



Government-to-Government 2011 Activity Report

Oregon Department of Transportation

Introduction

In accordance with Oregon Revised Statute (ORS) 182.162, the Oregon Department of Transportation (ODOT) is submitting this report to the Governor and to the Commission on Indian Services. This report identifies the ODOT divisions, regions, and individuals responsible for developing and implementing programs that affect tribes. It reports the processes ODOT has established to identify programs that affect tribes. It also reports on the efforts ODOT has made to promote communication and government-to-government relations. The report provides a description of the training provided and the methods ODOT has established for notifying its employees of

legislative provisions regarding ODOT tribal relations. The information in this report was provided by each of the ODOT divisions and regions and was compiled by ODOT's Geo-Environmental Section (GES).

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 Matthew Garrett. Each of these divisions has varying degrees of tribal interaction and involvement, which will be discussed individually in the report.

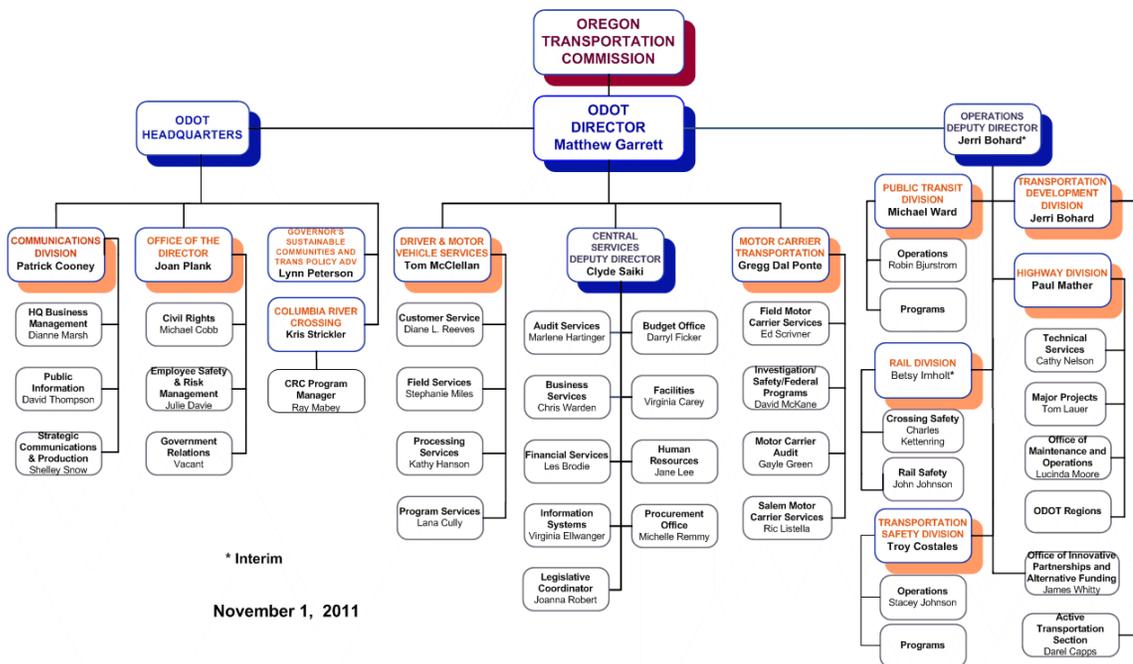
HEADQUARTERS CONTACTS

Matthew Garrett
Director
503-986-3452

Joan Plank
Chief of Staff
503-986-4214

ORGANIZATION CHART

Oregon Department of Transportation



* Interim

November 1, 2011

Table of Contents

Central Services Division	3
Driver and Motor Vehicle Services Division	4
Columbia River Crossing Project	5
Highway Division	6
Highway Division: Portland Metropolitan Area, Hood River and Columbia Counties (Region 1)	8
Highway Division: Willamette Valley, North and Central Coast, and Western Cascades (Region 2)	9
Highway Division: Southwest Oregon (Region 3)	10
Highway Division: Central Oregon (Region 4)	16
Highway Division: Eastern Oregon (Region 5)	19
Major Projects Branch	21
Motor Carrier Transportation Division	23
Rail Division	23
Transportation Development Division	24
Transportation Safety Division	25
Public Transit Division	26

Central Services Division (CSD)

Fuel Tax Group

ODOT's Fuels Tax Group (FTG) administers the fuels tax refund program that allows tribes and/or tribal members to obtain refunds of fuels taxes paid by tribal members for fuel used on reservation lands. Under that program, FTG administers an intergovernmental agreement with the Confederated Tribes of the Umatilla Indian Reservation for the collection of fuels taxes on fuel sold at their service station and refunds for tribal use. This agreement remains operative and has proven successful over the years.

ODOT Fuels Tax Group also submitted a grant application to Federal Highway Administration (FHWA), which was developed jointly with the Confederated Tribes of the Umatilla Indian Reservation. This grant, if funded, will provide additional resources to help with fuels tax evasion.

In 2010, the Klamath Tribes contacted the Fuels Tax Group about an intergovernmental agreement for the collection of fuels tax at the Tribes' newly-opened fueling station. Fuels Tax Group attempted to negotiate an agreement, which was unsuccessful for legal reasons. During the negotiation period, FTG staff met with the Tribes to provide training about the fuels tax programs. This year, the Klamath Tribes supplied additional information which resolved the legal issues and the Fuels Tax Group is again attempting to negotiate an agreement with the Tribes.

Business Services

Business Services Photo/Video department produced two videos in 2011 in coordination with tribal representatives and the Federal Highway Administration (FHWA).

Helping Them Home: The Need to Return Artifacts and Sacred Objects to Native American Tribes

This video highlights the importance of returning tribal artifacts held in non-tribal possession to the proper tribal representatives and explains the best methods to contact the proper representative. The video demonstrates via different speakers the cultural and historic value of the artifacts. It also dispels myths about possible land seizure by the state or tribal representatives if artifacts are found on private land. The video is told through the use of different interviews as a single narrative.

Representatives from the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Siletz Indians, the State Historic Preservation Office (SHPO), the Northern Great Basin Archeological Field School, the Confederated Tribes of the Grand Ronde Community of Oregon, the Cow Creek Band of the Umpqua Tribe of Indians and the Commission on Indian Services participated in this project.

The project is in DVD format and runs 13:30 in length and is available from the ODOT Library or the Commission on Indian Services. It was created as a collaborative effort between ODOT's Geo-Environmental Section (GES), the Commission on Indian Services and members of the ODOT/ Natural Resources Cluster meetings team.

CENTRAL SERVICES DIVISION CONTACT

Clyde Saiki
Administrator
503-986-4399

Central Services Division Employees Responsible for Tribal coordination

Doug Kleeb
Fuel Tax Group Manager

Chris Warden
Business Services Manager

Ted Burney
Videographer

Soft as Silk - Strong as Steel, The Living Heritage of Apocynum Canabinum “Hemp Dogbane.”

The video details the efforts of the Confederated Tribes of Siletz Indians, the Oregon Department of Fish and Wildlife (ODFW), and ODOT to transplant a culturally-sensitive plant from a dangerous section of highway to a protected area within a nearby wildlife refuge. The video includes interviews with members from several tribes in Oregon who discuss misconceptions about dogbane and demonstrate how it is processed for use in baskets. The project would not have been successful without many folks who volunteered their time and efforts, and the Federal Highway Administration (FHWA) who helped fund the video.



Dogbane’s reddish-brown fibers are gently stripped from twigs and twisted into a strong string that is used in everything from creating fishing nets to weaving intricate baskets.

Driver and Motor Vehicle Services Division (DMV)

DMV accepts tribal identification cards from all nine federally recognized tribes located in Oregon and tribal-issued birth certificates as proof U.S. citizenship for driver license and ID card issuance.

The division titles and registers vehicles owned by tribal members that are operated outside of reservations and issues instruction permits and driver licenses to tribal members who operate vehicles outside the reservation. Convictions for traffic violations occurring outside the reservation are entered into a tribal member’s driving records, and based on these driver records, DMV may suspend or revoke driving privileges. DMV records driving convictions from tribal courts, and is authorized by the federal government to enter con-

victions into non-tribal records.

When requested, DMV provides false document recognition training to tribes engaged in gaming. The training helps gaming employees detect altered or counterfeit identity documents.

The division contacts all tribes located in Oregon when there is a change in state law, administrative rule and/or DMV policy. DMV continues to affirm its interest in volunteers when contacted by tribal representatives and continues to provide training. The division works with tribal employment programs to place tribal members who are returning to work, transitioning into a new line of work, or who need additional work experience.

DMV CONTACT
 Tom McClellan
 Administrator
 503-945-5100

Columbia River Crossing (CRC) Project

The CRC project consults with 11 tribes, ten of which are federally recognized. The ten tribes include:

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of the Grand Ronde Community of Oregon

Confederated Tribes of Siletz Indians

Confederated Tribes of Warm Springs

Nisqually Indian Tribe

Confederated Tribes and Bands of the Yakama Nation

Nez Perce Tribe

Spokane Tribe of Indians

Confederated Tribes of the Colville Reservation

Cowlitz Indian Tribe

One non-federally recognized Tribe:

Chinook Indian Nation

The project has on-going coordination and consultation with all the tribes on our geo-technical program. ODOT has a contract with the Confederated Tribes of the Grand Ronde Community of Oregon and the Cowlitz Indian Tribe to provide archeological monitoring for any ground- disturbing activities that are part of this program.

The project team consulted with the tribes during the Endangered Species Act Section 7 consultation in late 2010 and received a Biological Opinion in January 2011.

Staff met with all the tribes for a project update in preparation for the Final Environmental Impact Statement (FEIS) publication in summer 2011. These meetings occurred in November and December 2010 and January 2011. Staff met with every tribe except the Confederated Tribes and Bands of the Yakama Nation, who did not respond to the meeting request.

On February 17, 2011 CRC held a summit to consult with tribal leadership. The Confederated Tribes of the Grand Ronde Community of Oregon, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, Confederated Tribes and Bands of the Yakama Nation and the Cowlitz Indian Tribe attended. Federal Transit Authority (FTA) and Federal Highway Administration (FHWA) Regional Administrators, Oregon Department of Transportation (ODOT) and Washington State Department of Transportation (WSDOT) executives were also in attendance, including Director Garrett.

Extensive Section 106 consultation occurred from January to September 2011 with all the tribes in order to finalize the Memorandum of Agreement (MOA) for the CRC project. The first draft of the MOA was sent out on March 3, 2011 and a consulting party meeting to discuss comments was held on April 25, 2011. All tribes were invited to the meeting. The project obtained concurrence on the final MOA in September 2011 with no objections from signatories or

COLUMBIA RIVER CROSSING PROJECT CONTACT

Kristopher Strickler
Project Director
360-816-2187

consulting parties. A majority of the tribes have signed the MOA; however, several tribes have declined to sign.

The FEIS was published on September 23, 2011. A copy of the document was sent to all the tribal chairs and staff.

Highway Division

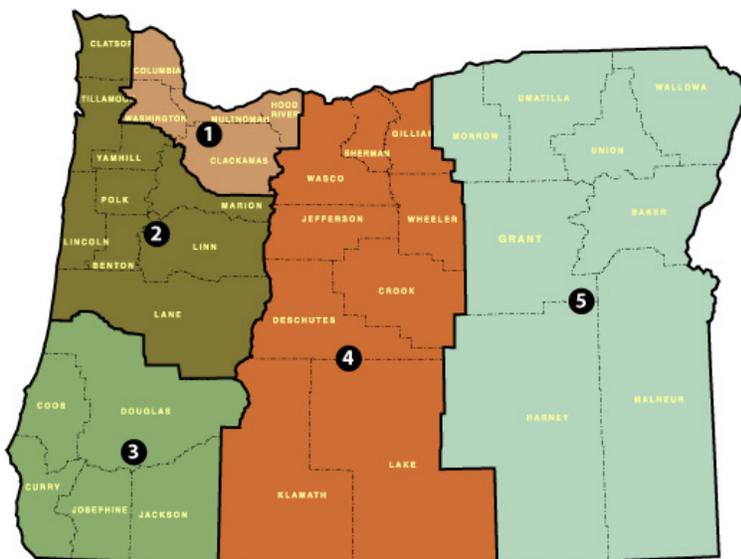
General Summary

The Geo-Environmental Section (GES) provides stakeholder coordination under the National Environmental Policy Act (NEPA) and Section 106 consultation requirements under the National Historic Preservation Act (NHPA). The section has broadened its tribal outreach and communication efforts over the past few years to include natural resources coordination, specifically focusing on fisheries. Staff continues to provide government-to-government training and tribal coordination training statewide with an emphasis on training in ODOT planning offices.

Coordination & Communication:

Early tribal coordination on all transportation projects helps keep projects on track and avoids unwanted delays. Face-to-face meetings with most of the tribes continued throughout 2011 and focused on reviewing all projects. When not meeting with the tribes physically, staff is in constant communication with the tribes via phone or email regarding more than 300 projects. Most projects require Section 106 consultation on behalf of FHWA as well as coordination under ORS 182.162.

ODOT Archaeologist, Kurt Roedel, worked directly with Region 1 planners in de-



veloping best management practices for tribal coordination and planning. This effort is nearing completion and will be implemented within the next couple of months. This tool will help facilitate future conversations between ODOT planning staff and tribal governments.

Kurt Roedel also worked with ODFW and the Confederated Tribes of Siletz Indians to transplant a culturally sensitive plant, Apocynum Cannabinum or “Hemp Dogbane”, from a dangerous section of highway to a protected area within a nearby wildlife refuge.

Work is continuing on a new tribal coordination video for ODOT staff involved in project delivery. This video should be complete by fall 2012.

2011 Project Delivery Meetings Confederated Tribes of the Grand Ronde Community of Oregon (CTGR)

HIGHWAY REGIONS

HIGHWAY DIVISION CONTACTS

Hal Gard
Geo-Environmental Section
Manager
503-986-3508

James Norman
Environmental Planning Unit
Manager
503-986-3514

Frannie Brindle
Natural Resources Unit
Manager and Natural
Resources Working Group
541-757-4160

John Raach
Interim Natural Resources
Unit Manager
503-986-3307

ODOT Archaeologists, Project Managers and Natural Resources Specialists met twice this year with the CTGR to discuss projects and coordination efforts. Recent discussions have focused on fisheries and wetlands issues, while discussions continue regarding protections of cultural resources.

Confederated Tribes of Siletz Indians

ODOT Archaeology staff met with Robert Kentta in March to discuss transportation projects within the Tribes’ area of interest. In addition to this meeting, regular communication with Robert regarding all of our projects has continued.

Confederated Tribes of Umatilla Indian Reservation (CTUIR)

Three face-to-face meetings were held with the CTUIR Cultural Resources Committee in March, July and October. Discussions focused on ongoing and upcoming projects. In addition to meeting with the Cultural Resources Committee, this year ODOT staff started meeting with CTUIR Cultural Program staff to discuss program level issues. This additional meeting should help to foster understanding regarding program processes and strengthen relationships.

Confederated Tribes of Warm Springs (CTWS)

ODOT staff met with the Warm Springs Cultural Committee in April, June and October. Staff continues to share project information with the Warm Springs Cultural Resources staff via phone calls, e-mails and one-on-one communication. Like the CTUIR, staff has started to meet independently with CTWS Cultural Program staff to discuss program level issues and initiatives.

Coordination efforts with representatives from CTWS continued on Fifteen Mile Creek Bridge regarding Lamprey harvesting. Coordination efforts were facilitated by Ken Cannon and Cidney Howard (Region 4) with data and construction support supplied by consultants from HDR.

Additionally, members of the US 26: Mill Creek - Warm Springs Grade project team met with representatives from CTWS on September 21, 2011 to discuss project details.

Cow Creek Band of the Umpqua Tribe of Indians

ODOT Archaeology staff continued to meet with Cow Creek Cultural Resources staff regarding projects in Region 3. Project coordination efforts continued throughout the year via email, phone calls and on site project meetings.

Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI)

ODOT staff met with the CTCLUSI in February and November of 2011 to discuss projects within their area of interest. In addition, staff shares project information with the Tribal Cultural Resources staff via phone calls, emails and one-on-one communication.

Burns Paiute Tribes

ODOT staff continued coordination efforts throughout the year via phone calls, e-mails and one-on-one communication with representatives from the Burns Paiute Tribes.

Coquille Indian Tribe

ODOT staff met with representatives from the Coquille Indian Tribe in January to discuss transportation projects. ODOT continues to share project information with the Tribal Cultural Resources staff via phone calls, emails and one-on-one communication throughout the year.

Klamath Tribes

ODOT staff met four times this year, (January, April, July and October) with Perry Chocktoot regarding several transportation projects. Special coordination meetings were also held in the field with tribal representatives for the OR 422: Williamson River Bridge Project and the OR 140: Bly Mt. Realignment Project.

**Highway Division
Employees Responsible
for Tribal coordination**

Carolyn McAleer
Cultural Resources
Program Manager and
Cultural Resources Cluster
Group Chair

Mary Turner
Local Agency and
Maintenance Regions 1, 2
and 4

Kurt Rodel
Regions 1 W, 2 and 4

Tobin Bottman
Regions 1E, 4 and 5

Jessica Bochart
Region 3

Ken Cannon
Aquatic Biology and Fish
Passage Program
Coordinator

Cidney Howard
NOAA Liason

Highway Division: Portland Metropolitan Area, Hood River and Columbia Counties (Region 1)

Communication with the Tribes

Direct Tribal contact at Region 1 is handled by the Region by GeoEnvironmental staff in Salem. On all environmental projects, Tribes are afforded opportunities to comment on project scoping and at formal public hearings where comments are solicited on environmental documents. Frequently Tribal input is also sought during impact analysis and development of mitigation measures on Region 1 projects where Tribal resources or interests may be affected. No perceived barriers to positive Tribal relations were noted in 2011.

The JTA Brookwood / Helvetia Interchange project on Highway 26 recently hired an archeological consultant to do some additional analysis. Depending on the outcome of this reconnaissance, there is a likelihood that ODOT will be reaching out to tribes by the end of this calendar year or early 2012 regarding antiquities on site.

Government-to-government activities in 2011 included coordination and consultation with six federally-recognized tribes:

Cowlitz Indian Tribe

Confederated Tribes and Bands of the Yakama Indian Nation

Confederated Tribes of the Grand Ronde Community of Oregon

Confederated Tribes of Siletz Indians

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of Warm Springs

Cowlitz Indian Tribe

Consultation regarding potential impacts associated with projects that were classified as categorical exclusions (CE) under NEPA. Numerous CE projects were reviewed in Region 1, some of which required coordination with the Tribe.

Confederated Tribes and Bands of the Yakama Indian Nation

Consultation regarding potential impacts on archaeological resources for the Sunrise JTA project I-205 to SE 122nd Avenue, Clackamas County.

Consultation regarding potential impacts associated with projects that were classified as CE under NEPA. Numerous CE projects were reviewed in Region 1, some of which required coordination with the Tribes.

Confederated Tribes of the Grand Ronde Community of Oregon

Consultation regarding potential impacts on archaeological resources for the Sunrise JTA project I-205 to SE 122nd Avenue, Clackamas County.

Consultation regarding potential impacts associated with projects that were classified as CE under the NEPA. Numerous CE projects were reviewed in Region 1, some of which required coordination with Tribes.

Confederated Tribes of Siletz Indians

Consultation regarding potential impacts on archaeological resources for the Sunrise JTA project I-205 to SE 122nd Avenue, Clackamas County.

Consultation regarding potential impacts associated with projects that were classified as CE under NEPA. Numerous CE projects

REGION 1 CONTACT

Jason Tell
Region Manager
503-731-8256

Region 1 Employees Responsible for Tribal Coordination

Becky Crockett
Environmental Unit Manager

Robert Hadlow
Senior Historian

Shelli Romero
Public Policy and Community Affairs Manager

Theodore Miller
Regional Maintenance and Operations Manager

Jeff Buckland
Environmental Project Manager

Tom McConnell
Environmental Project Manager

Melissa Hogan
Region Environmental Coordinator

Mary Young
Region Environmental Coordinator

Claire Carder
Wetlands Specialist

Kristen Stallman
National Scenic Area Coordinator

were reviewed in Region 1, some of which required coordination with the Tribes.

Confederated Tribes of the Umatilla Indian Reservation

Consultation regarding potential impacts associated with projects that were classified as CE under NEPA. Numerous CE projects were reviewed in Region 1, some of which required coordination with Tribes.

Confederated Tribes of Warm Springs

Consultation regarding potential impacts on archaeological resources for the Sunrise JTA project I-205 to SE 122nd Avenue, Clackamas County.

Consultation regarding potential impacts associated with projects that were classified as CE under NEPA. Numerous CE projects were reviewed in Region 1, some of which

required coordination with the Tribes.

Training and Tribal Interaction

Region 1 staff attended the ODOT Environmental Conference on April 6-8, 2011, which included a Cultural Resources block with presentations on archaeological resources and Tribal history for recent projects throughout the State.

Region 1 planning staff also worked with Geo-Environmental Section (GES) staff to draft guidance for tribal relations on planning projects.

Daniel Ohrn
Region Environmental
Coordinator

Highway Division: Willamette Valley, North and Central Coast, and Western Cascades (Region 2)

Coordination and Communication

Government-to-government activities in 2011 included coordination and consultation with the Confederated Tribes of the Grande Ronde Community of Oregon.

Confederated Tribes of the Grand Ronde Community of Oregon

Staff meets regularly with tribal officials on development, expansion and operational issues.

The MOU currently in effect, calls for the Tribes to pay up to \$9.45 million, adjusted for inflation, toward roadway improvements, specifically a new interchange or other improvements that address the additional congestion expected to be created by expansion.

Staff has represented ODOT at many events hosted by the Tribes, underscoring

the partnership between ODOT and the Grand Ronde Tribes. ODOT ensures the Grand Ronde Tribes are notified of ODOT job openings, and District 3 has employed members of the Grand Ronde Tribes.

ODOT receives notice from Spirit Mountain Casino of major tribal events so ODOT can assure proper coverage of traffic issues, conversely, ODOT notifies the Casino of major traffic concerns.

Keizer Station and Spirit Mountain Casino

Staff continues to work with tribal representatives on the development of tribal property along the southwest corner of the I-5/Chemawa Interchange.

ODOT has worked with tribal members regarding an Interchange Area Management

REGION 2 CONTACT

Sonny Chickering
Region Manager
503-986-2631

Region 2 Employees Responsible for Tribal Coordination

Don Jordan
District 3 Manager

David Warren
Traffic Manager

Lisa Nell
Planning and Development
Manager

John deTar
Senior Region Planner

Bob Doran
District 4 Manager

Plan for the I-5/Chemawa Interchange.

Fort Yamhill State Park on Three Rivers Highway (OR 22)

ODOT staff has worked with tribal representatives and Oregon State Parks and Recreation Department staff regarding the development of a new state park, Fort Yamhill, in Yamhill County on Three Rivers Highway.

Fort Yamhill is a multi-use park and is expanding to include forest management, recreational use, camping, day use,

cultural events and a Pow Wow facility.

Grand Ronde Road Enhancement

ODOT has been working with the Grand Ronde Tribes to improve safety along with other important issues at County Road connecting OR 22 and OR 18.

Improvements have been completed at OR 22 and OR 18, including connections to improve safety by restricting access and improving the radii.

Highway Division: Southwest Oregon (Region 3)

Coordination and Communication

Government-to-government activities in 2011 included coordination and consultation with six federally-recognized tribes:

Cow Creek Band of the Umpqua Tribe of Indians

Coquille Indian Tribe

Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians

Confederated Tribes of the Grand Ronde Community of Oregon

Confederated Tribes of the Siletz Indians

Klamath Tribes

And one which is not recognized in Oregon:

The Smith River Rancheria

Cow Creek Band of the Umpqua Tribe of Indians OR 42 Expressway Management Plan

Planning staff invited the Tribe to

be a member of the Technical Advisory Committee (TAC).

Weaver Road Bridge Project

As FHWA’s representative, staff worked with the Tribe on the project. ODOT Environmental Section is the contract administrator for the project’s environmental assessment for environmental work, permitting, and a portion of the design.

ODOT staff worked with Tribe on the TAC and Region 3 staff coordinated closely with tribal staff in developing the project footprint in a manner to minimize adverse impacts to tribal property and cultural resources. This collaboration resulted in changes to the proposed alignment, property access, and construction techniques to avoid negative impacts to tribal property;

Fill slopes were replaced with retaining walls to minimize impacts to tribal property. And floodplain mitigation was modified from excavation of a flowage channel on tribal property to removal of riparian vegetation in response to tribal concerns.

REGION 3 CONTACT

Frank Reading
Region Manager
541-957-3543

Region 3 Employees Responsible for Tribal Coordination

Thomas Guevara Jr.
Development Review Planner

John Oltman
Development Review Engineer

H. Ronal Hughes
Region Access Management Engineer (RAME)

Lisa Cortes
STIP Coordinator

John McDonald
TGM Planner

Allie Krull
Long Range Planner

A large archaeological site was discovered within the project footprint. ODOT coordinated closely with the Tribe to avoid and minimize impacts to the site. This included:

- Tribal review and approval of archaeological probing and recovery plans.

- Regular meetings to discuss the archaeological work.

- A tribal observer present during the probing and recovery field work.

The Local Government Liaison coordinated design of the project with the Tribe on right-of-way (ROW) and design aspects.

I-5 Exit 99 Creekside Trucking Facility Rest Area

Region 3 Contract Administrator worked with the Tribe on an agreement to construct and operate a private rest area off I-5 Exit 99.

In coordination with opening of the rest area, ODOT has closed the Cow Creek and South Umpqua Safety Rest Areas.

District 7 provided options for traffic flow in and out of the Tribe’s trucking facility. District 7 also moved the Tribe’s historical marker from the Cow Creek rest area to the Tribe’s rest area and coordinated and installed sign guidance for the new rest area.

District 7 is working through permitting and agreement process to allow them to install and maintain landscaping on ODOT ROW at I-5 Exit 99. District 7 is also working through the permitting process to allow them to install sidewalks on ROW.

Region 3 Project Leader worked with the Tribe to apply for a grant for a variable message sign (VMS) southbound at mile point 105 to warn motorists of weather related incidents south of Canyonville.

The Local Agency Liaison provided letters of support to the Tribe for the American Recovery and Reinvestment Act (ARRA) funding for this project. Region 3 Project Leader and Local Agency Liaison and ODOT Environmental also worked with the Tribe on the trucking facility’s parking grant.

Region 3 Facilities Manager worked with the Tribe on rest room facilities at the Tribe’s rest area.

OR 138 Corridor Solutions

Coordinated with the Tribe on the TAC and impacts to tribal property.

Environmental Project Manager and Archeologist contacted the Tribe regarding the environmental assessment.

The Archeologist and Cultural Resources Tribal Liaison provided periodic updates to the Tribal Archeologist and the Natural Resources Director.

Development Review and Access Management

Region 3 RAME coordinated access management with the Tribe for the new Business Incubator Office on OR 138E.

State Transportation Improvement Program (STIP)

Region 3 STIP Coordinator discussed the STIP with the Tribe through the Southwest Area Commission on Transportation (SWACT) by sending them notices and meeting material.

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribal Archeologist and Natural Resources Director on all STIP projects that will occur within the Tribe’s ancestral homelands.

Tribal cultural resource monitors observed the archaeological fieldwork associated with numerous STIP projects, including Transporta-

Elizabeth Stacey
Project Leader

Scott Adams
Local Government Liaison

Jay Harris
Contract Administrator

Darrin Neavoll
District 7 Manager

Chris Hunter
Assistant District 7 Manager

Dave Wells
District 7 Permit Specialist

Roxanne Hanneman
Senior Right-of-Way Agent

Jim Collins
Environmental Manager

Raymond Cooper
Facilities Manager

Jessica Bochart-Leusch
Archeologist and Cultural Resources Tribal Liaison

Christie Meacham
Office of Civil Rights
Region 3 Field Coordinator

tion Growth Management projects.

Transportation Growth Management (TGM)

TGM projects included: Chancellor Quarry Stockpile Site Expansion, I-5: Exit 40, Kane Creek Fish Passage, and Tioga Wayside Trail and Access Bridge Projects.

Region 3 TGM Planner sent letters to Tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribe on maintenance actions as well as Local Agency projects occurring within the Tribe's ancestral homelands.

A tribal coordination meeting was held on April 20, 2011 at the Cow Creek Government Offices in Roseburg, Oregon.

Region 3 Civil Rights Field Coordinator contacted the Tribe for workforce-apprenticeship recruitment, Disadvantaged Business Enterprise (DBE), Minority, Women and Emerging Small Business (MWESB) recruitment, and Disparity Study information and opportunities.

Region 3 Civil Rights Field Coordinator sent the Tribe information on MWESB business and workforce opportunities, and has direct contact with the Tribe by phone.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives at events, and had direct contact with tribal representatives in response to telephone inquiries and opportunities.

Region 3 Civil Rights Field Coordinator scheduled meetings with tribal representatives to present, educate and recruit for programs promoted by ODOT.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives when organizing and coordinating the "How to

Do Business with ODOT" program and invited members who own businesses.

Coquille Indian Tribe

Coos County TSP

Region 3 Planning invited the Tribe to be a member of the Technical Advisory Committee (TAC).

US 101: North Bend-Coos Bay Pavement, Signals, Sidewalk Project

Region 3 ROW coordinated with Tribe to survey and build sidewalks on tribal trust land located in front of Tribe Government Offices on US 101.

Region 3 RAME and Development Review Traffic Engineer coordinated with the Tribe on access management for US 101.

Development Review and Access Management

Region 3 Development Review Team met with the Tribe to discuss phasing transportation improvements for the CEDCO development on US 101.

State Transportation Improvement Program (STIP)

Region 3 discussed the STIP with the Tribe through the South West Area Commission on Transportation (SWACT) by sending them notices and meeting material.

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribal Archaeologist on all STIP projects occurring within the Tribe's ancestral homelands.

Transportation Growth Management (TGM)

Region 3 TGM Planner sent letters to the Tribe soliciting applications for TGM grant projects and made follow-up phone calls.

Region 3 TGM Planner worked with the Tribe on a TGM application for redevelopment of the old naval base on Cape Arago Highway.

General Coordination

The ODOT Archeologist and Cultural Resources Tribal Liaison consulted with the Tribe on maintenance actions as well as local agency projects occurring within the Tribe's ancestral homelands. ODOT is in the process of setting up an Intergovernmental Agreement (IGA) with the Coquille Indian Tribe for tribal monitoring of ODOT projects occurring within their ancestral homelands.

A tribal coordination meeting was held on January 12, 2011 at the Coquille Government Offices in North Bend, Oregon.

Region 3 Civil Rights Field Coordinator contacted the Tribe for workforce-apprenticeship recruitment, DBE, MWESB recruitment, and Disparity Study information and opportunities.

Region 3 Civil Rights Field Coordinator sent the Tribe information on MWESB, business and workforce opportunities, and had direct contact with the Tribe by phone.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives at events, and had direct contact with tribal representatives in response to telephone inquiries and opportunities.

Region 3 Civil Rights Field Coordinator scheduled meetings with tribal representatives to present, educate and recruit for programs promoted by ODOT.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives when organizing and coordinating the "How to Do Business with ODOT" program and invited members who own businesses.

Confederate Tribes of Coos, Lower Umpqua and Siuslaw Indians

State Transportation Improvement Program (STIP)

Region 3 discussed the STIP with the Tribes through the SWACT by sending

them notices and meeting materials.

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribal Archaeologist on all STIP projects occurring within the Tribes' ancestral homelands.

Transportation Growth Management (TGM)

Region 3 TGM Planner sent letters to the Tribes soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribes on maintenance actions as well as local agency projects occurring within the Tribes' ancestral homelands.

A tribal coordination meeting was held on February 2, 2011 at the tribal government offices in Coos Bay. An additional meeting is scheduled for November 2, 2011.

Region 3 Civil Rights Field Coordinator contacted the Tribes for workforce-apprenticeship recruitment, DBE, MWESB recruitment, and Disparity Study information and opportunities.

Region 3 Civil Rights Field Coordinator sent the Tribes information on MWESB, business and workforce opportunities, and had direct contact with the Tribes by phone.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives at events, and had direct contact with tribal representatives in response to telephone inquiries and opportunities.

Region 3 Civil Rights Field Coordinator scheduled meetings with tribal representatives to present, educate and recruit for programs promoted by ODOT.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives when organizing and coordinating the “How to Do Business with ODOT” program and invited members who own businesses.

Confederated Tribes of the Grand Ronde Community of Oregon

State Transportation Improvement Program (STIP)

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribes’ Cultural Protection Coordinator and the Cultural Resource Protection Specialist on all STIP projects occurring within the Tribes’ ancestral homelands.

Transportation Growth Management (TGM)

Region 3 TGM Planner sent letters to the Tribes soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribes’ Cultural Protection Coordinator and the Cultural Resource Protection Specialist on maintenance actions as well as local agency projects occurring within the Tribes’ ancestral homelands.

A tribal coordination meeting was held on May 3, 2011 at the Grand Ronde Government Offices in Grand Ronde. An additional meeting is scheduled for November 10, 2011.

Tribal cultural resource monitors observed archaeological fieldwork associated with the I-5: Exit 40 Kane Creek Fish Passage Project.

Region 3 Civil Rights Field Coordinator contacted the Tribes for workforce-apprenticeship recruitment, DBE, Minority, MWESB, and Disparity Study information and opportunities.

Region 3 Civil Rights Field Coordinator sent the Tribes information on MWESB, business and workforce opportunities, and had direct contact with the Tribes by phone.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives at events, and had direct contact with tribal representatives in response to telephone inquiries and opportunities.

Region 3 Civil Rights Field Coordinator scheduled meetings with tribal representatives to present, educate and recruit for programs promoted by ODOT.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives when organizing and coordinating the “How to Do Business with ODOT” program and invited members who own businesses.

Confederated Tribes of the Siletz Indians

State Transportation Improvement Program (STIP)

Region 3 Archeologist and Cultural Resources Tribal Liaison consulted with the Tribes’ Cultural Resources Director on all STIP projects occurring within the Tribes’ ancestral homelands.

Transportation Growth Management (TGM)

Region 3 TGM Planner sent letters to the Tribes soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination:

The ODOT Archeologist and Cultural Resources Tribal Liaison consulted with the Tribes’ Cultural Resources Director on maintenance actions as well as local agency projects occurring within the Tribes’ ancestral homelands.

A tribal coordination meeting was held at the Confederated Tribes of the Siletz Government Offices on May 23, 2011.

Region 3 Civil Rights Field Coordinator contacted the Tribes for workforce-apprenticeship recruitment, DBE, MWESB recruitment, and Disparity Study information and opportunities.

Region 3 Civil Rights Field Coordinator sent the Tribes information on MWESB, business and workforce opportunities, and had direct contact with the Tribes by phone.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives at events, and had direct contact with tribal representatives in response to telephone inquiries and opportunities.

Region 3 Civil Rights Field Coordinator scheduled meetings with tribal representatives to present, educate and recruit for programs promoted by ODOT.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives when organizing and coordinating the “How to Do Business with ODOT” program and invited members who own businesses.

Smith River Rancheria

State Transportation Improvement Program (STIP)

Region 3 ODOT Archeologist and Cultural Resources Tribal Liaison consulted with the Tribe’s NAGPRA/THPO Officer and the Natural Resources Director on all STIP projects to occurring within the Tribe’s ancestral homelands.

Transportation Growth Management (TGM)

Region 3 TGM Planner sent letters to the Tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

Region 3 ODOT Archeologist and Cultural Resources Tribal Liaison consulted with the Tribe’s NAGPRA/THPO Officer and the Natural Resources Direc-

tor on maintenance actions as well as local agency projects occurring within the Tribe’s ancestral homelands.

Region 3 Civil Rights Field Coordinator contacted the Tribe for workforce-apprenticeship recruitment, DBE, MWESB, and Disparity Study information and opportunities.

Region 3 Civil Rights Field Coordinator sent the Tribe information on MWESB, business and workforce opportunities, and had direct contact with the Tribe by phone.

R3 Civil Rights Field Coordinator reaches out to tribal representatives at events, and has direct contact with tribal representatives in response to telephone inquiries and opportunities.

Region 3 Civil Rights Field Coordinator scheduled meetings with tribal representatives to present, educate and recruit for programs promoted by ODOT.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives when organizing and coordinating the “How to Do Business with ODOT” program and invited members who own businesses.

Region 3 Civil Rights Field Coordinator contacts the Tribe to see if they want to be included in the Alliance/Business e-list.

Klamath Tribes

General Coordination:

Region 3 had one maintenance project occur within the ancestral homelands of the Klamath Tribes and consulted with the Tribes’ Cultural & Heritage Program Director.

Region 3 Civil Rights Field Coordinator contacted the Tribes for workforce-apprenticeship recruitment, DBE, MWESB, and Disparity Study information and opportunities.

Region 3 Civil Rights Field Coordinator sent the Tribes information on MWESB, business and workforce opportunities, and had direct contact with the Tribes by phone.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives at events, and had direct contact with tribal representatives in response to telephone inquiries and opportunities.

Region 3 Civil Rights Field Coordinator scheduled meetings with tribal representatives to present, educate and recruit for programs promoted by ODOT.

Region 3 Civil Rights Field Coordinator reached out to tribal representatives when organizing and coordinating the “How to Do Business with ODOT” program and invited members who own businesses.

Highway Division: Central Oregon (Region 4)

Coordination and Communication

Government-to-government activities in 2011 included coordination and consultation with three federally-recognized tribes:

Klamath Tribes

The Confederated Tribes of Warm Springs

Burns Paiute Tribe

Klamath Tribes

The South Central Area Office, District 11 Maintenance Office, Regional, and Salem staff held two quarterly meetings with the Klamath Tribes’ Cultural and Heritage Chairman, Perry Chocktoot and Cultural Resource Protection Specialist, Lillian Watah to review STIP and JTA projects this year.

The South Central Area Office, District 11 Maintenance office, and Region 4 Planning staff had a meeting with the Tribes to discuss protecting lands for future transportation improvements in the area of the Kla-Mo-Ya Casino, including the travel center and future motel; continued discussion with the Tribes will be

critical to future development of the site. District 11 staff continued to have dialog with the Tribes on the expansion at the Kla-Mo-Ya Casino facility including the casino, travel center and the future motel.

District 11 and Salem staff worked with the Tribes on the maintenance sidewalk project in Merrill that required tribal monitoring for the excavation work.

Staff conducted face-to-face meetings, twice for general STIP and JTA project updates as well as ongoing written and phone correspondence for 16 projects, and negotiating an IGA.

Confederated Tribes of Warm Springs (CTWS)

Staff met with the CTWS Transportation Committee to discuss, review, coordinate and make decisions on transportation planning, development review, and highway project issues; projects included a Scenic Byway application, the Transportation Improvement Plan (TIP), and Indian Head Casino development review.

Region 4 staff worked with CTWS representatives and project consultants on

REGION 4 CONTACT

Robert Bryant
Region Manager
541-388-6184

Region 4 Employees Responsible for Tribal Coordination

Tobin Bottman
GES Archeologist

Teresa Brasfield
Region 4 Environmental Coordinator

Pat Creedican
District 10 Operations and Maintenance Manager

Brad DeHart
Project Engineer

Pat Cimmiyotti
District 9 Operations and Maintenance Manager

Thomas Feeley
Project Manager

Gary Farnsworth
Central Oregon and LJD Manager

roadway improvements and access permitting requirements related to the Indian Head Casino development on US 26.

Joel McCarroll and Ana Jovanovic met with tribal and Casino representatives on site in July 2011.

Staff assisted Department of Justice (DOJ) staff in developing an updated compact agreement between the State and Tribes, specifically related to the Indian Head Casino development.

Staff drafted an MOU between Tribes and ODOT to formalize roadway improvements needed for the Indian Head Casino.

Staff responded to tribal inquiries on issues related to US 26 and provided feedback on tribal projects as they affect the highway system. Staff evaluated opportunities to partner and increase efficiencies that would result in cost-savings for the Tribes and ODOT. Staff also identified projects on state highways within the Warm Springs Reservation for consideration in the STIP.

Staff assisted Warm Springs on the Pedestrian Pathways plan by participating in meetings and providing input on specific pathway projects planned along US 26.

Staff assisted the Tribes in an update of their long-range plan by participating in the technical advisory committee and providing professional assistance to further the goals of both ODOT and the Tribes.

District 9 will continue to work with CTWS to obtain permits to remove brush and danger trees from the easement along US 26 and US 216 to improve the safety along highway.

Detailed scoping for US 26 along Beaver Creek continued and the project is still within Region 4 work plans to continue to partner with CTWS staff and work issues.

Beaver Creek is a sensitive and critical habitat for salmon, rainbow trout, and other aquatic species, and has been significantly impacted by the highway conditions; staff will work closely with CTWS staff to provide this detailed scoping and recommendations.

Reoccurring incidents of overturned trucks containing toxic and hazardous materials have resulted in contamination of the creek; during winter months, pollutants (e.g., cinders) enter the creek as a result of routine highway maintenance.

District 9 removes sanding material from the shoulders and under the guardrail to prevent it from entering Beaver Creek along US 26 every year, but detrimental impacts still occur due to the close proximity of the highway.

Region 4 and CTWS staff will continue evaluating alternatives to solve these problems for US 26 along Beaver Creek, including next step recommendations and funding needs.

District 9 responded to and assisted the tribal emergency response personnel with numerous accidents along US 26 and OR 216.

District 9 and tribal emergency response personnel met to discuss process and improvements for emergency response.

District 9 responded to and assisted the tribal emergency response personnel during the fire of 2011 that closed US 26 numerous times; ODOT staff and the Tribes worked together at the fire command center to coordinate the fire operations and closures of US 26.

Region 4 adopted a project in US 26 in the 2010 – 2013 STIP which will provide safety improvements along the Warm Springs Highway and received federal grant funding to extend the limits of the project to

Norman "Butch" Hansen
Soutch Central Area
Manager

Devin Hearing
Planner

Ana Jovanovic
Planner

Gary Larson
Region 4 Environmental
Coordinator

Joel McCarroll
Region Traffic Manager

Michael Stinson
District II Operations and
Maintenance Manager

mile point 99.0. Integral to the success of that application was a CTWS letter submitted directly to FHWA in support of that funding request. The project will include: widening the highway shoulders between mile point 92.7 and mile point 94; improving the clear zone between mile point 92.7 and mile point 94; constructing passing lanes on an embankment between mile point 94 and mile point 96.5; and rock fall mitigation work near mile point 102.5 on the Warm Springs.

Project Delivery meetings for the above were initiated in 2011 and CTWS representatives from Planning and Natural Resources are members of the Project Team and delivery processes; construction on this project is scheduled for 2013.

District 9 has extended the intergovernmental agreement that was established in 2009 with the CTWS to remove snow from the new tribal housing development at Celilo; this intergovernmental agreement allows ODOT and CTWS to continue to partner on the need for snow removal at Celilo.

Staff is researching the original agreements with regard to US 26 access through the Warm Springs Reservation.

District 10 staff obtained permission to remove danger trees and small trees in the clear zone this year.

District 10 had one formal contact with Tribes this year to discuss winter Level of Service.

District 10 has daily contacts with Warm Springs Police, fire, etc... on crashes, and public works on any ODOT highways that run through the reservation.

Region 4 staff had regular check-ins with Warm Springs planner Lonny Macy (approximately once every month at COACT meetings), and Urbana

Ross (approximately once every three months at LJDACT meetings).

Several projects on US 26 were shelved because of lack of funding; lack of activity limits the need for communication.

Tribal communication protocol was discussed among ODOT planners during a recent meeting.

All coordination with the Tribes is handled by Tobin Bottman and Mary Turner, usually via email or phone with Sally Bird, Cultural Resource Manager for Warm Springs, or Roberta Kirk, Review and Compliance Coordinator.

Archaeologists notify CTWS staff about each proposed project and receive feedback regarding any concerns the Tribes may have.

Region 4 staff tried to have quarterly meetings with the Cultural and Heritage Committee at Warm Springs, but scheduling makes this difficult. The last meeting with the Cultural and Heritage Committee was held on October 28, 2010.

Discussions regarding routine maintenance activities within the reservation are coordinated and communicated to the Tribes by the District 9 West TMM with input and involvement by a Region 4 Planner when special projects arise.

Burns Paiute Tribe

Staff continues correspondence and phone contact with the Tribe on six projects.

Highway Division: Eastern Oregon (Region 5)

Coordination and Communication

Government-to-government activities in 2011 included coordination and consultation with two federally-recognized tribes:

Confederated Tribes of the Umatilla Indian Reservation

Burns Paiute Tribe

Portions of Region 5 include areas that were traditionally used by the Confederated Tribes of Warm Springs, Klamath Indian Tribe, Burns Paiute Tribe, The Confederated Tribes and Bands of the Yakima Nation, and the Nez Perce Tribe. When appropriate, ODOT Archaeologists consult with tribal representatives about projects in their areas of interest.

Region 5 staff and ODOT Archaeologists tried to coordinate quarterly meetings with the Burns Paiute Tribe in 2011. Because the Tribe has limited staff, ODOT was not able to have any consultation meetings with the Burns Paiute Tribe this year. Region 5 staff primarily interacted with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR).

Staff participates in government-to-government relations through the implementation of the Tribal Employment Rights (TERO) requirements on highway projects. Contractors are required to attend TERO Certification workshops in order to bid on MOU or TERO qualified projects and certification is good for two years.

Confederated Tribes of the Umatilla Indian Reservation

ODOT and CTUIR finalized and signed a final MOU in December 2010. This

MOU included language ensuring that the provisions of the TERO code and the “Indian hiring preference” provisions are established and followed for all federally-funded projects located off the Reservation and within a sixty-mile boundary.

For each project occurring within TERO or MOU boundaries, hiring goals, compliance fees, and Tribal subcontracting will be coordinated through the Region Tribal Liaison. The Umatilla River Bridge project, which let on August 4, 2011, was the first project under the new MOU.

Local agencies and consultants developed the following three projects this past year:

Grande Ronde River Greenway Bike/Ped Bridge and Path

A 25% Indian Employment Preference Goal was assigned to this project.

West Dearborn Street Sidewalks and Lighting

This project is in the preliminary design phase, with a bid let date of May 2012 scheduled. The Indian Employment Preference Goal is being negotiated.

Main Street/Bonanza/Front Street Sidewalk and Streetscape

This project is in the preliminary design phase, with a bid let date of May 2012 scheduled. The Indian Employment Preference Goal is being negotiated.

In 2011, the Region 5 Archaeologist left ODOT and Howard Postovit, Region 5 Environmental Coordinator, became the main point of contact for archaeological and built environment investigations.

REGION 5 CONTACT

Monte Grove
Region Manager
541-963-1327

Region 5 Employees Responsible for Tribal Coordination

Craig Sipp
Area Manager

Robert Hardie
Office of Civil Rights

Teresa Penniger
Region Plannign and Program Manager

Marilyn Holt
District I2 Manager

Ace Clark
Assistant District I2 Manager

George Bornstedt
Bridge, Enviromental and Geology Manager

Doug Wright
Federal Aid Specialist

Laura Slater
Local Agency Liason

Jay Roundtree
Project Manager

Ken Patterson
Project Leader

Tim Rynearson
Project Leader

Geo-Environmental Section (GES) archaeologists had regular contact with the CTUIR Cultural Resources Protection Program (CRPP) staff to provide information about upcoming projects and to forward archaeological and historical documentation prepared for projects.

Region 5 Environmental Staff and Geo-Environmental Section archaeologists held face-to-face quarterly meetings with the CTUIR to discuss ongoing and up-coming projects that could be of interest to the Tribes.

Quarterly meetings with the CTUIR CRPP staff and Cultural Resources Committee (CRC) were held on March 15, 2011, July 5, 2011, and October 18, 2011. ODOT presented information on 34 projects including STIP, Local Agency, and Maintenance, during the March 15th meeting.

ODOT provided updates to the CRPP staff and the CRC on many projects during the subsequent quarterly consultation meetings in July and October 2011; projects that were initiated after the March meeting were presented to the CRC during the latter meetings.

Staff provided project overviews and maps depicting the Area of Potential Effect (APE) for each project, answered questions from tribal representatives, discussed anticipated resource surveys and discussed results of completed surveys. Any potential impacts to resources and means of mitigating those impacts were also discussed.

At the quarterly meetings, staff requested that the Tribes provide input on any issues or concerns they had with specific projects, in particular, issues concerning resources that might not be recorded in the State Historic Preservation Office's database, or historic properties of cultural and religious significance to the Tribes.

In District 14, staff finalized a Special

Management Area (SMA) Maintenance plan to protect a significant archaeological site along US 26 in the Picture Gorge area within ODOT right-of-way. The SMA management plan provides guidance to Maintenance crews for providing a safe travel route for the public while protecting cultural resources within SMA boundaries. The Picture Gorge SMA was the first SMA plan developed within ODOT to protect a cultural resource.

For more routine Maintenance projects, Mary Turner, Geo-Environmental Archaeologist, sends e-mails and/or calls interested Tribes to inform them about the status of numerous projects. Frequent updates provide additional opportunities for Tribes to comment, raise issues, and ask questions about specific projects. Constant communication and collaboration with Tribes provides a better understanding of tribal concerns and allows issues to be brought to the attention of District Managers.

District 12, partnering with CTUIR, renewed a contract for cleaning services at the Deadman's Pass Safety Rest Area on I-84.

CTUIR continues to be formally notified and consulted on all reportable hazmat releases on highways within the reservation boundaries.

ODOT partnered with the CTUIR's Road Department by entering into an agreement to allow the CTUIR to obtain liquid roadway deicing materials (magnesium chloride) from ODOT storage tanks at mile poing 216 on I-84.

The Deadman's Pass SRA Landscaping Improvement ESB project was written to include TERO specifications with a 25% hiring preferences and a \$2,250 compliance fee.

The CTUIR TERO office provided a

special training to allow the ESB contractor to obtain their TERO certification.

District 12 and the CTUIR Planning Office regularly consult on land use actions located in close proximity to State highways within the reservation.

District 12 has initiated discussion with the CTUIR TERO office to create a highway maintenance apprenticeship program. District 12 continues to work with CTUIR in issuing tribal Chain-up Permits on

ODOT's highway system, providing a seasonal employment opportunity for tribal members and a benefit to the traveling public improving safety and operations; CTUIR issued 5 permits in 2011.

Planning staff invited a representative from the CTUIR to participate on the advisory committee for the Umatilla Interchange Area Management Plan (IAMP) currently under development; staff has also been invited to participate in the CTUIR Transportation System Plan update.

Major Projects Branch (MPB)

OTIA III State Bridge Delivery Program

Throughout the 10-year OTIA III State Bridge Delivery Program, ODOT's Office of Civil Rights and bridge program diversity team have partnered with many governmental and non-governmental organizations to implement workforce training programs. The team is pleased to have worked with Oregon's Native American tribes to prepare tribal members to secure contracts for and work on bridge program projects. The following information details how the tribal groups and ODOT region and bridge program staff collaborated on projects across the state.

Since the bridge program's beginning in 2003, the diversity team has strengthened ODOT's relationship with the Tribal Employment Rights Office of the Confederated Tribes of Umatilla Indian Reservation. TERO enforces the Tribes Employment Rights Ordinance, which ensures that employers fulfill their Indian preference obligations on or adjacent to the reservation. Ongoing activities of TERO staff include assistance with resume development, informal employment counseling and sponsorship of various workshops.

To date, ODOT has recorded more than 37 individuals from CTUIR who have worked on OTIA III projects, accumulating more than 32,000 total hours. Those TERO members have been paid a total of \$913,302.98, which averages to \$24,683.86 per person. Tribal members have worked as pile bucks, iron workers, laborers, carpenters, cement masons, power equipment operators and truck drivers. The participation of TERO members not only increases the economic level and skill sets of the CTUIR, it continues the positive relationship between ODOT and TERO.

In September 2011, the bridge program communications team met with six of the nine Grand Ronde Tribal Council members, along with members of the Interstate 5 Willamette River Bridge Community Advisory Group, to rename the Willamette River Bridge. The CAG was seeking approval to change the name to Whilamut Passage Bridge. In October, ODOT received a letter of support from the tribe for the new name.

State Radio Project

The Oregon Wireless Interoperability

MPB CONTACT

Tom Lauer
MPB Manager
503-986-4412

Network (OWIN) program was replaced with the State Radio Project by the Oregon Legislature in June 2011. At that time the collaboration with the tribal organizations did not change, except for the Confederated Tribes of Siletz Indians and the Confederated Tribes of the Grand Ronde Community of Oregon, as noted below.

The State Radio Project continues to work with tribal entities on the development of existing and new technologies in the effort to improve tribal public safety and reservation quality of life while protecting culturally significant resources. The radio project is the primary technology solution being developed in Oregon to link state radio users with regional and local system users, and it is leveraged to increase both operability and interoperability.

The radio project uses the Federal Communications Commission's Tower Construction Notification System process, which automatically notifies tribal organizations of radio project construction plans. This allows interested tribal organizations to be involved in advance of construction and ensure respect is maintained for their cultural heritage.

Chemical Stockpile Emergency Preparedness Programs. The radio project continues to work closely with the Confederated Tribes of the Umatilla Indian Reservation for a smooth transition from a CSEPP relationship to a government-to-government partnership that promotes the sharing of communication assets, distributes costs by combining needs at common sites and maintains cost-effective service to the public.

Columbia River Inter-Tribal Fish Commission. CRITFC is wholly owned and controlled jointly by the Nez Perce Tribe, Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of Warm Springs and the Confederated Tribes of the Umatilla Indian Reserva-

tion. Regular meetings were instituted in August 2010 by OWIN and have been continued by the radio project to facilitate the agreement provisions that the state take ownership of all microwave equipment along the Columbia River corridor in June 2012. This agreement also promotes the sharing of communication assets, distributes costs by combining needs at common sites and maintains cost-effective service to the public.

Recently, the radio project conducted a cultural resource review at the Juniper site in Klickitat County that revealed artifacts on the site. The findings were communicated to ODOT's archeologist, CRITFC, the Washington State Archeological office and the FCC. Construction at Juniper is on hold pending cultural review by involved organizations.

Confederated Tribes of Warm Springs.

The State Interoperability Executive Council, which falls organizationally under ODOT, appointed a new committee member from the Confederated Tribes of Warm Springs, Lonny Macy. The SIEC meets bimonthly with a diverse group of stakeholders engaged in improving communications, coordination and cooperation across disciplines and jurisdictions.

Confederated Tribes of Siletz Indians and Confederated Tribes of the Grand Ronde Community of Oregon.

Budgetary challenges resulted in a scaled-back scope when the OWIN program was replaced by the State Radio Project in June 2011. In reviewing previous agreements, it was discovered that obligations could be realized without building the Neahkanie site, which is deeply rooted in cultural heritage and environmental challenges. The partners plan to implement connectivity within the agreements' timeframe and continue with biweekly meetings.

Confederated Tribes of the Umatilla Indian Reservation.

The radio project completed two separate agreements and communications site developments with the CTUIR. The site developments were on Dead Man's Pass and Weston. Both communications sites provide enhanced public safety capabilities for CTUIR and the state of Oregon.

Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians; Confed-

erated Tribes of the Umatilla Indian Reservation; Confederated Tribes of Siletz Indians; Confederated Tribes of Warm Springs; and Confederated Tribes of the Grande Ronde Community of Oregon. These tribal organizations continue to be communities of interest in the state's planning for a future public safety broadband system. Meetings and discussions are fostered by the Oregon Broadband Council.

Motor Carrier Transportation Division (MCTD)

The following is the Motor Carrier Transportation Division's report regarding programs and activities in 2011 that affected the federally-recognized tribes in Oregon.

No training was provided or participated in by MCTD regarding state-tribal relations; MCTD staff is aware of the government-to-government law and it has been included in management team discussions and past meeting minutes that are distributed throughout the division.

MCTD has a current agreement with the Umatilla Tribal Police Department for participation in the Motor Carrier Safety Assistance Program and that agreement is expected to continue in 2012. The Tribe currently has one

active, certified truck safety inspector. As part of a nationwide effort to check the safety of passenger carriers, MCTD safety managers met in 2011 with both the Confederated Tribes of The Grand Ronde Community of Oregon and the Klamath Tribes to discuss the possibility of conducting bus and bus driver inspections at the Spirit Mountain Casino and the Kla-Mo-Ya Casino; the Klamath Tribes agreed to one special inspection exercise at the Kla-Mo-Ya casino in July 2011.

In 2011, MCTD staff did not respond to any individual Tribal member questions regarding the applicability of motor carrier regulations on and off Tribal land and staff had no other contact with Oregon Tribal governments regarding programs in 2011.

MCTD CONTACT

Gregg Dal Ponte
Administrator
503-378-6351

MCTD Employees Responsible for Tribal Coordination

Gayle Green
Motor Carrier Audit Program Manager

Craig Bonney
Complaint Resolution and Economic Regulation Manager

David McKane
Safety, Federal Programs and Intelligent Transportation Systems Manager

Rail Division

Rail Division activities/programs that could affect Tribes are railroad crossing safety issues on tribal land, and railroad service and economic development issues.

Confederated Tribes of Warm Springs
Railroad Crossing Safety staff worked successfully with Mike Leenow to correct safety issues noted at the Celilo Village access Rd. crossing, which crosses the BNSF Railway.

RAIL CONTACT

Betsy Imholt
Administrator
503-986-4077

Rail Division Employees Responsible for Tribal Coordination

Richard Shankle
Crossing Safety Section Manager

Transportation Development Division (TDD)

Programs or activities that affect Tribes

Statewide plans including the Oregon Transportation Plan, the Oregon Highway Plan and the Oregon Freight Plan. Transportation facility plans such as Corridor Plans, Refinement Plans and Interchange Area Management Plans and Access Management Plans. Statewide Transportation Improvement Program (STIP) including project identification, development and construction. Immediate Opportunity Fund (IOF), Transportation Enhancement Program, Transportation and Growth Management (TGM) Program, Certified Mileage Report, which includes miles of public roads on Indian Reservations, Crash Reporting and Analysis Program, ConnectOregon Program investments, and Flexible Funds Program.

Activities to promote communication with the Tribes

The division invites tribes to participate on transportation planning teams and project development teams. Participates in tribal transportation and community planning committees. Encourages tribal participation on Area Commissions on Transportation (ACTs). ACTs review ConnectOregon projects as part of the selection process and recommend projects for the STIP. Solicits tribal comments when updating long-range plans and policies such as the Oregon Transportation Plan, Freight Plan, and Public Involvement Policy. Solicited tribal comments in the development of the Statewide Transportation Improvement Program (STIP) User's Guide. Transmits information about tribes being eligible for competitive Transportation Growth Management (TGM) grants.

Supports tribal maintenance training through ODOT's Technology Transfer center.

The division also works with tribal police agencies to collect and report tribal location specific traffic safety information. Solicit input from Bureau of Indian Affairs for Certified Road Mileage report. Participates on the "Economic Development and Community Services Cluster" with the tribes, and liaison work between the tribes and other parts of ODOT.

Staff attend periodic government-to-government training sessions to promote understanding and communication with tribes. Developed Title VI guidance for ODOT Planning and sub-recipient monitoring. Includes tribal transportation and jurisdiction information in the State of the System Report. Solicited tribal participation on the Statewide Transportation Strategy Technical Advisory Committee (SB 1059 – Oregon Transportation GHG Emission Reduction Planning).

TDD CONTACT

Jerri Bohard
Administrator
503-986-4163

TDD Employees Responsible for Tribal Coordination

Erik Havig
Planning

David Ringeisen
Transportation Data

Barnie Jones
Research

Transportation Safety Division (TSD)

Transportation Safety Division (TSD) provides information, direct services, grants and contracts to the public and to partner agencies and organizations. More than half of the funding comes from federal funds earmarked for safety programs.

The division administers more than 550 grants and contracts each year to deliver safety programs to Oregon citizens. The following are the TSD agency programs or activities that affect or have been offered to the tribes.

Law enforcement training:

- Child safety seats
- Safety belts
- Impaired driving
- Drugs and driving
- Speed
- Pedestrian safety operations
- Crash reconstruction

Equipment:

- Speed detection equipment
- DUII cameras
- Low or no-cost child safety seats
- Low or no-cost booster seats

Access to school education programs.

Trauma Nurses Talk Tough
Think First (OHSU)

Oregon Partnership (alcohol and drug intervention and awareness)

Bicycle safety and awareness

Free print materials and “fair” equipment such as videos, Vince and Larry costumes, Safety Wheel, etc.

Local traffic safety community grant opportunities.

Cooperative programs for high-way safety around casinos.

Community Programs and Safe Community Program access.

Localized data

Opportunities to participation in local coalition meetings and activities

Coalition support and materials

Meeting effectiveness training for local traffic safety committees

Training regarding starting and operating a traffic safety group

Training regarding conducting local safety projects and programs.

Transportation Safety Division contacted the tribes to engage them in the Transportation Safety Action Plan (strategic highway safety plan for Oregon). Having the tribes involved is an Federal Highway Administration (FHWA) rule. The tribes chose not to participate in this planning process.

TSD CONTACT

Troy Costales
Administrator
503-986-4192

Public Transit Division (PTD)

Agency Programs that Affect Tribes

The Special Transportation Fund Program (STF) provides state funds to STF Agencies, including federally-recognized tribes in Oregon. Distribution of the funds is based on a population formula. The STF Agencies with small populations (a situation affecting the tribes) receive a minimum allocation of \$40,000 per year. The remainder of the funds are distributed as discretionary grants.

The Federal Transit Administration (FTA) §5310 program provides funds to public and private nonprofit agencies for capital purchases that will benefit older adults and people with disabilities. The funds are distributed through a discretionary grant program. Tribes are eligible to apply for vehicle purchases or other capital needs.

The FTA §5311 program provides grant assistance to public and private not-for-profit agencies delivering transportation services to the public in communities of fewer than 50,000 people. Funds may be used for planning, operations, and capital purchases or technology improvements. The majority of funds are distributed through a formula program. Tribes are eligible to apply for these funds to support general public transportation programs.

The FTA Intercity Program provides funding to develop intercity passenger services connecting rural communities to the larger intercity passenger network; a discretionary grant program distributes these funds; tribes with transportation services that fit the program guidelines are eligible to participate in the program.

FTA Job Access and Reverse Commute Funds are available for transportation services benefiting people with low income, and FTA New Freedom Funds, which benefit people with disabilities; tribes with transportation services that fit the program guidelines are eligible to participate in the statewide competitive program.

The Transportation Options Program supports activities that encourage alternatives to driving alone. Rideshare programs, park and ride lots, marketing and incentive programs are some of the project types funded under this program; opportunities exist for tribes to identify and develop transportation options projects.

Coordination and Communication

PTD maintains an agency communication list that includes tribal contacts.

The Legislative Tribal Commission assisted to identify an individual to represent tribal perspectives on the Public Transit Advisory Committee (PTAC); the PTAC is one of the modal committees that advise the Oregon Transportation Commission and PTD.

PTD invites the tribes to attend all scheduled events, workshops and conferences.

PTD provides information regarding state and federal funding opportunities to all eligible agencies and entities in the state, including tribes.

Staff also provides technical assistance, training, scholarships and other support as needed and requested to tribes; grant Management training was offered during 2011.

Public Transit

Michael Ward
Administrator
503-986-3413

Public Transit Division Employees Responsible for Tribal Coordination

Dinah Van Der Hyde
Transit Operation Manager

Jean Palmateer
Special Transportation Program Manager

Joni Bramlett
Capital Program Manager

Matthew Barnes
Intercity Program Manager

Alison Wiley
Transportation Options Program Manager

Sherrin Coleman
Statewide Public Transportation Planning Program Manager

Sharon Peerenboom
Small City and Rural Program Manager

Tribal Relations

The relationship between the tribes and PTD is good; the tribes are active participants in the federal and state transit funding programs and are expanding the scope of their public transit programs.

Staff continues to work with the Tribes to develop their transit programs.

Staff provides on-site or phone 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.

Intergovernmental Agreements

PTD has intergovernmental agreements (IGA) with each of the tribes for STF; the IGA is required by state law as a conveyance of the funds.

Confederated Tribes of the Umatilla Indian Reservation (CTUIR) has an IGA for FTA \$5311 and ARRA programs; the IGA is required by federal law as a conveyance of the funds. Capital and operating grants for 5311(f) (Intercity Bus Service) funds were awarded for the 2011-2013 Biennium.

The CTUIR Public Transit Project was one of the finalists in the 2010 Harvard Project on American Indian Economic Development (a national award for good government); the award recognizes CTUIR Tribal Government’s free transportation system as an example of economic development that works.

Several tribes have IGAs for the FTA \$5310 program; the IGA is required by federal law as a conveyance of the funds; six tribes were awarded projects in the 2011-2013 biennium grant program for special needs transportation.

Key Activities in 2011

For 2011-2013, PTD allocated a planned amount of funds from the \$5310 and STF programs to each of the tribes; seven of the nine tribes identified qualifying projects for the funds.

Eight of the nine tribes have adopted the transit plan required of the STF program and the FTA programs; the ninth tribe continues to pursue the planning requirements; these plans (called Coordinated Plans) describe needs and opportunities to develop transit services primarily benefiting people with disabilities, the elderly, people with low income, and for the general public; these plans were developed in coordination with counties and transit districts also providing transit services in the areas inhabited by tribal members.

The Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, Confederated Tribes of the Umatilla Indian Reservation, Cow Creek Band of the Umpqua Tribe of Indians, Confederated Tribes of the Grand Ronde Community of Oregon, Coquille Indian Tribe and the Klamath Tribes have partnered with other transit agencies in their regions to implement regional transit services that benefit both the tribal members and other citizens in the areas served.

PTD has reserved \$5311 funds for the Klamath Tribes as they explore the possibility of implementing rural general public transit services.