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Arizona Department of Transportation

**TRIBAL CONSULTATION POLICY  
ANNUAL REPORT**

December 2007 - November 2008

December 1, 2008

Prepared by



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Attachment A – Executive Order 2006-14 & ADOT MGT-16.01

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## ADOT TRIBAL CONSULTATION BACKGROUND

### Tribal Land in Arizona

There are 22 federally recognized Indian Tribes and Native Nations with reservation land in Arizona. This tribal land encompasses approximately 27,736,000 acres or 28% of Arizona's land base. Only the San Juan Southern Paiute Tribe currently does not have a reservation land base, however, it is in the process of placing several thousand acres in federal trust status. Also, although headquartered out of New Mexico, the Pueblo of Zuni has approximately 12,000 acres of reservation land located in eastern Arizona. Table 1 identifies the Indian Tribes and Native Nations in Arizona.

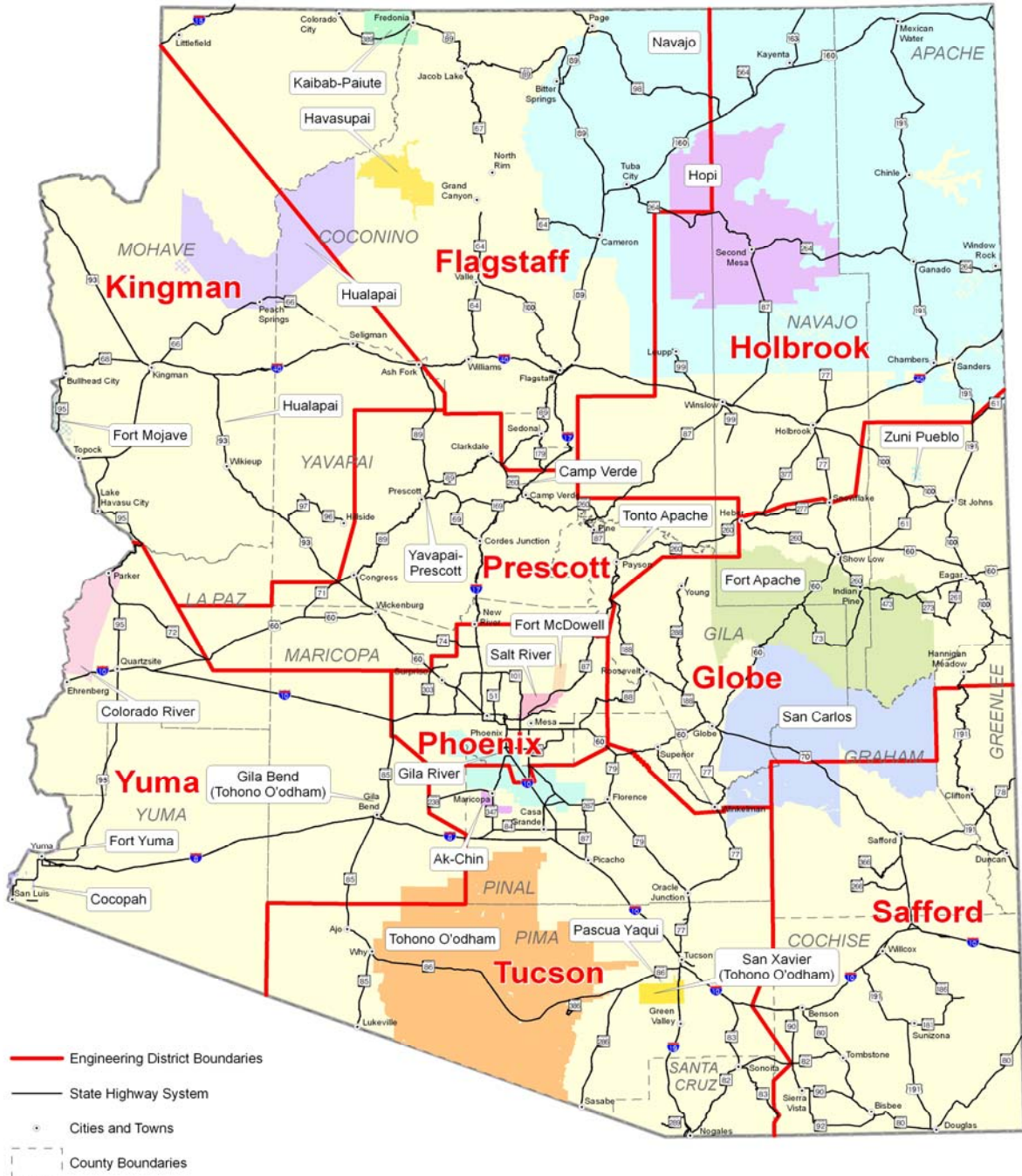
**TABLE 1**  
**The 22 Indian Tribes and Native Nations in Arizona**

- Ak-Chin Indian Community
- Cocopah Indian Tribe
- Colorado River Indian Tribes
- Fort McDowell Yavapai Nation
- Fort Mojave Indian Tribe
- Fort Yuma Quechan Indian Tribe
- Gila River Indian Community
- Havasupai Tribe
- Hopi Tribe
- Hualapai Tribe
- Kaibab Band of Paiute Indians
- Navajo Nation
- Pascua Yaqui Tribe
- Pueblo of Zuni
- Salt River Pima-Maricopa Indian Community
- San Carlos Apache Tribe
- San Juan Southern Paiute Tribe
- Tohono O'odham Nation
- Tonto Apache Tribe
- White Mountain Apache Tribe
- Yavapai-Apache Nation
- Yavapai-Prescott Indian Tribe

### Arizona State Highway System

The Arizona Department of Transportation (ADOT) was established in 1974 and is responsible for planning, developing, maintaining, and operating state transportation facilities for the efficient movement of people and products by surface and air throughout Arizona. Within the State, multi-modal transportation systems cross numerous jurisdictional boundaries. The State Highway System (SHS) includes 6,801 route miles of roadway and of this about 88% of the system's roadways are situated within rural areas with the remainder in urban areas. The SHS also includes 1,324 miles or 20% that traverse Native Nation/Tribal lands. In addition, there are 20 airports maintained and operated by the Native Nation/Tribal Governments. Thus, the State, Native Nations and Tribes share a mutual desire to work together for the common purpose of protecting the health, safety and welfare of the traveling public in Arizona through a continuously improving working relationship. The map on the following page shows the locations of tribal reservation land in comparison to the SHS, county boundaries and ADOT Engineering District Boundaries. Table 2 identifies the SHS mileage per reservation according to the Arizona Transportation Information System database.

# American Indian Reservations and Engineering District Boundaries



Prepared by  
 Arizona Department of Transportation  
 Planning Division, Data Bureau GIS Section  
 Source: Arizona State Land Department  
 (602) 712-7333 March 2007

0 20 40 80 Miles

**TABLE 2**  
**2007 State Highway System**  
**Road Mileage on Tribal Land**

TRIBE / RESERVATION	Miles
Ak-Chin Indian Community / Ak-Chin Indian Reservation	7.977933211
Cocopah Tribe / Cocopah Indian Reservation	1.522222316
Colorado River Indian Tribe / Colorado River Indian Reservation	12.18263399
Fort McDowell Yavapai Nation / Fort McDowell Indian Reservation	8.685578228
Fort Mojave Indian Tribe / Fort Mojave Indian Reservation	4.324343761
Fort Yuma Quechan / Fort Yuma Indian Reservation	0.00
Gila River Indian Community / Gila River Indian Reservation	115.8537132
Havasupai Tribe / Havasupai Indian Reservation	0.00
Hopi Tribe / Hopi Indian Reservation	91.39815033
Hualapai Indian Tribe / Hualapai Indian Reservation	17.87473123
Indian Allotments*	15.88984045
Kaibab Band of Paiute Indians / Kaibab-Paiute Indian Reservation	16.46508498
Navajo Nation / Navajo Indian Reservation	687.9534741
Pascua Yaqui / Pascua Yaqui Indian Reservation	0.00
Salt River Pima-Maricopa Indian Community / Salt River Indian Reservation	42.10061339
San Carlos Apache Tribe / San Carlos Indian Reservation	52.43249182
San Juan Southern Band of Paiute Indians	0.00
Tohono O'odham Nation / Tohono O'odham Indian Reservation	101.519535
Tohono O'odham Nation - San Xavier District	16.13853232
Tonto Apache / Tonto Apache Indian Reservation	0.00
White Mountain Apache Tribe / Fort Apache Indian Reservation	129.2049317
Yavapai-Apache Nation / Yavapai-Apache Indian Reservation	0.325910738
Yavapai-Prescott Indian Tribe / Yavapai-Prescott Indian Reservation	1.965272524
Zuni Tribe	0.514548277
<b>TOTALS</b>	<b>1324.329541</b>

Source: Arizona Transportation Information System (ATIS Roads), July 2007.

Notes: The data was extracted based on the 2005 shapefile of the Indian reservation boundaries and the county boundaries.

\*Approximately .5 miles of allotments are on San Carlos with the remainder of the 15.9 miles on Navajo Nation

*The Arizona State Highway System includes 6,801 route miles of roadway. Approximately 1,324 route miles or 20% of the SHS traverse tribal land. The illustration of these facts provides the basis of the need for the state to adequately consult, communicate, and cooperate with tribal governments to address the growing needs of the traveling public on and off tribal land.*

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## Federal Mandates

Although not all-inclusive, the following references cite several of the major federal legislative actions affecting statewide and tribal transportation planning and project development processes.

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA); Transportation Efficiency Act for the 21st Century (TEA-21); and the Safe, Accountable, Flexile, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)

Since the early 1990's the Federal Government has passed three transportation legislative acts that specifically impact statewide and tribal transportation project development processes, they include "ISTEA" in December 1991; "TEA-21" in June 1998; and "SAFETEA-LU" in August 2005. Consequently, as part of these Acts and pertaining to the statewide transportation planning process, States are required "... to consider the concerns of Indian tribal governments...that have jurisdiction over land within the boundaries of the State" (23 U.S.C. 135(d)(2)). States are also required to consult with Indian tribal governments and the Secretary of the Interior in the development of the Statewide Long-Range Transportation Plan and the State Transportation Improvement Program "with respect to each area of the State under the jurisdiction of an Indian tribal government..." (23 U.S.C. 135(e)(2)(C) and 135(f)(1)(B)(iii)).

The current transportation planning legislation emphasizes cooperative planning and the opportunity for those interested to participate and provide input into the transportation decision making process. In order to carry out cooperative planning and to comprehensively address transportation issues on and adjacent to Indian reservation land, the tribal governments, Bureau of Indian Affairs, State, Metropolitan Planning Organizations, Councils of Government, and local governments are all required to coordinate their efforts.

USDOT Order 5301.1 - Department of Transportation Programs, Policies and Procedures Affecting American Indians, Alaska Natives and Tribes

USDOT Order 5301.1 of November 16, 1999, directs USDOT agencies to build more effective working relationships with Native Americans. Its purpose is to ensure that programs, policies, and procedures administered by the Department are responsive to the needs and concerns of American Indians, Alaska Natives and tribes. The Order is comprised of 17 points of policy and specific guidelines with regard to how the USDOT will conduct communication and consultation with Nave Nations and Indian Tribes.

Executive Order 13175 - Consultation and Coordination with Indian Tribal Governments

Executive Order 13175 of November 6, 2000 establishes regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to reduce the imposition of unfunded mandates upon Indian tribes. It also supplements the Executive Memorandum of April 29, 1994, on Government-to-Government Relations with Native American Tribal Governments.

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## Title VI and Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and low Income Populations

Title VI of the Civil Rights Act of 1964 and related laws assure that individuals are not excluded from participation in, denied the benefit of, or subjected to discrimination on the basis of race, color, national origin, age, sex, and disability. Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, established environmental justice as a federal government priority that directed all federal agencies to make it part of their mission that program, policies, and activities not have a disproportionately high and adverse human health and environmental effect on minority and low-income populations.

ADOT has issued a document titled *Guidance on Title VI and Environmental Justice* to provide information on insuring that Title VI and Environmental Justice factors are considered in project development, environmental assessments, and environmental impact statements. Although the guidance is for projects in the development and environmental stages, the general approach outlined is used to identify related issues for potential projects analyzed in the planning process.

### Federal Legislative Acts

The National Historic Preservation Act (NHPA) requires consultation with Indian Tribes concerning places of traditional religious and cultural significance. Consultation with Tribes is also required for those that have assumed historic preservation duties as Tribal Historic Preservation Offices (THPO).

The National Environmental Policy Act (NEPA) requires tribal consultation concerning impacts to sacred sites and on the mitigation of actions to sites of concern to Tribes. Such impacts involve the social and cultural relationship of people to the physical environment.

The Archaeological Resources Protection Act (ARPA) is directed at protecting archaeological sites. It requires Federal agencies to notify Tribes of excavation on federal land that will include sites of religious and cultural importance to Tribes and prohibits unauthorized excavation, removal, or damage of archaeological resources that are at least 100 years old located on Federal or Indian lands.

The Native American Graves Protection and Repatriation Act (NAGPRA) requires consultation with Tribes pertaining to repatriation of human remains and associated funerary items. Consultation is required to determine the means of transfer for repatriated items to Tribes showing genetic or cultural affiliation with those remains and artifacts. Regulates excavation of such remains and artifacts on federal or Indian land, provides for a minimum 30-day hold on earthmoving activities that cause inadvertent discovery of such remains and artifacts.

The American Indian Religious Freedom Act (AIRFA) is a joint resolution of Congress declaring that the U.S. government will protect the inherent rights of Indian Tribes to the free exercise of their traditional religions. Requires agencies to consult with Tribes when any action is contemplated that might affect the practice of traditional religions and includes the places and physical objects needed for religious practice.

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## Tribal Transportation Consultation in Arizona

Through various meetings and forums Tribal Officials and representatives in Arizona have expressed concerns that they have with the state transportation system as it affects the road systems within and adjacent to their communities. In order to address these concerns as well as federal legislative requirements in the statewide transportation planning and project development processes, the issues are documented by ADOT for incorporation into project reports. Pertinent information is also distributed to key ADOT officials and representatives relative to projects that require tribal coordination and consultation follow up. This process has provided ADOT with a comprehensive understanding of Arizona tribal transportation concerns and needs. In addition, ADOT's efforts to address tribal transportation concerns and consultation are carried out in accordance with the Governor's Executive Order on Consultation and Cooperation with Arizona Tribes and ADOT's Department-Wide Native Nation/Tribal Government Consultation Policy.

### Governor's Quarterly Tribal Consultation and Executive Order 2006-14 Consultation and Cooperation with Arizona Tribes

From 2003 to 2007 Governor Napolitano held quarterly tribal summits with the Arizona Tribal Leaders to discuss various statewide issues of concern to the Tribes. In March 2004 a *Tribal Summit on Transportation* was held during which several themes were identified for follow-up by ADOT. ADOT regularly monitors its efforts to address the themes and provides a written quarterly report to the Governor's Office for distribution to the Tribal Leaders. Additionally, as a result of discussion at the Governor's Summits, Tribal Leaders expressed the need for all state agencies to adopt consultation policies to guide the continuing government-to-government relationship between the State and Tribes.

On September 14, 2006 Governor Napolitano issued *Executive Order 2006-16 Consultation and Cooperation with Arizona Tribes*. The Executive Order directs all executive branch agencies to: (1) develop and implement tribal consultation policies to guide their work and interaction with federally recognized Tribes in Arizona; (2) designate a member of their staff to assume responsibility for implementation of the policy and to act as a point of contact for tribal issues; (3) review their tribal consultation policy each year; and (4) submit an electronic report annually to the Governor, State Legislature and Tribal Leaders that describes all actions undertaken to implement the policy.

ADOT is in compliance with the Executive Order as described below:

1. ADOT MGT-16.01 Department-Wide native Nation/Tribal Government consultation Policy was adopted on September 1, 2006.
2. ADOT designated its full-time Senior Planner/Tribal Coordinator from the ADOT Multimodal Planning Division as its staff member with oversight of policy implementation and to act as ADOT's point of contact.
3. ADOT reviewed its Tribal Consultation Policy during the period of June to November 2008 and it was reissued with a new review date of November 19, 2008.
4. ADOT completed its Tribal Consultation Annual Report for the period of December 2007 to November 2008 and submitted it to the Governor's Offices for distribution to the State Legislature and Tribal Leaders.

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In May 2007 Governor Napolitano restructured her quarterly Tribal Summits and initiated the process of holding quarterly Tribal Leader Roundtable Meetings. These Meetings continue to be ongoing and are conducted in a manner that provides free flowing discussion with the opportunity for Tribal Leaders and the Governor to introduce a variety of topics of concern. The change was also designed to give the Governor and Tribal Leaders an opportunity to have more in depth discussions and to identify more guidance on the content and substance of the discussion topics.

#### ADOT MGT-16.01 Department-Wide Native Nation/Tribal Government Consultation Policy

ADOT's tribal consultation policy was adopted on September 1, 2006 taking into consideration the Governor's impending Executive Order and the Federal legislation requirements for state departments of transportation to coordinate, cooperate and consult with Native Nation/Tribal Governments in statewide and metropolitan transportation planning processes. This is in addition to addressing environmental, cultural, historic, natural and human resource issues during the implementation of transportation programs and construction/maintenance projects impacting Native Nation/Tribal reservations and aboriginal lands within the State boundaries.

Since its establishment in 1974, ADOT has continually implemented intergovernmental relations processes to carry out its responsibilities. However, this policy is intended to provide additional guidance to ADOT personnel when working with the Native Nations/Tribal Governments in Arizona. Furthermore, the consultation procedures outlined in the Policy provide ADOT and the Nations/Tribes a basis for mutual understanding as appropriate agreements are carried out to address State and Tribal Transportation issues, needs and concerns. Both the State and the Native Nation/Tribal Governments share a mutual desire to coordinate the implementation of their respective multi-modal transportation mission and goals.

#### ADOT Tribal Consultation Policy Priorities

ADOT respects the unique and continuous existence of each Native Nation's and Tribal government's values, culture, codes, laws; and works to address the following 12 policy priorities.

1. Support the strengthening of Native Nation/Tribal Government capacity for planning, development, construction, maintenance, and operation of transportation facilities under Nation/Tribal jurisdiction.
2. Commit to developing cooperative relationships with the Native Nation/Tribal Governments in Arizona, and respect and consider their transportation concerns.
3. Not to solicit and assert claim to Federal resources that would otherwise be provided directly to Native Nations/Tribal Governments, unless an impacted Nation/Tribe gives consent.
4. Maintain and operate State owned transportation infrastructure within Native Nation/Tribal lands in the best interest of the State while respecting Nation/Tribal and local communities.
5. Maintain the appropriate working relationships with Native Nation/Tribal Government elected officials and staff to assure the continuous operation of their respective transportation systems.
6. Consult with Native Nation/Tribal Governments during the transportation planning processes and implementation of the statewide transportation improvement plan.

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7. Assist Native Nation/Tribal Governments to implement transportation programs by providing technical assistance, sharing data, conducting joint Nation/Tribal and State projects, and cooperatively resolving transportation issues to the extent resources allow.
  8. Enter into Intergovernmental Agreements, Joint Project Agreements, Memoranda of Agreement, or Memoranda of Understanding when considered mutually appropriate by ADOT and an interested Native Nation/Tribal Government.
  9. Coordinate with Native Nation/Tribal Governments in Arizona to identify available resources to jointly or individually fund projects to benefit the State and Nation/Tribal communities.
  10. Conduct training and partnering efforts, when appropriate and as resources allow, encouraging and improving State Departmental/Native Nation/Tribal Government understanding and communication.
  11. Provide early notification to Native Nations/Tribal Governments about decisions that may affect them.
  12. Share appropriate technical information and data with Native Nations/Tribal Governments in accordance with established ADOT policy.

#### **ADOT Statewide, Regional and Local Tribal Consultation, Cooperation and Coordination**

The Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU) mandates that all state DOT's support a statewide transportation planning process that provides for consideration of projects and strategies such as long-range plans and transportation improvement programs. In addition, Arizona Revised Statute 28-506 requires that ADOT prepare a long-range statewide transportation plan. The following highlights several of the processes that are underway to result in development of the Arizona Long Range Transportation Plan as well as regional, local and tribal consultation, cooperation and coordination processes.

#### **Building a Quality Arizona - Statewide Transportation Planning Framework**

Governor's Executive Order 2008-02 (superseding EO 2007-02) directs ADOT to produce: a) a draft list of critical transportation needs and representative projects to bring about sustainable development patterns through the year 2030; b) a consensus-based final list of needs and representative projects; and c) Regional Transportation Framework Plans that will include short- and long-range transportation projects necessary to further sustainable development patterns through the year 2050. This Governor's initiative is titled Building a Quality Arizona (BQAZ) - Statewide Transportation Planning Framework.

The Arizona State Transportation Board allocated resources for the BQAZ project. The BQAZ work plan basically involves development of a critical needs definition, implementation of regional framework planning, and development of a statewide planning framework. Both the critical needs definition and regional framework planning processes were initiated on concurrent tracks in January 2008 and the entire process is expected to be completed by September 2009. The ADOT Multimodal Planning Division is overseeing the technical aspects of the Framework process and has retained a management consultant and four regional framework consultants.

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Working in collaboration regional transportation planning entities, transit organizations, tribal governments, land management agencies, conservation groups, business and community leaders, the Governor's Office, ADOT, and local/regional leaders from across the state have initiated development of the Statewide Transportation Planning Framework that includes transportation alternatives and integrates them with land use and economic planning and development. Four Regional Framework Studies will be completed and used to create the Statewide Planning Framework Plan.

In part the success of the BQAZ Project is dependent on a strong partnership with tribal governments statewide. Therefore the State's work effort includes extensive outreach efforts that provide numerous opportunities for tribal governments to participate and provide input. These outreach efforts include tribal stakeholder interviews, focus group sessions, public meetings and the development of a list of critical transportation needs within tribal lands. Other statewide activities currently underway include Smart Growth input in to the Framework Evaluation Criteria, development of a 2030-2050 travel demand model, interface sessions with Bordering States and Mexico, and development of a rail framework study.

#### *BQAZ Critical Needs Definition Work Element*

In December 2007 ADOT completed and submitted a *Report on Tribal Transportation Issues and Needs* to the Governor's Office based upon tribal input received during the Governor's Tribal Summits on Transportation and Growth. The purpose of the Report was to provide preliminary information for consideration on tribal transportation issues and needs. This information along with additional input from tribal officials resulted in the development of a formal list of Tribal Critical Needs. The Critical Needs List also included transportation projects identified through the Bureau of Indian Affairs - Indian Reservation Roads Transportation Program for each Tribe as well as projects on State and County road systems within tribal land areas.

A Statewide Preliminary Critical Needs Definition report was completed in May 2008. The report contained information pertaining to the process of identification of critical needs, identification of the year 2030 Identified Improvement Needs Delineation cost of \$162.3 billion, and the total Preliminary Critical Needs cost of approximately \$42.6 billion. Among other topics the report discusses Increased Mobility and Connectivity for Tribal Governments, and Tribal Identified Improvements.

In line with the Preliminary Critical Needs Definition, a Statewide Transportation Investment Strategy report was completed. The Strategy includes a multimodal balance of: 1) strategic highways, 2) rail elements consisting of intercity, commuter and light rail to connect urban regions, and 3) public transportation for smaller cities, tribal communities and rural areas. It also includes opportunities to preserve open space and maintain wildlife habitat connectivity, stimulate transit-oriented development, foster walkable/bikeable communities and provide additional funding sources for the transportation needs of local/tribal communities and counties.

#### *BQAZ Regional Framework Study Work Element*

The long-range focus of the Regional Framework Studies is unique and when compiled in to the overall Statewide Planning Framework Plan will identify the state's needs in the 2030-2050 timeframe. The four Studies will look at ways to plan for growth by strengthening the link between land use, community development and economic patterns of each region, and their interrelated transportation needs for future sustainable mobility and continuing enhancement of Arizona's quality of life. Regional activities currently

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underway include the development of framework formulate and scenario alternatives. Also the first round of BQAZ Regional Community Workshops was completed during the March-April timeframe and a second round of Workshops was completed in November 2008. The final phase of the Regional Framework Study Work Element is to develop multimodal recommendations and an implementation program. This final phase will occur during the January-May 2009 timeframe.

### State-Tribal Transportation Planning

The ADOT Planning Assistance for Rural Areas (PARA) Program, formerly the ADOT Small Area Transportation Study (SATS) Program, uses funding from the federal Statewide Planning and Research (SPR) Program to provide technical planning assistance to tribal and local governments. For tribes the PARA Program can develop an update to an existing tribal transportation plan or address a specific transportation planning need. The project work plan conducts an analysis of the community transportation system facilities and develops a recommended transportation implementation plan. Under the PARA Program, ADOT provides 100% of planning study costs and project management oversight in coordination with tribal planning officials.

### Metropolitan Planning Organization and Council of Government Planning

Tribal government officials are encouraged to become members and participate in the regional planning process conducted by the Councils of Government (COGs) and the Metropolitan Planning Organizations (MPOs). When membership dues are paid (where required) this provides the tribes a means of participating on the COG/MPO Regional Boards/Councils and committees thereby allowing the tribes an opportunity to vote on transportation issues and projects in the region. Some tribes do have sovereignty concerns and/or concerns with the membership dues required by their regional COG or MPO and thereby opt not to participate at that level. However, even if they aren't paying members tribes are encouraged to participate at committee meetings in a non-voting capacity. Current tribal membership/participation on Arizona COGs and MPOs includes:

#### Metropolitan Planning Organizations

- Central Yavapai Metropolitan Planning Organization (CYMPO) – No tribal membership - Yavapai-Prescott Tribe participates at committee meetings.
- Flagstaff Metropolitan Planning Organization (FMPO) – No tribal membership or participation.
- Maricopa Association of Governments (MAG) – Fort McDowell Yavapai Nation, Gila River Indian Community, and Salt River Indian Community are members.
- Pima Association of Governments (PAG) – Pascua Yaqui Tribe and Tohono O'odham Nation are members.
- Yuma Metropolitan Planning Organization (YMPO) – Cocopah Tribe is a member.

#### Councils of Government

- Central Arizona Association of Governments (CAAG) – No tribal membership – Ak-Chin Indian Community, Gila River Indian Community, San Carlos Apache Tribe, and White Mountain Apache Tribe participate at committee meetings.
- Northern Arizona Council of Governments (NACOG) – No tribal membership – Navajo Nation, Hopi Tribe and White Mountain Apache participate at committee meetings.
- SouthEastern Arizona Governments Organization (SEAGO) – No tribal membership or participation.

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- Western Arizona Council of Governments (WACOG) – No tribal membership – Hualapai Tribe and Colorado River Indian Tribes participate at committee meetings.

### Direct Tribal Input into the Planning and Programming Process

ADOT works to ensure that tribal officials/staff are represented on its various statewide/regional program and project technical advisory committees. This representation provides tribes an opportunity to have direct input into development of the policy aspect of transportation planning. ADOT also works to encourage tribal attendance and input at the monthly State Transportation Board meetings. This takes into consideration that the Board makes final decisions on projects that will be funded in the State Five-Year Highway Construction Program and the State Transportation Improvement Program (STIP).

### ADOT Engineering Districts

Within Arizona ADOT has established ten engineering districts headed by District Engineers (DE) and supported by operation and maintenance personnel who consult at the local level with tribal governments. The DE's or their representatives regularly attend tribal transportation committee meetings, local community meetings, or meet on an as-needed basis with tribal officials to address transportation issues, construction project implementation, and highway operation/maintenance.

### ADOT Tribal Coordinator/Liaisons

There are several designated tribal coordinators/liaisons within ADOT. They are located in the Multimodal Planning Division, Environmental and Enhancement Group, and Right-of-Way Section. These liaisons/coordinators work closely with tribal officials and personnel to address specific types of issues within their realm of expertise. Tribal staff historically worked most closely with the ADOT DE's, however, they are now branching out to contact the ADOT tribal coordinators/liaisons as well. Oftentimes, there is collaboration between the DE's and tribal coordinators/liaisons to address certain issues.

### ADOT Historic Preservation Tribal Consultation

In August 2004 the ADOT Environmental and Enhancement Group developed the ADOT Historic Preservation Handbook to ensure that all construction and maintenance projects associated with the Arizona State Highway System consider project-related effects to significant historic and prehistoric cultural resources and that these undertakings are in compliance with Federal and State Historic Preservation laws. The Handbook serves as a process, procedures, policy, and training manual. It is a tool that provides step-by-step guidelines for the ADOT Historic Preservation Team (HPT) Specialist, and also presents the cultural resource process from the point of view of other groups that HPT interacts with, such as, NEPA Planners, Transportation Enhancement, Local Government, Technical Specialists, and On-call Consultants. The Handbook outlines various processes to undertake consultation with tribal governments according to the Section 106 guidelines, those basically include:

- Submittal of consultation letters to the Tribal Leader and Tribal Historic Preservation Offices (THPO), as appropriate.
- Develop a project work plan to mitigate cultural resource impacts in accordance with state and/or federal laws and in consultation with the appropriate tribal entities and land managing agencies.
- Prepare and negotiate either a Memorandum of Agreement (MOA) or Programmatic Agreement (PA) in

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order to satisfy cultural resources tribal consultation requirements as related to transportation enhancement projects or local government projects.

- Determine whether a project is a Federal undertaking or State undertaking and take appropriate steps to complete the consultation process.
- Determine BIA involvement in the consultation process.
- Maintain contact information for the Agencies and Tribes including entries for the tribal representatives to whom consultation is addressed, and to whom reports are transmitted.

### Arizona Tribal Strategic Partnering Team

The Arizona Tribal Strategic Partnering Team or "ATSPT" is supported by the ADOT Partnering Office as a means of improving state-tribal relations in transportation. ATSPT brings together representatives from state, tribal, federal and local agencies to address tribal-related transportation issues. ATSPT meets on a quarterly basis to carry out its strategic plan and also conducts an Annual Statewide Tribal Transportation Forum. ATSPT encourages active participation in its partnering effort by all tribes and transportation stakeholders in Arizona who have the desire to guide implementation of transportation policies and processes between Native Nations, Tribal Governments and the State of Arizona. More information can be obtained at the Arizona Tribal Transportation website: [www.aztribaltransportation.org](http://www.aztribaltransportation.org).

ATSPT active participating agencies include:

- ADOT Environmental and Enhancement Group
- ADOT Natural Resources Management Section
- ADOT Partnering Office
- ADOT Policy and Governmental Affairs Office
- ADOT Public Relations Office
- ADOT Right-of-Way Group
- ADOT Multimodal Planning Division
- Apache County District One - Road Department
- Bureau of Indian Affairs - Western Regional Office
- Bureau of Indian Affairs - Navajo Regional Office
- Colorado State University - Tribal Technical Assistance Program
- Federal Highway Administration - Arizona Division.

*"ATSPT builds relationships among state, tribal, federal and local governments to develop strategies that address state and tribal transportation issues."*

### Arizona Statewide Tribal Transportation Forum and Safety Summit

The 2008 Arizona Tribal Transportation Forum and Safety Summit were held on May 13-15, 2008 at the Francisco Grande Hotel in Casa Grande, AZ. ADOT, the Federal Highway Administration, the Tribal Technical Assistance Program at Colorado State University, and the Arizona Tribal Strategic Partnering Team co-sponsored this annual event. The key outcomes of the event included:

- Presentations on tribal transportation perspectives, programs and projects
- Presentations on federal and state transportation program and projects
- Introduction of key transportation safety stakeholders
- Identification of tribal traffic safety issues and needs
- Increased collaborative working relationships

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- Increased tribal capacity to access funding

Approximately 130 participants attended making it the largest and most successful statewide tribal transportation event so far in Arizona. Participants represented eleven tribes, city, state, county, and federal agencies, as well as the Inter Tribal Council of Arizona, Tribal Technical Assistance Program, and the Pima Association of Governments. Tribes represented at the event included: Ak-Chin Indian Community, Fort McDowell Yavapai Nation, Gila River Indian Community, Hopi Tribe, Hualapai Tribe, Navajo Nation, San Carlos Apache Tribe, Salt River Pima-Maricopa Indian Community, Yavapai-Apache Nation, and Tohono O'odham Nation, White Mountain Apache Tribe.

Tribes in Arizona were invited to conduct presentations on transportation issues or to showcase successful project activities. During the Transportation Forum the Navajo Nation and Hopi Tribe provided presentations on their transportation programs and processes; and ADOT presented information on the Building a Quality Arizona - Statewide Transportation Planning Framework project. During the Safety Summit the San Carlos Apache Tribe, Tohono O'odham Nation, Fort McDowell Yavapai Nation, White Mountain Apache Tribe and Yavapai Apache Nation provided presentations on tribal safety initiatives and programs.

#### Navajo Nation/ADOT/BIA/FHWA/Coconino County/Navajo County/Apache County Partnership

The current Navajo Nation Transportation Partnership was established in December 2004 and it continues to be an ongoing effort support by the ADOT Partnering Office. The Mission of the Partnership is: *"To develop, foster and maintain good working relationships in order to construct, operate and maintain the most reliable, economical, efficient and effective transportation system for the safety of the traveling public. We commit to promoting a sustained opportunity and investment in the partnership effort through the pursuit of mutually beneficial goals in a spirit of respect, open communication, cooperation and trust"*.

At its onset the Partnership established several Task Teams for the purpose of conducting an ongoing process for addressing the priority topics of emergency response, processes, resources, right of way and training. The Task Teams meet on a regular basis and report back to the full Partnership Steering Committee on a quarterly basis as well as at the Partnership Annual Meeting.

The Navajo Nation Transportation Partnership Annual Meeting was held July 9-10, 2008 in Fort Defiance, AZ. The purpose of the meeting was to present progress of the partnership to the stakeholder leadership and to identify actions for the upcoming year. The priority actions identified included:

- Maintain roads
- Improve efficiency
- Save money
- Invite NACOG to participate
- Statewide Transportation Investment Strategy Initiative updates
- Streamline recommendations
- Research railroad issues
- Public transit
- Training task team

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- Navajo DOT to take over leadership of the partnership effort and incorporate the ongoing process in to its overall transportation program

#### Hopi Tribe/ADOT/BIA/FHWA/Coconino County/Navajo County Partnership

The Hopi Transportation Partnership was established in September 2007 and like the Navajo Nation Partnership it continues to be an ongoing effort supported by the ADOT Partnering Office. The mission of the Partnership is: *"To develop, foster and maintain good working relationships through communication, collaboration, consultation and coordination to provide a safe and efficient transportation system for the movement of people, goods and services"*. At its onset the Partnership established several Task Teams with the purpose of conducting an ongoing process for addressing the priority topics of emergency response, processes, resources, right of way, Route 66, and training. The Task Teams meet on a regular basis and report back to the full Partnership Steering Committee on a quarterly basis as well as at the Partnership Annual Summit.

The Partnership's First Annual Transportation Summit was held September 23-24, 2008 on the Hopi Reservation. The purpose of the meeting was to promote understanding, commitment, ownership and strategies to continue building the partnership process among the nine partner groups' leaders and members. The Hopi Tribe also provided an opportunity for partnership members to tour transportation areas of concern and the Hopi Village of First Mesa. The Summit outcomes included:

- Showcase Task Team successes from the past year
- Identify direction and focus for the upcoming year
- Build greater understanding amongst partners
- Evaluate the Partnership and gain continued commitment from Partnership
- Review future Partnership meetings & roles

#### Inter Tribal Council of Arizona, Inc. - Transportation Working Group

The Inter Tribal Council of Arizona, Inc. (ITCA) is a private non-profit organization that is comprised of tribal government membership representing 21 of the 22 tribes in Arizona. To support its tribal consultation and coordination efforts ADOT provides tribal coordination reports to the ITCA Transportation Working Group (TWG). Although, the Navajo Nation is not a formal member of ITCA, it is invited to participate at the TWG meetings. The ITCA-TWG provides an excellent forum for dialogue where not only do tribal representatives get to learn and inquire on what the State DOT is working on, but also for State DOT staff learn what is happening at the tribal level and on BIA Regional Office issues.

#### Arizona Commission of Indian Affairs

The Commission is a state agency that works directly with tribal leaders to improve state-tribal relationships and largely deals with legislative type issues. Coordination/consultation is conducted with the Commission as a requirement under state statute, where the ADOT Director as well as several other state executive agency directors, are designated to serve as members of the Commission by virtue of their offices. The Directors may also appoint their representatives to participate in the quarterly Commission meetings and other activities. Currently, ADOT designates its Planning Division Tribal Coordinator to fill this role and to vote at the quarterly meetings then report back on issues impacting ADOT.

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## USDOJ Bureau of Indian Affairs - Western Region Office and Navajo Region Office

On specific project issues the ADOT District Engineers and other ADOT support staff meet and communicate as-needed with the BIA Region and Agency Office personnel. Also, ADOT - MPD coordinates and consults with the BIA Region and Agency personnel for specific planning study projects or data requests, as needed. BIA representation is requested on the Technical Advisory Committees for planning study efforts in addition to being involved in document review. There are also two forums through which ADOT interacts with the BIA Regional Offices on a regular basis; those are the ATSPT regular meetings (BIA Western Region) and the Navajo Nation/ADOT/BIA/FHWA Partnership Steering Committee (BIA Navajo Region). Both forums provide for ongoing dialogue and improved relationships between the BIA and ADOT personnel.

## USDOT Federal Highway Administration

ADOT interacts with the FHWA Arizona Division on a regular basis through meetings and electronic communication. Also, the FHWA staff participates on a number of committees that require input from the federal level due to the expenditure of federal funds on programs and projects. In particular, this includes the priority programming process for the State 5-Year Construction Program and STIP. As with the BIA, ADOT interacts with the FHWA Division on a regular basis, at the ATSPT regular meetings and at both Navajo Nation Partnership meetings and Hopi Partnership meetings. This interaction provides for ongoing dialogue and improved relationships between the FHWA and ADOT staff regarding tribal coordination and consultation. At the national level ADOT communicates with the FHWA Native American Coordinator to relay information on ADOT's tribal coordination and consultation efforts through special meetings called for the State DOT Liaisons/Coordinators.

## USDOT Federal Transit Administration

The ADOT transit section ensures a multi-modal approach to mobility, congestion and air quality issues throughout the State. ADOT transit staff communicates on a regular basis with the Federal Transit Administration (FTA) to administer the Section 5303 Metropolitan Planning, the Section 5310 Elderly and Persons with Disabilities Transportation Program, Section 5311 Rural Transit Program, and the Section 5313 State Planning and Research Program. These grant programs, provide technical assistance and expertise to local transit agencies and decision makers; and, coordinates and funds state transit and rail planning efforts, and sets and monitors light rail system safety standards.

Three tribal transit systems currently participate in the Section 5311 Program; they include the Hopi Tribe, Navajo Nation and Salt River Indian Community. Ten tribal service providers currently participate in the Section 5310 Program; they include the Camp Verde Yavapai- Apache, Cocopah Tribe, Fort Mojave Tribe, Gila River Indian Community, Hualapai Tribe, Navajo Nation, Pascua Yaqui Tribe, San Carlos Apache Tribe, Tohono O'odham Nation, and White Mountain Apache Tribe. ADOT transit staff consults with these tribes on a regular basis to ensure efficient operating systems and compliance with program regulations. Funding and management coordination is also conducted for the Planning Assistance for Rural Areas studies that may require a detailed transit element.

## ADOT TRIBAL CONSULTATION ACTIONS: December 2007 to November 2008

The following provides a summary of substantial tribal related consultation actions undertaken by ADOT Divisions. A number of the actions relate directly to the implementation of the ADOT tribal consultation policy priorities. Specific Tribes consulted and/or impacted are highlighted in bold italic lettering. Also mentioned are actions that are on-going forms of communication that ADOT conducts with tribal governments, tribal communities, and tribal related agencies. Additionally, although it is understood that public involvement is not considered government-to-government consultation, it is important to note that this is a method that is carried out to obtain tribal community participation in transportation planning and programming processes. Also a number of the identified activities are undertaken in cooperation between the various Divisions illustrating ADOT's internal team effort toward accomplishing successful transportation program and project implementation.

### ADOT Aeronautics Division

April 2008	<ul style="list-style-type: none"> <li>● Conducted a leadership presentation at the Tuba City High School on the <b><i>Navajo Nation</i></b>.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>● Participated in a groundbreaking event for improvements at the Kayenta Airport on the <b><i>Navajo Nation</i></b>.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>● Participated in the <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Annual Partnership Meeting in Kykotsmovi, AZ.</li> </ul>

### ADOT Communications and Community Partnerships (CCP)

December 2007	<ul style="list-style-type: none"> <li>● Participated in a <b><i>Navajo Nation</i></b>/ADOT/BIA/FHWA/County Quarterly Partnership Steering Committee Meeting.</li> <li>● Participated in an Arizona Tribal Strategic Partnership Quarterly Meeting.</li> <li>● Participated in a <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Partnership Quarterly Steering Committee Meeting.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>● Met with the <b><i>Cocopah Tribe</i></b>, <b><i>Quechan Tribe</i></b> and the Bureau of Land Management regarding the US 95 - Cibola Lake Road Project.</li> <li>● Participate in a planning meeting for the 2008 Arizona Tribal Transportation Forum.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>● Participated in a <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Quarterly Partnership Steering Committee Meeting.</li> <li>● Participated in a planning meeting for the 2008 Arizona Tribal Transportation Forum scheduled for May 14, 2008 in Casa Grande, AZ.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>● Participated in a Tribal Safety Summit Planning Team meeting. Discussed details on finalizing the summit agenda with the Arizona Tribal Transportation Forum Planning Team which included representatives from FHWA, ADOT, Governor's Office of Highway Safety and the Colorado State University-Tribal Technical Assistance Program. The Summit is scheduled for May 15, 2008 in Casa Grande, AZ.</li> <li>● Participated in a <b><i>Navajo Nation</i></b>/ADOT/BIA/FHWA/County Partnership Process Task Team Meeting.</li> </ul>
May 2008	<ul style="list-style-type: none"> <li>● Facilitated a <b><i>Navajo Nation</i></b>/ADOT/BIA/FHWA/County Partnership Process Task Team Meeting to assist in creating procedures to help streamline intergovernmental processes.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>● Participated in a <b><i>Hopi Tribe</i></b>/ADOT/BIA/FHWA/County Quarterly Partnership meeting to gain partnering skills and knowledge of the partnership.</li> </ul>
July 2008	<ul style="list-style-type: none"> <li>● Met with representatives of the Navajo Department of Transportation to plan a campaign to</li> </ul>

	<p>address the issue of animals in the state highway right-of-ways.</p> <ul style="list-style-type: none"> <li>Facilitated the <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Annual Meeting in Window Rock to build partnerships with the tribe and counties. State Senator Albert Hale, Navajo County Supervisor Percy Deal and Navajo County Supervisor attended the meeting.</li> <li>Met with Lone Butte Development Corporation on the <b>Gila River Indian Community</b> to address coordination of construction and incidents that would detour traffic from the Loop 202 and/or I-10 freeways.</li> <li>Facilitated a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Process Task Team Meeting to assist it in reaching partnership goals.</li> </ul>
August 2008	<ul style="list-style-type: none"> <li>Designed and produced a tri-fold color flier for use on the <b>Navajo Nation</b> to address the safety issue of livestock in the highway right-of-way.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>Facilitated a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Vendors in the Right-of-Way Task Team to address this transportation and safety issue.</li> <li>Participated in the <b>Hopi Tribe</b>/ADOT/BIA/FHWA/County Annual Partnership Meeting in Kykotsmovi, AZ. The meeting was highly successful and significant progress was made to collaborate and address transportation issues of mutual concern for members of the partnership.</li> <li>The Arizona Transportation Research Center (ATRC) funded a project titled the SPR 655 ADOT Customer-Focused Performance Measures Research Project Collectively with the purpose of developing performance indicators for services improvement. ATRC and CCP staff are managing a research firm for this project. The research process will include the opportunity for tribal input through contact with the tribal leaders and transportation contacts to participate in a project survey in early 2009. The tribal input obtained will be included with data gathered from other government agencies, stakeholder organizations and the general public to assess customer perspectives on ADOT performance and services.</li> </ul>
October 2008	<ul style="list-style-type: none"> <li>Facilitated a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Vendors in the Right-of-Way Task Team Meeting in Tuba City, AZ to assist in achieving the team goals.</li> <li>Participated in a <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Quarterly Partnership Steering Committee Meeting.</li> </ul>

#### ADOT Intermodal Transportation Division (ITD)

December 2007	<ul style="list-style-type: none"> <li>The Secretary of the U.S. Department Transportation announced that all eight of the Scenic Byway grants submitted by Arizona through the National Scenic Byway Program have been funded for a total of \$791,136. The grants were awarded to the Red Rock All-American Road, Historic Rt. 66--Arizona--National Scenic Byway, three for Coronado Trail National Scenic Byway, and three on the <b>Navajo Nation</b> reservation, including two on Kayenta-Monument Valley Scenic Road and Dine'Tah "Among the People" Scenic Road. ADOT Transportation Enhancement/Scenic Roads Section administers these federal grants.</li> <li>The Yuma District Engineer met with the <b>Colorado River Indian Tribes</b> staff to discuss the SR 95 Spur Colorado River Bridge Project.</li> <li>The Safford District Development Engineer and Development Team met with the <b>San Carlos Apache Tribe</b> Council in Bylas to brief the members about the recommendations proposed in the US 70 Gila River Bridge Design Concept Report (DCR).</li> <li>The Safford District Development Engineer along with the US 70 Bylas Bridge DCR designer and project manager met with the <b>San Carlos Apache Tribe</b> Transportation Committee to present the preferred alignment for the new bridge.</li> </ul>
January 2008	<ul style="list-style-type: none"> <li>The <b>San Carlos Apache Tribe</b> Tribal Council unanimously approved a resolution presented by the ADOT Safford District that supports the recommended alternative location</li> </ul>

	<p>for reconstruction of the Bylas Bridge over the Gila River on US 70 near Bylas, AZ.</p> <ul style="list-style-type: none"> <li>• The Holbrook District Engineer and staff attended a <b>Navajo Nation</b> New Lands Chapter meeting to address emergency bridge repair, major interchange project and other ADOT related questions.</li> <li>• The Prescott District Engineer and the Central Yavapai Metropolitan Planning Organization administrator gave a presentation to the <b>Yavapai-Prescott Indian Tribe</b> on upcoming projects in the area.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>• The Environmental Planning Group Historic Preservation Team met with representatives of the <b>Gila River Indian Community</b> to review potential impacts to historic properties from a proposed commercial materials pit.</li> <li>• The Environmental Planning Group Historic Preservation Team met with the <b>Yavapai Prescott Indian Tribe</b> President and Cultural Research Program representatives at the site of the Granite Creek Bridges project to discuss the treatment of cultural resources found within the project limits.</li> <li>• Roadway Predesign, the Yuma District and the US 95 Improvement Project Team held <b>Cocopah Tribe</b> consultation meetings, an agency scoping meeting, and a public meeting regarding potential improvements to US 95 in Yuma. The purpose of the study is to ultimately expand US 95 to a four lane divided roadway with two lanes in each direction and provide an all-weather roadway.</li> <li>• The Holbrook District Engineer and staff attended a <b>Navajo Nation</b> Kayenta Chapter meeting to discuss the possibility of moving the current ADOT maintenance yard out of the residential area.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>• The Tucson District Engineer met with the <b>Gila River Indian Community</b> and consultants to address development on leased tribal land.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>• The Roadway Engineering Group and SR 264 Feasibility Study Project Team conducted a second agency meeting with <b>Navajo Nation</b> representatives, a second public meeting and open house with community residents. The Project Team presented a slideshow of roadway alternatives and provided discussion on the recommended alternative. Input and feedback was received from both Navajo Nation representatives and the public.</li> </ul>
May 2008	<ul style="list-style-type: none"> <li>• The Holbrook District Engineer attended a co-op meeting with representatives from Colorado, Utah, New Mexico and the <b>Navajo Nation</b>.</li> <li>• The State Safety Engineer led the <b>Arizona Strategic Highway Safety Plan</b> Roadway/Roadside Action Plan Team workshop of more than 50 participants from engineering, enforcement, education and emergency response agencies. City, county, MPO/COG, state, federal, tribal and other public and private agencies/associations were represented at the workshop. The Action Plan team will identify ways to implement the SHSP strategies and countermeasures relating to intersection and lane departure crashes.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>• The <b>Navajo Nation</b> Jeddito Chapter and the BIA have passed resolutions requesting ADOT to build a roundabout at the intersection of SR 264 and Navajo 6. This issue was also brought up at the last State Transportation Board meeting in Flagstaff. Holbrook District and Regional Traffic Engineering staff are doing a study of the traffic at the intersection and will meet with BIA and the Chapter officials to discuss the findings and options.</li> <li>• The Safford District Development Engineer and District Engineer met with <b>San Carlos Apache Tribe</b> Bylas District officials to discuss issues and opportunities along US 70.</li> </ul>
July 2008	<ul style="list-style-type: none"> <li>• The Holbrook District Engineer and Transportation Engineering Specialist met with the <b>Navajo Nation</b> regarding right of way issues at Burnside Junction.</li> </ul>
August 2008	<ul style="list-style-type: none"> <li>• The Tucson District Engineer and Transportation Enhancement Staff met with <b>Pascua Yaqui Tribe</b> Council Member Gastelum, Tribal Staff and Pima Association Manager to discuss possible funding for artwork at I-10 and Grant Road for the Pascua Yaqui Tribe's</li> </ul>

	Pueblo located in the vicinity.
September 2008	<ul style="list-style-type: none"> <li>ITD issued an update to <i>ADOT Policy SAF 01-1 Emergency Notification and Reporting Procedures</i>. The updated policy ensures that ADOT has a process in place to report emergencies to tribal governments, local governments, and FHWA. Reference is made to compliance with the April 1994 President's Memorandum on Government-to-Government Relations with Native American Tribal Governments. The Policy also includes coordination of notification to tribal governments with the Arizona Governor's Policy Advisor on Tribal Affairs.</li> <li>Flagstaff and Kingman District staff attended the <i>Hopi Tribe/ADOT/BIA/ FHWA/County Annual Partnership Meeting</i> in Kykotsmovi, AZ.</li> </ul>
November 2008	<ul style="list-style-type: none"> <li>Holbrook District staff participated in a <i>Navajo Nation</i> Many Farms Chapter Planning Meeting in Many Farms, AZ to provide information on state route projects within the Chapter community.</li> </ul>

### ADOT Motor Vehicle Division (MVD)

December 2007	<ul style="list-style-type: none"> <li>Operations Support worked with Apache County officials on a new lease for the Chinle MVD office. County officials also worked with the <i>Navajo Nation</i> and Bureau of Indian Affairs to ensure that all interested parties are in agreement with the terms of the new lease.</li> <li>The MVD Legislative Liaison participated in the ADOT Policy and Governmental Relations Retreat. Topics of discussion included strategies for State Legislative session; federal fiscal year 2009 project priorities; Reauthorization Summit and strategies for reauthorization; strategies for increasing communications with local governments; tribal transportation; border project planning process; CANAMEX corridor; lessons learned; framework studies; long term transit funding; research work; and Transportation Board.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>The Window Rock MVD Supervisor provided assistance to a new title clerk in Gallup, NM with Arizona MVD policies and procedures.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>MVD will be attending the first meeting of the Inter Tribal Council of Arizona - Tribal Safety Working Group. ITCA is looking to address Motor Vehicle Crashes occurring on Tribal lands and/or involving Tribal members.</li> <li><i>Navajo Nation</i> Property Management visited the Window Rock Office to address the issue of the Tribe's transfer of vehicles from the Fort Defiance Agency. The visit was to obtain information for a presentation to the communities in preparation for planned changes.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>MVD staff attended an Interagency Safety Stand Down meeting on the <i>Navajo Nation</i> in Ganado, AZ. Other agencies in attendance were Ganado Fire Department, DPS, ADOT Safety, Navajo Tribal Utility Authority and the Navajo Environmental Protection Agency. Each agency conducted a brief presentation, providing information to assist the agencies involved in working together more effectively to promote safety in northern Arizona.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>MVD staff met with Law Enforcement representatives from Mesa, Scottsdale, <i>Fort McDowell Yavapai Nation</i> and the Maricopa County Sheriff's. The meeting was to discuss upcoming changes to the Admin Per Se/Implied Consent Affidavit.</li> </ul>

### ADOT Multimodal Planning Division (MPD)

December 2007	<ul style="list-style-type: none"> <li>State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting to address the topics of the ATSPT New Member Packet; Arizona Commission of Indian Affairs Training Course - Introduction to American Indians; and Planning of the 2008 Arizona Tribal Transportation Forum.</li> <li>State and Regional Planning staff participated in a <i>Navajo Nation/ADOT/BIA/</i></li> </ul>
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	<p>FHWA/County Quarterly Partnership Steering Committee Meeting to address the topics of IGA Issues, Team Website, Task Team Reports - Resources, Emergency Response, Training, and Processes.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <i>Hopi Tribe</i> ADOT/BIA/ FHWA/County Partnership Quarterly Steering Committee Meeting to address goals and objectives for formalizing the Partnership Strategic Plan and to provide direction to the following established Task Teams: Resources, Emergency Response, Website, Processes and Route 60.</li> <li>• State and Regional Planning staff met with ADOT Executive Leaders, the Governor's Policy Advisor for Growth and Infrastructure, and the Governor's Policy Advisor on Tribal Affairs. The purpose was to address tribal involvement in statewide transportation planning as related to <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i>.</li> <li>• State and Regional Planning staff prepared and submitted the <i>2006-2007 ADOT Tribal Consultation Annual Report</i> to Governor's Policy Advisor on Tribal Affairs. The report was to be forwarded to the State Legislature and Tribal Leaders as stipulated under Governor's Executive Order 2006-14.</li> <li>• State and Regional Planning staff attended the Governor's Tribal Leader Summit in Phoenix.</li> <li>• State and Regional Planning staff participated in a State Agency Tribal Liaison Meeting.</li> <li>• State and Regional Planning staff sent out formal correspondence on the proposed Planning Assistance for Rural Areas (PARA) Program to the Tribal Transportation Contacts and Tribal Leaders for all 22 tribal governments in Arizona. The purpose of the correspondence was to notify the tribes of the proposed changes to the Small Area Transportation Study Program and to solicit comments on the proposed PARA Program application process.</li> <li>• State and Regional Planning staff participated in a <i>San Carlos Apache Tribe</i> Transportation Committee Meeting to discuss the SATS Program and the proposed PARA application process. Both the ADOT Safford and Globe District Engineers were in attendance and are in support of a tribal study. The Committee has assigned the Tribal Planning Department to work with ADOT on getting the process underway.</li> <li>• Public Transportation staff met with <i>Navajo</i> Transit System representatives to discuss the status of their transit facility plans.</li> <li>• State and Regional Planning staff submitted a <i>Report on Tribal Transportation Issues and Needs</i> to ADOT Director Mendez and ADOT Deputy Director Travis. The report purpose is to provide preliminary information for consideration on the issue of tribal involvement in the statewide transportation planning process as related to the <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i>.</li> <li>• State and Regional Planning staff participated in a State Agency Tribal Liaison Meeting to address tribal policy and consultation concerns. Staff provided an update on the ADOT Tribal Consultation and Partnerships. Presentations were also given by the Arizona Department of Housing and State Corrections Department.</li> <li>• State and Regional Planning staff submitted updates for the Arizona Tribal Transportation website.</li> </ul>
January 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in the Indian Nations and Tribes Legislative Day event at the State Capital by providing a presentation on ADOT Tribal Consultation and Partnerships. Twenty-eight persons attended the presentation including Tribal and agency representation from the Ak-Chin Indian Community, Cocopah Tribe, Havasupai Tribe, Hopi Tribe, Navajo Nation, Salt River Pima-Maricopa Indian Community, White Mountain Apache Tribe, Yavapai-Apache Nation, Apache County and City of Surprise.</li> <li>• State and Regional Planning staff submitted updates for the Arizona Tribal Transportation</li> </ul>

	<p>website.</p> <ul style="list-style-type: none"> <li>• Public Transportation staff met with <b>Hopi</b> Senom Transit and <b>Navajo</b> Transit System representatives to address Section 5311 Transit Program budget and spreadsheet training</li> <li>• Public Transportation staff attended a meeting with <b>Gila River Indian Community</b> regarding an I-10 Widening Project Update.</li> <li>• Public Transportation staff met with <b>Navajo</b> Transit System representatives in Window Rock to discuss a transit facility plan and view the construction site.</li> <li>• State and Regional Planning staff attended an Arizona Commission of Indian Affairs Board Meeting.</li> <li>• Public Transportation staff facilitated a conference call with the Community Transportation Association of America (CTAA) to discuss a planning grant for the <b>White Mountain Apache Tribe</b>. The White Mountain Apache Tribe subsequently submitted an application for the planning grant.</li> <li>• State and Regional Planning staff met with the <b>San Carlos Apache Tribe</b> Economic Development Department and provided an ADOT PARA Program overview of processes, timelines, and procedures.</li> <li>• Public Transportation staff convened a Tribal Transit Grant Application Workshop in Phoenix. Items addressed included: (1) Overview of the ADOT Transit Planning Process, (2) Program Requirements and Application Process for the Federal Transit Administration Section 5311, 5310, 5316, 5317 Programs, (3) Coordination of Service, and (4) Training Opportunities. Tribes represented at the Workshop included the <b>Gila River Indian Community, Hopi Tribe, Navajo Nation, Pascua Yaqui Tribe, and White Mountain Apache Tribe</b>.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in an ATSPT Tribal Transportation Forum Planning Subteam Meeting. The Forum is scheduled for May 15, 2008 and will incorporate a Tribal Safety Summit per request of the FHWA Office of Federal Lands Highway.</li> <li>• State and Regional Planning staff sent correspondence to the Navajo, Coconino and Apache County Board of Supervisor Chairpersons to outline equitable distribution of <b>Navajo Nation</b> SAFETEA-LU School Bus Route Funds.</li> <li>• State and Regional Planning staff met with <b>Hopi Tribe</b> transportation and human services representatives in Flagstaff regarding grant and coordination opportunities/challenges on and around the Hopi reservation.</li> <li>• State and Regional Planning staff provided a presentation on ADOT Tribal Consultation Processes at an Arizona Commission of Indian Affairs Meeting with ASU Tribal Government Studies students interested in State Government.</li> <li>• State and Regional Planning staff participated in an Inter Tribal Council of Arizona - Transportation Working Group Meeting.</li> <li>• State and Regional Planning staff participated in a <b>Pascua Yaqui Tribe</b> SATS Technical Advisory Committee Meeting and the second round Project Public Meeting.</li> <li>• State and Regional Planning staff and the Inter Tribal Council of Arizona convened an ATRC/Inter Tribal Council of Arizona SPR 592 Building Tribal Traffic Safety Capacity Project Final Technical Advisory Committee Meeting. This Project involves development of methods to assist the Gila River Indian Community, Hualapai Tribe, and Tohono O'odham Nation to build their capacity to undertake highway safety issues and improvements. The purpose of the meeting was to present the research project results and obtain approval of the finalized project report.</li> </ul>
March 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting to address the Proposed Arizona Commission of Indian Affairs - Introduction to American Indian, History, Life &amp; Culture Demonstration Training, the ATSPT New Membership Recruitment Plan, and the 2008 Arizona Tribal Transportation Forum and</li> </ul>

	<p>Safety Summit.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff submitted ADOT Certifications of Road Maintenance to the <i>Colorado River Indian Tribes</i> and the <i>White Mountain Apache Tribe</i>. The Certification addresses the tribal requests to include state route mileage into its BIA Indian Reservation Road Program Road Inventory to meet BIA-IRR requirements for funds distribution.</li> <li>• State and Regional Planning staff participated in a <i>Hopi Tribe</i> ADOT/BIA/FHWA/ County Partnership Quarterly Steering Committee Meeting to address Task Team Updates - Emergency Response, Resources, Processes, Training, Right of Way, and Route 60; Partnership Strategic Plan Review; and Issue Resolution.</li> <li>• State and Regional Planning staff participated in a <i>Hopi Tribe</i> Stakeholder Interview Session pertaining to the <i>Building a Quality Arizona - Transportation Planning Framework Study</i>. This meeting purpose was to obtain tribal input on regional issues for the Framework Study process.</li> <li>• State and Regional Planning staff sent out correspondence to all Arizona Tribal Leaders informing them of the upcoming Planning Assistance for Rural Areas application solicitation.</li> <li>• State and Regional Planning staff submitted to the Governor's Policy Advisor on Tribal Affairs an <i>ADOT Tribal Consultation Progress Report</i> for the March 2008 Tribal Leaders Roundtable Meeting.</li> <li>• Public Transportation staff participated in a HELP Loan Advisory Committee meeting. The Committee approved the new public transportation application which includes transit capital for rural and Tribal communities.</li> <li>• State and Regional Planning staff participated in an Inter Tribal Council of Arizona - Transportation Working Group Meeting in Phoenix to provide a <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i> Update, ADOT PARA Program Presentation, and an ARTC SPR 592 Building Tribal Traffic Safety Capacity Project Update.</li> <li>• State and Regional Planning staff participated in the first meeting of the ITCA Tribal Safety Working Group. The primary meeting activity was to identify and document tribal issues concerning motor vehicle crashes. Specifically discussion focused on overviews of MVC impacts to tribes, ITCA safety initiatives, and various safety forums. Also roundtable discussions and presentations covered identification of tribal safety and injury prevention issues. This meeting was well attended by staff from various tribes and agencies with interest in reducing motor vehicle crashes and significant input was obtained.</li> <li>• State and Regional Planning staff submitted a response to an inquiry from the Governor's Policy Advisor on Tribal Affairs regarding the status of the <i>Colorado River Indian Tribes</i> request to include Indian Route 1 in the Building a Quality Arizona (BQAZ) Critical Needs List, development of a list of upcoming BQAZ Framework meetings, and response on comments from the <i>White Mountain Apache Tribe</i> regarding a Swift Trail Parkway Draft Corridor Management Plan.</li> <li>• Public Transportation staff participated in a discussion session titled "Tribal Transit Service, Training, and Funding Challenges" conducted by the Transportation Research Board/Transit Cooperative Research Program in Portland, OR.</li> <li>• Public Transportation staff met with the <i>Salt River</i> Transit tribal program manager to address compliance of the Section 5311 Transit Program.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <i>White Mountain Apache Tribe</i> Transportation Committee meeting. Discussion addressed tribal concerns related to the February closure of SR 273 and development of the Swift Trail Parkway Corridor Management Plan Project, updates on ADOT Globe District Projects, and the BQAZ</li> </ul>

	<p>Statewide Transportation Planning Framework project.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff and the BQAZ Northern Region Team conducted Focus Group Meetings and a Community Workshop on the <b>Navajo Nation</b> in Window Rock, AZ. Focus Groups Meetings addressed the topics of multimodal and commercial transportation, business and development, and environmental issues. The Community Workshop purpose was to obtain local tribal community input on issues and needs pertaining to the state transportation system in Northern Arizona.</li> <li>• State and Regional Planning staff participated in a State Agency Tribal Liaison Group Meeting for the purpose of identifying discussion points and recommendations pertaining to State-Tribal consultation that may be considered at the June 2008 Governor's Tribal Leaders Roundtable Meeting, and to identify areas that the Tribal Liaison Group can further develop in order to enhance and strengthen the state agency tribal consultation policy and implementation process.</li> <li>• State and Regional Planning staff participated in an ITCA Transportation Working Group Meeting. Discussion items included Update on the <i>Building a Quality Arizona - Statewide Transportation Planning Framework Study</i>, Notification of the 2008 Arizona Tribal Transportation Forum and Safety Summit, Notification of Round 16 of the Federal Transportation Enhancement Program, and Update on the ADOT-PARA Program</li> <li>• State and Regional Planning staff participated in an ITCA Tribal Safety Working Group Meeting. Discussion items included Overviews of the Priority Issues Identified in March, New Forums, Safety Plans, 2008 Meeting Schedule, and the refinement of the Issues of Infrastructure, Emergency Response, Enforcement/Education, and Program and Data Management.</li> </ul>
May 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in the 2008 Arizona Tribal Transportation Forum and Safety Summit held in Casa Grande, AZ. ADOT, the FHWA, the Tribal Technical Assistance Program at Colorado State University, and the Arizona Tribal Strategic Partnering Team co-sponsored this annual event. Approximately 130 participants attended making it the largest and most successful statewide tribal transportation event thus far in Arizona.</li> <li>• ADOT participated in a meeting of the <b>San Carlos Apache Tribe</b> Transportation Committee to discuss management options for a SATS project to update the Tribe's Long Range Transportation Plan. The Committee had agreed to move forward with the project and assigned the Tribal Planning Department to work with the ADOT-MPD to get the process underway.</li> <li>• Public Transportation staff conducted budget negotiation meetings with the <b>Hopi</b> Senom Transit and <b>Navajo</b> Transit System.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff submitted ADOT Certifications of Road Maintenance to the <b>Fort McDowell Yavapai Nation</b>, <b>Fort Mojave Tribe</b>, <b>Hopi Tribe</b> and <b>San Carlos Apache Tribe</b>. These certifications address the tribal requests to include state route mileage into their BIA Indian Reservation Road Program Road Inventories to meet BIA-IRR requirements for funds distribution.</li> <li>• State and Regional Planning staff participated in an Arizona Commission of Indian Affairs Webinar Board Meeting. Topics of discussion included resolutions of support for the Hopi Tribe, San Juan Southern Paiute Tribe, Havasupai Tribe; ACIA Board Elections; ACIA Move Update; State Budget Update; Potential Merger with Indian Health Care; Indian Town Hall Update; and ACIA Financials.</li> <li>• State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting. Discussion addressed a Debriefing on the 2008 Statewide Tribal Transportation Forum and Safety Summit and review of the draft final proceedings report; Updates to the Arizona Tribal Transportation Website; and Review of the ADOT</li> </ul>

	<p>Department-wide Native Nation/Tribal Government Consultation Policy.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <b>Hopi Tribe</b> Partnership Steering Committee Quarterly Meeting. Discussion topics addressed Task Team Reports - Emergency Response, Resources, Processes, Training, ROW Vendors, ROW Animals, Route 60, and Web Site Development; Planning for the Partnership Annual Meeting; Strategic Planning Strategies; and Review of the Partnering Evaluation Program.</li> <li>• State and Regional Planning staff participated in an ITCA Transportation Working Group Meeting. ADOT discussion items included Federal Transportation Reauthorization and Statewide Rural Transit Need Updates.</li> <li>• Public Transportation staff met with <b>Hopi</b> Senom Transit representatives to conduct budget and spreadsheet training</li> </ul>
July 2008	<ul style="list-style-type: none"> <li>• Public Transportation staff met with <b>Navajo</b> Transit System representatives to discuss expenditures in its FTA Section 5311 Program.</li> <li>• State and Regional Planning Section received applications from counties, towns, and Tribes for funding through the Planning Assistance for Rural Areas Program. A total of \$2,000,000 is available to assist jurisdictions in conducting planning studies. MPD staff will provide technical and administrative support to awarded projects.</li> <li>• State and Regional Planning staff participated in a meeting of the <b>San Carlos Apache Tribe</b> Transportation Committee. ADOT discussed the content of the Tribe's Long Range Transportation Plan Project scope of work; the financing process for the project; and selection of the consulting firm to complete the project.</li> <li>• Priority Programming Staff negotiated with the <b>Navajo Nation</b> regarding an extension of its 2004 Joint Project Agreement for the funds received under the Economic Strength Program.</li> <li>• Priority Programming, Public Transportation, and State and Regional Planning staff participated in the <b>Navajo Nation</b>/ADOT/BIA/FHWA/County Partnership Annual Meeting in Window Rock.</li> </ul>
August 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in an ITCA Transportation Working Group Meeting. ADOT discussion items included <i>Statewide Rural Transit Needs Study</i> Presentation and BQAZ Statewide Investment Strategy Update.</li> <li>• State and Regional Planning staff participated in an ITCA Tribal Safety Working Group Meeting. Discussion items included Update of the ITCA Tribal Motor Vehicle Injury Prevention Project; Overviews and Background of the Issue Collection Process and Priority Areas Process for Data, Policy, Education and Enforcement; Issue Prioritization Discussion; and Policy/Education Strategies Discussion.</li> <li>• State and Regional Planning staff submitted comments and recommendations on a Technical Memorandum for the NCHRP Project 08-65 titled "<i>A Guidebook for Successful Communication, Cooperation, and Coordination Strategies between Transportation Agencies and Tribal Communities</i>".</li> <li>• State and Regional Planning staff and Jacobs Engineering met with both the <b>Navajo</b> DOT and BIA Navajo Regional Office staff to provide an overview of an MOU on Access Management process and to review the first draft of potential MOU language as well as to obtain additional input. An additional meeting is expected to be scheduled with other Navajo tribal departments that were identified by the Navajo DOT and BIA to be consulted on the MOU.</li> <li>• Public Transportation staff met with <b>Navajo</b> Transit staff to discuss funding and timelines for Transit Facility construction.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>• Public Transportation staff met with the <b>White Mountain Apache Tribe</b> and Community Transportation Association of America to address a transit feasibility study process.</li> <li>• State and Regional Planning staff participated at a <b>Hopi Tribe</b> Transportation Task Team</li> </ul>

	<p>Meeting in Kykotsmovi, AZ. ADOT and the Hopi Tribe are initiating the process of entering into an MOU on Access Management. Jacobs Engineering is assisting ADOT with development of the MOU and presented background information to obtain input on this effort from the Task Team.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff met with <i>Salt River Pima-Maricopa Indian Community</i> Engineering and Construction Development Services to initiate the Tribe's Planning Assistance for Rural Areas Project for update of the Tribe's Long Range Transportation Plan. Discussion focused on finalization of the project scope of work and consultant procurement process.</li> <li>• State and Regional Planning staff met with the Navajo DOT to review the status of the <i>Navajo Nation</i> Long Range Transportation Plan Update Project and finalization of the project scope of work.</li> <li>• State and Regional Planning staff met with <i>the San Carlos Apache Tribe</i> Planning Department to initiate the Tribes Long Range Transportation Plan Update Project and finalization of the project scope of work.</li> <li>• State and Regional Planning, Public Transportation staff provided presentations on state funding programs to a group of 20 <i>Navajo Nation</i> Chapters at the State Capital. This event was convened by Representative Hale for Chapter Officials to learn about state programs.</li> <li>• ADOT Director Mendez and State and Regional Planning staff participated in transportation related discussion at the Governor's Tribal Leader Roundtable Meeting. Follow-up actions by ADOT addressed the issues of the use of tribal IDs to obtain a state driver's license, elderly transportation for medical visits, status of the Indian Pines Maintenance Yard operation, and the availability of federal transit program funding to tribal communities.</li> <li>• State and Regional Planning staff participated in an Arizona Tribal Strategic Partnering Team Quarterly Meeting. Discussion focused on a proposed American Indian Pilot Training Session for ADOT personnel through the Arizona Commission of Indian Affairs training curriculum, development of the ATSP Issue Resolution Process, potential future tribal partnerships, and future meeting technology processes.</li> <li>• State and Regional Planning staff attended the <i>Hopi Tribe</i>/ADOT/BIA/ FHWA/ County Annual Partnership Meeting in Kykotsmovi, AZ. This meeting was well attended by all partner agencies and direction was provided to the steering committee for the next year.</li> <li>• State and Regional Planning staff, HDR and BJ Communications met with the <i>San Carlos Apache Tribe</i> transportation planner to provide an update on <i>the Swift Trail Corridor Management Plan</i> Project. A major emphasis of the discussion was to address coordination for the Tribe's participation in the project process and finalization of the Plan.</li> </ul>
October 2008	<ul style="list-style-type: none"> <li>• Public Transportation staff met with <i>Hopi</i> Transit System representatives regarding its five-year planning process.</li> <li>• State and Regional Planning staff provided presentations at a <i>San Carlos Apache Tribe</i> Tribal Technical Assistance Program Training Session. The presentation focused on the ADOT Priority Programming Process, the Statewide Five-Year Transportation Facility Construction Program, and State and Federal funding programs available to tribal governments.</li> <li>• State and Regional Planning staff and the <i>San Carlos Apache Tribe</i> Planning Department convened the first Technical Advisory Committee Meeting for the Tribe's Long Range Transportation Plan Update Project. Discussion focused on the project background, study approach and work plan, and data needs.</li> <li>• State and Regional Planning staff met with <i>Salt River Pima-Maricopa Indian Community</i> Engineering and Construction Development Services to conduct follow-up on the Tribe's Planning Assistance for Rural Areas Project for update of the Tribe's Long Range</li> </ul>

	<p>Transportation Plan. Finalization of the project scope of work was addressed.</p> <ul style="list-style-type: none"> <li>• State and Regional Planning staff and the BQAZ Project Director participated in an Inter Tribal Council of Arizona – Transportation Working Group Meeting to provide a status report on the BQAZ Project and the upcoming public workshop events.</li> <li>• State and Regional Planning staff participated in a <i>Navajo Nation</i>/ADOT/BIA/FHWA/County Quarterly Partnership Quarterly Steering Committee Meeting to address updates from the Task Teams and follow-up action items.</li> </ul>
November 2008	<ul style="list-style-type: none"> <li>• State and Regional Planning staff participated in a <i>Navajo Nation</i> Many Farms Chapter Planning Meeting in Many Farms, AZ. The Chapter Officials made a request of ADOT-MPD and ADOT Government Relations to provide information on potential funding programs available to the Chapter Community to address transportation needs. ADOT-MPD will provided information on the Planning Assistance for Rural Areas (PARA) Program.</li> <li>• State and Regional Planning staff sent notice to the <i>Tonto Apache Tribe</i> of the awarded PARA Project for the Town of Payson to update its Long Range Transportation Plan. The Tribe was invited to participate on the Study Project Technical Advisory Committee to ensure that tribal transportation perspectives are included in the planning process.</li> <li>• State and Regional Planning staff and the BQAZ Northern Region Team conducted a Community Workshop on the <i>Navajo Nation</i> in Window Rock, AZ. The workshop purpose was to present the findings developed since the first series of BQAZ public meetings held in March 2008 and to obtain additional input from the local tribal community on the state transportation system in Northern Arizona.</li> <li>• ADOT-MPD initiated start-up of the <i>Navajo Nation</i> Long Range Transportation Plan Update Project. Wilson and Company was selected as the lead consulting firm with Woodson Engineering a subconsultant. The first project TAC meeting is tentatively scheduled for January 2009.</li> <li>• Public transportation staff initiated the process of conducting Section 5310 Program compliance evaluations with tribal agencies statewide that are participating in the Program.</li> </ul>

### ADOT Policy and Governmental Affairs (PGA)

Jan - Nov 2008	<ul style="list-style-type: none"> <li>• Coordinated efforts between the <i>Navajo</i> DOT and ADOT Traffic Safety area to obtain training to perform road safety audits.</li> <li>• Assisted with getting a representative from the <i>Navajo</i> DOT on the Arizona Local Technical Advisory Program (LTAP) Advisory Board.</li> <li>• Ensured that LTAP and ADOT training information were sent to the <i>Navajo</i> DOT.</li> <li>• Worked with the <i>Navajo</i> DOT on developing a pilot proposal to share maintenance yards.</li> <li>• Finalized an MOU with the BIA Navajo Regional Office to transfer funding for the <i>Navajo Nation's</i> SAFETEA-LU High Priority Projects.</li> <li>• Updated <i>Navajo Nation</i> Partnership Charter to include the three county partners.</li> <li>• Working on functional reclassification of N60 so federal funds can be used to make improvements to this route on the <i>Hopi</i> Reservation.</li> </ul>
April 2008	<ul style="list-style-type: none"> <li>• Participated in a <i>White Mountain Apache Tribe</i> Transportation Committee Meeting to address follow-up on the Swift Trail Corridor Management Plan Project and other ADOT coordination issues.</li> </ul>
June 2008	<ul style="list-style-type: none"> <li>• Participated in an ITCA Transportation Working Group Meeting to provide a report on the Federal Transportation Reauthorization process.</li> </ul>
September 2008	<ul style="list-style-type: none"> <li>• Provided a presentation on state funding programs to a group of 20 <i>Navajo Nation</i> Chapters at the State Capital. This event was convened by Representative Hale for</li> </ul>

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	Chapter Officials to learn about state programs.
October 2008	<ul style="list-style-type: none"> <li>Participated in a meeting with the <i>White Mountain Apache Tribe</i> Transportation Coordinator to address follow-up actions regarding <i>Swift Trail Corridor Management Plan</i> Project.</li> </ul>
November 2008	<ul style="list-style-type: none"> <li>Participated in a meeting with the <i>Navajo Nation</i> Many Farms Chapter to address SAFETEA-LU High Priority Project funding issues for BIA Routes N8084 and 8086.</li> </ul>

**ADOT Transportation Services Group (TSG)**

March 2008	<ul style="list-style-type: none"> <li>Physical Plant Operations met with the <i>Yavapai-Apache Nation</i> Tribal Council and Economic Development Director to address a proposed Intergovernmental Agreement for disposal of wastewater at the tribal wastewater facility.</li> </ul>
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**Attachment A**  
Executive Order 2006-14 & ADOT MGT-16.01

**Executive Order 2006-14**  
**Consultation and Cooperation with Arizona Tribes**

**WHEREAS**, Arizona is home to 22 federally-recognized American Indian Tribes (“Tribes”) who have existed since time immemorial, long before the formation of the United States and the entry of the State of Arizona into the union; and

**WHEREAS**, the land of these 22 Tribes comprises approximately 28% of Arizona’s land base; and

**WHEREAS**, these tribal members are citizens of our great State, possess all the rights and privileges afforded by Arizona to its citizens, and, along with other American Indians, comprise approximately five percent of Arizona’s population; and

**WHEREAS**, the State of Arizona recognizes and supports the right of these 22 tribal governments to exercise sovereign authority, as defined by federal law, over their members and their territory; and

**WHEREAS**, it benefits the State of Arizona to partner with tribal governments on issues affecting all of Arizona as well as to ensure that state services and resources are available to all eligible state citizens residing in Arizona tribal communities to the same extent that such services are available to all other eligible state citizens; and

**WHEREAS**, a spirit of cooperation should guide the continuing government-to-government relationships between the State of Arizona and the Tribes that call Arizona home; and

**WHEREAS**, meaningful and timely consultation with Arizona’s Tribal leaders will facilitate better understanding and informed decision making.

**NOW, THEREFORE**, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and the laws of this State, hereby order and direct as follows:

1. All Executive Branch agencies shall develop and implement tribal consultation policies to guide their work and interaction with federally-recognized Tribes in Arizona. Consultation requires that to the extent practicable and permitted by law, state agencies and offices shall seek input from appropriate elected or appointed tribal officials before undertaking any action or policy that will, or is reasonably believed to, have the potential to affect a tribal community or its members. Further, state agencies and offices shall, to the fullest extent possible and to the best of their ability, integrate the input generated from tribal consultation into their decision-making processes to achieve mutually acceptable solutions.
2. All Executive Branch agencies shall designate a member of their staff to assume responsibility for the agency’s implementation of the tribal consultation policy and to act as the principle point of contact for tribal issues.

3. All Executive Branch agencies shall review their tribal consultation policies each year and submit an electronic report to the Governor and the Legislature to describe all action undertaken as a result of the implementation of these policies. Electronic copies of these annual reports shall be provided to the Arizona Commission of Indian Affairs, which will make them available to Arizona's tribal leaders.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.



*Janet Napolitano*  
GOVERNOR

DONE at the Capitol in Phoenix on this 14th day of September in the Year Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirty-First.

ATTEST:

*Janice K. Brewer*  
SECRETARY OF STATE



# ARIZONA DEPARTMENT OF TRANSPORTATION POLICIES AND PROCEDURES

## MGT-16.01 DEPARTMENT-WIDE NATIVE NATION/ TRIBAL GOVERNMENT CONSULTATION POLICY

**Effective: November 19, 2008**

Supersedes: MGT-16.01 (9/1/2006)

Responsible Office: Director's Office (602) 712-7227

**Review: November 19, 2010**

Transmittal: 2008 - November

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### 1.01 PURPOSE

This policy establishes the basic principles guiding the Arizona Department of Transportation (ADOT) and its relationships with Native Nation/Tribal Governments in the State of Arizona.

### 1.02 SCOPE

Since its inception, ADOT has continually implemented intergovernmental relations processes to carry out its responsibilities. This policy is intended to provide additional guidance to ADOT personnel when working with the Native Nations/Tribal Governments in Arizona. It is understood that consultation procedures identified by ADOT and the Nations/Tribes may already be in existence or will need to be identified through individualized agreements. Therefore, these consultation procedures will provide ADOT and the Nations/Tribes a basis for mutual understanding as appropriate agreements are carried out to address State and Tribal Transportation issues, needs and concerns.

### 1.03 BACKGROUND

ADOT was established in 1974 and is responsible for planning, developing, maintaining, and operating transportation facilities for the efficient movement of people and products by surface and air throughout Arizona. Within the State, multi-modal transportation systems cross numerous jurisdictional boundaries. In particular, approximately 1,350 miles of the state highway system traverse Native Nation/Tribal lands along with 20 airports maintained by the Native Nation/Tribal Governments. Additionally, there are 22 Native Nation/Tribal Governments that have jurisdiction over approximately 28% of the land base within Arizona. Thus, the State and Nations/Tribes share a mutual desire to work together for the common purpose of protecting the health, safety and welfare of the traveling public in Arizona through a continuously improving working relationship.

Furthermore, Federal legislation requires state departments of transportation to coordinate, cooperate and consult with Native Nation/Tribal Governments in statewide and metropolitan transportation planning processes. This is in addition to addressing environmental, cultural, historic, natural and human resource issues during the implementation of transportation programs and construction projects impacting Native Nation/Tribal reservations and aboriginal lands within the State boundaries. Consequently, both the State and the Native Nation/Tribal Governments share the mutual desire to coordinate the implementation of their respective multi-modal transportation mission and goals.

### 1.04 DEFINITIONS

IGA – Intergovernmental Agreement      An agreement between political subdivisions including cities, counties, tribes or any other governmental agency or political subdivision. Includes interagency agreements, i.e., agreements between agencies or

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	departments of the State. The distinguishing features of an IGA are that the legal officers for the state and the other government must sign it, and file it with the Office of the Secretary of State before it becomes a legal contract.
JPA – Joint Project Agreement	An agreement between parties for the joint exercise of powers to accomplish a task. A Joint Project Agreement is any intergovernmental agreement (IGA).
MOA / MOU	Memorandum of Agreement / Memorandum of Understanding.
Native Nations/Tribal Governments	The 22 Federally recognized Native Nations, Tribal Governments, and Tribal Communities that have jurisdiction over lands located within the boundaries of the State of Arizona. Also abbreviated as Nations/Tribes.
Values	For the purpose of this policy, the term “values” denotes a high degree of importance ADOT places upon a Native Nation/Tribal Government’s concerns, needs and/or willingness to build working relationships.

## 1.05 POLICY

ADOT recognizes the sovereign status of Native Nation/Tribal Governments and their jurisdiction over lands within reservation boundaries as defined by federal law [18 U.S.C. §1151]. In recognition of Nation/Tribal sovereignty, ADOT respects the unique and continuous existence of each Nation’s/Tribe’s government, values, culture, codes, laws, and as such will work to address the following:

- A. ADOT supports the strengthening of Nation/Tribal capacity for planning, development, construction, maintenance, and operation of transportation facilities under Nation/Tribal jurisdiction. ADOT’s support to Nations/Tribes will be provided in the interest of the State and will not be used as the basis for assertion of State authority within Indian Country.
- B. ADOT is committed to developing cooperative relationships with the Nation/Tribes in Arizona, and will respect and consider their transportation concerns. ADOT values the Nation’s/Tribal Government’s respect for the transportation concerns of the State of Arizona.
- C. ADOT will not solicit and asserts no claim to Federal resources that would otherwise be provided directly to Nations/Tribes, unless an impacted Nation/Tribe gives consent.
- D. ADOT will maintain and operate State owned transportation infrastructure within Native Nation/Tribal lands in the best interest of the State while respecting Native Nation/Tribal Governments and local communities.
- E. ADOT management including the director, assistant directors, district engineers, and other designated staff will maintain the appropriate working relationships with Native Nation/Tribal Government elected officials and staff to assure the continuous operation of their respective transportation systems.

- F. ADOT will consult with Native Nation/Tribal Governments during the transportation planning processes and implementation of the statewide transportation improvement plan in accordance with Federal Highway Administration, Federal Transit Administration, and Federal Aviation Administration policies and this policy.
- G. ADOT will assist Native Nation/Tribal Governments to implement transportation programs by providing technical assistance, sharing data, conducting joint Native Nation/Tribal Government and State projects, and cooperatively resolving transportation issues to the extent resources allow.
- H. ADOT will enter into Intergovernmental Agreements, Joint Project Agreements, Memoranda of Agreement, or Memoranda of Understanding when considered mutually appropriate by ADOT and an interested Native Nation/Tribal Government.
- I. ADOT, while acknowledging funding and jurisdictional limitations, will coordinate with Native Nation/Tribal Governments in Arizona to identify available resources to jointly or individually fund projects to benefit the State and Native Nation/Tribal communities.
- J. ADOT will conduct training and partnering efforts, when appropriate and as resources allow, encouraging and improving State Departmental/Native Nation/Tribal Government understanding and communication. ADOT values reciprocity by Native Nations/Tribal Governments, particularly in the area of understanding Nation/Tribal cultural differences and unique business cultures.
- K. ADOT will provide early notification to Native Nations/Tribal Governments about decisions that may affect them. ADOT values reciprocity by Native Nations/Tribal Governments in early notification on matters that may affect the State.
- L. ADOT will share appropriate technical information and data with Native Nations/Tribal Governments in accordance with established ADOT policy. ADOT values reciprocity by Native Nations/Tribal Governments to share appropriate technical data as well with the State in accordance with established Native Nation/Tribal Government policy.

#### **1.06 RESPONSIBILITY**

In good faith, the Director of ADOT, in his/her official capacity, or through his/her designee(s), including the Aeronautics Division, the Communication and Community Partnerships Division, the Intermodal Transportation Division and its Engineering Districts, the Motor Vehicle Division, the Multimodal Planning Division, and the Transportation Services Group shall endeavor to implement the terms of this policy.

Responsibility for the enforcement of this policy lies with the Director's Office; State Engineer's Office; division directors and district engineers; and, section, group and team managers.