The Role of Arizona Tribes in Transportation Decision Making

NTTICC Big Sky, MT
Wednesday, September 18, 2019
Workshop 3: Planning / 8:30 AM – 10:00 AM
Topics

- Research as a resource
- Background of research, SPR 718
- Methodology and report
- Opportunities
Research Opportunities

• Funding is provided for SPR by a 2% set-aside from each State's apportionments of four programs: the National Highway Performance Program (NHPP); the Surface Transportation Program (STP); the Highway Safety Improvement Program (HSIP); and the Congestion Mitigation Air Quality Improvement Program (CMAQ) Program.

• Of the funds that are set aside, a minimum of 25% must be used for research purposes, unless the State certifies that more than 75% of the funds are needed for statewide and metropolitan planning and the Secretary accepts such certification.

• SPR Funds, Part B, Research
  – 25% of State Planning funds = Approx. $1.8 million for AZ research projects
Background

- 22 Tribes in AZ
- TTP Currently single major source of funding
- Tribes making own decisions
- ADOT commissioned this study
Chapter 1 - Introduction

• What does this study include:
  – Phase One: Practices and concerns in the selection and funding of projects
  – Phase Two: Practices and policies of other states
  – Phase Three: Opportunities
• Better understanding Tribal Transportation
Chapter 2 – Tribal Transportation Planning, Funding, and Decision Making in Arizona

- Stakeholders
  - FHWA, BIA, FTA, FAA, ADOT
- MPD
- Regional Planning and Programming Agencies
- Others

Figure 2. Transportation Planning Process (FHWA and FTA 2007)
Chapter 3 – Stakeholder Perspectives on Tribal Transportation Planning, Funding, and Decision Making

Table 10. Reasons for Failure of Funding Applications, as Reported in COG/MPO Interviews (2012-2013)

<table>
<thead>
<tr>
<th>Category</th>
<th>Reason for Failed Funding Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding/project cost</td>
<td>• Applied for a larger amount than can be awarded</td>
</tr>
<tr>
<td></td>
<td>• Funding not available</td>
</tr>
<tr>
<td></td>
<td>• Project cost did not justify the stated benefit.</td>
</tr>
<tr>
<td></td>
<td>• Unable to provide matching funds</td>
</tr>
<tr>
<td>Lack of data/information</td>
<td>• Did not provide enough information in response to technical questions</td>
</tr>
<tr>
<td></td>
<td>• Lacked documentation and data</td>
</tr>
<tr>
<td></td>
<td>• Unable to conduct preliminary studies needed to justify and/or define new project (such as predesign)</td>
</tr>
<tr>
<td>Project-related issues</td>
<td>• Project not “shovel-ready”</td>
</tr>
<tr>
<td>Timing/deadlines</td>
<td>• Missed the application deadline (applied for a program, but after the deadline had passed)</td>
</tr>
<tr>
<td></td>
<td>• Unable to meet aggressive schedule or time frame requirements of the program</td>
</tr>
<tr>
<td>Responsiveness</td>
<td>• Tribe not responsive to grant requirements</td>
</tr>
<tr>
<td></td>
<td>• Performance using previous awards did not meet the awarding agency’s expectations.</td>
</tr>
</tbody>
</table>
# Chapter 4: Regional and State Stakeholder Perspectives on Consultation and Coordination Practices

## Rating ADOT

<table>
<thead>
<tr>
<th>Tribe/Community/Nation</th>
<th>Rating (1 = poor/none; 5 = excellent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hualapai Tribe</td>
<td>5</td>
</tr>
<tr>
<td>Pueblo of Zuni (e-mail)</td>
<td></td>
</tr>
<tr>
<td>Tohono O’odham Nation</td>
<td>4 to 5</td>
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<tr>
<td>Pascua Yaqui Tribe</td>
<td>4</td>
</tr>
<tr>
<td>San Carlos Apache Tribe</td>
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<tr>
<td>Fort Mojave Indian Tribe</td>
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<tr>
<td>Yavapai-Prescott Indian Tribe</td>
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<td>Gila River Indian Community</td>
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<tr>
<td>Ak-Chin Indian Community</td>
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<tr>
<td>Cocopah Indian Tribe</td>
<td></td>
</tr>
<tr>
<td>Fort McDowell Yavapai Nation</td>
<td>3</td>
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<tr>
<td>Salt River Pima-Maricopa Indian Community</td>
<td></td>
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<tr>
<td>White Mountain Apache Tribe</td>
<td></td>
</tr>
<tr>
<td>Colorado River Indian Tribes (Chemehevui, Hopi, Mohave, and Navajo)</td>
<td>2 to 2.5</td>
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<tr>
<td>Fort Yuma Quechan Tribe</td>
<td>2</td>
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<tr>
<td>Havasupai Tribe</td>
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<tr>
<td>Kaibab Band of Paiute Indians</td>
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<tr>
<td>Yavapai Apache Nation</td>
<td></td>
</tr>
<tr>
<td>Navajo Nation</td>
<td>1 to 2.5</td>
</tr>
<tr>
<td>Pueblo of Zuni (in-person)</td>
<td>1</td>
</tr>
<tr>
<td>Tonto Apache Tribe</td>
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<tr>
<td>Hopi Tribe</td>
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## Rating MPO/COGs

<table>
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<tr>
<th>Tribe/Community/Nation</th>
<th>COG/MPO</th>
<th>Rating (1 = poor/none; 5 = excellent)</th>
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<tr>
<td>Gila River Indian Community</td>
<td>MAG</td>
<td>4</td>
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<tr>
<td>Kaibab Band of Paiute Indians</td>
<td>NACOG</td>
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<tr>
<td>Pascua Yaqui Tribe</td>
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<td>San Carlos Apache Tribe</td>
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<td>Ak-Chin Indian Community</td>
<td>CAG</td>
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<td>Cocopah Indian Tribe</td>
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<td>Havasupai Tribe</td>
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<td>Salt River Pima-Maricopa Indian Community</td>
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<td>San Carlos Apache Tribe</td>
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<td>Yavapai Apache Nation</td>
<td>NACOG</td>
<td>No response</td>
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<tr>
<td>Fort Mojave Indian Tribe</td>
<td>WACOG</td>
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<tr>
<td>Navajo Nation</td>
<td>NACOG</td>
<td>0</td>
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<tr>
<td>White Mountain Apache Tribe</td>
<td>NACOG</td>
<td></td>
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<tr>
<td>Colorado River Indian Tribes (Chemehevui, Hopi, Mohave, and Navajo)</td>
<td>Not members</td>
<td>N/A</td>
</tr>
<tr>
<td>Fort Yuma Quechan Tribe</td>
<td>Not members</td>
<td></td>
</tr>
<tr>
<td>Havasupai Tribe</td>
<td>N/A</td>
<td></td>
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<td>N/A</td>
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<td></td>
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</table>
Chapter 5 – Survey of Tribal Transportation Planning Practices in Other States

• California
• Minnesota
• Montana
• New Mexico
• South Dakota
• Washington
California

- Native American Advisory Committee
- Inter-Tribal Council of California
- Southern California Tribal Chairman’s Association (SCTCA) - 19 tribes
Minnesota

- Tribal Liaison reports directly to Commission
- Advocacy Council for Tribal Transportation
- Area Transportation Partnerships
- Minnesota Indian Affairs Council
  - Annual Summit
Montana

- Montana Transportation Commission
  - One member must have tribal Cultural and transportation needs knowledge
  - Selection requires consultation with Rocky Mountain Tribal Leaders Council
New Mexico

Tribal Liaison Program
2009 State-Tribal Collaboration Act
    Annual Summit
    Annual Report
Requires State Employee Training
South Dakota

- Tribal Liaison
  - Civil Rights
  - TERO
- Travel to each of the 9 tribes, Jan – March to consult on STIP
Washington

- Tribal Transportation Planning Organization
- Washington Indian Transportation Policy Advisory Committee
- Agreements, Tribal Chairpersons signatories along with Governor
- (26 Tribes signed Centennial Accord)
Chapter 6 – Synthesis of Key Practices in Other States

• Foundation - Trust and Respect
• Federal - Designated Manager, workshops, summits, training, RSA, tool kits
• State – Agreements, Consultation policies, Tribal Policy making, summits, department executive engagement, designated Tribal Liaisons, STIP, employee training
• Regional Practices – RTA, Engineer district partnerships
Funding

- Partnerships
- Fuel tax
- Equipment rental
- Tribal dedicated funding – NM Tribal infrastructure fund
- Pooling Tribal Funds
- Lower Local Shares
Next Steps

• Current practices since study
• Evaluate what is and isn’t working
• Monitor
• Report
• Establish & institute best practices
Research Related Follow-up

• ADOT Integrating Statewide and Tribal Transportation Planning Workshop
• ADOT Tribal Transportation Consultation Online Training Course for ADOT Personnel
ARIZONA TRIBAL TRANSPORTATION

OVERVIEW

ARIZONA TRIBAL TRANSPORTATION

The Arizona Department of Transportation (ADOT) is a multimodal transportation agency that is responsible for planning, building and operating the State Highway System and support facilities for the efficient and safe movement of people and products by surface and air.

ADOT efforts to address Arizona tribal transportation is based on the following major factors:

- There are 22 federally recognized Indian Tribes, Communities and Native Nations in Arizona with tribal land encompassing approximately 27,736,000 acres or 28% of the State land base.
- There are seven Tribes located out-of-state with aboriginal and ancestral interests in Arizona.
- The State Highway System includes 6,765 centerline miles of which 1,237 traverse Tribal land.
- There are 14 Tribal airports and five Tribal public transit systems situated within Tribal communities throughout Arizona.
- Both State and Tribal governments have the common goal of providing efficient transportation systems for the safety and welfare of the traveling public.

TRIBAL TRANSPORTATION CONSULTATION IN ARIZONA

ADOT’s Tribal Consultation Policy was initially adopted on September 1, 2006 and is reviewed and updated on a regular basis. It takes into consideration a 2006 Arizona Governor's Executive Order and Federal legislative requirements for state departments of transportation to consult with Native American Tribal governments.
TRAINING

Upon completion of a course, please notify us by email including your name, agency, contact information and course taken. We would also appreciate comments about the training.

ADOT INTEGRATING STATEWIDE AND TRIBAL TRANSPORTATION PLANNING WORKSHOP CURRICULUM

Since 1997, ADOT has collaborated with tribes in Arizona to complete numerous multimodal planning studies through the ADOT Planning Assistance for Rural Areas Program. To supplement these studies, ADOT developed this interactive training workshop specifically to provide tribal personnel and lead decision-makers with easy-to-understand procedures to implement projects recommended in the 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 in which users click on interactive elements to open training modules outlining key steps and processes for implementing transportation improvement projects. A comprehensive database of funding sources that the Tribe may pursue to support the construction and ongoing maintenance of a transportation system is also included. The database includes information on project eligibility, application due dates, program contacts, and website links for more detail.

Tribal Transportation Planning Workshop Package

Download reference materials for the Integrating Statewide and Tribal Transportation Planning Workshop. Once downloaded, unzip the file and save the folder to your computer. The folder will contain the following items:

- Tribal Transportation Planning Pathway Package – This is a PDF file containing the interactive training pathway that walks users through the transportation improvement project process. The file can be viewed using Adobe Reader (a free download is available at adobe.acrobat.com).
- Tribal Funding Database – This is an MS Access file containing the database of potential transportation funding sources that is referenced in the interactive training pathway and can also be used as a standalone resource tool. When saved to your computer you can also modify the file to insert your own program updates or to add new program information.
Workshop Objectives

Integrate tribal, BIA Tribal Transportation Program and State transportation planning and programming processes into one understandable overview

Present the fundamentals of developing and implementing a transportation plan

Present the process for how to implement recommended projects from a transportation plan

Develop a resource database of transportation funding programs
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Upcoming Events

30th Annual Arizona Transit Conference
April 9-11, 2017
Phoenix Airport Marriott
Phoenix, Arizona
More information will be posted at: https://www.azta.org

Arizona Conference on Roads and Streets
April 12-14, 2017
Westin La Paloma Resort
Tucson, Arizona
For more information: http://www.acec.az/roads.php

14th Annual Construction in Indian Country National Conference
April 17-19, 2017
The Wigwam Resort
Litchfield Park, Arizona

ADOT TRIBAL TRANSPORTATION ONLINE TRAINING COURSE

This online training course and accompanying handbook were developed by ADOT in collaboration with the Inter Tribal Council of Arizona, the ASU 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. Quiz and assessment scores are not tracked by ADOT for this internet version of the online course, however, as noted above we would appreciate receiving notice of your completion of the course modules and any comments you would like to offer on the training.

Training Manual

Module 1 (GEN6009W) - Overview of National and State Tribal Demographics

Module 2 (GEN6091W) - Understanding Intergovernmental Relations with Native Nations/Tribal Governments - Federal

Module 3 (GEN6092W) - Understanding Intergovernmental Relations with Native Nations/Tribal Governments - State

Module 4 (GEN6093W) - Effective Tribal Consultation and Coordination

Module 5 (GEN6094W) - ADOT Tribal Coordination with Tribal-focused Organizations

ADDITIONAL RESOURCES

NVATP Training
LTAP Training
Native American Sacred Sites Training
Training Course Objectives

Develop an innovative online training program for ADOT employees

Emphasis on building collaborative relationships with Tribal governments

Equip ADOT personnel with the knowledge and tools to carry out Tribal transportation consultation and coordination

Develop a handbook that can be used as a stand-alone reference
ADOT Tribal Consultation Online Training
Training Course Content

Module 1 - Overview of National and State Tribal Demographics
- Overview of each of the 22 Tribes resident in Arizona and 7 Tribes with ancestral history in Arizona. Explains how ADOT works with Tribal governments on transportation activities.

Module 2 - Setting the Foundation for Understanding Intergovernmental Relations with Native Nations/Tribal Governments – Federal Level
- Traces the history of relations between the Federal and Tribal governments.

Module 3 - Setting the Foundation for Understanding Intergovernmental Relations with Native Nations/Tribal Governments – State Level
- Focuses on relationships between Arizona and Tribal governments.

Module 4 - Effective Tribal Consultation and Coordination
- Introduces the elements of effective Tribal consultation and coordination.

Module 5 - ADOT Tribal Coordination with Tribal–focused Organizations
- Provides information about organizations which have a Tribal focus and can be helpful in building successful relationships with Tribal governments.
Contact Information

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