

October 1, 2020

TRIBAL CONSULTATION ANNUAL REPORT

July 1, 2019 – June 30, 2020

Agency Overview

The Arizona Department of Transportation (ADOT) is a multimodal transportation agency that is responsible for planning, building and operating the state highway system, including approximately 1,200 miles of the system on tribal land. ADOT also provides program assistance to 12 tribal airports and seven tribal public transit systems.

Tribal Government Consultation Policy

ADOT’s Tribal Consultation Policy was updated and approved on July 23, 2019. Any future policy updates will be made per input received from tribal leadership during ADOT’s Annual Tribal Leadership Meeting and pursuant to ARS 41-2051(C) responsibilities of state agencies.

Tribal Liaisons

ADOT employs two department-wide Tribal Liaisons both of whom coordinate actions to address tribal transportation policy and statewide issues. They also carry out consultation, coordination and cooperation activities for transportation planning projects. During FY20 the Liaisons organized tribal land areas within Arizona into northern and southern regions of responsibility to provide improved coverage and service.

ADOT Tribal Consultation Policy – Major Collaborative Activities

The following actions address ADOT consultation policy guidelines and were conducted with assistance from the Tribal Liaisons in coordination and participation from officials within various ADOT Divisions, Sections and Groups.

| Consultation Policy Goal | Goal Objective | Goal Activity/Performance Measure |
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| Develop, build and maintain appropriate tribal working relationships. (Policies #1 and #4) | Reissue contract with the Inter Tribal Council of Arizona (ITCA) to provide ongoing tribal technical assistance and to host Tribal Transportation Working Group (TWG) meetings to improve information sharing and state-tribal coordination. | ADOT reissued its contract with ITCA on 10/24/19. In FY20 a TWG Meeting was held on 3/5/20 to discuss the following topics: Mobile Port Operations – Tribal Pilot, Bike Safety Instructor Training, Tribal Transportation Program Coordinating Committee Update, and I-17 Indian School Road Traffic Interchange Improvement Project. |
| Consider all tribal transportation concerns. (Policy #1) | <p>Increase the attendance and participation through public comments provided by tribes and tribal related agency representatives at State Transportation Board (STB) meetings.</p> <p>Consult and coordinate with tribes on the implementation of transportation improvement projects that impact the state highway system.</p> | <p>ADOT experienced a 15.8% participation rate in tribal related comments recorded at STB meetings in FY20 compared to 20.1% in FY19. Tribal representatives made 12 comments at five STB meetings in FY20, compared to 42 comments made during 11 STB meetings in FY19. The decline is attributed to COVID-19 and the large gathering protocols issued.</p> <p>Assisted the Navajo Nahata Dzill Chapter with a planning grant it received that involved the Pinta Traffic Interchange and Sanders Port of Entry. At monthly meetings ADOT provided technical information and traffic data.</p> |

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| Provide timely opportunities for communication with tribes about decisions that may affect them. (Policy #11) | Utilize Liaisons as point of contact for tribal related inquiries, assistance requests and outreach to tribal governments for ADOT transportation study projects and communicate with the ADOT District Engineers for inquiries related specifically to their district regions. | Liaisons conducted outreach with tribal officials and ADOT District Engineers for the Sonoran Corridor Tier 1 Environmental Impact Statement (EIS) – Tohono O’odham Nation, Interstate 11 Corridor Tier 1 EIS – Tohono O’odham Nation and Pascua Yaqui Tribe, Interstate 10 Wild Horse Pass Corridor Tier 1 EIS and Design Concept Report – Gila River Indian Community, and a 2020 US191 BUILD grant application – Navajo Nation. |
| Improve tribal consultation for the implementation of the Arizona Statewide Transportation Improvement Program (STIP). (Policy #5) Encourage mutual understanding of unique cultural and organizational practices among ADOT and Tribes. (Policies #8 and #10) | To consult with Tribes on all major projects. Increase participation with the state, local governments, Councils of Government (COGs) and Metropolitan Planning Organizations (MPOs) for funding and technical assistance on projects that may be included in the Arizona STIP. Encourage ADOT, COG, MPO and stakeholder agency personnel to take training that will enhance their understanding and working relationships with the tribes. | In conjunction with the October 2019 Arizona Rural Transportation Summit, Liaisons facilitated ADOT’s Second Annual Tribal Leadership Meeting. Approximately 30 persons attended including officials from seven tribal governments. The event purpose was to foster consultation between the tribes, state, local governments, MPOs and COGs. Discussion focused on STIP transportation project funding and tribal-specific follow-up consultation. The ADOT Tribal Transportation Consultation Online Training Course continues to be offered to ADOT and stakeholder agency personnel. In FY20 ADOT also initiated an update to the training course which will go live by 1/1/21. |
| Maintain and operate State infrastructure within tribal lands. (Policy #3) | Increase communication and address Tribal concerns related to facility maintenance needs. | In FY20 the following occurred as a result of the second ADOT Annual Tribal Leadership Meeting: ADOT Director attended site visits with the Navajo Nation regarding areas of concern along US191; the ADOT Northwest District Engineer held a Fort Mojave Tribe consultation meeting; and the Director attended a Hopi Tribe consultation meeting. |
| Neither solicit nor assert any claim to federal resources available to tribes. (Policy #2) | Remove barriers that tribes may have in accessing funding for transportation projects. Inform tribes of Federal Transit funds availability through ADOT. | During FY20 ADOT awarded Federal Transit Administration grants to tribal transit programs totaling \$5.56 million in FY20. This includes \$2.39 million in CARES Act (COVID-19 Relief) transit system operating funds. |
| Identify available resources to jointly/individually fund projects that benefit the State and Tribes. (Policy #7) | Engage in a spirit of cooperation and coordination, partner stakeholders agree to fund joint project. Pursue funding through | During FY20 a Highway Safety Improvement Project was programmed at \$17.9 million by ADOT to make safety improvements to 12.3 miles of US 191 between Chinle and Many |

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| | state and federal programs. | Farms within the Navajo Nation. The project construction will initiate in FY 22. |
| Engage in partnering efforts with the tribal governments. (Policy #9) | Maintain ongoing tribal transportation partnerships that support productive relationships with the tribes and regional stakeholders; and that pursue effective action plan activities through regular meetings. | In FY20 the San Carlos Apache Tribe/White Mountain Apache Tribe Partnership held Steering Committee Meetings on 8/14/19 and 3/12/20; the Hopi Tribe Partnership held Working Group meetings on 8/15/19 and 1/16/20. During the remainder of FY20 no meetings were held due to COVID-19. |
| Conduct technical training, when appropriate and as resources allow. (Policy #8) Share appropriate technical information and data with the Tribes. (Policy #12) Enter into appropriate State-Tribal IGAs (Policy #6) | Assist tribes to access the most reliable, accurate and timely data to support and prioritize request for transportation projects. Encourage tribal police departments to begin utilizing the ADOT Traffic Records and Criminal Software (TraCS) program to enter data into the State database. | On 8/6-7/19 ADOT hosted a Road Safety Assessment (RSA) training session. The San Juan Southern Paiute Tribe attended the training and also requested an RSA for its community. ADOT also met with the Navajo DOT on 8/20/19 to address tribal road classifications and centerline data issues. During FY20 the White Mountain Apache Tribe and the Navajo Nation entered into Crash Data Sharing and TraCS IGAs with ADOT. These tribes join the Yavapai-Prescott Tribe in working to improve crash data sharing and funding opportunities. |
| Assist tribes to implement transportation programs. (Policies #8 and #13) | Provide learning opportunities for tribal personnel in specific areas of transportation project development. | Liaisons presented “The Role of Tribes in Transportation Decisionmaking” at the September 2019 National Transportation in Indian Country Conference. Also ADOT’s “Integrating State and Tribal Transportation Planning Pathways Workshop” continues to be available online to tribal officials and staff. |

Liaison Challenge: The COVID-19 pandemic has created consultation activity challenges for Liaisons due to tribal executive order restrictions involving tribal office closures and limitations on large gatherings (e.g. no in-person project meetings or public involvement meetings). Also an ADOT directive requiring personnel to begin work from home was issued. These challenges are ongoing, however, they are being addressed through increased telephone/email communication and virtual business meetings being held as needed.

Liaison Highlight: Since the COVID-19 pandemic national emergency was issued, Liaisons assisted with coordinating responses from ADOT officials and the Department of Emergency Management Agency on the following tribal COVID-19 related requests: (1) Navajo Nation - Personal Protective Equipment, (2) Tohono O’odham Nation – Construction Work Crew Protocols, and (3) Hopi Tribe – Tribal Route Closure Barricades and Pedestrian Crossings on SR 264. Assisting with coordinating communication on these activities enabled the tribes to meet safety needs of their communities during the pandemic.

For questions or more information contact:

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