

Government-to-Government 2017 Activity Report

Oregon Department of Transportation

Introduction

In accordance with Oregon Revised Statute 182.166, the Oregon Department of Transportation (ODOT) submits this report to Governor Kate Brown and the Legislative Commission on Indian Services. This report identifies the ODOT divisions, regions, and individuals responsible for developing and implementing programs that affect the nine federally recognized tribal governments in Oregon. The information in this report was provided by each of the ODOT divisions and regions and was compiled by ODOT's Director's Office.

In accordance with Oregon Revised Statute 182.164, ODOT has adopted an official policy statement guiding the department's interactions with tribal governments. ODOT Policy INT 13 was most recently revised on July 11, 2016. This policy states:

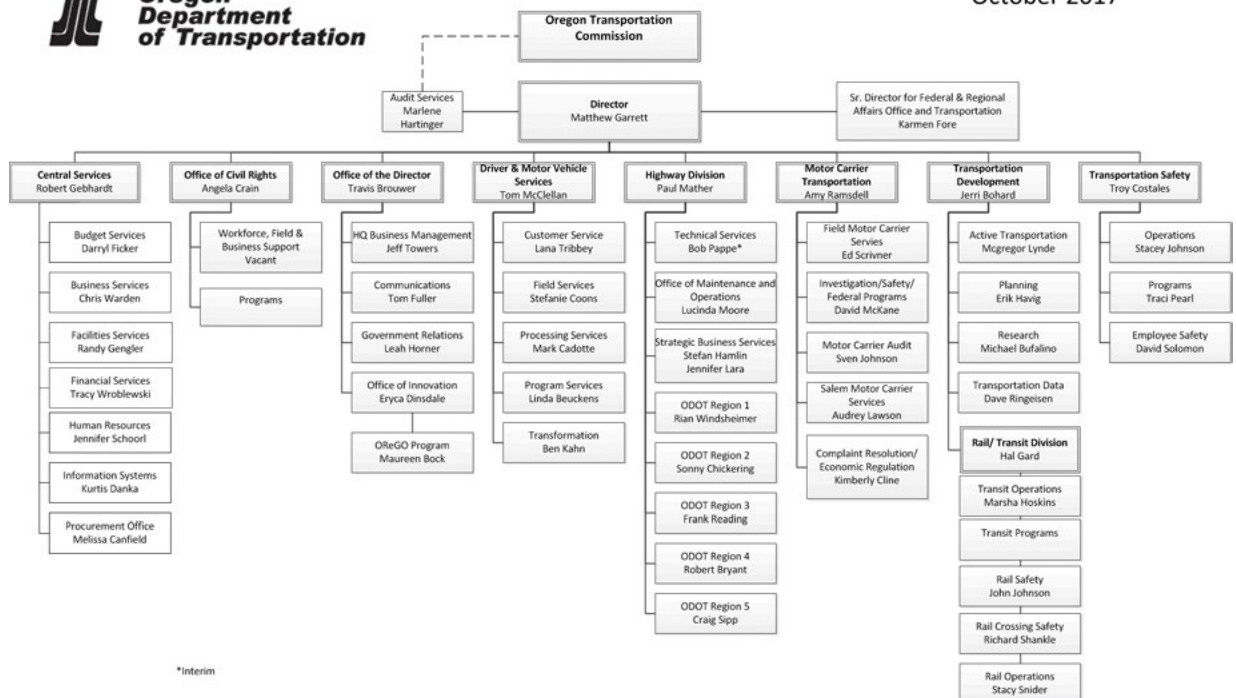
It is the policy of the Department, pursuant to ORS 182.162 et. seq., to promote and enhance government-to-government relations between the Department and the federally-recognized American Indian Tribes in Oregon through programs that include tribes in the development and implementation of transportation projects and other activities which may affect tribal lands, resources, or interests.

ODOT's mission is to provide a safe, efficient transportation system that supports economic opportunity and livable communities for Oregonians. To accomplish this mission, ODOT is organized into nine divisions under the overall direction of agency Director Matthew Garrett. Each of these divisions has varying degrees of tribal interaction and involvement, which will be discussed individually in the proceeding report.

ORGANIZATION CHART



October 2017



*Interim

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Director's Office

About

ODOT Director Matthew Garrett and his staff oversee the management of the department from the headquarters office on the Oregon State Capitol Mall in Salem. Located within the Director's Office are the Government Relations Section, the Communications Section, the Ask ODOT Citizen's Representative Office, and the support staff for the Oregon Transportation Commission.

Government Relations

The majority of Director's Office tribal interactions occur through the Government Relations Section. This section works to guide ODOT's participation in state and federal legislative efforts and to build intergovernmental relationships with tribes to advance the agency's mission.

ODOT's tribal liaison function is housed in the agency's Government Relations Section and is administered by Trevor Sleeman (see contact info above). The tribal liaison serves as the central point of contact at ODOT for tribal governments looking to access ODOT's programs, services, and personnel. ODOT's tribal liaison works centrally to promote communication and positive government-to-government relationships with each of Oregon's tribes. The tribal liaison also works internally with ODOT staff statewide to ensure tribal governments are appropriately involved in the agency's business. While ODOT's regional staff frequently engage with tribes on local operational issues like winter maintenance or vegetation management, the tribal liaison interacts with tribal governments on broader policy matters. This can involve a number of issues ranging from tribal employment rights to broader statewide

policy initiatives. In addition to this direct policy work with tribes, the tribal liaison also participates in meetings of the Legislative Commission on Indian Services clusters on cultural resources, natural resources, and economic development. The tribal liaison also disseminates to tribes information regarding state and federal grant programs and provides regular updates to agency management regarding issues of interest to tribal governments.

Government relations interactions with tribal governments in 2017:

- **February 9:** Tribal Liaison participated in Tribal Governments Day events at the Oregon State Capitol.
- **February 14:** ODOT Director, Civil Rights Manager, and Tribal Liaison traveled to Grand Ronde to meet with the Tribal Council of the Confederated Tribes of Grand Ronde to discuss tribal employment rights.
- **April 24:** ODOT Tribal Liaison attended the LCIS Natural Resources Working Group meeting.
- **May 8:** ODOT Tribal Liaison attended a peer exchange meeting with other state agency tribal liaisons.
- **May 23:** ODOT Tribal Liaison participated in a meeting with the Confederated Tribes of Grand Ronde regarding weight-mile taxation.
- **May 25:** ODOT Tribal Liaison traveled to Siletz for an annual consultation meeting with cultural resources staff of the Confederated Tribes of Siletz Indians
- **May 26:** ODOT Tribal Liaison participated in the LCIS Economic Development Cluster meeting.

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- **August 24:** ODOT Tribal Liaison traveled to Warm Springs to meet with representatives of the Confederated Tribes of Warm Springs regarding a fuels tax refund agreement.
- **September 12:** ODOT Tribal Liaison participated in the LCIS Cultural Resources Cluster meeting.
- **October 20:** ODOT Tribal Liaison began the Certificate in Tribal Relations training program at Portland State University’s Center for Public Service.
- **November 1:** ODOT Tribal Liaison and approximately 15 other agency staff members participated in the LCIS Annual Fall Gathering training session in Lincoln City.
- **November 2:** ODOT Director, Tribal Liaison, and five other agency staff members participated in the LCIS Annual State-Tribal Summit in Lincoln City.
- **November 7:** ODOT Tribal Liaison traveled to Grand Ronde for a regular consultation meeting with cultural resources staff of the Confederated Tribes of Grand Ronde.
- **November 21:** ODOT Tribal Liaison and cultural resources staff traveled to the Umatilla Indian Reservation to meet with cultural resources staff and the Cultural Resources Committee of the Confederated Tribes of the Umatilla Indian Reservation.

Area Commissions on Transportation

The Oregon Transportation Commission, ODOT’s governor-appointed oversight body, is supported by staff in ODOT’s Director’s Office. In 1996, the Oregon Transportation Commission authorized the creation of regionally based transportation advisory commissions known as Area Commissions on Transportation to expand opportunities for local citizen involvement in ODOT’s decision-making. Area commissions address transportation issues broadly with primary focus on the state transportation system. Area commissions consider regional and local transportation

issues that affect the state system, and they work with other local organizations dealing with transportation-related issues.

Area commissions play a key role in developing the Statewide Transportation Improvement Program, ODOT’s four-year transportation capital improvement plan. Through an in-depth public process, and following adopted project eligibility criteria, area commissions meet regularly to prioritize transportation problems and solutions and to recommend projects in their area for inclusion in the Statewide Transportation Improvement Program.

Area Commissions on Transportation

All areas of the state are represented by area commissions. All nine federally recognized tribes are voting members on at least one area commission.

Current listing of area commissions:

Northwest Oregon Area Commission on Transportation

No current tribal representation

Mid-Willamette Valley Area Commission on Transportation:

Confederated Tribes of Grand Ronde

Cascades West Area Commission on Transportation:

Confederated Tribes of Siletz Indians

South West Oregon Area Commission on Transportation

Coquille Indian Tribe

Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians

Cow Creek Band of Umpqua Tribe of Indians

Rogue Valley Area Commission on Transportation

Cow Creek Band of Umpqua Tribe of Indians

AREA COMMISSIONS ON TRANSPORTATION

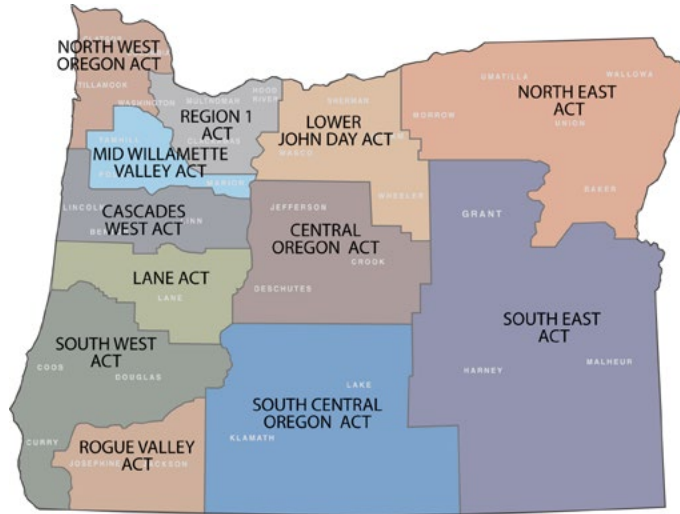
Lower John Day Area Commission on Transportation
Confederated Tribes of Warm Springs

Central Oregon Area Commission on Transportation
Confederated Tribes of Warm Springs

South Central Oregon Area Commission on Transportation
The Klamath Tribes

North East Area Commission on Transportation
Confederated Tribes of the Umatilla Indian Reservation

South East Area Commission on Transportation
Burns Paiute Tribe



Lane Area Commission on Transportation
Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians

Region 1 Area Commission on Transportation
No current tribal representation

Office of Civil Rights

About

The Office of Civil Rights manages ODOT’s implementation of federal and state programs that provide equal access to services and economic opportunities for all. All five ODOT regions are required by the Federal Highway Administration to house an Office of Civil Rights Field Coordinator who works at the regional level to carry forward the Office of Civil Rights’ mission, values, and program information.

The Office of Civil Rights has several programs that affect the nine federally-recognized tribes, and individual Tribal members in Oregon. These programs include:

- Tribal Employment Rights Ordinance

Memorandum of Understanding agreements

- Workforce Development, Equal Employment Opportunity, On-The-Job Training Programs
- Disadvantaged Business Enterprises Program
- Emerging Small Business Program
- Small Contracting Program
- Title VI Program

Interactions with Tribes

Tribal Employment Rights

The most typical area of tribal interaction is through the implementation of the current memoranda of understanding ODOT has with the Confederated Tribes of the Umatilla Indian Reservation, the Confederated

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Tribes of Grand Ronde and the Confederated Tribes of Warm Springs to implement the “Indian hiring preference” provision in federal law.

The United States Code, Title 23, Section 140 (“Indian Employment and Contracting”) established preferential employment of Indians living on or near a reservation on federally funded construction projects and contracts on Indian reservation roads. This section of US Code also states that, “States may implement a preference for employment of Indians on projects carried out under this title near Indian reservations.”

ODOT’s Office of Civil Rights is identified as the State Liaison for the Tribal Employment Rights Office Memorandum of Understanding agreements with the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Grand Ronde and the Confederated Tribes of Warm Springs. These signed agreements ensure that the Tribal Employment Rights Ordinance and the “Indian hiring preference” provisions of United States Code are followed for all federally funded construction projects either on the reservation, or near the reservation. For each construction project subject to the agreement, hiring goals and compliance fees are coordinated between the Tribal Employment Rights Office and ODOT regional offices. Construction projects that are subject to Indian hiring preference provisions allow these tribes the ability to set hiring goals for a tribal workforce as well as to collect fees for working within their recognized boundaries.

Workforce Development Program

ODOT and the Oregon Bureau of Labor and Industries are committed to assisting construction contractors in the highway construction trades. ODOT’s goal in creating the Workforce Development program was to find, train, and employ a diverse, skilled workforce that is prepared to meet upcoming construction demands. This program is designed to expand diversity in employment, increase apprenticeship

participation, and increase training resources and opportunities for highway construction jobs throughout Oregon. This program provides pre-apprenticeship classes to help diverse applicants develop the skills and knowledge they need to become qualified apprentices.

The Workforce Development Program, Equal Employment Opportunity, and On-the-Job Training programs directly impact individual tribal members as tribal apprentices are utilized through On-the-Job Training opportunities on ODOT projects. This program also offers supportive services to diverse apprentices. Supportive services include: Transportation – Travel assistance, Lodging/Per-Diem (meals-incidentals), Child Care Support, Tools and Job Related Supplies and Retention Services. The purpose of these supportive services is to keep apprentices in their programs so they will finish their programs and journey out.

Equal Employment Opportunity

This program is a federally required affirmative action program that must be implemented by contractors and subcontractors with contracts and subcontracts of \$10,000 and more on all federally-funded construction projects. Under this program, all affected contractors are required to provide equal employment opportunities to presumed socially and economically disadvantaged groups. The program sets goals for minority and female participation, which are expressed in terms of the contractor’s aggregate workforce in each trade on all construction work in a covered area.

Disadvantaged Business Program

A Disadvantaged Business Enterprise firm includes small businesses that are at least 51% owned by: women, minorities (African Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans and Subcontinent Asian Americans). Firms are required to be a certified Disadvantaged Business Enterprise to participate in the Disadvantaged Business Enterprise Program. The U.S. Department of

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Transportation establishes criteria for certification that applies to Disadvantaged Business Enterprise-eligible firms seeking contracts funded with federal transportation related money. ODOT's Regional Field Coordinators provide outreach to known Native American-owned business to provide information on how to seek certification.

Emerging Small Business Program

The mission of the Emerging Small Business Program is to create new and innovative contracting opportunities for Oregon's small business community. The program also strives to assist emerging small businesses in overcoming barriers to participating in the state's extensive public contracting procurement programs. Regional Field Coordinators provide outreach to known Native American-owned business to provide information on how to seek certification.

Small Contracting Program

The primary goal of the Small Contracting Program is to provide a contracting mechanism for outreach to business entities. The Small Contracting Program is a means for building effective working relationships with knowledge and experience working as a prime contractor on an ODOT project. In addition to this goal, ODOT staff provides a mentor relationship with these firms to help them develop the skills required to be successful in contracting. Regional Field Coordinators provide outreach to known Native American-owned firms which can benefit from registering their business with the program.

Title VI Program

The Title VI Program was implemented to address nondiscrimination laws that impact transportation investment decision making. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, national origin, gender, age, and disability in the ODOT's programs, activities and services. The purpose of the Title VI is to ensure that public funds are not spent in

a way that encourages, subsidizes, or results in discrimination. The Office of Civil Rights Intermodal Manager has regular contact with seven of the nine federally-recognized tribes to assist with the development and collection of transit related Title VI plans and semi-annual Disadvantaged Business Enterprise usage reports.

Specific Interactions in 2017

- **February 9:** ODOT staff participated in the winter quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of the Umatilla Indian Reservation in Pendleton.
- **February 23:** Office of Civil Rights Management & regional staff participated and provided technical assistance and guidance at the winter quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of Grand Ronde.
- **March 2:** Memorandum of Understanding between the Oregon Department of Transportation and The Confederated Tribes of Warm Springs signed.
- **March 14:** Office of Civil Rights presented Tribal Employment Rights Ordinance at ODOT's annual Contract Administration training. The training is designed for private sector contractors and their contract administration staff.
- **March 15:** Office of Civil Rights Manager and Office of Civil Rights regional staff from Region 1 and Region 2 participated in the annual meeting between ODOT and the Confederated Tribes of Grand Ronde to discuss federally funded construction projects subject to the Tribal Employment Rights Ordinance, workforce, apprenticeship, and training.
- **March 20:** Office of Civil Rights Manager and staff, and ODOT Region 1, 2 and 4 staff participated in the first meeting between ODOT and the Confederated Tribes of Warm Springs to discuss federally funded projects that will be subject to Tribal Employment Rights Ordinance, workforce, apprenticeship and training.

- **April 5:** Office of Civil Rights Manager and staff, and ODOT Region 1, 2 and 4 staff participated in a follow-up meeting between ODOT and the Confederated Tribes of Warm Springs to discuss federally funded projects that will be subject to Tribal Employment Rights Ordinance, TERO goals, workforce, apprenticeship and training.
- **April 13:** Office of Civil Rights management and regional staff participated and provided technical assistance and guidance at the spring quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of Grand Ronde.
- **April 15:** Office of Civil Rights Manager and staff participated in the annual meeting between ODOT and the Confederated Tribes of the Umatilla Indian Reservation to discuss federally funded projects that will be subject to Tribal Employment Rights Ordinance, workforce, apprenticeship and training. The meeting took place at the Nixyaawii Tribal Governance Center in Mission, Oregon.
- **April 26:** Office of Civil Rights Manager and staff participated in a follow-up meeting between ODOT and the Confederated Tribes of Warm Springs to discuss TERO Goals and reporting requirements.
- **May 11:** Office of Civil Rights Manager participated in the Spring 2017 quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of the Umatilla Indian Reservation in Pendleton.
- **June 8:** Ontario office staff participated in a TERO 101 training presented by TERO Compliance Officer Damon McKay.
- **June 27:** Region 5 Civil Rights Field Coordinator attended the 2017 CTUIR Entrepreneur of the Year Luncheon.
- **August 10:** Office of Civil Rights Manager participated in the Summer 2017 quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of the Umatilla Indian Reservation in Pendleton.
- **August 10:** Office of Civil Rights management and regional staff participated and provided technical assistance and guidance at the summer quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of Grand Ronde.
- **September 27:** Office of Civil Rights Manager and staff participated in a meeting between ODOT and the Confederated Tribes of Warm Springs to meet the new CEO of Warm Springs Ventures.
- **September 27:** Office of Civil Rights Manager and staff participated in the fall 2017 quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of Warm Springs.
- **October 17:** Region 5 Management and Office of Civil Rights management met with the Confederated Tribes of the Umatilla Indian Reservation Tribal Employment Rights Office staff, TERO Board members and legal staff to discuss changes to the TERO code and potential revisions to the memorandum of understanding extension.
- **October 19:** Office of Civil Rights management and regional staff participated and provided technical assistance and guidance at the fall quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of Grand Ronde.
- **December 4:** Office of Civil Rights Manager and staff participated in the winter 2017 quarterly Tribal Employment Rights Office certification training held by the Confederated Tribes of Warm Springs
- **2017:** Throughout the year Office of Civil Rights staff presents at general inspector certification trainings. Explaining the program and identifying inspector's roles and responsibilities pertaining to Tribal Employment.

Beginning June 2016 and throughout 2017, the Region 3 Field Coordinator contacted, participated and partnered with the Cow Creek Band of Umpqua Tribe of Indians. Working with many divisions including Tribal Council Representatives, Operations Officer, Tribal Workforce Development Manager, Go Programs Assistant, Public Affairs Manager, Director of Emergency Management, Safety Manager, Umpqua Indian Development Corporation, Umpqua Indian Utility Cooperative, Seven Feathers Resort (Security Manager, Facilities Manager, Convention Center

Coordinators, and such) to produce the First Biennial Southern Oregon Trade Careers Expo on September 28, 2017 held at the Seven Feathers Convention Center and northern lots in Canyonville, Oregon.

Throughout 2017 Region 3 Field Coordinator shared workforce development information with the Cow Creek Band of Umpqua Tribe of Indians Tribal Workforce Development Manager.

Region 3 Field Coordinator shares TERO Trainings with contractors as able and as asked.

Fuels Tax Group

ODOT's Fuels Tax Group administers the Fuels Tax Laws pursuant to Oregon Revised Statutes Chapter 319. The Fuels Tax Group is part of the Financial Services Branch of ODOT's Central Services Division.

The Fuels Tax Group administers the fuel tax refund program that, for fuel sold on the reservation, allows tribes to obtain refunds of fuel taxes paid by tribal members for fuel used on reservation lands. Under that program, Fuels Tax Group administers the following intergovernmental agreements:

- **Confederated Tribes of the Umatilla Indian Reservation:** The tribes collect state taxes on fuel sold at the Arrowhead Travel Plaza and remit the taxes collected to the Fuels Tax Group. The Fuels Tax Group refunds a portion of the taxes collected to the tribe for tribal use. This agreement has operated successfully for a number of years.
- **Confederated Tribes of Warm Springs:** In April 2016, the Fuels Tax Group finalized an intergovernmental agreement with the Confederated Tribes of

Warm Springs. State taxes are collected by the operators of two fuel stations on the Warm Springs Reservation and remitted to the Fuels Tax Group. The Fuels Tax Group then refunds a portion of the taxes collected to the tribes for tribal use. In 2017, the tribes announced plans to open the Plateau Travel Plaza. ODOT's Fuels Tax Manager and Chief Financial Officer traveled to Warm Springs on August 24, 2017 to meet with tribal leadership to discuss an amendment to the current agreement to include the Plateau Travel Plaza.

- **The Klamath Tribes:** In June 2016, the Fuels Tax Group finalized an intergovernmental agreement with The Klamath Tribes. The tribes collect state taxes on fuel sold at the Crater Lake Junction Travel Center and remit the taxes collected to the Fuels Tax Group. The Fuels Tax Group refunds a portion of the taxes collected to the tribes for tribal use. This agreement remained operative in 2017.

Additionally, all federally recognized tribes are eligible to receive refunds of fuels tax paid for fuel used in tribal government

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vehicles when used for official business. Currently only the Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of Warm Springs

apply for refunds. In 2018, the Fuels Tax Group will continue its outreach to inform tribes of the opportunities regarding fuels tax refunds.

Human Resources Branch

ODOT Human Resources is located within the Central Services Division. The Human Resources Branch provides recruitment, organizational and employee development, and other personnel related services to all of ODOT’s divisions and regions. The Human Resources Branch’s interactions with tribal governments and members

occur primarily at job fairs and through other recruitment efforts.

Specific Tribal Interactions in 2017

March: ODOT Human Resources recruiters attended a community job fair hosted by the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

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Driver and Motor Vehicle Services Division (DMV)

About

ODOT’s Driver and Motor Vehicle Services Division issues driving privileges, identification cards, vehicle registrations, and vehicle titles to members of the nine federally recognized tribes in Oregon. These services can be accessed by tribal members by visiting any of the 60 DMV field offices across Oregon.

which are operated outside of reservation boundaries.

Interactions with Tribes

Driver and Motor Vehicle Services makes contact with all tribal governments when implementing new or amended state and/or federal laws, administrative rules or DMV policies. Information is distributed via newsletters, bulletins, fact sheets and frequently asked questions to each tribal government. This communication is distributed throughout the implementation process. Driver and Motor Vehicle Services requests feedback from tribal communities to better understand how a given change will impact communities.

Tribal identification cards or tribal government-issued birth certificates from tribal members of all nine federally recognized tribes are accepted as proof of identity when applying for a driver license, driver permit, or identification card.

Government-exempt vehicle registrations and license plates are issued to all nine federally recognized tribes when tribal governments apply to register any government-owned vehicles. In addition, the department continues to title and register motor vehicles owned by tribal members

False document recognition training is delivered to tribal government employees upon request. This type of training is most frequently used to help gaming employees detect altered or counterfeit identity documents.

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Driver and Motor Vehicle Services provides photographs, vehicle registered owner information and other records directly to tribal law enforcement agencies. These records are used to aid with ongoing tribal law enforcement investigations.

When contacted by tribal representatives Driver and Motor Vehicle Services will provide training to volunteers.

Driver and Motor Vehicle Services remains committed to reaching out to all tribal communities for participation on committees as appropriate.

Highway Division

ODOT’s Highway Division is responsible for the maintenance, operations, preservation, and improvement of the state’s highway system. The Highway Division is responsible for delivering major construction programs like the large transportation investment package passed by the Oregon State Legislature in 2017 as well as federally funded projects included in the Statewide Transportation Improvement Program – ODOT’s four year capital improvement program. The Highway Division maintains nearly 2,700 bridges and more than 8,000 centerline miles of state highway. Typical maintenance work includes emergency road repairs, snow removal, vegetation management, patching potholes, and incident response. Several state highways provide access to, or run directly through, tribal lands. The Highway Division’s maintenance forces and construction staff frequently interact with tribal governments in this capacity.

participate in local government transportation planning and oversee the delivery of federally funded local projects.

Each region conducts project development and construction activities. Within the regions, these construction activities are divided geographically by area. The area offices typically take the lead in developing environmental documents to address the National Environmental Policy Act in advance of preliminary and final design work. Coordination with tribal governments takes place on all projects.

Once regulatory approvals have been granted, region staff goes through a process of preliminary and final design for ODOT projects with their areas. Area staff coordinates with tribal governments, as appropriate, based on possible impacts identified during the environmental documentation process.

Regions

Much of the Highway Division’s work is accomplished through ODOT’s five geographic regions. Each region is responsible for the construction, maintenance, and operations of the state highway system within its boundaries. ODOT’s regions serve as the primary liaisons to local governments and other stakeholders, including the Area Commissions on Transportation. ODOT staff members from regional offices



TRANSPORTATION REGIONS

After completion of preliminary and final design, area offices manage the construction process. Tribal interests, resources, and concerns, as identified through the environmental documentation process and through preliminary and final design, are managed during the construction process.

Region staff funds and conducts a variety of long-range planning activities, in coordination with tribal governments, local governments, and the general public. These efforts establish public support for system management and improvement priorities and set the stage for subsequent project development and implementation when

funding is available.

Each region conducts maintenance activities on the state highway system. Within the regions, these maintenance activities are divided geographically by district. District offices routinely coordinate maintenance activities with tribal governments including, traffic control during events, highway closures and other emergency activities, snow removal and other winter maintenance, lane closures, construction delays, severe weather events, and other restrictions.

Region staff members have some of the most frequent face-to-face interactions with tribes because of their local focus.

Highway Division: Region 1

About

ODOT Region 1 encompasses Clackamas, Hood River, Multnomah, and Washington counties. The Region 1 headquarters office is located in Portland. Construction project managers' offices in west Portland, east Portland, and Troutdale administer construction contracts which may have tribal involvement. Offices in Clackamas and Troutdale house district maintenance functions. There are no tribal governments headquartered in Region 1.

Interactions with Tribes

Area Commissions on Transportation

The Region 1 Area Commission on Transportation covers Clackamas, Hood River, Multnomah, and Washington counties and does not currently have a tribal government representative as a voting member.

Tribal Employment Rights

ODOT has signed memoranda of understanding with the tribal employment rights offices of both the Confederated Tribes of Grand Ronde and Confederated Tribes of Warm Springs. These

memoranda establish policies and procedures for ODOT and tribes to follow in order to ensure tribal employment rights ordinances and the "Indian Preference" provisions of federal law are met. Region 1 staff frequently provides project information to both the Confederated Tribes of Grand Ronde and the Confederated Tribes of Warm Springs to determine appropriate participation by tribal members on construction projects. ODOT Region 1 staff met with the Confederated Tribes of Grand Ronde to discuss projects subject to the tribal employment rights ordinance, hiring goals, workforce, apprenticeship, and training on March 15, 2017. ODOT Region 1 staff had similar meetings with the Confederated Tribes of Warm Springs on March 20 and April 5, 2017.

Planning

I-205 (Stafford Road to OR-99E) Corridor Widening: ODOT Region 1 staff and cultural resources program staff met with representatives of the Confederated Tribes of Grande Ronde on April 10, 2017 and October 20, 2017. The meetings provided

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an update on exploration work done by University of Oregon Museum of Natural and Cultural History under contract to ODOT related to archaeological sites within the current project area. The work done to date includes pedestrian survey and soil probes.

Wood Village Town Center Plan

The Confederated Tribes of Grand Ronde are a large land-owner in the Wood Village Town Center, and as such, the tribes have been involved throughout the Wood Village Town Center project as members of the Technical Advisory Committee as well as the Community Advisory Committee for the Wood Village Master Plan. In 2017, there was one property owner meeting, a Planning Commission Meeting, and a City Council Hearing. The City adopted the Town Center Master Plan and transportation system plan update in June 2017. The Confederated Tribes of Grand Ronde provided comments on the revised Town Center Master Plan and Transportation System Plan, and attended and provided comments at the adoption hearings at the Wood Village Planning Commission and City Council.

Earthquake Ready Burnside Bridge Feasibility Project

ODOT and the Federal Highway Administration are coordinating with Multnomah County to invite federally recognized tribes with connections to the project area to participate in early consultation on the proposed alternatives to create a resilient lifeline crossing over the Willamette River that will withstand a major earthquake. While this feasibility study is not funded with state or federal dollars, ODOT and the Federal Highway Administration recognize that both agencies are likely to play a role in any future project to create a resilient crossing of the Willamette River which may rely on findings of the current feasibility study. ODOT will be facilitating this tribal consultation effort and inviting tribal governments to meet with the project team

to understand the alternatives under consideration and to identify tribal interests in the project area.

Project Delivery

ODOT met with the Confederated Tribes of Grand Ronde to discuss Region 1 construction projects on January 19 and November 11, 2017. Additionally, Region 1 staff met with the Confederated Tribes of Siletz Indians to discuss Region 1 projects on May 25, 2017. ODOT made use of an intergovernmental agreement with the Confederated Tribes of Warm Springs to monitor construction of the OR281: Indian Creek Culvert project. ODOT Region 1 project delivery personnel did project-specific work with tribal governments in 2017, as follows:

I-5 Rose Quarter Improvement Project

ODOT initiated the preparation of an Environmental Assessment for the I-5 Rose Quarter Improvement Project in 2017. The Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, and Confederated Tribes of Warm Springs were invited on December 20, 2016 to become participating agencies in the project’s Environmental Assessment. On September 11, 2017, ODOT also initiated consultation, pursuant to compliance with Section 106 of the National Historic Preservation Act, with the tribal governments listed above. The consultation letters invited the tribal governments’ comments on the project’s range of alternatives and Area of Potential Effect.

French Prairie Bridge Project

ODOT and the Federal Highway Administration met with representatives of the Confederated Tribes of Grand Ronde and City of Wilsonville staff on February 10, 2017 to convey project details to the tribal staff and understand the tribes’ interests in the project area. A subsequent meeting with ODOT, tribal staff and the city’s consultant (AECOM) was held on April 7, 2017 to discuss technical issues related to Section 106 field studies. On October 12, 2017, ODOT, the Federal Highway

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Administration, and City staff travelled to the tribal offices in Grand Ronde to provide tribal staff with a project update and discuss remaining Section 106 tasks. ODOT and the Federal Highway Administration continue to coordinate regularly with tribal staff on the progress of field studies.

Eagle Creek Fire Emergency Response Efforts

At the invitation of tribal staff, ODOT joined representatives of the Oregon Parks and Recreation Department, US Forest Service, Bonneville Power Administration, and the Oregon State Historic Preservation Office for a joint meeting at the Confederated Tribes of Grand Ronde’s Portland offices on November 9, 2017. ODOT

cultural resource staff, along with staff from the other participating agencies, described efforts to date to reopen highways in the Columbia River Gorge and to protect the public from ongoing hazards related to the Eagle Creek Fire. The agencies are working together to develop procedures to address Section 106 responsibilities in an area with affected historic properties within multiple jurisdictions. ODOT has provided each of the tribes recognized in the Columbia River Gorge National Scenic Area Act with an update on those same efforts to date. ODOT has invited each of the National Scenic Area-recognized tribes to meet one-on-one to discuss post-fire impacts and efforts to protect cultural resources.

Highway Division: Region 2

About

ODOT Region 2 encompasses Benton, Clatsop, Columbia, Lane, Linn, Marion, Polk, Tillamook, and Yamhill counties. The Region 2 headquarters office is in Salem. Offices in Salem, Astoria, Corvallis, and Springfield house local maintenance and construction functions. The government offices of The Confederated Tribes of Grand Ronde and the Confederated Tribes of Siletz Indians are within Region 2.

Area Commissions on Transportation

Region 2 includes four area commissions on transportation. The Mid-Willamette Valley Area Commission on Transportation covers Marion, Polk, and Yamhill counties. The Confederated Tribes of Grand Ronde participate as full voting members on this area commission. The Cascades West Area Commission on Transportation covers Linn, Benton, and Lincoln counties. The Confederated Tribes of Siletz Indians participate as full voting members on this area commission. The Lane Area Commission

on Transportation covers Lane County. The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians participate as full voting members on this area commission. The Northwest Oregon Area Commission on Transportation covers Clatsop, Tillamook, Columbia, and rural western Washington counties; no tribal government is represented on this area commission.

Interactions with Tribes

Tribal Employment Rights

ODOT has a signed memorandum of understanding with the Tribal Employment Rights Office of the Confederated Tribes of Grand Ronde. This memorandum establishes policies and procedures for ODOT and the tribes to follow in order to ensure the Tribal Employment Rights Ordinance and the “Indian Preference” provisions of federal law are met. Per the terms of the agreement, Region 2 staff participates in an annual project selection meeting in advance of the construction season with

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staff from the Confederated Tribes of Grand Ronde Tribal Employment Rights Office. This year, the project selection meeting occurred on March 15.

Region 2 Maintenance

Highway maintenance activities in Region 2 are conducted through district offices in Salem, Astoria, Corvallis, and Springfield. Region 2’s district offices routinely coordinate maintenance activities with tribal governments. Typical activities include traffic control during events, highway closures and other emergency activities, lane closures, construction delays, severe weather events, and other restrictions.

Region 2 Construction and Project Delivery

Newberg Dundee Bypass

The Newberg Dundee Bypass is expected to open to traffic in late 2017 or early 2018. This project was made possible in part because of a generous contribution of \$4 million from the Confederated Tribes of Grand Ronde. Region 2 construction staff is currently working with the tribes regarding the naming rights on one of the new bridges on the Bypass. The tribes will play an important role in the ribbon cutting ceremony for Phase 1 of the project and are expected to be key partners in developing future phases.

US 20: Pioneer Mountain – Eddyville

Region 2 construction staff and the Confederated Tribes of Siletz Indians met in the summer of 2016 to restart negotiations for the transfer of surplus ODOT property to the tribes that is currently located within the US 20 Pioneer Mountain – Eddyville project. These negotiations have been ongoing since the early stages of the project. The area now under consideration for transfer includes several acres of land adjacent to the Yaquina River. There is still a lengthy process to work through;

however, a recent meeting between ODOT and the Confederated Tribes of Siletz Indians did not uncover any insurmountable obstacles to a final agreement. Further negotiations are underway to iron out the terms of the agreements between all parties. These agreements are targeted to be completed, and the land transfer executed, by the end of 2017.

Region 2 Planning

Region 2 funds and conducts a variety of long-range planning activities, in coordination with tribal governments, local governments, and the general public.

Region 2 provides funding for and participates in a variety of local Transportation System Plan (TSP) development and update processes. ODOT works with local governments to include tribal participants in areas where tribal interests are affected, including the following currently active projects.

- Lebanon TSP
- Linn County TSP
- Lane County TSP
- Veneta TSP

Region 2 Planning occasionally takes the lead in developing environmental documents to address the National Environmental Policy Act (NEPA) for its own facilities as part of the project planning process.

Region 2 tribal coordination is continuing as part of the Salem River Crossing Environmental Impact Statement work. The Salem River Crossing is currently the only major environmental document being prepared that impacts tribal concerns in Region 2; however, additional work of this nature is expected in the coming year at the Interstate 5 Aurora-Donald Interchange and potentially on OR 18 near the Spirit Mountain Casino.

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Highway Division: Region 3

About

ODOT Region 3 encompasses Coos, Curry, Douglas, Jackson, and Josephine Counties. The Region 3 headquarters office is in Roseburg. Offices in Roseburg, White City and Coquille house local maintenance and construction functions. The government offices of the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, are within Region 3.

Area Commissions on Transportation

Region 3 has two area commissions on transportation. The Rogue Valley Area Commission on Transportation covers Jackson and Josephine counties, and the Southwest Oregon Area Commission on Transportation covers Coos, Curry, and Douglas counties. The Southwest Oregon Area Commission on Transportation includes representation from the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

Interactions with Tribes

Region 3 Maintenance

Modification and maintenance of state highways can potentially have impacts on abutting properties. A number of federally-recognized tribes own property, both in fee and in trust, throughout Southwestern Oregon; some of that property abuts state highways. Maintenance managers and staff regularly contact tribal governments whose properties or interests might be impacted by maintenance activities.

ODOT maintenance generates approximately 20 projects a year within Region 3. Examples of typical projects include culvert repairs or replacements, scour repairs, and minor drainage improvements. ODOT maintenance is also charged with maintaining the ODOT right-of-way. The Region 3 Archaeologist consults with the tribal governments that have cultural resource concerns related to the project location.

Rivers West Property

Region 3 maintenance staff and other ODOT staff have been working with the Cow Creek Band of Umpqua Tribe of Indians in 2017 on a property ownership transfer/sale requested by the tribe.

Seven Feathers Travel Center

Region 3 maintenance staff has engaged in conversations regarding access and traffic patterns pertaining to a redevelopment of the Cow Creek Band of Umpqua Tribe of Indians Travel and Fueling Center. Maintenance and other ODOT staff have worked with the tribe on a property ownership transfer/sale at the same location in 2017.

Region 3 Construction and Project Delivery

Similar to Region 3 maintenance, Region 3 construction staff work with tribal governments whose properties or interests might be impacted by construction activities. This work is primarily done by the Region 3 Archaeologist and ODOT's Cultural Resources Program. Region 3 construction staff is charged with implementing the State-wide Transportation Improvement Program – ODOT's four year capital improvement program. All projects in this program generated tribal coordination in 2017.

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OR 62: Rogue River Drive-Cleveland Street Streetscape

This is a safety and transportation enhancement project located in the city of Shady Cove in Jackson County. The project required the removal of a large walnut tree to construct a water treatment swale required by state and federal environmental law. The project development team learned the tree was a Hinds Walnut Tree.

ODOT's Region 3 Archaeologist informed the project team that Hinds Walnut Trees are culturally significant to the Confederated Tribes of Siletz Indians. As a result, the project team explored several measures to avoid removing the tree; however, each alternative resulted in significant project costs increases and delays in project completion. The team concluded that ODOT representatives should meet with the tribes to determine what steps could be taken to mitigate the impacts of removing the tree.

ODOT Region 3 Environmental staff continues to monitor the Hinds Walnut trees planted as part of the mitigation for this project.

US 101: North Bend-Coos Bay

On this project, Region 3 Right of Way staff worked with the Coquille Indian Tribe to obtain permanent and temporary easements on two tribally owned properties.

Hwy 138 Corridor Solutions

On this project in Roseburg, ODOT Region 3's construction manager maintained regular communication with staff from the Cow Creek Band of Umpqua Tribe of Indians regarding the nature of construction adjacent to tribal property in Roseburg.

On this same project, Region 3 Right of Way staff worked with the Cow Creek Band of Umpqua Tribe of Indians to obtain permanent and temporary easements and a right of entry on four tribally-owned properties.

Region 3 Environmental

In addition to the above, Region 3 environmental interacts regularly with the tribal governments to discuss the Statewide Transportation Improvement Program, Local Agency Program, and maintenance projects. Discussions typically involve the ways in which ODOT can avoid impacting important archaeological sites.

Region 3 Planning

Region 3 planning manages the development of state and federally required transportation planning documents. These documents can include plans for future transportation projects to improve the transportation system, to improve safety, and relieve congestion. Plans can also include policies designed to reduce the impact of property development on the transportation system. Planning staff regularly interact with tribes when tribal interests or property might be affected by decisions made in transportation plans.

Planning staff conduct outreach to tribes whose properties and other areas of interest coincide with the study area of a given planning effort. Tribes are invited to participate on review committees for planning efforts. Planning staff annually interact with tribal government staff regarding planning grant programs like the Transportation and Growth Management Program (see Transportation Development Division section of this report for more on this grant program).

Planning staff conduct reviews of potential land use changes and developments. Planning staff have worked with the Cow Creek Band of Umpqua Tribe of Indians and Coquille Indian Tribe on tribal property developments to ensure that tribal interests and the state transportation system are both accommodated.

Planning staff have or are currently working with the following tribal governments on long-range plans:

Coquille Indian Tribe

Through a Transportation and Growth Management grant managed by ODOT staff, the Coquille Indian Tribe is preparing a comprehensive plan for its properties southwest of the City of Coos Bay. The tribe looks to identify locations for future housing, services, economic development activities, multimodal transportation facilities, infrastructure, parks and open spaces. A major objective of this effort is to create a zoning map to identify where various land uses will be located in the future.

Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians

Through a Transportation and Growth Management grant managed by ODOT staff, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians is preparing a master plan for tribally-owned property at the old naval facility at Arago Point. The plan will identify future land uses for a destination resort, interpretive center, and recreational activities, as well as a road network and multi-use paths.

Area Commissions on Transportation

In September 2017, the Southwest Area Commission on Transportation (SWACT) bylaws were clarified to state that the Cow Creek Band of Umpqua Tribe of Indians, the Coquille Indian Tribe, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians were each designated full voting members of the SWACT and were contacted to invite their attendance and to identify a representative. The Confederated Tribe of the Siletz Indians and the Confederated Tribes of Grand Ronde were also contacted and invited to attend – both were added as ex-officio members at their request.

In September 2017, the Rogue Valley Area Commission on Transportation (RVACT) bylaws were amended to add the Cow

Creek Band of Umpqua Tribe of Indians as a full voting member of RVACT. The tribe was invited to attend and identify a representative. Additionally, the Klamath Tribes, the Confederated Tribe of Siletz Indians, and the Confederated Tribes of Grand Ronde were contacted and invited to participate in RVACT. Rather than participate fully, each of these three chose to become ex-officio members of RVACT.

Other Interactions

One tribal government in Region 3 has expressed concern for an archaeological site located within ODOT's right of way, which is vulnerable to vandalism. At the request of the tribe, ODOT has obtained concurrence from the Oregon State Historic Preservation Office to conduct selective tree thinning in an effort to deter camping on or near the site.

One tribal government has expressed a desire to harvest camas bulbs and other culturally sensitive plants within the ODOT right of way prior to construction projects. ODOT has coordinated with this tribal government on this effort.

The Confederated Tribes of Siletz Indians have identified a portion of ODOT right of way that they would like manage for various botanical species of importance. ODOT has agreed to establish a Special Management Area at this location.

Several Region 3 staff attended the 2017 Legislative Commission on Indian Services Fall Gathering training session and the 18th annual Tribal-State Government-to-Government Summit.

A Region 3 staff member completed a year-long Professional Certificate in Tribal Relations Program offered by the Mark O. Hatfield School of Government's Center for Public Service and Institute for Tribal Government at Portland State University.

Highway Division: Region 4

About

ODOT Region 4 encompasses Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Morrow, Sherman, Wasco, and Wheeler counties. The Region 4 headquarters office is in Bend. Offices in Bend, The Dalles, and Klamath Falls house local maintenance and construction functions. ODOT Region 4 primarily interacts with tribal governments in the areas of highway maintenance, construction project delivery, planning, and traffic. The government offices of the Klamath Tribes and the Confederated Tribes of Warm Springs are within Region 4.

Area Commissions on Transportation

Region 4 includes three area commissions on transportation with tribal representation. The Lower John Day Area Commission on Transportation covers Gilliam, Sherman, Wheeler, and Wasco counties. The Confederated Tribes of Warm Springs participate as full voting members on this area commission. The Central Oregon Area Commission on Transportation covers Crook, Deschutes, and Jefferson counties. The Confederated Tribes of Warm Spring also participate as full voting members on this commission. The South Central Oregon Area Commission on Transportation covers Klamath and Lake Counties. The Klamath Tribes participate as full voting members on this commission.

Region 4 Maintenance

Region 4 is covered by three ODOT highway maintenance districts. Typical highway maintenance activities include emergency response, snow plowing and winter maintenance, and other routine activities to maintain safe operations on

state highways for the traveling public. Maintenance District 9, which covers the northern portions of Region 4, works with the Confederated Tribes of Warm Springs on matters related to the ongoing operations of the state highway system. Maintenance District 10, which covers the central part of Region 4, also works with the Confederated Tribes of Warm Springs. Maintenance District 11, which covers the southern portion of Region 4 works with the Klamath Tribes on highway maintenance and operations related issues. ODOT Region 4 maintains US 26 and US 97, both of which are routed through and provide access to tribal lands.

The routing of US 26 through the Warm Springs Reservation requires close partnership between ODOT and the Confederated Tribes of Warm Springs. This close partnership has resulted in a number of formal agreements and informal coordination meetings. Region 4 maintenance has bi-annual partnering sessions with the Confederated Tribes of Warm Springs to help facilitate ongoing operational coordination on US 26. This operational coordination includes ODOT's regular attendance at the Confederated Tribes of Warm Springs monthly transportation meetings, ongoing agreements for performing routine maintenance activities within environmentally sensitive areas on the reservation, and an annual winter maintenance coordination meeting. This also includes an interagency agreement that allows ODOT and the Confederated Tribes of Warm Springs personnel to communicate between radio systems during emergencies. During such emergencies, Region 4 maintenance forces frequently cooperate with the Confederated Tribes

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of Warm Springs public safety officers on highway incidents and wildfires. Region 4 maintenance continually works with the Confederated Tribes of Warm Springs to address hazard tree removal, drainage issues, rock fall hazards, and steep shoulder areas on US 26.

Region 4 maintenance is also working to include the construction enterprise of the Confederated Tribes of Warm Springs on more ODOT work in the future. Contact was made at the September Transportation Coordination meeting with the Construction Manager for Warm Springs Construction Enterprise. The discussion centered on the fact that having the Warm Springs Construction Enterprise assist Region 4 with traffic control has been working well for both parties. This partnership is expected to grow as the Warm Springs Construction Enterprise provides more traffic control training. Potential follow-up may include drafting an inter-agency agreement for the Warm Springs Construction Enterprise to provide traffic control services on ODOT projects.

Additionally, Region 4 maintenance hopes to finalize an inter-agency agreement with the Warm Springs Construction Enterprise to share resources for performing highway pavement preservation work within the reservation in trade for winter sanding material.

In late October there was some erosion around the US 26 Bridge over Shittike Creek. Region 4 maintenance worked with the tribes' environmental staff to develop a plan to mitigate the erosion. The work is on-going.

In the coming year, Region 4 maintenance will work closely with the tribes on a rock scaling project on US 26 in Warm Springs as well as on the removal of hazard trees alongside US 26. The Warm Springs Junction maintenance crew worked with the tribes' forestry section during the fall of

2017 and helped to provide traffic control while tree fallers from the tribes cut down many hazard trees along US 26. This arrangement worked well and facilitated the removal of dozens of hazard trees. Region 4 provided the traffic control while the tribes' tree fallers cut down the trees. This was a safe and efficient partnership between ODOT and the tribes. Region 4 and Confederated Tribes of Warm Springs are expecting to make use of this same partnership in the future.

Construction and Project Delivery

Through the Lower John Day and Central Oregon area commissions on transportation and through regular coordination, Region 4 Project Delivery staff continues to collaborate with Confederated Tribes of Warm Springs staff on seeking funding opportunities for priority transportation needs. Region 4 also includes staff from the tribes' Technical and Emergency Services Department in the development of construction projects for the Statewide Transportation Improvement Program. Region 4 participates in the tribes' monthly transportation coordination meetings, where construction project delivery is a recurring topic.

Specific interactions in 2017 included:

- Collaboration and partnering on a forthcoming \$7.5+ million safety and pavement preservation project on US 26 in Warm Springs, targeted for construction in 2019.
- Collaboration and involvement on a forthcoming \$1.5 million rock fall repair project on US 26 in Warm Springs.
- Region 4 staff also continued participating in partnering sessions with ODOT's Office of Civil Rights Staff and Confederate Tribes of Warm Springs representatives to discuss employment issues affecting tribal members, including implementation of the new tribal employment rights agreement, finalized in 2017.

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Through the South Central Oregon Area Commission on Transportation, the Klamath Tribes participate in the selection and development of construction projects for the Statewide Transportation Improvement Program. ODOT's South Central Oregon Area Manager participates in regular meetings with the Klamath Tribes Cultural Resources staff and ODOT archaeologists to discuss projects in development and construction.

- Region 4 staff invited the Klamath Tribes to join other members of the South Central Area Commission on Transportation in a discussion with the Oregon Transportation Commission.
- Region 4 staff invited the Klamath Tribes receive acknowledgement of the tribes' close cooperation on the OR 140: Ritter Rd to Deer Run Road (Bly Mtn.) project.
- Region 4 staff invited the Klamath Tribes cooperation on the development and delivery of the OR 140: Antelope Creek to Odegaard Rd. (Antelope Canyon) project.

Traffic

Region 4 Traffic Roadway is a technical group that provides expertise on traffic engineering, roadway engineering, and traffic standards. In 2017, Region 4 Traffic Roadway group worked extensively with the Confederated Tribes of Warm Springs to conduct traffic and speed studies, to install signage, and to improve the safety of the US 26 Corridor through Warm Springs. Specific interactions included:

- Reviewed the tribes' updated Traffic Impact Analysis (TIA) for the Indian Head Casino. Concurred with recommendation that no changes were required.
- Worked with the tribes and the City of Madras on implementing improvements related to the proposed truck stop on trust land in Madras.
- Installed two driver feedback signs

(Your Speed Is ___ MPH) in order to reduce operating speeds on US 26 through the Warm Spring Reservation's business/Museum/Casino area.

- Worked with various ODOT staff as well as tribal staff and Tribal Council on identifying priorities for the \$1.5 million in safety funding provided by the Oregon State Legislature in 2015.
- Collaborated with the tribes on planning for traffic impacts related to the Eclipse in August 2017.

Planning

The Region 4 Planning Unit works to develop long-range plans for meeting future transportation needs as well as short-term planning activities for ODOT's construction work. In addition to these planning activities, Region 4 planning staff works with tribal governments, local jurisdictions, developers, and others to better coordinate land development and transportation. As a part of this coordination, Region 4 planning staff often works with tribal governments in reviewing land use and development applications. Planning staff also works with tribal governments through the Transportation Growth Management grant program and ODOT's Statewide Planning Research fund to support education, outreach, code-assistance, planning studies, and long-range planning. Specific interactions in 2017 included:

- ODOT partnered with the Confederated Tribes of Warm Springs to fund the Warm Springs Commercial Corridor Safety Plan. This plan was completed in July 2017 and adopted by the Tribal Council. Outcomes from the plan are directly represented in the US26: Warm Springs Corridor project which was funded with \$1.5 million in safety funding provided by the Oregon State Legislature during the 2015 legislative session. This project is currently in the design phase. This partnership presents an important opportunity for ODOT

and the tribes to strengthen a close working relationship.

- ODOT, the Klamath Tribes and the City of Chiloquin have secured a Transportation & Growth Management Program

grant to prepare a pedestrian and bicycle plan for the City of Chiloquin and The Klamath Tribes. The planning project is currently is underway.

Highway Division: Region 5

About

ODOT Region 5 encompasses Morrow, Umatilla, Union, Wallowa, Grant, Baker, Harney and Malheur counties. The Region 5 headquarters office is in La Grande. Offices in La Grande, Ontario and Pendleton house local maintenance and construction functions. The government offices of the Confederated Tribes of the Umatilla Indian Reservation and the Burns Paiute Tribe are within Region 5.

Area Commissions on Transportation

Region 5 includes two area commissions on transportation. The Northeast Area Commission on Transportation covers Morrow, Baker, Union, and Wallowa counties. The Confederated Tribes of the Umatilla Indian Reservation are voting members of this commission. The Southeast Area Commission on Transportation covers Grant, Harney and Malheur counties. The Burns Paiute Tribe is a voting member.

Tribal Employment Rights

ODOT has a signed memorandum of understanding with the Tribal Employment Rights Office of the Confederated Tribes of the Umatilla Indian Reservation. This memorandum establishes policies and procedures for ODOT and the tribes to follow in order to ensure the Tribal Employment Rights Office Code and the “Indian Preference” provisions of federal law are met. Per the terms of the agreement, Region 5 staff participates in an annual project selection meeting in advance of the construction season with staff from the tribes’ Tribal Employment

Rights Office. This year, the project selection meeting occurred on April 15, 2017 at the Nixyaawii Tribal Governance Center on the Umatilla Indian Reservation. The Tribal Employment Rights Office is also invited to every pre-construction meeting that is subject to the tribal employment rights memorandum. Per the memorandum of understanding, these pre-construction meetings take place either on or near the reservation. Tribal Employment Rights Office compliance officers are encouraged to attend scheduled project weekly/bi-weekly meetings to receive the most recent updates on project progress, project issues, and project staffing.

On October 17, 2017 Region 5 Management and Office of Civil Rights Management met with the Confederated Tribes of the Umatilla Indian Reservation Tribal Employment Rights Office staff, TERO Board members and legal staff to discuss changes to the TERO code and potential revisions to the memorandum of understanding extension.

Region 5 Maintenance

Region 5 includes three separate ODOT maintenance districts. District 12 is encompasses much of the Confederated Tribes of the Umatilla Indian Reservation and the various state highways that provide access to the Reservation. The District 12 offices are located in Pendleton. District 12 and 13 also fall within the negotiated 60-mile boundary as identified in the Tribal Employment Rights Ordinance memorandum of understanding. District 14, which

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is headquartered in Ontario, includes the Burns Paiute Reservation.

Region 5's Maintenance District 12 maintains multiple state highways that run through the Umatilla Indian Reservation. The district works with the tribes in multiple ways throughout the year. For example, when maintenance forces are performing work within the reservation boundary, the district office reaches out to alert the Tribal Employment Rights Office that ODOT is performing state-funded work within ODOT right of way. When ODOT crews are unable to perform the necessary maintenance work, ODOT will open up a given project to a competitive bidding process. If the work is within the reservation boundary, then the Tribal Employment Rights Office is eligible to assign a hiring goal and to collect a compliance fee from contractors for working on the reservation.

District 12 also works with the Confederated Tribes of the Umatilla Indian Reservation during I-84 road closure events at exit 216 for coordination of truck parking at businesses operated on tribal lands. There is also coordination with the tribes' Hazmat Team on reportable hazmat releases that occur on highways with the Reservation boundary. The district works in conjunction with tribes in issuing chain up permits each winter. The tribes provide five permits to tribal members to assist commercial trucks chaining up on tribal lands. ODOT provides five permits to individuals to assist commercial trucks chaining up on I-84.

The District 12 maintenance office will continue to engage the Confederated Tribes of the Umatilla Indian Reservation on land use actions located in proximity to state highways within the Reservation boundary. Similarly, the district will continue efforts to work with the tribes on safety improvement projects and other projects that will benefit the public on state highways within the Reservation boundary. This year with

the addition of the use of salt, District 12 maintenance staff have been in communication with CTUIR Water Quality staff regarding tribes' concerns with the use of salt. Additionally, District 12 maintenance staff and ODOT's Region 5 archaeologist are also working closely with the tribes on construction of salt sheds.

Region 5 Construction and Project Delivery

Through the area commissions on transportation, the Burns Paiute Tribe and the Confederated Tribes of the Umatilla Indian Reservation participate in the selection and development of construction projects for ODOT's Statewide Transportation Improvement Program.

Tribal consultation meetings and discussion for Region 5 project development and construction actions are coordinated and directed by ODOT's Cultural Resources Program staff (See the Geo-Environmental Section of this report for more). To complement the work of the Cultural Resources Program, Region 5's environmental staff provided support and attended meetings with cultural resources divisions of the Confederated Tribes of the Umatilla Indian Reservation and with the Burns Paiute Tribe.

Region 5 Planning

Region 5 planning staff consults with both the Burns Paiute Tribe and the Confederated Tribes of the Umatilla Indian Reservation to deliver strategic intermodal planning projects and policies. This includes discussion, consultation, and planning for all transportation modes that meet the needs of the customer and our partners.

Planning efforts are underway in 2017 to develop the Regional Transit Strategy in partnership with the ODOT, Confederated Tribes of the Umatilla Indian Reservation, and Morrow and Umatilla counties. This effort calls for a travel shed analysis to identify opportunities and constraints to improve integration of rural transit services

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operated by the counties and the tribes. The Confederated Tribes of the Umatilla Indian Reservation are an active contributor to the Umatilla-Morrow County Travel Shed Analysis that is under development.

Region 5 planning continues to reach out to both the Confederated Tribes of the Umatilla Indian Reservation and Burns Paiute Tribe regarding applicable grants, invitations, and planning-related initiatives. In fact, the Confederated Tribes of the Umatilla Indian Reservation were awarded a Transportation and Growth Management Program grant to assist with the update of the Mission Community Plan that will concentrate on developing a multi-modal

community that fosters economic development, cultural connectedness and good health, and well-being. The plan is being developed in partnership with ODOT.

Training

- **November 1:** Region 5 Management and project leaders attended the Legislative Commission on Indian Services 2017 Spring Gathering and Training for State Agencies in Lincoln City.
- On June 8, 2017 Ontario Office Staff participated in a Tribal Employment Rights 101 training.
- December 13, 2017 Region 5 All Staff Tribal Employment Rights Refresher was held.

Highway Division: Geo-Environmental Section

About

ODOT’s Geo-Environmental Section supports environmental regulatory compliance and best engineering practices for state transportation projects and programs. The section is responsible for development of statewide standards of practice, guidance and manuals, training, and asset management for geology, hydrology, and environmental disciplines within ODOT.

Geo-Environmental staff serves as stewards of the public interest for a variety of natural and cultural resources and for safe transportation infrastructure. Most of the Geo-Environmental Section’s interactions with tribes occur through three program areas: Wildlife Crossings Program, Fish Passage Program, and Cultural Resources Program. In addition, ODOT’s Cultural Resources Program Coordinator holds a seat on the Legislative Commission on Indian Services’ Cultural Resources Cluster, and ODOT’s Environmental Unit Manager holds a seat on the Natural Resources Work Group.

Wildlife Crossings Program

The ODOT wildlife passage program continues to work to identify and build wildlife passage structures to reduce animal-vehicle collisions on state highways. The goals of the program are to reduce animal-vehicle collisions on Oregon highways; identify where wildlife requires movement across state highways to improve wildlife connectivity; and inform and educate the public on wildlife corridors and how they can reduce animal-vehicle collisions. ODOT is working to establish a wildlife passage interest group, including local, state, and federal agencies as well as tribal and non-profit partners to address the issue of wildlife passage.

In 2017, ODOT’s Wildlife Crossing Coordinator attended the Legislative Commission on Indian Services Annual Fall Gathering Training Day on November 1 and continues efforts to work closely with tribal representatives regarding wildlife crossings and landscape connectivity. The Wildlife Crossing Coordinator will present program information at a Legislative Committee on

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Indian Services Natural Resources Workgroup meeting in 2018.

Fish Passage Program

ODOT’s fish passage program supports the Oregon Plan for Salmon and Watersheds. The purpose of the program is to benefit native migratory fish by replacing or retrofitting culverts for improved fish passage on the state highway system in the most cost effective and efficient means possible. Working with the Oregon Department of Fish and Wildlife and regional stakeholders, Fish Passage Program staff works to assess high priority fish passage barriers when selecting improvement projects across the state. In addition this program participates in ODOT’s Culvert Repair Program ensuring that culverts identified for repair projects provide improvements in fish passage conditions. The Fish Passage Program Coordinator attended the Legislative Commission on Indian Services Annual Fall Gathering Training Day on November 1.

Cultural Resources

ODOT’s Cultural Resources Program seeks to balance transportation projects with cultural resources across the state. This program works with ODOT regional offices, tribal governments, local governments, and others to identify cultural resources and potential concerns early in project delivery and throughout the project lifecycle. In addition, the Federal Highway Administration has delegated tribal coordination responsibilities to ODOT archaeologists for all transportation projects subject to Section 106 of the National Historic Preservation Act. ODOT’s Cultural Resources team provides statewide training to ODOT staff on cultural resources as well as tribal awareness and government-to-government training.

Cultural Resources Cluster

ODOT Cultural Resources staff and the Environmental Unit Manager participate regularly in the Legislative Commission on Indian Services workgroups and cluster

meetings as an avenue to engage and update tribes and others on new and developing programs and engagement opportunities.

Cultural Resources Work Agreements

ODOT Cultural Resources Staff signed a new intergovernmental agreement with the Burns Paiute Tribe to support cultural resources work and continues to maintain intergovernmental agreements with the tribes list below to support cultural resources project work:

- The Klamath Tribes
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of Warm Springs
- Confederated Tribes of Grand Ronde
- Coquille Indian Tribe

ODOT Cultural resources team is also in the process of developing agreements with the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

Specific Interactions in 2017 Cultural Resources

ODOT archaeologists and cultural resources program representatives met face-to-face with tribes throughout the year regarding ODOT’s transportation projects and other special initiatives. The following meetings have taken place in 2017:

- ODOT’s Cultural Resources Program Manager attended the Legislative Committee on Indian Services Cultural Resources Cluster Meetings as well as Natural Resource Workgroup Meetings.
- **January 19:** ODOT cultural staff attended a meeting with the Confederated Tribes of Grand Ronde to discuss ODOT projects in tribes’ areas of interest.
- **January 20:** ODOT cultural staff attended a meeting with the Coquille Indian Tribe to discuss ODOT projects in areas of interest as well as program initiatives.
- **April 27:** ODOT cultural staff attended

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a meeting with the Cow Creek Band of Umpqua Tribe of Indians to discuss ODOT projects in areas of interest as well as program initiatives.

- **May 16:** ODOT’s cultural staff attended a meeting with the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians to discuss ODOT projects in tribes’ areas of interest as well as concerns.
- **May 26:** ODOT cultural staff attended a meeting with the Confederated Tribes of Siletz Indians to discuss ODOT projects in tribes’ areas of interest.
- **June 20:** ODOT cultural staff attended a meeting with the Burns Paiute Tribe to discuss ODOT projects in areas of interest as well as program initiatives.
- **June 27:** ODOT cultural staff attended a meeting with the Coquille Indian Tribe to discuss ODOT projects in areas of interest as well as program initiatives.
- **November 7:** ODOT cultural staff attended a meeting with the

Confederated Tribes of Grand Ronde to discuss ODOT projects in tribes’ areas of interest.

- **November 21:** ODOT cultural staff attended a meeting with the Confederated Tribes of the Umatilla Indian Reservation to discuss ODOT projects in areas of interest as well as program initiatives.

Natural Resources Workgroup

ODOT Environmental Unit Manager participates regularly in the Legislative Commission on Indian Services Natural Resources workgroups to engage and update tribes and others on new and developing programs and engagement opportunities.

Tribal Summit Attendance

ODOT’s Cultural Resources Program Manager and Environmental Unit Manager also attended the Legislative Committee on Indian Services Tribal Summit on November 2.

Motor Carrier Transportation Division

About

The mission of the Motor Carrier Transportation Division is to promote a safe, efficient, and responsible commercial transportation industry in Oregon. The division maintains a size and weight enforcement program to ensure trucks meet legal weight and size requirements put in place to protect safety and infrastructure. Each year, the Motor Carrier Transportation Division and its partner agencies inspect thousands of commercial trucks and buses to ensure vehicles are properly equipped and that

drivers meet all safety requirements. The division also issues oversize, overweight, and other special variance permits for commercial motor vehicles. Motor Carrier Transportation Division operations are statewide.

Specific Interactions in 2017

On May 23, the Motor Carrier Transportation Division Administrator traveled to Grande Ronde to meet with tribal staff to discuss weight-miles taxes

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Rail and Public Transit Division

ODOT’s Rail and Public Transit Division is made up of two sections: The Rail Section and the Public Transit Section. The Public Transit Section is responsible for providing statewide technical assistance and grant administration to public transportation providers and communities, including the nine federally- recognized tribal governments in Oregon. Public Transit Section staff administer grant programs that provide financial assistance for transit

operations as well as for capital purchases of vans, buses, facilities and other equipment. The Rail Section is the focal point for ODOT’s freight and passenger rail programs. These programs address the safety of railroads operating in the state, the safety of public road-railroad crossings, the safety of rail transit operations, the conditions of the railroad industry and the development of passenger and freight rail transportation opportunities.

Rail and Public Transit Division: Rail Section Section

About

The Rail Section includes the Crossing Safety Unit. This Unit has regulatory authority over all public Highway-Railroad crossings within the state. Though this authority, the Division helps to ensure the safety of the traveling public at these locations.

The Rail Safety Section enforces federal regulations on the transport of hazardous materials by railroad. Currently the transportation of crude oil by the railroads is a concern for tribes and they participated in an Oil Spill Task Force discussion with many federal and state agencies. In the

event of an oil spill tribes may be affected as the railroads operate through many tribal lands.

Specific Interactions in 2017:

In February of 2017, the Rail Section’s Crossing Compliance Specialist was contacted by the Cow Creek Band of Umpqua Tribe of Indians requesting information on creating a public crossing at railroad milepost 555.67, south of Roseburg. A Rail Section staff member met on site with the representatives in May and provided them with information on how to submit an application for a public crossing. There has been no additional contact since May.

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Rail and Public Transit Division: Public Transit Section

About

The Public Transit Section has three units that interact with tribal governments: Policy, Operations, and Regional. The Policy Unit develops programs and associated policies and compliance activities. The Operations Unit manages day-to-day

interactions related to intergovernmental agreements and payments. The Regional Unit implements programs in the field. The Regional Unit has five regional transit coordinators as single points of contact for tribes within described geographic areas of the state, corresponding to ODOT

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Highway region boundaries. Regional transit coordinators are available to assist tribes with public transportation program development, grants and payments, technical support and training, transit program questions and oversight of transit projects. Regional transit coordinators frequently interact with tribal transit personnel via phone, email and in person meetings.

Programs

State Special Transportation Fund

The state Special Transportation Fund Program provides state funds to local transit agencies, including the nine federally-recognized tribes. These funds support transportation services benefiting older adults and people with disabilities, and are allocated into both a formula and a discretionary program. Distribution of the formula funds is based on a population formula. All nine federally-recognized tribes currently participate in this program.

Federal Grants

The Public Transit Section administers several U.S. Department of Transportation Federal Transit Administration (FTA) programs that are available to the nine tribes:

Enhanced Mobility of Seniors and Individuals with Disabilities Program §5310

This program provides funds for capital purchases and operations that will benefit seniors and individuals with disabilities. The funds are largely distributed through a formula based on population and need. Tribes may use the funds for vehicle purchases or other capital needs, as well as transit operations such as purchased service and maintenance projects. Eight of the nine tribes currently participate in this program. The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians did not participate in the 2017-2019 biennium.

Formula Grants for Rural Areas Program §5311

This program provides grant assistance to entities that deliver transportation services to communities of fewer than 50,000 people. Funds may be used for planning, administration, operations, and capital purchases. The majority of funds are distributed through a formula program. Tribes are eligible to apply to ODOT for these funds. The Confederated Tribes of the Umatilla Indian Reservation, the Klamath Tribes, and the Confederated Tribes of Grand Ronde currently participate in this program.

Transit Network and Intercity Program §5311/§5311(f)

This program provides funding to strengthen the state transit network. The funds are distributed through a discretionary grant program; tribes with transportation services that fit program guidelines are eligible to participate. The Confederated Tribes of the Umatilla Indian Reservation participate in this program.

Bus and Bus Facilities Program §5339

This program supports the purchase of buses and transit facilities. The funds are distributed through a discretionary grant program; tribes that offer general public services are eligible to participate. The Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of Siletz Indians have §5339 agreements in this biennium.

Federal Grants Compliance Monitoring Program

As part of its federal grant management program, ODOT’s Public Transit Section administers a compliance monitoring program for entities receiving FTA and state grant funds. Reviews are conducted at least every five years. As grantees, all nine tribes participate in the program.

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Other Federal Transit Funds

Additionally, tribes are eligible to participate as direct recipients of FTA Tribal Transit funds if they meet §5311 Rural Program requirements. The Klamath Tribes, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Warm Springs, and the Confederated Tribes of Grand Ronde are eligible to participate in this program. Both the Coquille Indian Tribe and the Cow Creek Band of Umpqua Tribe of Indians are working with Public Transit Section staff to explore obtaining eligibility. The Coquille Indian Tribe partnered with Coos County Area Transit to submit an application for a competitive Tribal Transit solicitation in 2017. Those awards have not yet been announced.

Transit Maintenance Council

The Public Transit Section established a new transit maintenance council in 2016. The transit maintenance council offers a forum for public transit peers in Oregon to exchange information, procedures and ideas, as well as ideas for improving safety, reliability, efficiency and effectiveness of bus operations. The council provides an opportunity for the maintenance community to establish standards of maintenance and safety, which allows the Public Transit Section to develop the best policies and procedures for maintaining transit fleets in a state of good repair. There are currently three tribes participating in the transit maintenance council: the Klamath Tribes, the Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes of Siletz Indians.

Public Transportation Advisory Committee

The Public Transportation Advisory Committee provides a statewide forum for public and special needs transportation providers within Oregon. The committee also provides input regarding significant transportation issues to the Oregon Transportation Commission and the Rail and Public Transit Division. The Committee

continues to hold one or more of its bi-monthly meetings in rural areas. There is a designated seat on the Public Transit Advisory Committee for a tribal representative that is currently vacant. The Public Transit Section is currently reaching out to all nine tribes in an effort to fill this vacant position.

Training Opportunities

In October 2017, the Public Transit Section held the annual Oregon Transit Association Public Transportation Conference in Pendleton, Oregon. The Confederated Tribes of the Umatilla Indian Reservation opened the conference with a tribal blessing and welcome. The training sessions offered at the conference included a tour of the Tamástslíkt Cultural Institute, as well as the tribes’ Kayak Public Transit Maintenance Facility. Four different tribes sent a total of eight participants to the conference: the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Siletz Indians, the Confederate Tribes of Coos, Lower Umpqua and Siuslaw Indians and the Klamath Tribes. Additionally, tribal governments have participated in trainings and technical assistance programs that have been offered throughout the state covering numerous topics including Remix software training, drug and alcohol program compliance, passenger assistance and defensive driving, grant management training, and vehicle procurement.



KAYAK PUBLIC TRANSIT MAINTENANCE TOUR

Conference Opening Ceremonies:

CHAIRMAN BURKE



BOBBIE CONNER, DIRECTOR TAMÁSTLIKT



DRUM CEREMONY AND DANCING



Specific Interactions in 2017:

While all Public Transit Section staff interact with tribal governments, the regional transit coordinators are the primary points of interface with Oregon’s nine federally-recognized tribes. These coordinators, stationed in each of ODOT’s five regional offices, continue to work with the tribes to develop transit programs by providing technical assistance as requested. The majority of technical assistance topics have been related to service design and development, Special Transportation Fund program management, vehicle procurement and planning. The following are specific interactions between the Public Transit Section’s regional transit coordinators and tribes in 2017.

Region 2, Northwest Oregon:

During 2017, ODOT’s Region 2 Transit Coordinator helped facilitate discussions and planning for Tillamook County to take over serving the Confederated Tribes of Grand Ronde after Salem Area Mass Transit District ends its line 2x service from Salem to Spirit Mountain Casino. Tillamook County will begin the service January 2018.

Region 2 Transit Coordinator Arla Miller has been assisting the Confederated Tribes of Siletz Indians with the tribes’ Transportation Human Services Coordinated Plan. The plan is expected to be adopted before the end of 2017.

In the summer of 2016, the Public Transit Section awarded Special Transportation Fund Discretionary funds to the Confederated Tribes of Grand Ronde for a long-range transit plan, in coordination with an ODOT/Transportation Growth Management-funded Transportation System Plan.

The Public Transit Section awarded Special Transportation Fund discretionary funds to the Confederated Tribes of Siletz Indians for the purchase of a transit vehicle in



summer 2016. The bus was ordered in August 2017, and Public Transit Section staff provided technical assistance on the purchase.

In the summer of 2017 Arla Miller was invited to attend and participate in the Nesika Illahee Pow Wow at Confederated Tribes of Siletz Indians. Arla walked with the Tribal Planner Pamela Barlow-Lind and the planning section in the parade.

In the fall of 2017, Arla Miller convened a meeting with Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, Confederated Tribes of Siletz Indians, Lane Council of Governments, Lane Transit District, City of Florence, and Pacific Crest Buslines to discuss options for lower cost transportation between Eugene and Florence, particularly for seniors and people with disabilities. Both tribal governments and the City of Florence stated willingness to contribute funds for a feasibility study.

Region 3, Southwestern Oregon:

Region 3 Regional Transit Coordinator, Alison Wiley was replaced in November by Jennifer Boardman. Jennifer is currently reaching out to the three tribes in her region, to introduce herself and understand their transit needs.

The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians purchased a vehicle with state funds, in 2016, and resumed providing rides after a long hiatus.

The Cow Creek Band of Umpqua Tribe of Indians received a Special Transportation Fund Discretionary award of \$210,175 for the Outlying Life Line Project. The tribe is teaming with long-time partner Umpqua Transit on the project.

The Coquille Indian Tribe completed its Transportation Human Service Coordinated Plan in 2017. The tribe also partnered with Coos County Area Transit on an application for discretionary tribal transit funds.

Region 4, Central Oregon:

Region 4 Transit Coordinators Joni Bramlett and Theresa Conley provided technical assistance and training throughout 2017 to the Confederated Tribes of Warm Springs in Central Oregon and the Klamath Tribes in South Central Oregon. With Joni Bramlett retiring and Theresa Conley new to Region 4, introductory meetings were arranged with Transit Managers and support staff at both tribes. Theresa was also able to meet with the newly-hired Community Services Director for the Klamath Tribes and the Chief Executive Officer of the Confederated Tribes of Warm Springs.

The Confederated Tribes of Warm Springs continue to participate in a regional Transportation Human Services Coordinated Plan update led by the regional transit provider, Central Oregon Intergovernmental Council/Cascades East Transit. The Region 4 transit coordinator participates in this effort, as do Jefferson, Deschutes and Crook counties. The coordinated plan is anticipated for completion late in 2017 and will help inform a broader Regional Transit Master Plan, set to kick off in spring 2018 with project management support from the Region 4 transit coordinator. In addition to supporting these planning activities, the Region 4 transit coordinator as well as transit operations staff in Salem provided one-on-one training and assistance with the ODOT grant management software.

The Confederated Tribes of Warm Springs renewed its purchase service agreement with Cascades East Transit this year. Additionally, ODOT staff from the Public Transit Section, Region 4, and Region 1 is working closely with tribal staff to pursue several Federal Lands Access Program grant opportunities. These include a safe multi-use path connection through Warm Springs along US 26 and expanded transit connectivity to employment opportunities at Mt Hood.

The Klamath Tribes updated its Transportation Human Services Coordinated Plan at the end of 2016, in collaboration with Basin Transit. Building on this planning work, the Klamath Tribes continue to operate a fixed-route Quail Trail service, connecting communities in Southern Klamath County. Region 4 transit coordinators provided technical assistance throughout 2017 to support these services. The Klamath Tribes' Community Services Director and the Transportation Program Manager attended a Grant Management Training held in Klamath Falls in November 2017, along with twelve other transit providers from the south central Oregon area. The goal of this annual training is to provide guidance on grant management and also provide opportunities for connections and coordination among public transportation providers. The Transportation Program Manager also attended the Oregon Public Transportation Conference.

The Klamath Tribes purchased an accessible van and are currently hiring an additional full-time driver with a Special Transportation Fund grant. The tribes will also be purchasing three new accessible vans with FTA 5310 funds.

Region 5, Eastern Oregon:

Region 5 transit coordinator Frank Thomas began a technical assistance effort with Burns Paiute Tribal Planner Kenton Dick to develop site plans and documented categorical exclusions to develop and

replace rural tribal bus shelters. These shelters are presently scheduled for funding under the tribe's 2017-2019 Section 5310 formula grant.

In 2017, the Region 5 transit coordinator worked closely with the Confederated Tribes of the Umatilla Indian Reservation and the City of Hermiston on the securing additional federal transit funding.

The Confederated Tribes of the Umatilla Indian Reservation hosted and attended the regional Grant Management Training on November 9, 2017.



Staff Training:

Public Transportation Manager, Marsha Hoskins, completed a year-long program and received a Professional Certificate in Tribal Relations from Portland State University's Institute for Tribal Government.

Regional Transit Coordinator Arla Miller attended Day 1 of the LCIS Fall Gathering and Learning Session, on November 1, 2017, in Lincoln City.

Frank Thomas, Region 5 transit coordinator, sits on the National Technical Assistance Program Board and attended its Rural Transit and Intercity Conference in October 2017. The focus of the conference was tribal transit.

Other Interactions:

J.D. Tovey, from the Confederated Tribes of the Umatilla Indian Reservation, is a participant on the Policy Advisory Committee

for the update of the Oregon Public Transportation Plan; a member of the Rules Advisory Committee for the Statewide Transportation Improvement Fund (HB

2017 Section 122); and participated in interviews for the Program and Policy Lead position in the Division.

Transportation Development Division

About

The Transportation Development Division plans and develops Oregon’s transportation future. It focuses on providing Oregonians with a balanced, well-connected transportation system. The Transportation Development Division is the part of the Oregon Department of Transportation that:

- Helps Oregonians do long and short-term transportation planning.
- Keeps statistics about transportation.
- Considers transportation policy.
- Does research to help engineers, planners and project designers.
- Helps local governments with transportation through a variety of programs and services.

The division is responsible for producing the Oregon Transportation Plan, the Oregon Highway Plan as well as individual plans for specific highway corridors.

The Transportation Development Division is also the home of interagency partnerships that are helping to shape the future, such as the Transportation and Growth Management Program and Oregon’s Community Solutions Teams.

Statewide Transportation Improvement Program

The Statewide Transportation Improvement Program is a multi-year prioritized list of transportation projects that are proposed to be funded in Oregon. The Statewide Transportation Improvement Program is developed with tribal and public involvement through the Area Commissions on Transportation. Specific

tribal representatives have been identified to participate in area commission in all ODOT regions. See the Area Commissions on Transportation section of this report for more details.

Enhance Program

The Enhance Program is a component of the Statewide Transportations Improvement Program and it funds projects that enhance, expand or improve the transportation system. Projects are selected using input from the Area Commissions on Transportation. As voting members on the area commissions, tribal governments were notified of the process for developing the Enhance Program and were involved in Enhance project selection.

Research Program

The Research Program oversees the state’s federally funded research and the Technology Transfer Program. Research focuses on safety, infrastructure repair and preservation, maintenance practices, innovative contracting and project delivery, sustainable environmental practices and the land use, transportation connection. The Technology Transfer Program is a part of the Transportation Development Division’s Research Section, offers training, technical assistance and technology transfer to local transportation agencies, which includes cities, counties, tribal governments, and others. The Technology Transfer Program markets services to tribal governments.

The Technology Transfer Program is currently looking for a tribal representative for its steering committee in order to receive

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input from tribal governments in the decisions being made for the program.

Trainers from the Technology Transfer Program offer free classes to tribal governments on a number of important subjects. Please see the website at <http://www.oregon.gov/ODOT/Programs/T2/Pages/CircuitRiderClasses.aspx> to find out more information.

Statewide Planning Program

Transportation Development Division planners develop strategies for operating, managing, maintaining, and funding the state's transportation system to achieve Oregon's long term transportation goals and vision. Transportation policy guides ODOT's decision-making move towards implementation of a planned transportation system. The Oregon Transportation Plan directs ODOT to include tribal governments in the development of long range planning documents.

Tribes are involved in the development statewide transportation plans through personal contact, email and hard copy communication of information with a solicitation of comments.

The Statewide Planning Program Coordinator attended the Legislative Commission on Indian Services Fall Gathering to broaden planning understanding of Tribal History and the many facets of sovereignty and the issues facing Oregon's tribes.

Transportation and Growth Management Program

This program provides planning assistance to Oregon communities to create vibrant, livable places where people can walk, bike, take transit or drive where they want to go. The Transportation Growth Management program continues to serve as one of the primary funding sources for tribal governments as well as local governments to plan for well-designed communities with

a balanced, interconnected transportation network. With over 1,100 planning projects supported and completed since 1993, Oregon's TGM Program continues to provide value to Oregonians by helping communities plan for land use and transportation in concert with community objectives. Tribal governments are eligible and have received many TGM grants.

The Transportation and Growth Management Program protocols require that grant managers make contact with each federally recognized tribe by phone or in person to provide information on the four grant programs offered each annual cycle. These programs include:

- [Planning Grants](#) offer grants to communities to improve transportation system plans or build integrated land use and transportation plans.
- [Education and Outreach](#) provides free community workshops, speakers and publications on current planning topics.
- [Code Assistance](#) helps communities with planning code language to expand transportation choices for people.
- [Quick Response](#) work helps with imminent development projects to ensure they serve a community's goals for efficient transportation and quality development.
- [Transportation System Plan Assessments](#) look at community TSPs and provide suggestions for improvements.
- [Publications](#) help communities in Oregon address a variety of transportation and growth management challenges.

During the pre-application process, Transportation and Growth Management regional planners communicate directly with delegates from tribal governments to inform tribes of available services and discuss ways in which the program could be of assistance to tribal planning needs.

Transportation Growth Management Grants to Tribes in 2017

Lincoln County Transit Development Plan (LCTSD):

The Lincoln County Transportation Service District coordinated the Human Services-Public Transportation Plan (2017) and identified the Confederated Tribes of Siletz Indians as a key voice in the development of the plan. Ruby Moon and Pam Lind are representing the Confederated Tribes of Siletz Indians as members of the Transit Advisory Committee (TAC) on the LCTSD Transit Development Plan project. Four TAC meetings have been held to date. The final TAC Meeting is tentatively scheduled in December 2017 to review the draft plan. The Confederated Tribes of Siletz Indians representatives on the TAC have reviewed and commented on a number of elements of the plan.

Additionally, there is an on-line mapping tool for Siletz tribal employees to comment on the bus routes on the project area map. Pam Lind was responsible for fielding responses and helping with technical difficulties of the tribal respondents. General tribal member comments and locations where bus stops should be located were documented on the on-line mapping tool.

Yamhill County Transit Area Development Plan (YCTA):

The YCTA Coordinated Public Transit-Human Services Transportation Plan (2016) identified the Confederated Tribes of Grand Ronde as a key voice in the YCTA Transit Planning Process. In accordance with the Coordinated Public Transit-Human Services Transportation Plan, Tribal Council member Chris Mercier is representing the Confederated Tribes of Grand Ronde as a member of the Project Advisory Committee (PAC) on the YCTA Transit Development Plan project. Two PAC meetings have been held to date. Two more PAC meetings will be held as part of the project. The Confederated Tribes of Grand Ronde representative on the PAC have reviewed and commented

on a number of plan elements. Surveys were given to bus riders, including tribal members, to get feedback about how to improve bus service.

Coos Head Area Master Plan:

ODOT provided a grant of \$149,880 to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians for the Coos Head Area Master Plan. The project will develop a master plan for property the tribes recently acquired at Arago Point, including a comprehensive bicycle/pedestrian network, interpretive center, and potential destination resort.

Coquille Indian Tribe Comprehensive Plan:

ODOT provided a grant of \$126,950 to the Coquille Indian Tribe for a comprehensive planning project. The project will develop a comprehensive plan for the tribe's Empire Property southwest of Coos Bay, which will include the identification of connecting roads, land uses, and a high level overview of necessary supportive infrastructure. The comprehensive plan will guide and inform the transportation infrastructure development and land use designations. The project will include public outreach and involvement, interagency coordination, and a land use inventory. The project will consider how to connect land uses to the property core, as well as to access roads outside the property. The transportation network will be planned to assure multi-modal access, including access for people traveling on foot and by bicycle.

Confederated Tribes of the Umatilla Indian Reservation Mission Community Master Plan:

ODOT provided a grant of \$207,500 to the Confederated Tribes of the Umatilla Indian Reservation for this master planning effort. The purpose of the Mission Community Master Plan is to assist the tribes in the planning for and coordination of development of a vibrant multi-modal community that fosters economic vitality, cultural

connectedness, health, and well-being. The project focuses on integrating pedestrian-scale development patterns to create a more walkable community that accommodates bicycle and horse transportation as well as supports the existing tribal Kayak Transit System. During this reporting period the tribes are in the draft master plan and code development stage of the project. In partnership with ODOT the tribes are reviewing the recommended operational and capital improvement projects, potential funding sources, triggers, and proposed timeframes for improvements

Community Open House #3 was recently conducted which presented graphic materials for reviewing the conceptual designs and analysis of mobility conditions of the work-in-progress. The outreach to tribal members seeks public input and collaboration to make sure the design and planning creates solutions that benefit and serve the community.



The Klamath Tribes Pedestrian and Bicycle Transportation System Plan:

ODOT provided a grant of \$110,000 to the Klamath Tribes for this planning effort. The Transportation and Growth Management Program grant with the Klamath Tribes to improve the safety, access and convenience of pedestrian and bicycle transportation with the Chiloquin Community for both local residents and visitors. The project will result in the development of a pedestrian and bicycle transportation system plan for the Chiloquin community that will be adopted and implemented by both the Klamath Tribes and the city of Chiloquin to meet their common local transportation needs.

Transportation Safety Division

About

ODOT’s Transportation Safety Division is responsible for promoting activities that reduce the instance and severity of transportation related crashes in Oregon. This is primarily accomplished through the division’s community programs and through its strategic and long-range planning efforts.

Community Program

The Community Program is designed to assist local governments, non-profits and volunteers in initiating and conducting ongoing safety programs and activities within their jurisdiction or area of interest. Through this program, the Transportation Safety Division also seeks to work with community representatives to direct them toward relevant grants to improve the safety of the traveling public. Tribal

governments are eligible and have accessed the materials and resources of the division’s community programs.

Strategic and Long-Range Planning

The Strategic Long-Range Planning program is designed to routinely develop and update the state’s Transportation Safety Action Plan to guide transportation safety efforts across agencies statewide. This plan also serves as the state’s Strategic Highway Safety Plan which guides investments in traffic safety improvements, both of infrastructure and non-infrastructure (education and enforcement). Tribal governments are specifically invited to participate in the development of these safety planning efforts, and a number of tribes have elected to participate in the process in prior years.

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Specific Interactions in 2017

The division continued work with several tribes to develop plans for improving safety on reservation lands and among tribal memberships. In 2017, the division conducted outreach to coordinate with the tribes.

- A grant was also awarded in 2017 to the Klamath Tribal Health and Family Services agency to run a community based child passenger safety program.
- The Transportation Safety Division worked with ODOT Region 4 and the Confederated Tribes of Warm Springs to provide for a safety planning effort in the Warm Springs business district.
- **January 2017:** The Cow Creek Band of Umpqua Tribe of Indians hosted the Transportation Safety Division's Police Traffic Safety Conference at Seven Feathers Casino Convention Center.
- **August 2017:** The Transportation Safety Division, through Harney County Safe Communities, provided a bicycle safety rodeo for families of the Burns Paiute Tribe.