

Government-to-Government 2010 Activity Report
Oregon Department of Transportation

Introduction

In accordance with Oregon Revised Statute 182.162, ODOT is submitting this report to the Governor and to the Commission on Indian Services. This report identifies the ODOT divisions and regions, and the names of the individuals in ODOT who are 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.

ODOT's mission is to provide a safe, efficient transportation system that supports economic opportunity and livable communities for Oregonians. To accomplish this mission, the Oregon Department of Transportation (ODOT) is organized into nine divisions under the overall direction of Matthew L. Garrett. These divisions are: Central Services Division (Audit Services, Financial Services, Human Resources, Information Systems, and Support Services); Communications Division (ODOT Headquarters Business Management, Public Information, and Strategic Communications and Production); Driver and Motor Vehicle Services Division (Customer Service, Field Services, Processing Services, and Program Services); Motor Carrier Transportation Division (Field Motor Carrier Services, Investigation/Safety/Federal Programs, Motor Carrier Audit, and Salem Motor Carrier Services); Public Transit Division; Rail Division (Crossing Safety and Rail Safety); Transportation Safety Division; Transportation Development Division (Planning, Transportation Data and Freight Mobility); and the Highway Division (Highway Finance Office, Office of Project Delivery, Office of Innovative Partnerships, Technical Services, Columbia River Crossing, Field Services, Office of Maintenance and Operation, Major Projects Branch, and Regional Operations). Information on the Office of Civil Rights activities is also included. Each of these divisions has varying degrees of Tribal interaction and involvement, which will be discussed individually below.

HEADQUARTERS

Matthew L. Garrett, Director
Joan Plank, Chief of Staff

(503) 986-3452
(503) 986-4214

CENTRAL SERVICES DIVISION (CSD)

Maureen Bock, Fuels Tax Group Manager

(503) 378-2934

ODOT Fuels Tax Group administers the Fuels Tax refund program that allows Tribes and/or Tribal members to obtain refunds of fuel taxes paid by Tribal members for fuel used on

reservation lands. Under that program, the Group administers an intergovernmental agreement with the Confederated Tribes of the Umatilla Indian Reservation for the collection of fuel 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 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.

This year, the Fuels Tax Group was contacted by the Klamath Tribes 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. Specifically, the Klamath Tribes do not have a reservation which is a statutory requirement. During the negotiation period, FTG staff met with the Tribes to provide training about the fuels tax programs

DRIVER AND MOTOR VEHICLE SERVICES DIVISION (DMV)

Tom McClellan, Administrator

(503) 945-5100

Tribal Interaction Activities

- 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.
- DMV titles and registers vehicles owned by Tribal members that are operated outside of reservations.
- DMV 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. 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 convictions into non-Tribal records.
- DMV continues to provide False Document Recognition training to Tribes engaged in gaming when requested. The training helps gaming employees detect altered or counterfeit identity documents.
- In previous years, DMV has trained volunteers from both the Siletz and Grande Ronde Tribes as telephone agents. No training or placements were made in 2010; however, DMV continues to affirm its interest in volunteers when contacted by Tribal representatives.

- DMV 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.

COLUMBIA RIVER CROSSING PROJECT (CRC)

Richard Brandman, Project Director

(360) 816-2187

CRC continued Tribal consultation with ten Oregon and Washington Tribes. Activities in 2010 included:

- February – April 2010 staff visited all the Tribes to give an update on the archeological investigations and discuss the Draft Biological Assessment (BA).
 - Sent Draft Biological Assessment to Tribes in April 2010 and the Final BA in June 2010.
 - Sent the Draft Archeological Technical Report to Tribes in May 2010.
- August 2010 – December 2010 we visited all the Tribes to discuss comments on the BA and findings for the Final Environmental Impact Statement.
- September 2010 we developed a white paper on lamprey to address Tribal concerns about impacts from our project. We are currently discussing potential impacts to lamprey with the tribes.
- September 2010 we sent out a draft document to begin preliminary discussions about the Memorandum of Agreement for Section 106.
- November 2010 we will send out letters offering a project presentation to Tribal Council.
- We are currently planning a Tribal Leadership meeting for January 2011.

HIGHWAY FINANCE OFFICE, LOCAL GOVERNMENT SECTION

Darel Capps, Highway Finance Officer

(503) 986-3880

The regions, primarily through their Local Agency Liaisons, are the contacts for any local project activity with the Tribes. Any activity would be included in the Regional reports. The Local Government Section administers some statewide programs; however, this section did not report any activity with the Tribes this year.

HIGHWAY DIVISION

Technical Services – GeoEnvironmental Section

Cathy Nelson, Technical Services Manager	(503) 986-3305
Hal Gard, Geo-Environmental Section Manager	(503) 986-3508
James Norman, Environmental Planning Unit Manager	(503) 986-3514
Frannie Brindle, Natural Resources Unit Manager	(503) 986-3307
Bill Warncke, Program Support Manager & Wetland Mitigation	(503) 986-3013

ODOT Archaeologists:

Carolyn McAleer, Archaeology Program Manager
 Mary Turner, Local Agency & Maintenance Regions 1, 2, 4

Kurt Roedel, Regions 1W & 2
Tobin Bottman, Regions 1E & 4

ODOT NRU Staff involved with Tribal Relations:

Ken Cannon, Aquatic Biology & Fish Passage Program Coordinator
Brad Livingston, Wetlands Program Coordinator

General Summary

The Geo-Environmental Section shoulders 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 year. Staff has continued to maintain strong working relationships with all federally recognized Tribes and have expanded our coordination efforts and started to engage Tribal natural resources staff on a variety of issues beyond cultural resources concerns. Some of these new discussions have focused on fisheries, wetland mitigation sites and plant issues. We've also provided Government to Government training and Tribal coordination training to some of our Planning Offices. Efforts are also under way to develop a Best Management Practices Manual for Tribal Coordination for use by ODOT's Planning Office.

Coordination & Communication

Early coordination with Tribal governments on all projects helps keep projects on track and avoid unwanted delays due to lack of coordination. Face-to-face meetings with most of the Tribes have continued throughout 2010. Staff is in constant communication with the Tribes via phone or email regarding an estimated 250 statewide transportation projects. Most projects require a Section 106 consultation on behalf of FHWA as well as coordination under ORS182.162. Our physical meetings are a vehicle to maintain ongoing communication to help fulfill those obligations.

ODOT Archaeology Staff provided two Government to Government trainings to ODOT Staff statewide and two Tribal Coordination Trainings to ODOT Planners. We are continuing work on a new Tribal coordination video for ODOT staff involved with project delivery.

In November of 2010, ODOT Archaeologist, Kurt Roedel, and Robert Kentta from the Confederated Tribes of the Siletz, received an FHWA award for environmental excellency, for their partnership on the 2009 Dogbane Project. This project involved transplanting Dogbane, a significant plant for local Tribal people, from ODOT Right-of-Way to the E.E. Wilson Wildlife Area. This transplanting has allowed Tribal members to harvest the plant in a safe environment outside of the roadway.

The Jobs and Transportation Act (JTA) outreach efforts are extending to Tribal governments. Over the past year, Tribes have been kept informed of the JTA and Section 18 efforts through the Culture Cluster venue and outreach letters. We hope to have Tribal representation on Environmental Performance Standard (EPS) development working groups in the coming year.

2010 Project Delivery Meetings

Burns Paiute Tribe

ODOT met with a representative from the Burns Paiute Tribes in April of 2010. This was the first face to face meeting in over a year. We hope to make these meetings a regular occurrence. Coordination efforts continue throughout the year via phone calls, e-mails and one-on-one communication.

Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians

ODOT continues to share project information with the Tribal Cultural Resources staff via phone calls, e-mails and one-on-one communication.

Confederated Tribes of the Grand Ronde Community of Oregon

ODOT Archaeologists, Project Managers and Natural Resources Specialists met three times throughout the past year to discuss projects and coordination efforts. Recent discussions have focused on fisheries and wetlands issues, and discussions continued on protections for cultural resources.

Confederated Tribes of Siletz Indians

ODOT Archaeology Staff met with Robert Kentta earlier in the year to discuss transportation projects within the Tribes' area of concern. Kurt Roedel met with Robert Kentta to discuss the Pioneer Mountain-Eddyville Project. Staff has communicated regularly with Mr. Kentta regarding all of our projects.

Confederated Tribes of the Umatilla Indian Reservation

ODOT Archaeology staff met with the CTUIR Cultural Resources Committee in March, June, August and November. These meetings provided ODOT archaeologists the opportunity to discuss ongoing and up-coming projects and to field questions from Tribal representatives. An additional meeting in August with the CTUIR Fish and Wildlife Commission focused on the Cascade Locks project in the Columbia River Gorge. Meetings with the CTUIR were also attended by Natural Resources and Planning Staff.

Confederated Tribes of Warm Springs

ODOT Staff met with the Warm Springs Cultural Committee in October. Staff intends on having regular meetings with the Warm Springs in 2011. We continue to share project information with the Warm Springs Cultural Resources staff, via phone calls, e-mails and one-on-one communication. Coordination efforts with the Warm Springs are continuing on Fifteen Mile Creek Bridge. Ken Cannon, Aquatic Biology and Fish Passage Program Manager, is assisting with Tribal coordination for natural resources issues.

Coquille Indian Tribe

ODOT continues to share project information with the Tribal Cultural Resources staff via phone calls, e-mails and one-on-one communication. ODOT is moving towards finalizing an Intergovernmental Agreement with the Coquille which will outline coordination efforts relating to cultural resources. This agreement should be finalized in 2011.

Cow Creek Band of Umpqua Tribe of Indians

ODOT Archaeology Staff continue to meet with Cow Creek Cultural Resources Staff regarding several projects in Region 3. Meetings were held in March and October of this year. Project coordination efforts continued throughout the year via email and phone calls.

Klamath Tribes

ODOT staff met twice with Perry Chocktoot regarding a number of transportation projects. This year, meetings were also held in the field to discuss the construction of the OR 140: Beatty Curve Correction project. A ceremony for Klamath Tribal Members and the Beatty Curve project was held this fall. The meeting was attended by Tribal elders as well as ODOT Director Matt Garrett and a number of ODOT Project Delivery staff.

Cluster Representation and Participation by Geo-Environmental staff.

Cultural Resources Cluster Group, Carolyn McAleer
Natural Resources Working Group, Frannie Brindle

Cultural Resources Cluster Representation and Participation

Carolyn McAleer, ODOT Archaeology Program Manager and Tobin Bottman, ODOT Archaeologist, participated in the Government-to-Government Cultural Resources Cluster Meetings in 2010. ODOT will be hosting the March 2011 Cultural Resources Cluster meeting at their new Technical Leadership Center (TLC) Building in Salem. Carolyn McAleer will take over as Chair of the Cultural Resources Cluster in 2011.

ODOT HIGHWAY REGIONS

REGION 1 – (Portland Metropolitan Area, Hood River & Columbia Counties)

Jason Tell, Manager

(503) 731-8256

Department employees responsible for Tribal interaction:

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, Regional Environmental Coordinator
Mary Young, Regional Environmental Coordinator
Claire Carder, Wetlands Specialist
Kristen Stallman, National Scenic Area Coordinator

Cowlitz Indian Tribe

- One Region 1 staff member, along with GeoEnvironmental and FHWA staff, attended an outreach coordination meeting regarding on-going restoration activities for Tribal lands.

Confederated Tribes and Bands of the Yakama Indian Nation

- Coordinated on the Sunrise Project, I-205 to Rock Creek Junction Final Environmental Impact Statement, consisting of consultation on impacts and mitigation measures for archaeological resources in the project area.

Confederated Tribes of the Grand Ronde Community of Oregon

- Coordinated on the Sunrise Project, I-205 to Rock Creek Junction Final Environmental Impact Statement, consisting of consultation on impacts and mitigation measures for archaeological resources in the project area.
- Consulted with the Tribe on protective measures for Site 35CL330.
- Consulted on potential impacts to the Clackamas Cemetery and Site 35CL375.
- Provided Tribe with opportunity to review the draft Memorandum of Agreement for Site 35CL375.
- Met with Tribe to discuss Historic Columbia River Highway State Trail Plan and to discuss the Historic Columbia River Highway Trail: John B. Yeon to Moffett Creek.
- Consultation regarding potential impacts associated with projects that qualified for categorical exclusions under the National Environmental Policy Act. Over 40 projects were reviewed in Region 1, some of which required coordination with the Grand Ronde Tribe.

Confederated Tribes of Siletz

- Coordinated on the Sunrise Project, I-205 to Rock Creek Junction Final Environmental Impact Statement, consisting of consultation on impacts and mitigation measures for archaeological resources in the project area.
- Consulted with Tribe regarding the Sellwood Bridge Final Environmental Impact Statement.
- Consultation regarding potential impacts associated with projects that qualified for categorical exclusions under the National Environmental Policy Act. Over 40 projects were reviewed in Region 1, some of which required coordination with the Siletz Tribe.

Confederated Tribes of the Umatilla Indian Reservation

- Met with Tribe to discuss the proposed Cascade Locks Marine Park entry.

Confederated Tribes of Warm Springs

- Coordinated on the Sunrise Project, I-205 to Rock Creek Junction Final Environmental Impact Statement, consisting of consultation on impacts and mitigation measures for archaeological resources in the project area.
- Consultation regarding potential impacts associated with projects that qualified for categorical exclusions under the National Environmental Policy Act. Over 40 projects were reviewed in Region 1, some of which required coordination with the Warm Springs Tribe.

Communication with the Tribes

Direct Tribal contact at Region 1 is handled for 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 2010.

Training and Tribal Interaction

- On May 11, 2010, Region 1 staff attended a Government to Government class presented by ODOT GeoEnvironmental Unit staff.

REGION 2 – (Willamette Valley, North & Central Coast, Western Cascades)

Jane Lee, Manager

(503) 986-2631

Department employees responsible for Tribal interaction:

Don Jordan, District 3 Manager

David Warren, Traffic Manager

Lisa Nell, Planning and Development Manager

John G. deTar, Senior Region Planner

Bob Doran, District 4 Manager

Confederated Tribes of the Grand Ronde Community of Oregon

- Staff meets regularly with tribal officials on all types of development, expansion and operational issues. An example of some of these meetings was the Sprit Mountain Casino expansion, which is now completed and an expansion of the water system along Hwy 22.
- Staff held several meetings with the Tribe and the Casino to develop a Memorandum of Understanding (MOU). The MOU will expand on the Compact that the Tribe and the Governor previously agreed to (with ODOT assistance).
- The Compact, and the MOU when completed, call for the Tribe 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 the expansion.
- Staff has represented the Department of Transportation at many events hosted by the Tribe, which underscores the partnership between ODOT and the Grand Ronde Tribe.
- ODOT assures the Grand Ronde Tribe is notified of ODOT job openings, and District 3 has employed members of the Grand Ronde Tribe and presently has two spouses of Tribal members.
- ODOT receives notice from Sprit Mountain Casino of Tribal major events so District can assure proper coverage of traffic issues. ODOT notifies the Casino of major traffic concerns.

Keizer Station/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.

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 Tribe to improve safety along with other important issues at County Road connecting Highways 22 and 18.
- Improvements have been completed at Highways 22 and 18, including connections to improve safety by restricting access and improving radii.

Confederated Tribes of Siletz

- Vivian Payne, Area 4 Manager and Bob Doran, District 4 manager, continue discussions with the Confederated Tribe of Siletz to explore potential safety projects on the Siletz Highway (Highway 229) that could take advantage of federal safety funds available through the U.S. Bureau of Indian Affairs.
- ODOT has been working with the Confederated Tribe of Siletz on the project that is placing pedestrian enhancements in Siletz.

Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians

ODOT and the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians worked together to address issues and make enhancements to the North Fork Siuslaw River Bridge project which is now complete. The issues of concern for the Tribe included:

- a directional sign for the casino and,
- obtaining a permit to include a mural on the tribe’s retaining wall.

ODOT is building pylons and the City of Florence and Tribe will design, construct, and maintain murals they will add to the pylons. We identified “no work areas” on the plans to protect areas that were thought likely for archeological findings.

REGION 3 (Southwest Oregon)

Mark Usselman, Interim Region Manager

(541) 396-1142

Department employees responsible for Tribal interaction

Mike Baker, STIP Coordinator

Lisa Cortes, TGM Planner

Thomas Guevara Jr., Development Review Planner

Scott Adams, Local Government Liaison
Gary Taylor, Right-of-Way & Survey Manager
John Raasch, Environmental Project Manager
Jessica Bochart-Leusch, Archeologist and Cultural Resources Tribal Liaison

Region 3 Government-to-Government activities in 2010 included negotiations and coordination with the 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, and the Smith River Rancheria.

Confederate Tribes of Coos, Lower Umpqua, and Siuslaw Indians

Development Review

- R3 participated in a Coos County pre-application meeting with the tribe for redevelopment of the Coos Head naval base. We provided preliminary comments regarding a traffic impact study for TPR compliance and access to Cape Arago Highway.

State Transportation Improvement Program (STIP)

- R3 discussed the STIP with the tribe through the Southwest Area Commission on Transportation (SWACT) by sending them notices and meeting material.
- R3 Archeologist and Cultural Resources Tribal Liaison consults with the Tribal Archaeologist on all STIP projects to occur within the Tribe's ancestral homelands.

Transportation Growth Management (TGM)

- R3 TGM Planner sent letters to tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

- R3 Archeologist and Cultural Resources Tribal Liaison consults with the Tribe on maintenance actions as well as Local Agency projects to occur within the Tribe's ancestral homelands

Confederated Tribes of the Grand Ronde Community of Oregon

State Transportation Improvement Program (STIP)

- R3 Archeologist and Cultural Resources Tribal Liaison consult with the Tribe's Cultural Protection Coordinator and the Cultural Resource Protection Specialist on all STIP projects to occur within the Tribe's ancestral homelands.

Transportation Growth Management (TGM)

- R3 TGM Planner sent letters to tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

- R3 Archeologist and Cultural Resources Tribal Liaison consults with the Tribe's Cultural Protection Coordinator and the Cultural Resource Protection Specialist on maintenance actions as well as Local Agency projects to occur within the Tribe's ancestral homelands.
- Tribal coordination meetings were held on May 20th and November 8th 2010 at the Grand Ronde government offices in Grand Ronde, Oregon.

Confederated Tribes of Siletz

State Transportation Improvement Program (STIP)

- R3 Archeologist and Cultural Resources Tribal Liaison consult with the Tribe's Cultural Resources Director on all STIP projects to occur within the Tribe's ancestral homelands.

Transportation Growth Management (TGM)

- R3 TGM Planner sent letters to tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

- The ODOT Archeologist and Cultural Resources Tribal Liaison consult with the Tribe's Cultural Resources Director on maintenance actions as well as Local Agency projects to occur within the Tribe's ancestral homelands.
- A tribal coordination meeting was to be held at the Confederated Tribes of the Siletz government offices on December 2, 2010, but will be rescheduled for early 2011.
- The Tribe's Cultural Resource Director asked to be periodically updated on the OR 66: Neil Creek Bridge # 00380 and OR138W: Dodge Creek Bridges projects. Periodic updates were provided by the Region 3 ODOT Archeologist and Cultural Resources Tribal Liaison.

Coquille Indian Tribe

State Transportation Improvement Program (STIP)

- R3 discussed the STIP with the tribe through the Southwest Area Commission on Transportation (SWACT) by sending them notices and meeting material.
- R3 Archeologist and Cultural Resources Tribal Liaison consult with the Tribal Archaeologist on all STIP projects to occur within the Tribe's ancestral homelands.

Transportation Growth Management (TGM)

- R3 TGM Planner sent letters to tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

- The ODOT Archeologist and Cultural Resources Tribal Liaison consult with the tribe on maintenance actions as well as Local Agency projects to occur within the Tribe's ancestral homelands.
- ODOT is in the process of setting up an Intergovernmental Agreement with the Coquille Tribe for them to monitor ODOT projects to occur within their ancestral homelands.

Cow Creek Band of Umpqua Tribe of Indians

Surplus Land

- R3 right-of-way worked with the tribe to release a restrictive covenant, in favor of ODOT, from a parcel of land so that the tribe could complete the conversion to trust land.

Weaver Road Bridge Project

- As FHWA's representative, R3 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 Technical Advisory Committee (TAC).
- R3 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, floodplain mitigation was modified from excavation of a flowage channel on tribal property to removal of riparian vegetation in response to tribal concerns.
- 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 and having a tribal observer present during the probing and recovery field work.
- R3 Local Government Liaison coordinated design of project with the tribe on right-of-way and design aspects.

I-5 Exit 99 Cow Creek Rest Stop

- The Tribe to construct and operate private rest stop off I-5 Exit 99.
- In coordination with development of the rest stop, ODOT is closing the Cow Creek and South Umpqua Safety Rest Areas.
- The Tribe will design, construct and operate the rest stop.

- R3 Local Agency Liaison provided letters of support to the tribe for the ARRA funded project.
- R3 Local Agency Liaison worked with the tribe on the truck facilities parking grant.
- R3 R/W working with the tribe to transfer an easement adjoining the truck stop property.

OR 138 Corridor Solutions

- R3 coordinated with the tribe on the Technical Advisory Committee (TAC) and impacts to tribe property.
- R3 Environmental Project Manager and Archeologist contacted tribe regarding the environmental assessment.
- R3 Archeologist and Cultural Resources Tribal Liaison provides periodic updates to the Tribal Archeologist and Natural Resources Director.

State Transportation Improvement Program (STIP)

- R3 STIP Coordinator discussed the STIP with the tribe through the Southwest Area Commission on Transportation (SWACT) by sending them notices and meeting material.
- R3 Archeologist and Cultural Resources Tribal Liaison consults with the Tribal Archeologist and Natural Resources Director on all STIP projects to occur within the Tribe's ancestral homelands.
- Tribal cultural resource monitors have observed the archaeological fieldwork associated with numerous STIP projects, including the I-5: Del Rio Road/Winchester Interchange- Bundle 357, OR138W: Dodge Creek Bridges, Chancellor Quarry Stockpile Site Expansion, and the OR 138W: Calapooya Creek Bridge Replacement projects.

Transportation Growth Management (TGM)

- R3 TGM Planner sent letters to tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

- R3 Archeologist and Cultural Resources Tribal Liaison consults with the Tribe on maintenance actions as well as Local Agency projects to occur within the Tribe's ancestral homelands.
- Tribal coordination meetings were held on March 24th and October 20th 2010 at the Cow Creek government offices in Roseburg, Oregon.

Smith River Rancheria

State Transportation Improvement Program (STIP)

- R3 Archeologist and Cultural Resources Tribal Liaison consults with the Tribe's NAGPRA/THPO Officer and the Natural Resources Director on all STIP projects to occur within the Tribe's ancestral homelands.

Transportation Growth Management (TGM)

- R3 TGM Planner sent letters to tribe soliciting applications for TGM grant projects and made follow-up phone calls.

General Coordination

- R3 ODOT Archeologist and Cultural Resources Tribal Liaison consults with the Tribe’s NAGPRA/THPO Officer and the Natural Resources Director on maintenance actions as well as Local Agency projects to occur within the Tribe’s ancestral homelands.
- The Tribe’s NAGPRA/THPO Officer monitored the archaeological work associated with the Edson Creek Disposal Site.

The Tribe requested to monitor the Brookings-Harbor Pedestrian Improvement Project, which is a Local Agency project. The contractor for this project was required to contact the Agency Archaeologist five days in advance of ground disturbing activities, so the Tribe’s NAGPRA/THPO Officer could be notified. The contractor notified the Agency Archaeologist and the NAGPRA/THPO Officer received the requested notification in the time specified.

REGION 4 – (Central Oregon)

Gary C. Farnsworth, Region 4 Manager

(541) 388-6184

Department employees responsible for Tribal interaction

Tobin Bottman	Archaeologist
Teresa Brasfield	Region 4 Environmental Coordinator
Pat Creedican	District 10 Maintenance Manager
Brad DeHart	Project Engineer
Pat Cimmiyotti	District 9 Maintenance Manager
Thomas Feeley	Project Manager
Hal Gard	Geo-Environmental Section Manager
Norman Hansen	South Central Area Manager
Devin Hearing	Planner
Ana Jovanovic	Planner
Gary Larson	Region 4 Environmental Coordinator
Carolyn Mcaleer	Archaeologist
Joel McCarroll	Region Traffic Manager
Stephanie Serpico	Central Oregon Area Manager
Michael Stinson	District 11 Maintenance/South Central Area Manager
Mary Turner	Archaeologist

Klamath Tribes

- The South Central Area Office, District 11 Maintenance Office, Regional, and Salem Staff held two quarterly meetings with the Klamath Tribe Cultural and Heritage Chairman, Perry Chocktoot and Cultural Resource Protection Specialist, Lillian Watah to review STIP and JTA projects this year.
- In addition a recognition event for our work with the Klamath Tribes was held October 6th in Beatty. Director Garrett presented a plaque recognizing the work the Tribe and ODOT did to construct the Beatty Curve. The Tribe and ODOT have been working together throughout project development, from early project planning to construction monitoring, to ensure a safer highway for all.
- District 11 Staff has also been working with the Klamath Tribes recently on expansion at the Kla-Mo-Ya Casino facility to include a Travel Center (Truck Stop). An updated Traffic Study was provided by the Tribe and Reviewed by ODOT for the proposed development. ODOT issued the needed permits and the Travel Center has been built. Only two minor issues remain to be completed to get ODOT sign off. The project has gone very well. In addition, District has contacted Tribal Staff regarding the Ruby Pipe Line project to make sure they were aware of ODOT position and requirements for pipeline highway crossing permit.

Staff Archeologists continue to work with the Klamath Tribes

- Face to face meetings- Twice for general STIP & JTA project updates
- Ongoing written/phone correspondence: 16 projects
- Negotiating intergovernmental IGA during the year.

Confederated Tribes of Warm Springs

- Staff met with the Tribal Transportation Committee to discuss, review, coordinate and make decisions on transportation planning and highway project issues. Projects included a road inventory, a Scenic Byway application, the Transportation Improvement Plan (TIP), and planning transit connections to employment centers near Warm Springs (Mt. Hood, Madras and Kahneeta).
- 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 and identified projects on state highways within the Warm Springs Reservation for consideration in the STIP.
- Staff participated on a technical advisory committee for the Warm Springs Community Plan update.
- ODOT 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 obtained a permit from CTWS in 2009 to remove brush and danger trees from the easement along US 26 and US 216. Brush and danger trees were removed from US 26 and OR 216 right-of-way in 2010. Region 4 plans to continue these safety improvements next year and in future years.
- Region 4 staff continue to partner with CTWS staff to provide detailed scoping for US 26 along Beaver Creek. 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. Beaver Creek is a sensitive and critical habitat for salmon, rainbow trout and other aquatic species, and has been significantly impacted by these highway conditions. ODOT and CTWS staff are evaluating alternatives to solve this problem, including next step recommendations and funding needs. District 9 removes sanding material from the shoulders and under the guardrail to prevent it from entering Beaver Creek along US 26 every year.
- 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 annually meet to discuss process and improvements.
- Region 4 has proposed a project on US 26 in the Draft 2010 – 2013 STIP which will provide safety improvements along the Warm Springs Highway by widening the highway shoulders and improving the clear zone between MP 92.7 and MP 94. The project will also construct passing lanes on embankment that was previously constructed under a past project for the purpose of accommodating these future passing lanes between MP 94 and MP 96.5. Region 4 has also submitted a request for additional, federal funding to extend the limits of this project to MP 99.0. Some rock fall mitigation work near MP 102 on the Warm Springs Grade is also being planned and may be incorporated into this project. Construction on this project is scheduled for 2013.
- ODOT staff is researching the original agreements with regard to US 26 access through the Warm Springs Reservation.
- District 9 set up an intergovernmental agreement 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.
- D10 had one formal contact with Warm Springs tribe this year to discuss winter Level of Service
- D10 has day to day contacts with Warm Springs Police, fire, etc on crashes, and public works on any of our highway work through the reservation.

- Region 4 staff has regular check in with Warm Springs planner Lonny Macy (approximately once every month at COACT meetings), and Urbana Ross (approximately once every three months at LJDACT meetings) responding to all information requests, communication with those tribal representatives. Currently we do not have many projects on US 26; some projects were shelved because of lack of funding. Lack of activity limits the need for communication. We discussed tribal communication protocols at an ODOT planners meeting recently which was very helpful. 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. The archaeologists notify them about each project and receive feedback regarding any concerns the Tribes may have. Region 4 staff try 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/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.

Region 4 staff did not participate in any formal State-Tribal training during 2010.

Region 5 – (Eastern Oregon)

Monte Grove, Manager

Department employees responsible for Tribal interaction

Frank Reading, Northeast Area Manager
 Jay Roundtree, Project Manager
 Teresa Penninger, Region Planning and Program Manager
 Craig Sipp, Project Manager
 George Ruby, District 12 Manager
 Mark Hanson, Bridge, Environmental, Geology Manager
 Howard Postovit, Region 5 Environmental Lead
 Donna Turnipseed, Region 5 Archeologist
 Doug Wright, Federal Aid Specialist
 Ken Patterson, Project Leader – District 13 Area
 Henry Manjarres, Civil Rights Section, Tribal Liaison
 Tim Rynearson, Project Leader
 Paul Woodworth, Project Manager
 Sean Maloney, Project Leader

Burns Paiute Tribe

- The ODOT Region 5 Archaeologist also has tried to coordinate quarterly meetings with the Burns Paiute. However, because that Tribe has limited staff, ODOT was able to have only one consultation meeting with the Burns Paiute in 2010, on April 19.

Confederated Tribes of the Umatilla Indian Reservation

- ODOT is developing its final Memorandum of Understanding (MOU) negotiations with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). The final MOU is expected to be signed and enforce by the end of the year. The MOU with the CTUIR ensuring that the provisions of the Tribal Employment Rights (TERO) code and the “Indian hiring preference” provisions are established and followed for all Federally-Funded projects located off the Reservation within a sixty-mile boundary. For each project occurring within TERO or MOU boundaries, hiring goals, compliance fees, and Tribal subcontracting are coordinated through our Region Tribal Liaison.
- Region 5 Local Program, partnering with CTUIR, local agencies and consultants, administered the following 14 projects this past year: 1st St. & Main Ave. Sidewalks and Bike Lanes (Irrigon), Silver Cr Rd. & Greenhouse Lane, Leo Adler Memorial parkway, Despain Gulch, Feedville/Kelli Blvd, Tutuilla Rd.,Wingville Rd, Spuce Street, Upper Diamond Lane, Co. Rd 51, Third St Sidewalks (Haines), Safe Routes to Schools (La Grande), Barnhart Rd, and Eastern Oregon Rest areas. Through negotiations with the CTUIR a 25% Indian Employment Preference Goal was assigned to each project. Throughout the construction season the contractors worked directly with the CTUIR TERO office to manage and implement these goals.
- Region 5 participates in State-Tribal relations through the implementation of the TERO requirements on highway projects. Contractors are required to attend TERO Certification workshops in order to bid on MOU or TERO qualified projects. The Certification is good for two years.
- The CTUIR participated in 26 projects for 2010. There were 52 TERO workers referred to these projects. Six TERO workers participate in the Apprenticeship Programs regarding Highway Construction.
- Region 5 Environmental Staff has regular contact with the CTUIR, Burns Paiute Tribe, Confederated Tribes of Warm Springs, the Klamath Tribes, the Confederated Tribes and Bands of the Yakama Indian Nation of Washington, and the Nez Perce Tribe of Idaho. Quarterly meetings with the CTUIR provide the ODOT Environmental Staff the opportunity to discuss ongoing and up-coming projects that are of interest to the Tribes. During these meetings ODOT staff field questions from tribal representatives and discuss anticipated resource surveys as well as survey results. Likewise, ODOT requests Tribes to identify any issues or concerns they have with specific projects, in particular, issues concerning historic properties of cultural and religious significance to the Tribes.
- Quarterly meetings with the CTUIR Cultural Resources Committee were held on March 16, 2010, June 15, 2010, and September 7, 2010. ODOT presented information on 64 projects

including STIP, maintenance, and Local Agency during the March 16 meeting. ODOT provided updates to the CRC on many of those projects during the subsequent quarterly consultation meetings in June and September. Projects that were initiated after the March meeting were presented to the CRC during the June and September meetings.

- The Region 5 archaeologist is the main point of contact for all Region 5 cultural resources work including the built environment as well as archaeological resources. Having a regional archaeologist is an asset to the program as communications with Tribes are enhanced and quick responses provided when Tribal concerns are raised. The archaeologist worked closely with CTUIR in addressing potential adverse impacts to an historic property of religious and cultural significance to the CTUIR during the planning phase of the Umatilla River Bridge Project. Consultation for this project is on-going with discussions focusing on site impacts and mitigation of those impacts.
- Other specific consultations initiated with CTUIR staff in 2010 included projects that are on or immediately adjacent to the reservation boundary. Among the projects discussed were the Deadman's Pass Rest Area Improvement Project; Emigrant Springs Quarry Tree Removal Project, Region 5 ITS project; Pendleton Levee Project; and Pendleton Sidewalk Project.
- Other projects that required close government to government consultation with the CTUIR in 2010 were the Foothill Road Snow Fence Project and the US 730: Irrigon to Diagonal Road Preservation Project. Both projects lay in or adjacent to historic properties of traditional cultural and religious significance to the CTUIR and close coordination with the Tribe proved essential to project success.
- During a shoulder rebuilding project by ODOT Maintenance personnel along US 26 in the Picture Gorge area within ODOT Right of Way in October 2010, our archaeologist responded quickly and professionally to a report that a significant archaeological site was potentially damaged. Working closely with the Confederated Tribes of Warm Springs and CTUIR, ODOT successfully addressed the need to protect features of the archaeological site by delineating no work zones and monitoring the removal of boulders that had been stockpiled adjacent to the site. Future protection of archaeological sites in the Picture Gorge area within ODOT Right of Way will be assured through the creation of a Special Management Area (SMA), and development and implementation of an SMA management plan. The management plan will provide guidance to ODOT Maintenance crews for completing their vital task of providing a safe travel route for the public while protected cultural resources within SMA boundaries.
- For routine Maintenance matters, the Region 5 Archaeologist sends e-mails and/or calls interested Tribes on the status of various projects. These frequent updates provide Tribes additional opportunities to comment, raise issues, and ask questions about specific projects. Moreover, constant communication and collaboration with Tribes by the Region 5 Archaeologist provides a better understanding of Tribal concerns and allows her to bring these issues to ODOT Project Leaders and Managers. By implementing frequent and early consultation in which the concerns of the Tribes are voiced to the ODOT managers, a positive working relationship has been launched for this project.

- In order to improve consultation on historic properties of cultural and religious significance to the Tribes, a joint meeting between ODOT, FHWA, and CTUIR was held on November 10, 2010. That discussion focused on definitions of property types as well as the roles and responsibilities of consulting parties were clarified.
- Region 5 District 12, partnering with The CTUIR, renewed the 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 MP 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. This year, District 12 has initiated discussion with the CTUIR TERO office to create a highway maintenance apprenticeship program.
- ODOT 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 on ODOT's system. CTUIR issued five permits this year.
- Region 5 Planning invited a representative from the CTUIR to participate on the advisory committee for the Umatilla Interchange Area Management Plan (IAMP) that is currently under development. A CTUIR representative participated as a member of the advisory committee on the I-84/US 395 Pendleton IAMP. The participation of CTUIR in this project was instrumental in working to further analyze possible solutions that have fewer impacts to the surrounding area. Planning has also been invited to participate in the CTUIR Transportation System Plan update.

Confederated Tribes of Warm Springs

- The ODOT Region 5 archaeologist presented Region 5 projects to the Warm Springs Council at the quarterly meeting with other ODOT staff on October 28, 2010.

MAJOR PROJECTS BRANCH

Thomas Lauer, Major Projects Branch Manager,

(503) 986-4412

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.

- In 2009 and through 2010, bridge program safety managers instructed students from the Confederated Tribes of the Grand Ronde Community of Oregon in an Occupational Safety and Health Administration 10-hour training. The training consists of 10 contact hours over a two-day period. Subjects such as electrical safety, cranes, excavation and scaffolding are presented in the course, preparing students on the basics of safety and operation. Nineteen students received their OSHA 10 cards, reinforcing the overarching goal of the program: education and opportunity. When the students apply for construction jobs, this certification will give them an advantage over untrained applicants, thus making them more desirable as employees.
- Since the bridge program's beginning in 2003, ODOT has developed a good relationship with the Tribal Employment Rights Office based out of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). This relationship has continued through 2010. TERO enforces the Tribal 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.
- For Bundle 414, U.S. 395: McKay Creek to Silvies Slough, which consists of seven replacement bridges and one repair bridge, a TERO project goal was set on four of the seven bridges. To date, the project has logged more than 6,000 TERO hours for carpenters, more than 3,700 TERO hours for laborers, and more than 1,000 TERO hours for operators. On average, each TERO worker has logged 1,000 hours, with a few carpenters logging more than 2,700 hours each. Out of 51,000 total project hours on Bundle 414, more than 11,000 were TERO hours, making well over 21 percent TERO participation to date. The participation of TERO members not only increases the economic and skill level of the CTUIR but continues the positive relationship between the bridge program and TERO.
- In 2004, the bridge program estimated that \$200 million in bridge program contracts would fall within the CTUIR's jurisdiction. Six years later, the results are in: from 2006 to 2009, 40 members of the CTUIR worked a total of approximately 21,000 hours and earned nearly \$600,000. In an area where unemployment is high and annual income is approximately \$12,000, bridge program wages averaged \$16,000 per year. The average hourly wage paid was \$28 per hour.

Robin Bitrick, TERO manager, is proud of the workers now available. "Before, we had good laborers. Now we have journey-level carpenters, operating engineers and ironworkers. We have built a great workforce with years of experience and confidence."

OWIN Program

The Oregon Wireless Interoperability Network (OWIN) program is planning as many as 300 radio towers for Oregon's new emergency communications radio network requested by the Legislature, and many of the sites involve tribal interests. Through 2010, OWIN continued to

engage Tribes in devising ways to improve Tribal public safety and reservation quality of life while protecting culturally significant resources.

- The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Siletz Indians, the Confederated Tribes of Warm Springs, and the Confederated Tribes of the Grande Ronde Community of Oregon endorsed OWIN's effort to obtain a grant under the federal Broadband Technological Opportunities Program. The Tribes expressed strong support for the program in letters prepared in support of the grant proposal. The Tribes said OWIN will improve Tribal emergency services and the quality of life for Tribe members.
- OWIN engaged in discussions with the Confederated Tribes of Siletz Indians and the Confederated Tribes of the Grande Ronde Community of Oregon over the Neahkahnie tower site in Tillamook County. The site, in Oswald West State Park, carries great cultural significance for the Coastal Indians. Through the year, OWIN and Tribal leaders discussed ways to honor the cultural importance of the site. Tribal leaders recognize the importance of the project in that the site will save lives and increase public safety protections for all residents. Sometime in 2011, OWIN and the Tribes may exchange letters that pave the way for construction of the tower and interpretive panels recognizing the Tribal history.
- Intergovernmental agreements are in the works involving the CTUIR, OWIN and Umatilla County over the communications network employed by the Chemical Stockpile Emergency Preparedness Program. The network, which has been used in the public safety program involved with the destruction of weapons at the Umatilla Chemical Depot, may transition to OWIN. Discussions with the Tribe center on the Dead Man's Pass site and are aimed at ensuring that the Tribe's cultural heritage will be honored.
- Talks are well under way with the Confederated Tribes of Warm Springs concerning the new tower site planned for Foreman's Point. The new facility will expand the reach of public safety communications on the Warm Springs Indian Reservation, improve the ability of Tribal agents to deal with day-to-day incidents and connect Tribal officials with surrounding agencies. Formal agreements are in the works that will spell out the details and scope of the project, including site construction concepts and how to share costs and operations.

MOTOR CARRIER TRANSPORTATION DIVISION (MCTD)

Gregg Dal Ponte, Division Administrator	503-378-6351
Gayle Green, Motor Carrier Audit Program Manager	503-378-6658
Craig Bonney, Complaint Resolution/Economic Regulation Manager	503-378-4851
David McKane, Safety, Federal Programs & Intelligent Trans. Systems Mgr.	503-373-0884

The Motor Carrier Transportation Division is submitting its report regarding programs and activities in 2010 that affected the federally-recognized tribes in Oregon.

- In 2010, there was no training provided or participated in by MCTD regarding state-tribal relations. MCTD staff is aware of the Government to Government law as it has been included

in management team discussions and past meeting minutes that are distributed throughout the Division.

- MCTD has a current compensation agreement with the Umatilla Tribal Police Department for participation in the Motor Carrier Safety Assistance Program and that agreement may continue in 2011. The Tribe currently has two active, certified truck safety inspectors. There have been no other new activities, agreements or partnerships with tribes and no other division interactions with tribes are planned in 2011.
- In 2010, 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 2010.

OFFICE OF CIVIL RIGHTS (OCR)

Mike Cobb, Manager	(503) 986-5753
Jerry Hoffman, Emerging Small Business (ESB) Coordinator	(503) 986-3016
Henry Manjarres, Civil Rights Specialist	(541) 962-0568

OCR Staff

Greg Azure, Title VI Manager
Rick Whelan, Reg. 2 Field Coordinator
Christie Meacham, Reg.3 Field Coordinator

Region 2

Confederated Tribes of the Grand Ronde Community of Oregon

The following services are necessary to achieve the workforce goals of public construction in ODOT's Region 2 Mid-Willamette and Coastal area. The implementation of the Workforce Development Program and partnership with the Confederated Tribes of the Grand Ronde Community of Oregon (CTGR) is to recruit, assess, train, and provide a career path into the highway construction trades via apprenticeship training and direct placement for Tribal members and other community members within close proximity of the Tribal Reservation Lands.

- August 5, 2010, met with John Mercier, CTGR, and two 477/Employment and Training Specialists to provide clarifications to the newly launched IGA. CTGR is enthusiastic in delivering services to existing and new program participants. Discussed the importance of timely delivery of services and full expenditure of the budget by close of the biennium. CTGR agreed that they will be on-target to expend these dollars.
- October 26, 2010, met with John Mercier, CTGR, to discuss IGA progress. Mr. Mercier shared that a staff member has been promoted to a lead position and will assume many of the IGA responsibilities. CTGR is developing winter and spring training programs for ODOT review (by December 2010). The winter program to cover various certifications such as OSHA. The spring program is designed to teach paving work/heavy-equipment. North

Santiam Paving has committed providing hands-on training to participants enrolled in the program.

Confederated Tribes of Siletz

The implementation of the Workforce Development Program and partnership with the Confederated Tribes of Siletz Indians (CTSI) is designed to recruit, assess, train, and provide a career path into the highway construction trades via apprenticeship training and direct placement for Tribal members and other community members within close proximity of the Tribal Reservation Lands.

- August 6, 2010, met with Sharmon Cook-Wright, CTSI 477/Self-Sufficiency Director, to provide clarifications to the newly launched IGA. CTSI is enthusiastic in delivering services to existing and new program participants. Discussed the importance of timely delivery of services and full expenditure of the budget by close of the biennium. CTSI agreed that they will be on-target to expend these dollars.
- September 13, 2010, met with Sharmon Cook-Wright, CTSI 477/Self-Sufficiency Director, to discuss a budget modification to address funding on-the-job trainees and reimbursement for ½ of trainee's wages. CTSI will submit a formal request to include this modification.
 - CTSI shared that services have already been provided in September and to anticipate an invoice and report in October.
 - CTSI shared they will approach CTGR to partner on career fair towards end of 2010.
 - CTSI requested information on the monthly JATC meetings.
- September 15, 2010, CTSI requested a budget modification to increase Job Readiness and decrease mentoring/retention in order to fund on-the-job trainees. When a trainee is placed on a job-site, the program could then pay for ½ of the trainee's wages through direct reimbursement to the employer, for up to six months or \$4500. The language in the current IGA does not prevent this; however, ODOT will seek FHWA approval. This request was formally submitted to FHWA Division Office for approval.
- October 22, 2010, met with Sharmon Cook-Wright, CTSI, to discuss IGA progress. Ms. Cook-Wright enthusiastically shared that three participations have been either placed or continued employment in the construction field because of the IGA with ODOT (additional program resources). One is working in cement (sidewalks), one in paving, and one in carpentry. It was recommended that CTSI attend the monthly union coordinators meetings to establish a partnership with the apprenticeship system for participant referrals. Furthermore, CTSI discussed developing a YouthBuilders program and how ODOT could be a partner in the future (monetary/in-kind).
- CTSI to explore the Portland YouthBuilders Program (PYB)

Note: Founded in 1995, Portland YouthBuilders is a non-profit organization committed to providing long term support for low income youth. Each year, we provide education, vocational training, and leadership development services for over 200 young people between the ages of 17

and 24 who have not completed high school and who face significant barriers to success. PYB is proud to be part of a network of over 250 YouthBuild programs nationwide.

Region 3

Tribes in Region 3:

- Cow Creek Band of Umpqua Indians
- Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians
- Coquille
- Some contact with Region 4 Klamath Tribes

OCR programs that Tribal Members can utilize

- Workforce (includes apprenticeships)
- Minority/Women
- DBE, and Emerging Small Business Certifications
- Small Contracting Program,
- Contracting (subcontracting/or Prime) opportunities
- Emergency contracting

Contact and provide information to the Tribes on ODOT OCR Programs

- Continue to update and add Tribal contacts to e-list; sharing (via e-list and personal contact) certification & bidding opportunity information;
- Sharing networking, job/career and business opportunities & regional and statewide events (via e-list and personal contact) such as the 3/24/10 DBE Disparity Study Informational Meeting;
- In 2009 and 2010, promoted CTUIR TERO Training via e-lists (Alliance & Small Business)

Watch for and identify opportunities to connect/network with Tribes and their members in regards to OCR Programs.

- Check for annual TERO Training information and then share w/e-list {Alliance & Small Business}
- Share job/career event information
- Share MWESB event information
- Contacted companies to encourage MWESB certification (example, Caldwell Construction - wife is a Cow Creek Tribal Member and she works with her husband in the business, her mother was the Tribal Leader for decades)

No barriers are identified at this time. As time and opportunity allows, request to present programs at appropriate Tribal meetings or acquire list of Tribal business for direct contact.

Title VI

- No key or significant Tribal contacts or interactions to report.

Emerging Small Business (ESB) Manager

- All of our ESB programs are open to Native American contractors and consultants; however,

the ESB program no longer has any outreach or program initiatives specific to Tribal governments

PUBLIC TRANSIT DIVISION (PTD)

Michael Ward, Administrator	(503) 986-3413
Dinah Van Der Hyde, Transit Operations Manager	(503) 986-3885
Jean Palmateer, Special Transportation Program Manager	(503) 986-3472
Joni Bramlett, Capital Program Manager	(503) 986-3416
Matthew Barnes, Intercity Program Manager	(503) 986-4051
Alison Wiley, Transportation Options Program Manager	(503) 986-4131
Sherrin Coleman, Statewide Public Trans. Planning Program Manager	(503) 986-4305
Sharon Peerenboom, Small City and Rural Program Manager	(503) 986-3416

Agency Programs that Affect Tribes

- The Special Transportation Fund Program (STF) provides state funds to STF Agencies, including federally recognized Indian 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 is 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.

Communication with Tribes

- 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.

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 the Special Transportation Funds. 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. An ARRA grant was awarded for the purchase of a vehicle. The vehicle was received and the grant closed in March, 2010.
- 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 2009-2011 biennium grant program for special needs transportation.

Key Activities in 2010

- For 2009-2011, 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.
- CTUIR was eligible for American Recovery and Reinvestment Act (ARRA) funds (a one-time source of funds). These funds were used to purchase a vehicle.
- Eight of the nine Tribes have adopted the transit plan required of the Special Transportation Fund program and the Federal Transit Administration 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, Confederated Tribes of Warm Springs, CTUIR, Cow Creek Band of 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.

RAIL DIVISION

Kelly Taylor, Division Administrator	(503) 986-4125
Charles Kettenring, Crossing Safety Section Manager	(503) 986-4273
John Johnson, Rail Safety Section Manager	(503) 986-4094

Rail Division activities/programs that could affect Tribes are:

- Railroad crossing safety issues on Tribal land, and;
- Railroad service and economic development issues.

The Rail Division had no interactions with the Tribes in 2010.

TRANSPORTATION DEVELOPMENT DIVISION (TDD)

Barbara Fraser, Interim Division Administrator	(503) 986-4163
Erik Havig, Interim Planning	(503) 986-4127
Dave Ringeisen, Transportation Data	(503) 986-4171
Barnie Jones, Research	(503) 986-2845
Laura Wipper, Asset Management	(503) 986-4232

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.
- Flexible Funds Program.

Activities to promote communication with the Tribes

- 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.
- 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.
- Attends 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)

TRANSPORTATION SAFETY DIVISION (TSD)

Troy E. Costales, Division Administrator

(503) 986-4192

The 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 TSD 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 highway safety around casinos.

Community Programs/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.