand Ronde.
Project Identification	The Confederated Tribes of Grand Ronde have a voting seat on the Mid-Willamette Valley ACT. The Mid-Willamette Valley ACT prioritized this project, and ACT members helped secure funding in the state Legislature for the project.
Funding	The vast majority of the funds needed for the project, approximately \$190 million, were obtained through the Oregon Legislature's 2009 Jobs and Transportation Act. The significance of this project to the Confederated Tribes of Grand Ronde is underscored by the \$4 million the tribe contributed to the project. Funds from federal sources and several local governments made up the balance of funding needed to complete the project.
Tribal Participation	A tribal staff member manages tribal transportation projects. As a full voting member of the Mid-Willamette Valley ACT, the tribe was involved throughout delivery of the project and has been charged with naming at least one structure on the new alignment.
Building an Effective Partnership	The respondent highlighted the importance of open, honest communication and meaningful participation in the selection, development and delivery processes.

Supporting Documents

Cultural Resources: Tribal Coordination, Oregon Department of Transportation, undated. <http://www.oregon.gov/ODOT/GeoEnvironmental/Pages/Cultural-resources.aspx>
Scroll down the web page to “Tribal Coordination” to find links to limited information about Oregon DOT’s tribal coordination activities.

Highway 99W Newberg Dundee Bypass, Region 2 (Willamette Valley and Coast), Oregon Department of Transportation, undated. <http://oregonjta.org/region2/?p=highway99w>
This web page provides background information, maps and documents associated with the bypass project.

“Bypass Construction is in Full Swing,” Newberg-Dundee Bypass Project, Fact Sheet, Region 2 (Willamette Valley and Coast), Oregon Department of Transportation, December 2014. <http://www.oregonjta.org/region2/files/highway99w/docs/overall-fact-sheet-for-web-dec-2014.pdf>
This fact sheet describes the Newberg-Dundee bypass project and project benefits, and includes maps and other graphics illustrating specific elements of the project.

Washington State Department of Transportation

Background

In Washington, the state Legislature selects the transportation projects that will receive funding.

Success Story: Interchange Project

Project Description	The I-5/116th Street NE interchange project widened an existing interchange and will replace ramps. (The project was completed in phases due to an initial lack of funding for the ramps. The Legislature passed a transportation revenue package to provide the needed ramp funding.) The Tulalip Tribes of Washington funded a significant portion of the project and led the design and construction work, with Washington State DOT providing oversight given the project’s location on the Interstate.
Project Identification	<p>The Tulalip Tribes were early proponents of the project. The project addressed capacity and safety issues at the interchange, which is a critical access point to the reservation and the tribe’s economic development center.</p> <p>Washington State DOT and the tribe had a previous agreement for the DOT to make improvements at a different location in exchange for tribal right of way for the Interstate. The tribe requested, and the DOT agreed, to transfer the obligation for improvements at the original location to the I-5/116th Street NE interchange project. Washington State DOT included the interchange project on its priority list of projects for the Legislature. The respondent credits selection of this project to its high placement on Washington State DOT’s project list and significant lobbying of the Legislature by the Tulalip Tribes.</p>
Funding	Funds contributed by the tribe came from tribal fuel tax revenues, BIA funding, federal earmarks and MPO STIP funds. State funds included state fuel tax revenues from a \$16 billion/16-year transportation revenue package.

Tribal Participation	A tribal staff member manages tribal transportation projects. Decisions were made following the tribe's standard governmental processes. Tribal staff managed the project and tribal consultants, and elevated decisions to the board of directors for decision. Washington State DOT decisions were made at the region level.
Logistical Challenges	The tribe received funding from FHWA for the bridge expansion associated with this project. Because FHWA will not fully comply with the tribe's Tribal Employment Rights Ordinance (TERO), which includes a preference for tribal contractors, the tribe requested, and Washington State DOT and FHWA eventually agreed, to transfer the federal funding for the project to BIA for administration (BIA fully recognized the tribe's TERO). The respondent also noted that "the bridge widening phase of the project had to be bid twice to find a responsive bidder."
Building an Effective Partnership	Washington State DOT has worked with the tribes for years and maintains effective relationships with the tribe at the staff and leadership levels. While this interchange project was the most complicated project the DOT and tribes have worked on together, and there were a few new players involved, the relationships built over time meant project participants were not "starting from scratch."
Strategies for Success	The respondent cited extensive coordination at the staff and technical levels. Both the tribes and Washington State DOT established a single point of contact. Constant communication was key to working through complicated issues and managing expectations. The tribal liaison was brought in as needed to provide support.

Supporting Documents

Tribal Liaison, Washington State Department of Transportation, 2018.

<http://www.wsdot.wa.gov/tribal/default.htm>

This web site provides links to documents related to planning, consultation, the environment and other tribal-related issues, including the Tribal State Transportation Conference, Northwest Tribal Technical Assistance Program and Governor's Office of Indian Affairs.

I-5/116th Street NE Interchange Improvements, The Tulalip Tribes of Washington, 2013-2014.

<https://projects.tulaliptribes-nsn.gov/116th-interchange/>

From the web site: The I-5/116th Street NE Interchange project is replacing the existing diamond interchange with a Single-Point Urban Interchange (SPUI) facility which will reduce congestion and provide more capacity. Key project elements include widening of all interchange ramps, HOV bypass lanes, ramp metering, replacement of the existing overpass with a wider bridge carrying more thru and turn lanes, bike lanes and sidewalks across I-5, and local road improvements resulting in improved interchange operations.

I-5/116th Street NE Interchange Project, Project Fact Sheet, The Tulalip Tribes of Washington, (presented to the Joint Transportation Committee of the Washington State Legislature), October 2012.

http://leg.wa.gov/JTC/Meetings/Documents/Agendas/2012%20Agendas/JTC_102412/116thInterchangeProjectFactSheet_1.pdf

This document describes progress to date on the I-5/116th Street NE interchange project and includes the following request to the Legislature for funding:

We are requesting \$34.7M to complete the final phase of the 116th Interchange Project.

This regional project is in its final phase of improvements and the Bridge Deck and Ramps will complete this regionally significant project. We seek your support to complete this regional interchange.

WSDOT TERO FAQ, Washington State Department of Transportation, April 2017.

https://www.wsdot.wa.gov/sites/default/files/2017/04/24/WSDOT_TERO_FAQ.pdf

From the document: In the interest of mutual respect and in keeping with the principles of the Centennial Accord, Washington State Department of Transportation (WSDOT) and Tribal Employment Rights Office (TERO) staff developed the following FAQ for WSDOT projects located on reservations or tribal trust lands.

Other Respondent Practices

Other respondents reported on activities that engage tribal partners in connection with transportation planning and programming:

South Dakota Department of Transportation

South Dakota DOT consults with tribes during the planning process to gather input on the STIP and proposed projects. The agency has programmed safety projects on BIA routes for tribes that have been identified by the agency or by the tribe.

Each year, in winter/early spring, the agency meets with tribal representatives to discuss upcoming projects and obtain input on future projects. In June, the state DOT conducts a tribal STIP meeting and invites representatives from all tribes, BIA, FHWA and FHWA's Office of Federal Lands Highway to discuss upcoming projects—not just those in the STIP—and gather input. Project selection and funding are based on the route, scope of work and location of projects.

The respondent points to the successful result of years of annual meetings and relationship-building efforts with all nine tribes in South Dakota. Jurisdictional barriers have been addressed with the use of language that protects the sovereignty of both entities. The respondent noted that “[t]he key to the success in South Dakota has been strong lines of communication with open and honest dialogue and viewing all roads as important no matter who owns them.”

Tri County Economic Development District (Washington)

The respondent reported on the recent completion of a new KALTRAN bus garage by the Kalispel Tribe of Indians. (KALTRAN is a public transportation service operated by the Kalispel Tribal Planning and Public Works Department under the Kalispel Tribal Business Council.) Before construction of the bus garage, the tribe was required to send its buses to mechanics outside the region to obtain regular fleet maintenance. The new bus garage constructed at KALTRAN headquarters can service both fleet and tribal member vehicles. See <https://www.kalispeltribe.com/programs-and-services/tribal-transit> for more information.

Related Resources

The reports, journal articles and web sites presented below are organized into three categories:

- National guidance.
- State research and resources.
- Other research and resources.

National Guidance

Tribal Planning: Resources and Publications, Transportation Planning Capacity Building, Federal Highway Administration and Federal Transit Administration, undated.

https://www.planning.dot.gov/focus_tribal.asp

From the web site: The Tribal Planning focus area page is a one-stop shop for resources about tribal transportation planning, consultation and coordination on the TPCB [Transportation Planning Capacity Building] website. It includes links to publications, legislation and guidance, recent peer events, upcoming calendar events and related websites.

Resources: Policy and Guidance, Tribal Transportation Planning, Federal Highway Administration, January 2018.

https://www.fhwa.dot.gov/planning/processes/tribal/resources/resources_policy.cfm

This web site provides a range of resources relevant to tribal transportation planning.

Case Studies: Collaboration, Consultation and Partnership in Transportation Planning, Tribal Transportation Planning, Federal Highway Administration, May 2017.

https://www.fhwa.dot.gov/planning/processes/tribal/case_studies/

From the web site: This series of case studies focuses on innovative consultation practices between tribes, States and metropolitan planning organizations (MPOs) within the transportation planning process. It includes six case studies that highlight a range of practices implemented by tribal and non-tribal governments to advance tribal consultation in statewide and metropolitan transportation planning. The case studies describe current practices, the outcomes of these approaches and lessons learned.

Tribal Transportation Planning Modules, Tribal Transportation Planning, Federal Highway Administration, May 2017.

https://www.fhwa.dot.gov/planning/processes/tribal/planning_modules/

This web site provides access to training modules related to tribal transportation planning. Two of these modules are highlighted in the citations below.

Related Resources:

Tribal Transportation Funding Resources, *Transportation Decisionmaking: Information Tools for Tribal Governments*, Federal Highway Administration, 2015.

http://www.fhwa.dot.gov/planning/processes/tribal/planning_modules/training_fund_module/training_fund_module.pdf

From the introduction: The goal of this module is to identify funding programs and strategies that will assist Tribal governments with their transportation planning. The module should be used as a reference guide. It contains detailed information on thirty-six (36) federal funding programs and the eligibility criteria for each.

Developing a Long-Range Transportation Plan, *Transportation Decisionmaking: Information Tools for Tribal Governments*, Federal Highway Administration, 2005.
https://www.fhwa.dot.gov/planning/processes/tribal/planning_modules/lrtp/training_lrtp_module.pdf

From the introduction: The goal of this document is to provide a tool to assist Tribal Governments in developing a Long-Range Transportation Plan. The Transportation Decision Making: Information Tools for Tribal Governments series contains modules that cover different aspects of transportation planning. All modules identify linkage points between Indian Reservation Roads (IRR) transportation planning and the Statewide and metropolitan planning process. The intention of this series is to provide an overview of fundamental and conceptual techniques as well as notable practices.

Opportunities Exist to Strengthen FHWA's Coordination, Guidance and Oversight of the Tribal Transportation Program, Audit Report, Office of Inspector General, Federal Highway Administration, October 2013.

<https://www.oig.dot.gov/sites/default/files/FHWA%20Tribal%20Transportation%20Program%20Oversight%20Report%5E10-30-13.pdf>

This report presents results of an audit conducted to assess whether FHWA's Office of Federal Lands Highway (FLH) "is (1) effectively coordinating with BIA to administer and manage the TTP [Tribal Transportation Program] and (2) providing adequate oversight of TTP projects under agreements with tribes." The report provides the following recommendations (page 11 of the report, page 12 of the PDF):

1. Coordinate with BIA to update the Memorandum of Agreement and Stewardship Plan to reflect FLH's role to directly assist tribes, and define coordination between FLH and BIA regional offices.
2. Create a centralized database to capture financial and status information for tribal transportation projects.
3. Develop a process that ensures sufficient consultation with BIA for tribes transitioning to FLH, and requires FLH to consistently assess tribal capabilities and associated risks in administering transportation programs.
4. Develop a process that ensures consistent and comprehensive reviews of tribal projects, including a standard site visit checklist of key risk areas for the tribes.
5. Coordinate with BIA to revise the TTP regulation to reflect FLH's role to directly assist tribes and clarify the requirements for allowable uses of funds.
6. Design a series of remedial actions that FLH officials can take for tribes not meeting program requirements.
7. Revise Tribal Transportation Improvement Program guidance to ensure consistent definitions of key terminology, particularly financial constraint, and require tribes to provide more detailed information on project scope and funding sources.

Successful Practices for Effective Tribal Consultation, The Louis Berger Group, Inc., NCHRP Project 25-25/Task 79, September 2013.

[http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP25-25\(79\)_FR.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP25-25(79)_FR.pdf)

From the abstract: The principal objective of this research was to learn what works best in sustaining successful tribal consultation programs for surface transportation projects as driven by Section 106 of the National Historic Preservation Act.

The Louis Berger Group, Inc. (Louis Berger) identified existing programs that best exemplify successful and effective consultation and then analyzed them more closely to identify the guiding principles and practices most responsible for the programs' success. This study also identified common elements in working assumptions and activities that seem to make the greatest difference, and highlights those elements for other programs to consider adopting.

As this study used an interview process, data regarding non-Section 106 tribal consultation activities also became available. Therefore this study combines successful practices used in other surface transportation planning contexts while maintaining the focus on tribal consultation relevant to Section 106.

TCRP Report 154: Developing, Enhancing and Sustaining Tribal Transit Services: A Guidebook, Albert T. Stoddard III, David Sampson, Jill Cahoon, Ronald Hall, Peter Schauer, Valerie J. Southern and Tangerine Almeida, 2012.

Publication available at <http://www.trb.org/Publications/Blurbs/166797.aspx> (also available at https://www.wsdot.wa.gov/sites/default/files/2006/03/08/TCRP_TribalTransitServicesGuidebook_154.pdf)

From the foreword: TCRP Report 154: Developing, Enhancing, and Sustaining Tribal Transit Services: A Guidebook provides an overview of the tribal transit planning process and detailed guidance about the various steps for planning and implementing a tribal transit system. The steps that are described may be used for planning a new transit system, enhancing an existing service, or taking action to sustain services. While the guidebook is primarily aimed at tribal transit planners, it will also be of interest to tribal transportation planners and liaisons at all levels of government.

NCHRP Report 690: A Guidebook for Successful Communication, Cooperation and Coordination Strategies Between Transportation Agencies and Tribal Communities, Giovanni C. Migliaccio, Geri Knoebel, Rebecca Martinez, Dexter Albert and Jason Hurd, 2011.

Publication available at <http://www.trb.org/Main/Blurbs/165472.aspx>

From the abstract:

This report provides guidelines to help departments of transportation and tribal communities work together to achieve successful transportation projects on tribal lands. It addresses a wide range of issues and topics that must be considered and presents a flexible approach that can be adapted to most situations. After conducting extensive interviews, workshops, and a Delphi survey, the research team identified successful practices and developed structured case studies to illustrate the most successful practices. This Guidebook will provide considerable value to all agency staff and tribal communities involved in the planning, design, construction, and maintenance of transportation projects on tribal lands.

The final report documenting the project that led to development of NCHRP Report 690 was published as NCHRP Web-Only Document 171; see below:

Identification of Results-Oriented Public Involvement Strategies Between Transportation Agencies and Native American Tribal Communities, Giovanni C. Migliaccio, Geri Knoebel and Rebecca M. Martinez, NCHRP Web-Only Document 171, November 2010.

Publication available at <http://www.trb.org/Main/Blurbs/165473.aspx>

From the abstract: Three key aspects necessary to ensure a successful project environment are communication, coordination and cooperation (3Cs) between stakeholders.

Incorporating these aspects into implementation strategies is paramount to facilitate transportation project delivery and relationships among stakeholders. This report

summarizes results from a study on collaborative efforts between transportation agencies and tribal nations within the United States. Several methods were used in this study, including qualitative content analysis, workshops, interviews and a Delphi study. Findings include a list of issues that are encountered on projects affecting tribal communities, and a set of 3Cs practices, which have been utilized to establish a collaborative environment. The study has implications for the transportation community because the singularity of the relationship between federal, state, local and tribal stakeholders significantly affects several aspects of a transportation project delivery, including planning, design, construction, and operations.

NCHRP Synthesis 366: Tribal Transportation Programs, Stuart Meck, Rebecca Retzlaff and Jim Schwab, 2007.

Publication available at <http://www.trb.org/Publications/Blurbs/158883.aspx> (also available at <https://www.wsdot.wa.gov/sites/default/files/2006/03/08/TribalNCHRPSynthesis367.pdf>)

From the preface: This synthesis provides information that will prove useful to tribal governments, and state, local and federal agencies, in determining the state of tribal transportation programs, and the steps needed to assist tribes in developing the capacity to effectively perform and manage transportation-related functions. The study identifies innovations and model practices among tribal transportation programs. It summarizes the history and legal and administrative evolution of tribal transportation programs within the larger context of issues of tribal sovereignty and relationships with federal, state, and local governments, and local and regional planning agencies.

State Research and Resources

Publications and web resources from the following states are highlighted below:

- Arizona.
- California.
- Michigan.
- Nevada.
- New Mexico.
- Washington.

Arizona

The Role of Tribes in Arizona Transportation Decision Making (2012-2015), Peggy Fiandaca and Audra Koester Thomas, Arizona Department of Transportation, November 2017. https://apps.azdot.gov/ADOTLibrary/publications/project_reports/pdf/SPR718.pdf

From the abstract:

In 2011, the Arizona Department of Transportation (ADOT) initiated a study to investigate the role of Native American tribal governments in selecting and funding multimodal transportation projects. Researchers interviewed tribal representatives as well as local, state and regional stakeholders in Arizona about multimodal transportation planning and funding practices involving tribal lands. To supplement these findings, researchers conducted a set of interviews with transportation and tribal representatives from six other states: California, Minnesota, Montana, New Mexico, South Dakota and Washington. Researchers evaluated the practices and policies of these states to better understand their successes and challenges with multimodal transportation planning and programming on tribal lands. (Note that in the time since that research, 2012-2015, ADOT has undergone significant reorganization. This report presents information that was applicable at the time. Other agencies, legislation and regulations may have significantly altered since 2015 as well.)

A discussion of challenges and opportunities begins on page 126 of the report (page 140 of the PDF). The authors noted that challenges associated with completing transportation projects on tribal lands in Arizona were similar to those encountered by the DOTs surveyed for this research, and cited the following strategies for addressing them:

Process

- Develop a more integrated approach (corridor sketch planning) to transportation planning and programming (Washington State DOT).
- Establish a better connection between conversations and decision-making about funding, programming and policy (Caltrans).
- Develop needed data and build capacity for data monitoring (Caltrans).

Agency-Tribal Relations

- Issue an executive order (policy) and ensure a commitment from top DOT leadership to implement projects. Policies should include deliverables, timetables, milestones and accountability (Minnesota DOT).
- Increase tribal participation in RTPOs and MPOs (New Mexico DOT).
- Establish active tribal involvement at the district level (Montana DOT).
- Encourage the tribes to host state transportation commission meetings (New Mexico DOT).
- Develop a comprehensive tribal natural resources directory of all contacts (Minnesota DOT).

Training

- Conduct a biennial tribal transportation conference to provide the tribes with training and technical assistance to become more competitive in the funding process (Washington State DOT).
- Offer ongoing training about working with the tribes (South Dakota DOT).
- Provide training from project concept to completion (New Mexico DOT).
- Conduct an annual tribal transportation safety summit (South Dakota DOT).

Policy Manuals and Guidelines

- Develop and maintain a consultation best practices manual that can be used for RTPO and MPO consultation efforts. Guidelines should include tribal requirements, bylaw changes, tribal participation on boards and committees, and frequently asked questions (Washington State DOT).
- Develop a tribal communications manual that outlines protocol and procedures (Minnesota DOT).
- Develop and maintain an up-to-date tribal transportation guide (Caltrans).
- Develop and maintain an up-to-date tribal environmental manual (Caltrans).

Transportation Consultation with Rural Officials, Arizona Department of Transportation, July 2015.

<https://www.azdot.gov/docs/default-source/rural-public-transportation-program/tcropolicyupdate.pdf?sfvrsn=4>

From the executive summary: The Arizona Department of Transportation (ADOT) is the primary decision maker for federal-aid transportation plans and investments in non-metropolitan areas with populations below 50,000. However, ADOT understands the importance of consulting with local governments before, during, and after the decision-making process to ensure participation results in improved transportation system planning, performance and project development. Therefore, ADOT has developed guidelines that outline the consultation process, and defines how and when outreach will occur with officials from rural areas.

ADOT Transportation Planning and Programming Guidebook for Tribal Governments, Arizona Department of Transportation, January 2012.

http://www.aztribaltransportation.org/PDF/Transportation_Planning_Programming_Gdbk_Tribal_Govts.pdf

From the introduction: The purpose of this guidebook is to serve as a reference tool to provide tribal governments and tribal planning departments assistance in understanding the Arizona Department of Transportation (ADOT) transportation planning and programming processes and how to work with ADOT to receive positive benefits. Specifically, this guidebook discusses the ADOT statewide, regional and rural area transportation planning process. It also explains the ADOT priority programming process. Lastly, it identifies funding sources that can assist with addressing capital improvements and other needs on the tribal transportation system.

California

Interagency Technical Working Group on Tribal Transportation Issues, San Diego Association of Governments, undated.

<http://www.sandag.org/index.asp?committeeid=84&fuseaction=committees.detail>

From the web site: The purpose of the Interagency Technical Working Group on Tribal Transportation Issues is to serve as a forum for regional tribal governments to discuss and coordinate transportation issues of mutual concern with the various public planning agencies in the region, including SANDAG [San Diego Association of Governments], Caltrans, the County of San Diego and the transit operators.

The Working Group will monitor and provide input on the implementation of the strategies and planning activities related to transportation mutually developed through the San Diego Regional Tribal Summit.

Membership consists of representatives from each of the federally-recognized tribal governments and California tribes in the San Diego region, as well as advisory members from the staff of SANDAG, Caltrans, the County of San Diego, Reservation Transportation Authority, Bureau of Indian Affairs, and the transit agencies.

Tribal Corridor Management Planning: Model, Case Study and Guide for Caltrans District 1, Joy K. Adams and Mary Scoggin, California Department of Transportation, June 2011.

http://transweb.sjsu.edu/PDFs/research/2604-Tribal_Corridor_Management_Planning.pdf

From the abstract: In Northern California, tribal governments and personnel of the California Department of Transportation (Caltrans) District 1 have applied innovative context-sensitive solutions to meet a variety of transportation challenges along state highways that traverse tribal

lands. This report describes and discusses the efforts under way and offers suggestions for continuing and extending these initiatives through the development of Tribal Corridor Management Plans (TCMPs). While Caltrans District 1 staff and tribal governments share common goals for highway operations, progress has been somewhat hampered by geographic and administrative challenges. Early and frequent communication and collaboration could overcome these obstacles. Non-standard design elements could be incorporated into highway improvements to enhance local sense of place among both residents and travelers. This report should prove instructive for any efforts to enhance sense of place within transportation byways, particularly in Native communities.

Michigan

Tribal Government and Transportation, Michigan Department of Transportation, 2018.
http://www.michigan.gov/mdot/0,1607,7-151-9625_55003---,00.html

From the web page: The Michigan Department of Transportation (MDOT) has ongoing government-to-government communication with 12 federally recognized sovereign Tribal governments whose lands are situated within Michigan. MDOT has a Tribal Affairs Coordinator whose primary role is to serve as a point of contact for Tribal governments and to facilitate communication and problem resolution on transportation-related topics.

Nevada

Transportation Planning: Metropolitan, Non Metropolitan and Tribal Consultation and STIP Development Process, Nevada Department of Transportation, March 2016.
<https://www.nevadadot.com/home/showdocument?id=3430>

From the purpose statement: This document outlines plans to provide for ongoing consultations during transportation planning and programming activities including the development of the Statewide Long-Range Transportation Plan, the Transportation System Projects (TSP) document which includes the State Transportation Improvement Plan (STIP) and the Work Program.

New Mexico

Tribal/Local Public Agency Handbook, New Mexico Department of Transportation, 2014.
http://dot.state.nm.us/content/dam/nmdot/Local_Government_Agreement_Unit/TLGA_HANDBOOK.pdf

From the introduction: The Tribal/Local Public Agency (T/LPA) Handbook is published by the New Mexico Department of Transportation (NMDOT). This handbook provides guidance to Tribal and Local Public Agencies working to develop and construct highway, street, road, and other multi modal transportation related projects, funded by the NMDOT with federal and/or state funds.

Washington

Tribal Transportation Planning Guide for Washington State, Washington State Department of Transportation and The Tribal Transportation Planning Organization, 2009.
<https://www.wsdot.wa.gov/NR/rdonlyres/D9668173-F25F-448B-B571-57EB32122036/0/TribalTransportationPlanningGuideforWashingtonState.pdf>

From the executive summary: [T]his new “Guide” continues to chronicle the transportation programs, accomplishments and collaboration of tribes and the state. It is designed as a resource for tribes, WSDOT and all parties to advance transportation programs and services

and meet critical transportation needs. The initial guide was published at the request of the tribes as an outcome of the first state/tribal transportation conference in 1993.

Tribal Transportation Planning Organization Project and Planning Resources Matrix, Washington State Department of Transportation, 2009.

<https://www.wsdot.wa.gov/sites/default/files/2006/03/08/TTPOProjectPlanningResourcesMatrix.pdf>

Though somewhat dated, this matrix provides an example of how information about planning-related programs can be presented. The matrix includes program names and identifies the lead agency for each program, the type of resource (grant, loan, technical assistance), eligible projects and application due dates.

Executive Summary: Tribal Transportation Database Project, Washington State Department of Transportation, March 2006.

<https://www.wsdot.wa.gov/sites/default/files/2006/03/08/Vol1ExecutiveSummary.pdf>

From the executive summary: The Washington State Department of Transportation (WSDOT) initiated the Tribal Transportation Database Project in February 2005. The purpose is to document the transportation needs and road systems of the 29 federally recognized Indian Tribes in Washington State. The resulting information will assist WSDOT, the Tribal governments and the state Tribal Transportation Planning Organization in planning the future statewide system and designing the policies and programs that govern it.

Project Objectives. The objectives of the project are to:

- Document the name, ownership, location, length, condition and other features of each road providing service to Indian reservations.
- Specify whether these roads lie within or outside the physical borders of a reservation.
- Identify and quantify, with costs if possible, the transportation needs of the Tribes.

Other Research and Resources

Research in Progress: Safety Equity and Transportation in Tribal Communities— Navigating Collaborative Approaches and Indigenous Partnerships, Center for Safety Equity in Transportation (CSET), (University Transportation Center), start date: September 2017; expected completion date: August 2018.

Project description at <http://trid.trb.org/view/1490930>

From the project description: The power of community-engaged research lies in the opportunity to listen, learn and develop sustainable/resilient co-authored products that have the potential of greatly impacting the quality of the environmental and quality of life for the communities served. These types of engagements succinctly reveal gaps, inequities and potentials that often are not reported or misunderstood. This proposed research aims to identify effective approaches for community engagement and foster relationships that lead to revealing these inequities in the transportation safety equity paradigm relative to specific tribal communities. This project will strategically build and sustain outreach with and into three tribal communities (Nez Perce, Coeur d'Alene and [Kalispel]) with whom the University of Idaho has memorandum of understandings for the first year of the five year CSET duration. The research team will: 1) effectively engage relevant parties needed for larger research efforts; 2) better evaluate what work has been done and the effectiveness of existing programs; 3) establish a baseline understanding using existing and relevant data to inform and evaluate CSET safety efforts; and 4) utilize data generated for targeted projects in future grant years.

“Safe Journeys: Improving the Role of Tribal Communities in the Development of Transportation Facilities in Indian Country,” Raquelle Myers and Cindi Ptak, *TR News*, No. 294, pages 3-4, September-October 2014.

Citation at <https://trid.trb.org/View/1330879>

From the abstract: Solving the transportation issues that confront tribal communities requires interjurisdictional collaboration between tribes and state and federal agencies. This article serves as an introduction to this issue of *TR News*, which includes articles that address the steep learning curve for understanding tribal sovereignty and the legal and political relationships affecting transportation in tribal lands.

Note: See <http://onlinepubs.trb.org/onlinepubs/trnews/trnews294.pdf> for access to the full issue of *TR News* (Transportation in Tribal Lands: Challenges and Initiatives).

“Use of Intergovernmental Networks for Establishing a Collaborative Environment in Tribal Transportation Initiatives: Best Practices,” Rebecca Martinez, *Transportation Research Record* 2174, pages 77-83, 2010.

Citation at <http://trjournalonline.trb.org/doi/10.3141/2174-11>

From the abstract: The transportation project environment is complex as project stakeholders most often represent multiple governments because transportation systems are owned and operated by local, state, federal, and tribal governments. Surface transportation projects concerning tribal communities introduce additional complexity to the project environment as an additional layer of institutional relationships and protocols must be recognized. To achieve success on complex transportation projects, a collaborative environment must be established among project stakeholders. One strategy is to use intergovernmental networks for transportation planning and programming to address complex issues within the intergovernmental framework. These intergovernmental networks have been used in states across the nation, and specific cases that resulted from such networks have been documented. This paper investigates the intergovernmental network as a tool for creating a collaborative environment among project stakeholders. The paper also presents best practices by profiling states that have utilized intergovernmental networks for transportation planning as well as success stories resulting from intergovernmental utilization in each state.

“Review of Strategies for Enabling Collaboration Between Transportation Agencies and Native American Tribes,” Rebecca Martinez, Giovanni Migliaccio, Dexter Albert and Terry Holley, *Transportation Research Record* 2119, pages 113-119, 2009.

Citation at <http://trjournalonline.trb.org/doi/10.3141/2119-14>

From the abstract: As traffic volumes increase across the nation, transportation projects also increase. With that increase comes the responsibility of expanding the current roadway system while protecting the social and cultural values of each community affected by such expansion. One of the greatest concerns in social and cultural preservation comes from tribal entities. The necessity of advancing the transportation network while ensuring agreement with tribal governments on transportation projects has proved difficult, as recurring issues can lead to difficulty in project execution. However, several transportation agencies have overcome geographical, political, institutional, and cultural barriers to provide transportation networks crossing tribal lands. Across the transportation sector, steps have been taken to alleviate common issues on such projects in the form of programs for the establishment of government-to-government relationships and the implementation of projects. Government-to-government relationships are crucial for the success of transportation improvements, whether state or tribal. Cooperation on transportation issues is affected by complex issues such as tribal sovereignty, intergovernmental agreements, jurisdiction, regional planning efforts, right-of-way acquisition, funding, and maintenance. Similarly, planning, design, and implementation of transportation

projects require collaboration among tribal, federal, and state agencies. This paper identifies and categorizes issues surrounding transportation projects affected by—or of interest to—tribal communities, and initiatives taken to alleviate issues. It also defines steps for future research in order to refine issues as they are identified in the paper and context-specific strategies implemented to alleviate each issue.

“Innovative Coordination Between States, Metropolitan Planning Organizations and Tribes in Transportation Planning,” Helena Fu, Robin Mayhew, Linda Bailey and Lillian Shoup, *Transportation Research Record* 1997, pages 41-47, 2007.

Citation at <http://trrjournalonline.trb.org/doi/10.3141/1997-06>

From the abstract: Innovative consultation practices between tribes, states, and metropolitan planning organizations (MPOs) within the transportation planning process are highlighted. The FHWA Office of Planning sponsored the development of six case studies that highlight a range of practices implemented by tribal and nontribal governments to advance tribal consultation in statewide and metropolitan transportation planning. These case studies demonstrate that effective tribal consultation results from the identification of common goals and the establishment of ongoing coordination procedures. Researchers obtained input from tribal, federal, state, and local representatives in the six cases; examined current practices and the outcomes of these approaches; and developed lessons learned. Three overarching themes emerged from the case studies: participation and support from tribes, FHWA, FTA, states and MPOs; funding and resources; and safety issues. As the foundation for effective transportation planning, participation must involve all parties. This process requires commitment and involvement by leadership, communication, and personal meetings and interviews; networking and consortia development, involvement, and representation on appropriate boards and committees; and the critical role that individuals often play in building relationships. Funding and resources also are highlighted. Innovative funding and partnership practices are crucial, as are the resources and technical assistance that states and MPOs provide. Finally, the case studies illustrate the ability to address safety issues through transportation, corridor, and crash-reporting studies and the completion of highway improvements.

Contacts

The individuals below participated in an online survey that gathered information for this Preliminary Investigation.

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Arizona

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Appendix A: Survey Questions

The following survey was distributed to tribal liaisons or other appropriate staff members from selected state departments of transportation and metropolitan planning organizations.

Description of a Successful Tribally Nominated Transportation Project

Please respond to the questions below to describe a recent tribally nominated transportation project or projects (within the last five years) that you would term a “success story.”

1. Please briefly describe the project.
2. Please briefly describe the process that led to the identification, prioritization and funding of this project.
3. What was the source(s) of funding for the project?
4. Did your agency encounter any logistical challenges during the course of selecting, funding and constructing the project (for example, the transfer of funding or the filling of data gaps)?
5. Did your agency encounter any communication challenges between your agency, the tribe or another transportation planning entity participating in project selection and funding?
6. Did the tribal community have a staff person dedicated to managing transportation projects?
7. What role did tribal members have on decision-making boards and bodies?
8. Did your agency encounter any barriers to establishing an effective partnership with the tribe?
- 8A. Please describe why and/or how your agency was able to avoid barriers to establishing an effective partnership with the tribe.
9. Please describe any effective strategies employed by the tribe, your agency or another partner that led to the success of the project.

Committee or Working Group to Advance Tribal Transportation Projects

Has your agency (or another transportation planning agency) established a committee or working group that works with tribal communities to advance the funding of tribally nominated transportation projects?

Description of Committee or Working Group

1. Who participates in the committee or working group?
2. What are the main goals of the committee or working group?
3. How often does the committee or working group meet?
4. What recommendations do you have for other agencies seeking to establish a similar committee or working group?

No Committee or Working Group

1. Has your agency considered establishing a committee or working group to address tribal participation in transportation planning?
2. How does your agency ensure that tribal needs are reflected in your state’s transportation planning and programming processes?

Planning and Programming Practices

1. How does your agency ensure that funding is available for the planning and preliminary engineering studies that are needed to advance a tribally nominated transportation project?
2. Has your agency partnered with a tribe to enhance an existing state project to meet transportation needs in tribal communities (for example, adding a sidewalk to a state road improvement project)?
3. Please describe the training your agency has provided to your tribal partners with regard to transportation planning and programming.
4. If available, please provide links to agency documents (e.g., policies, communication and consultation protocols, handbooks) that address how to include tribal communities in the transportation planning and programming processes.

Wrap-Up

Please use this space to provide any comments or additional information about your answers above.