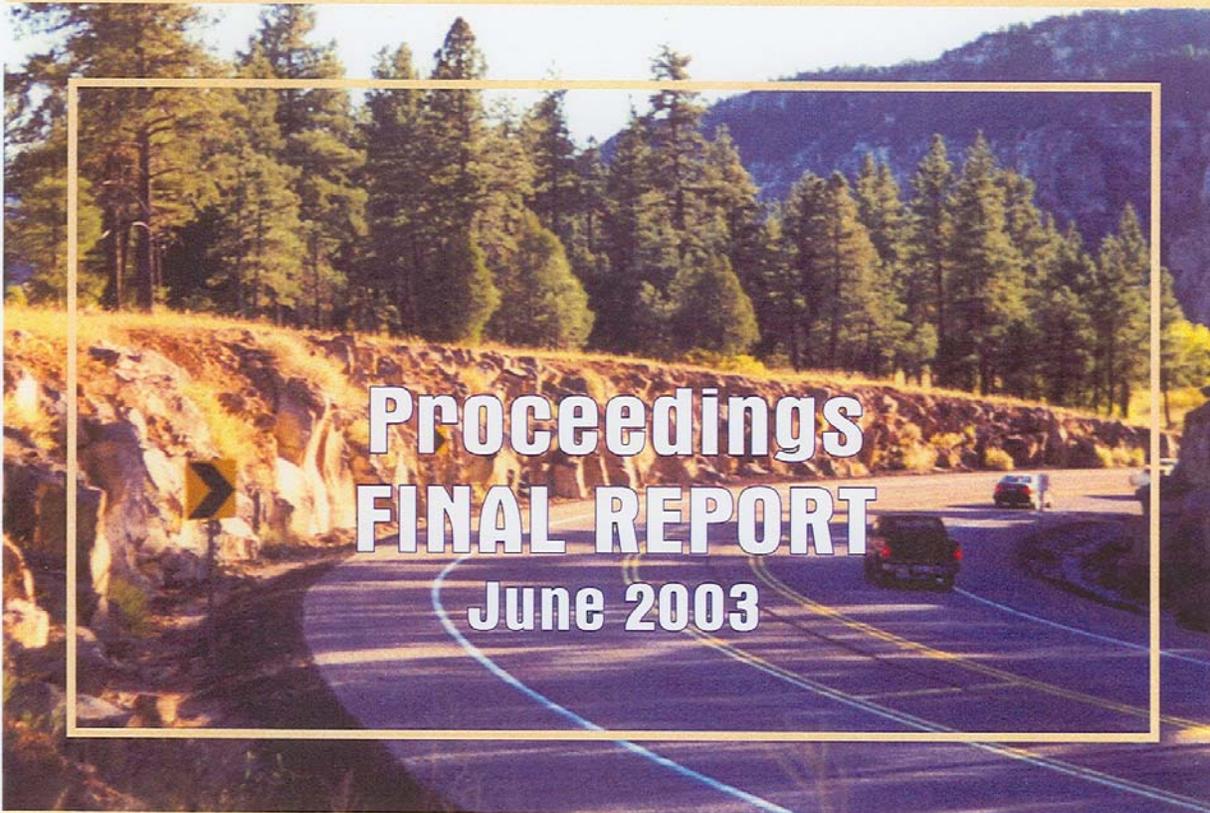


**NORTHERN ARIZONA REGION  
STATE - TRIBAL  
TRANSPORTATION FORUM**



**Proceedings  
FINAL REPORT  
June 2003**

**HIGHWAY TRANSPORTATION  
FUNDING & COORDINATION**

# NORTHERN ARIZONA REGION STATE - TRIBAL TRANSPORTATION FORUM

## PROCEEDINGS REPORT

Flagstaff, Arizona  
October 17, 2002



Sponsored by the  
Federal Highway Administration  
Arizona Department of Transportation  
and the  
Inter Tribal Council of Arizona



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# Northern Arizona Region State-Tribal Transportation Forum

## Proceedings Report

### PREFACE

#### Purpose

The Federal Highway Administration (FHWA), Arizona Department of Transportation (ADOT), and Inter Tribal Council of Arizona (ITCA), in conjunction with the ADOT Tribal Strategic Partnering Team (ATSPT), sponsored the Northern Arizona Region State-Tribal Transportation Forum to provide tribal and non-tribal government officials with an understanding of current highway funding and transportation coordination processes in Arizona. The major goals of the Forum were to:

- Improve tribal-state-federal relations.
- Improve tribal-state-federal coordination.
- Improve tribal participation in the statewide transportation planning and programming processes.

#### Background

The Forum convened on October 17, 2002, from 8 a.m. to 5 p.m. at the Little America Hotel in Flagstaff, Arizona. This event was the first of a series of regional state-tribal transportation forums to be conducted during 2002-2003.

Seventy-seven persons attended the Forum with representatives from the Hopi Tribe, Hualapai Nation, Navajo Nation, San Carlos Apache Tribe, Salt River Pima-Maricopa Indian Community, White Mountain Apache Tribe, and the Yavapai-Apache Nation. Attendees also included representatives from the ITCA, Bureau of Indian Affairs-Navajo Regional Office (BIA-NRO), Apache County, Navajo County, Yavapai County, Northern Arizona Council of Governments (NACOG), Western Arizona Council of Governments (WACOG), FHWA and ADOT. A list of all attendees is located in the Appendix.

ADOT staff opened the Forum and speakers from the FHWA, ADOT, BIA-NRO, and NACOG made presentations during the morning session. Each speaker was asked to present their agency transportation programs and to include their perspective of how and why tribes could and/or should participate in the state processes, as well as the potential for developing financial partnerships. This report provides highlights for each of those presentations which are then followed by a compilation of the questions and answers from each of the concurrent breakout sessions.

## Acknowledgements

Acknowledgement is given to the following individuals and their respective agencies for the expertise and time they have contributed toward the planning and implementation of this regional forum. A number of these individuals also provided assistance with review of the information presented in this report.

**Nathan Banks**, District Engineer, FHWA Arizona Division

**Dave Barber**, Deputy Director/Transportation Planner, Western Arizona Association of Governments

**Irvin Bekis**, Assistant Regional Roads Engineer, BIA Navajo Regional Office

**Debra Brisk**, ADOT Deputy Director

**Steve Clarke**, Facilitator, Employee Involvement Systems

**Esther Corbett**, Transportation Project Coordinator, Inter Tribal Council of Arizona, Inc.

**Sam Elters**, District Engineer, ADOT-ITD Kingman District

**Chris Fetzer**, Transportation Planning Manager, Northern Arizona Council of Governments

**Bill Frazier**, Regional Roads Engineer, BIA Navajo Regional Office

**Ermalinda Gene**, Program Manager, ADOT-TSG Civil Rights Section

**Ron Hall**, Director, CSU Tribal Technical Assistance Program

**Russell Hanson**, Facilitator, Transtech

**John Harper**, District Engineer, ADOT-ITD Flagstaff District

**Joe Jurasic**, Area Engineer, FHWA Arizona Division

**Bob Maxwell**, Area Roads Planner, BIA Western Regional Office

**Ginger Murdough**, Executive Administrator, ADOT-ITD Partnering Section

**John Pein**, ADOT Statewide and Regional Planning Manager

**Richard Powers**, District Engineer, ADOT-ITD Globe District

**Don Sneed**, Senior Planner/Tribal Coordinator, ADOT-TPD Statewide and Regional Planning

**Edward Stillings**, Mobility Planning Engineer, FHWA Arizona Division

**Jeff Swan**, District Engineer, ADOT-ITD Holbrook District

**Joy Keller Weidman**, Facilitator, Holon Consulting

A special thanks is also extended to the tribal, local, county, regional, state and federal government officials who attended and participated in the forum.

## **MORNING PRESENTATION HIGHLIGHTS**

### **Opening Remarks**

**Debra Brisk, ADOT Deputy Director**, emphasized the importance of the first regional state-tribal transportation forum ever held in Arizona and expressed appreciation for everyone's involvement. Ms. Brisk highlighted the importance of the partnership and viewed it as a way of focusing on Arizona's values of environment, culture and economy and as a means to improve the business of Arizona transportation. She stated that it is "the transportation system that unites us." As a State we face the challenges of needs versus available funding, cost of growth, quality of life, increasing technology, and respecting State values. While there are many challenges, money being the greatest, developing a strong, productive partnership will allow each member to be more successful.

**Ginger Murdough, ADOT Executive Partnering Administrator**, recognized the numerous entities represented at the forum, the importance of relationships and the values everyone shares. The focus of the forum was established as "improving tribal, state and federal relationships by giving and getting feedback on our issues and concerns." Ginger reviewed the agenda for the day and encouraged everyone to meet and greet each other during breaks and lunch.

**Ermalinda Gene, ADOT Civil Rights Office Equal Opportunity Specialist**, discussed the tribal transportation survey conducted by the ADOT Tribal Strategic Partnering Team. Ms. Gene highlighted the tribal priority issues identified through the survey and emphasized that it was conducted to provide a basis for the state-tribal transportation regional forums according to the following categories:

- Forum Development and Implementation
- Tribal Specific Issues and Concerns
- Forum Logistics

Consequently, the data gathered helped to guide focus of the forum agenda in order to deliver the best results for all participants. The *ADOT Tribal Strategic Partnering Team Overview and State Tribal Transportation Survey Final Report* was included in the participant packet.

## Federal Highway Administration Programs

**Nathan Banks, District Engineer, and Edward Stillings, Mobility Planning Engineer for the FHWA Arizona Division,** used a tag-team approach to present an overview of the history of the FHWA and the programs through which they provide funding. They emphasized that FHWA does not select or manage any construction projects – they are strictly a funding source to other agencies for their programs. In addition, they recognized two other FHWA Arizona Division staff members who were in attendance, Tom Deitering for the Flagstaff/Kingman Area and Joe Jurasic for the Prescott/Holbrook/Globe Area. Both were identified to assist with questions and provide information.

Mr. Banks and Mr. Stillings reviewed the history of federal legislative acts that established the highway funding programs dating back to 1916 up to the current law of TEA-21. The USDOT Organizational Chart was reviewed to identify entities involved in the flow of funds. Also, the Federal-Aid Highway Program was discussed identifying the program purpose, the “pay as you go” concept, the reimbursement stipulation, and highway reauthorization that establishes levels of funding.

The speakers discussed the major laws and regulations that govern the highway funding programs i.e. Title 23 US Code, 23 Code of Federal Regulations, National Environmental Policy Act of 1969 (NEPA), Clean Air Act of 1970 (CAA), Occupational Safety and Health Administration (OSHA), Americans with Disabilities Act (ADA), state laws and regulations, and FHWA Directives and Policies. The Major Programs include:

- National Highway System (NHS)
- Interstate Maintenance (IM)
- Surface Transportation Program (STP)
- Highway Bridge Replacement and Rehabilitation Program (HBRRP)
- Congestion Mitigation and Air Quality Improvement Program (CMAQ)
- Emergency Relief (ER)

They indicated that the primary sources of federal funding are the 18.4 cents/gallon gas tax, the 24.4 cents/gallon diesel tax, and other user fees. A flowchart was reviewed to show the flow of money from obligation of funds to reimbursement to the states from the US Treasury. A point was made that identified the eligible highways that qualify for federal funds and those that do not. Generally, principal arterials, minor arterials, and major collectors that feed into arterials qualify and rural minor collectors and local roads do not. There are some exceptions to this rule for certain special programs like bridge replacement projects which can be carried out on any public road.

Mr. Banks and Mr. Stillings also distinguished between the Surface Transportation Program (STP) which provides the bulk of federal money to the states and the Federal Lands Highway Program (FHLP), which is a subset of federal discretionary funds allocated to federally owned lands. The Indian Reservation Roads (IRR) Program is one of the FLHP categories. The IRR Program is administered separately by the BIA and FHWA. In Arizona STP funds account for about \$110 million dollars annually, while FHLP funding is about \$5 million.

Mr. Banks emphasize the value of learning how to tap into some of the STP funding, because it is a much larger pot of money than some of the discretionary programs. The key here is working through the Metropolitan Planning Organizations (MPOs) and Councils of Government (COGs) to identify and promote projects, again reminding the forum participants that FHWA only *provides* the STP funds – it is the state, MPOs and COGs that *decide* how they are spent.

Both FHWA speakers encouraged the tribes to get involved in statewide and regional planning efforts (i.e. long-range transportation planning, transportation improvement programs). Also to contact the FHWA Arizona Division for information and counsel on what federal funds may be available for tribal land projects and how to go about applying for them. They emphasized that transportation planning must be a continuing, comprehensive and cooperative process and they noted FHWA’s commitment to federal-state government-to-government relations based upon recent federal policies and orders. Lastly, FHWA’s presentation closed with the following statement:

*“The FHWA is committed to building more effective day-to-day working relationships with Indian tribal governments. We endeavor to address issues and concerns affecting American Indian tribal governments with the utmost respect for tribal sovereignty.”*

## Arizona Department of Transportation Programs

John Pein, ADOT Statewide and Regional Planning Manager, discussed the Statewide Long-Range Transportation Plan (LRP) or “MoveAZ Project” as it is also referred. Mr. Pein explained that development of the Arizona LRP is currently underway. He stated that it is an agreed upon strategy for the development of the Arizona transportation system over the next 20 years. The plan will involve all transportation modes; it will be project specific and financially constrained. The development of the LRP is a collaborative effort and partnership with ADOT, the MPOs, COGs, Arizona Transit Authority, ITCA, federal agencies and other interested stakeholders.

Mr. Pein mentioned that the plan would be carried out in three phases. Phase I will create a strategic direction, the mission statement, and goals and objectives; Phase II will define and implement a public/stakeholder involvement program; and, Phase III will carry out the technical analysis, conduct a policy/project evaluation, and develop the LRP.

It was pointed out that Phase II was underway and that nine stakeholder focus group sessions were conducted. These sessions focused on Native American communities; health and human services providers; pipelines and utilities; bike and pedestrian interests; aviation; commercial vehicle operators, railroads and distribution firms; environmental concerns, US National Parks and Forest Service; economic development interests; and, transit providers and users.

In addition, eight regional forums were scheduled throughout the State during the latter part of October and during November 2002. The objectives of the forums are to introduce the MoveAZ planning process; present and discuss goals and objectives; validate existing work on MoveAZ strategic direction; and, to assess the relative priorities of goals and factors. The completed Statewide Long-Range Plan is due to be submitted to the Governor by December 31, 2004, however, the project team is working to complete it by December 31, 2003. Further information can be obtained by calling the dedicated phone line at 1-866-478-9657 or accessing the project Internet website at [www.moveaz.org](http://www.moveaz.org).

Mr. Pein also discussed several items related to the planning process. He stated that the Arizona 1994 Transportation Plan identified 33 corridors of statewide significance. Since 1998 corridor profile analysis studies have been conducted for each of these corridors identifying transportation improvement projects spanning a 20-year window. Additionally, a number of access management studies and local small area transportation studies have been completed. He said that the local community approved for a small area study would manage the study with the assistance of a technical advisory committee. The study process also involves identifying transportation improvement costs for the local community projects. He then stated, in 2001 the Governor's Transportation Vision 21 Taskforce developed recommendations and one was the adoption of the statewide plan and another was utilization of performance based planning and programming (see <http://www.dot.state.az.us/Vision21/index.html>). Lastly, House Bill 2660 directed the ADOT Transportation Planning Division to develop the statewide plan and to perform planning using performance based methods and measurements.

**Jeff Swan, ADOT Holbrook District Engineer**, covered the State Transportation Improvement Program (STIP) the Highway User Revenue Fund (HURF), the Surface Transportation Program (STP), and Highway Expansion and Extension Loan Program (HELP). Mr. Swan reviewed common acronyms and explained that the

state and federal governments have different ways of funding STIP and STP. The ADOT program criteria that guide funding processes include: safety factors, user benefits, continuity of improvements, social factors, land use, aesthetic factors, conservation factors, life expectancy, recreational factors, and availability of state and federal funds.

Mr. Swan indicated that the STIP includes all highway and transit projects in the State, funded under Title 23 of TEA-21 and the Federal Transit Act (see <http://tpd.dot.state.az.us/pps/azpps.asp>). STIP stakeholders include ADOT, the COGs and MPOs, BIA and federal lands agencies. HURF includes fees collected by the State i.e. fuel taxes, motor carrier taxes, vehicle license taxes, vehicle registration fees, etc. HURF funds are restricted to highway purposes and are distributed to the State, cities, towns and counties by State statute and are not directly distributed to tribes. STP project categories include new construction and reconstruction, system/pavement preservation, and other safety, research, mapping and minor projects. For fiscal year 2003-2007 the total Arizona Five-Year Highway Construction Program is at \$4,027,000,000. The HELP objectives are to accelerate completion of highway/road projects, bring new sources to fund transportation infrastructure, economic benefits to the State, promote the equitable allocation of resources, and support State and local transportation improvement plans. Qualified borrowers under HELP include any political subdivision, the State or its agencies, and Indian tribes (see [www.dot.state.az.us/about/help/index.htm](http://www.dot.state.az.us/about/help/index.htm)).

Lastly, Mr. Swan outlined the following points on how the tribes and ADOT can help the process.

Tribes can:

- Get to know the ADOT staff
- Provide accident and traffic data
- Share programming efforts
- Outline information sharing and decision making protocol
- Participate in the programming process
- Submit to the ADOT Districts, project requests along with how the tribe can participate

ADOT can:

- Develop relationships with tribal elected officials and staff
- Develop localized agreements
- Involve ADOT headquarters staff when needed

## Bureau of Indian Affairs – Navajo Regional Office Indian Reservation Roads Program

Bill Frazier, Regional Roads Engineer of the BIA Navajo Regional Office, provided an overview of the Navajo Regional Roads Project Development Process. Basically, this process begins after the transportation planning process is completed and the annual and 15-year plan is approved by the Navajo Transportation and Community Development Committee (TCDC). The transportation planning decision-making process flowchart was reviewed along with the project/transportation needs identification elements that the agency committee and road engineer must consider i.e. regional transportation mode connectivity, traffic impacts, social and economic development planning, accident and safety concerns, cultural preservation, road conditions, and energy conservation. This data is compiled by the Navajo Nation DOT and is also used to update the Navajo Long-Range Transportation Plan.

Another subtopic of project development was the determination of road alignments for eligible projects as made under NROBOR R/W procedures. A reconnaissance survey to determine the alignment is conducted by the design team and the Agency Chapter with input from various other agencies (NDOT, NEPA, NFWD, utility companies, etc.) after which a scoping report is prepared. Then the agency survey crews stake out the alignment according design criteria and AASHTO standards.

Mr. Frazier discussed the initiation of the National Environmental Protection Act (NEPA) process in relation to data analysis, initiation of consent requirements, the archaeological survey, the draft environmental assessment, and development of preliminary design. Field and in-house reviews are also conducted at various stages of the process. The public and interested parties may attend project review meetings to have any concerns addressed.

The right-of-way process begins as soon as the final alignment is established and all survey data is checked and verified for accuracy. The right-of-way package including ROW maps, legal description, NEPA documents, public hearing documents, and land use consents are submitted to the BIA Agency Realty Office and Navajo Nation SAS for approval.

Construction begins after ROW approval, completion of CAP review, advertisement and award to the lowest bidder, and a notice to proceed is issued. Once the project is constructed, the BIA agency and regional roads office is responsible for the safe operation and maintenance of the facility.

*Note: Invited speaker Vernon Palmer, Regional Engineer of the Bureau of Indian Affairs – Western Regional Office, was unable to attend the forum. However, Mr. Palmer did provide copies of his intended handout materials for inclusion in the forum participant packets. The materials included the BIA Western Regional Office Presentation Outline, a Pre-Construction Activities Flowchart, a BIA-WRO Official Listing of Agency Superintendents and Tribal Council Officials, BIA Western Regional Office Agency Roads Program Contacts, and State of Arizona Tribal Transportation Contacts (within BIA Western Regional Office Jurisdiction).*

## Northern Arizona Council of Governments Programs

Chris Fetzer, Transportation Planning Manager for the Northern Arizona Council of Governments (NACOG), presented an overview of the NACOG Regional Transportation Planning Program. NACOG's Region includes four counties, 21 cities and towns, and nine tribal governments. NACOG's transportation planning structure includes a Regional Council with 41 voting members, a Transportation Policy Advisory Committee with 10 voting members, and a Transportation Technical Subcommittee with 33 voting members. Each major public entity within the NACOG region (city, county and tribe) can have a representative on the council or committees. For example, NACOG can have a membership position for each of the nine tribes that have land jurisdiction within its boundaries.

NACOG is established by executive order and under its Overall Work Program prioritizes and programs transportation improvement projects within its region. Approximately \$9 million is available annually in Arizona for regional improvement projects (\$2.8 million in NACOG). Additional monies are also available through ADOT for Bridge and Safety projects. The Technical Subcommittee establishes the programming framework and evaluation process and projects are evaluated and selected at the sub-regional level. Chris identified several tribal projects recently funded through NACOG.

Mr. Fetzer emphasized the importance of tribal participation in the COG process to get needs and projects identified and to lobby for their funding. As part of the NACOG Overall Work Program, he also stressed the importance of working with the ADOT district engineers to get projects into ADOT's Five-Year Construction Program, carry out grant program coordination under the Transportation Enhancement Program, and the Section 5310 and 5311 Transit Programs, and to get involved in the State transportation planning process (i.e. the Arizona Long-Range Transportation Plan, regional, sub-regional and local plans, regional transit development program, and regional planning).

Chris ended his presentation by encouraging the tribes to get actively involved in the COG process and to contact him for help with planning and funding applications.

*Note: Copies of the forum presentations were included in the participant packet. Requests for these and other materials can be made by contacting Don Sneed of ADOT-TPD at (602) 712-8140 or dsneed@dot.state.az.us.*

## **AFTERNOON BREAKOUT GROUP SESSIONS**

During the afternoon, attendees participated in concurrent Breakout Group – Interactive Discussion Sessions to address questions and issues identified during the morning presentations. The following is a compilation of responses to the questions, issues and concerns raised by the forum participants during those sessions. The responses are those captured by notes from the forum facilitators with additional post-forum clarification provided by the agency representatives.

### **Breakout Group A: ADOT, FHWA & NACOG**

Panel Members: Nate Banks & Edward Stillings (FHWA), John Pein (ADOT/TPD) & Chris Fetzer (NACOG)

#### **Answered Questions, Issues and Concerns:**

##### **1. How does the FHWA coordinate with the tribes?**

*There is no formal process set up for communicating directly with the tribes. FHWA encourages tribal representatives to contact them either by phone or in person to learn more about federal funding programs and how to go about applying for them. FHWA can also advise you and provide the right contacts (ADOT, COG, etc.) to go to for action. Remember, Arizona uses the COG's to plan and prioritize how STP funds from the feds are allocated.*

##### **2. How do we learn about the federal funding sources and eligibility?**

*There are many federal programs and the application processes can be quite complex. There are many sources available for information – these include FHWA, ADOT, and COG offices; a Federal Highway Programs Brochure; and the FHWA Website: [www.fhwa.dot.gov](http://www.fhwa.dot.gov). Information is provided about:*

- *What kinds of funds are available*

- *Who is eligible*
- *How to apply for the money*

### **3. How do we get our projects into ADOT's Long-Range Plan?**

*The closer you get to local and regional government agencies, the better chance of getting projects into the plans. The COG's supply information to ADOT's Transportation Planning Division (TPD), who, in turn access FHWA. Be careful to keep ADOT's Long-Range **Plan** separate from ADOT's 5-year **Program**. They are two distinct items. The plan looks out to identify the State's transportation needs over the next 20 years, with more detail going into the near term and much less detail in the later years. It makes assumptions about the level of funding needed and projected. The 5-year Program is very specific, with identified projects that are in the budget to be built. The Program is developed with input from the COG's and the district engineers regarding priority project needs.*

### **4. Does the long-range plan consider funding limitations, or is it just everything people want?**

*The long-range plan does take financial plans into account. Nothing is included in the plan that is not expected to be able to be funded. Note that the last 10 years of the plan have less well defined projects and include transportation possibilities, other transit modes (like light rail, etc.), but nothing is considered that is not financially feasible.*

### **5. How are 5310 funds obtained?**

*The Section 5310 Elderly & Persons with Disabilities Program is a federal grant program administered by ADOT-TPD. This assistance is provided primarily in the form of new vehicles and related equipment which meet the transportation requirements of elderly persons (60 years+) and persons with disabilities of all ages, provided through private non-profit corporations, public agencies, and Native American communities and agencies. The program involves a competitive regional and statewide application process among qualified applicants. Grant recipients are required to remit a local match of approximately 20% of total state-incurred costs.*

*Regional Councils of Government (COGs) and Metropolitan Planning Organizations (MPOs) assist ADOT in notifying (starting in December and January of each program year) and ultimately screening - prospective applicants. Program application and guidelines are distributed through the COGs and MPOs. Each COG and MPO schedule application deadline dates for their regions and receive applications for review and ranking. COGs and MPOs then submit*

*completed applications in order of regional priority to ADOT. ADOT reviews applications and submits statewide application to the Federal Transit Administration for program funding approval. Program application and guidelines can be obtained through the regional COG or MPO (see listing in Appendix). Program information can also be obtained through Gregg Kiely, Program Administrator, at (602) 712-6736 or [gkiely@dot.state.az.us](mailto:gkiely@dot.state.az.us) and on the ADOT website at <http://tpd.az.gov/transit/index.html>.*

## **6. Is Transit planning not getting enough attention by ADOT?**

*Even though the bulk of the dollars go to highway construction, there is significant attention paid to transit planning (ADOT has 7 highway planners and 4 transit planners). Also, there will be a special transit working team to help with the 20-year plan. A new data system called Transit Asset Management System (TAMS) is also being developed which will be more objective about transportation needs and decisions.*

## **7. Will most of the LRP projects be upgrading existing highways?**

*The short answer is yes. Arizona is a State that depends on its roadways and the car is still king. Therefore, that is where most of the attention will go, however, this does not mean other modes of transportation will be ignored. The policy the Transportation Board has outlined is that ADOT will preserve the existing investment in the highway system. Therefore many of the projects in the Long Range Plan will be addressing system preservation.*

## **8. Why is NACOG the middleman? Why can't we go to the feds or ADOT directly?**

*The key reason is to coordinate and prioritize regional transportation needs and reduce the number of individual entities going to the funding sources. FHWA and ADOT don't have the resources to deal directly with every government agency (towns, cities, counties, states, and tribes). The process would be too political and too cumbersome. In Arizona, many years ago the Governor through executive order established the COG's as the mechanism for doing transportation planning and prioritization on a regional basis. Any change to the current process would require both national and state legislation. This is unlikely to happen anytime soon and would require a major lobbying effort. The key is to get your needs into the existing planning groups so local needs are being addressed. The district engineers also coordinate efforts with the COG's and MPO's to assure that there are consistent regional plans.*

## 9. How do the tribes influence COG decisions?

*Each tribe can have a voting member position on the COG Regional Council or Board and can attend the COG transportation committee meetings. However, some tribes choose not to participate, or, if they do the tribal COG members do not attend the meetings on a regular basis. The fact of the matter is, the tribal COG members who attend regularly and participate in the process are the ones that get their projects funded. Several examples of tribal projects were mentioned where funding has been given – and they were all because of active participation on the COG and following through on the applications (clear statement of needs and providing data for justification).*

## 10. Getting tribal roads reclassified

*Most roads on the reservations don't meet the criteria for STP funding, i.e., they aren't major arterials. However, some BIA/tribal roads carry heavy traffic or are major routes for school buses and the like. Is it possible to get them functionally classified for federal/state funding? The answer is a qualified yes. You need to put together a strong case, with traffic data, safety data, and/or other needs justification information. This must then be submitted through the COG. The COG can also help in preparing the application. It may take some time and more than one try, but it has been done, even for dirt roads.*

## 11. Is it possible that state funds can be used to construct a highway accessible to a community school on the reservation?"

*Only under special circumstances would a highway to a community school be constructed with state funds and it would involve county and state along with the community school to try to find out what the special circumstances are.*

## 12. How does the Small Area Transportation (Program) Plan work?

*The ADOT Small Transportation Study (SATS) Program is administered through ADOT-TPD. The primary objective of the SATS Program is to develop a comprehensive transportation plan for a proposed local area or region to guide multi-modal transportation planning and programming for a 20-year timeframe.*

*Through its planning process, a SATS will generally identify and address current transportation problems for all travel modes, determine future transportation system needs, and analyze alternative solutions. In addition, the study will develop a recommended plan of transportation improvements and provide a staged implementation guide to meet short-, mid-, and long-range needs.*

*Eligible participants in the Program include towns, cities, counties and tribal governments which would administer the SATS and conduct it in cooperation with a Technical Advisory Committee (TAC). Depending on the area to be studied, a TAC could be comprised of representatives from local towns, cities, counties, tribes, ADOT, FHWA, and other affected agencies. The government or a TAC will select a consultant to undertake the study and will guide the course of the study leading to the final report.*

*Public input on perceived transportation problems and issues are essential to the SATS and is conducted at public meetings. The planning process would then culminate into a locally approved transportation plan, which could become an element in the community's overall general plan.*

*Finally, ventures under the SATS Program are jointly financed with ADOT at a 50/50 cost share split. Increased ADOT cost-sharing considerations would be given to those areas requesting an update to an existing SATS where they can show implementation of recommendations from the first study. Identification and implementation of transportation improvements and actions proposed in the original SATS must be identified in the request for a SATS update.*

*The process is for the interested government to submit a letter of request to the COG or ADOT-TPD with a definition of the Scope of Work and estimated cost (the COG submits the request to ADOT). For further information, please contact John Pein, Manager of Statewide and Regional Planning at (602) 712-8239.*

### **13. What qualifies for "enhancement" funds?**

*There are 12 categories of items included in enhancement funding. Some of them are pedestrian walkways, bike paths, landscape improvements, drainage improvements, and historic sites. About half the approximately \$13 million annually is determined by the state and half goes to the COG's for allocation. Any given project is limited to \$500,000. Contact the COG for details and application criteria and/or check the ADOT Environmental and Enhancement Group website at <http://www.dot.state.az.us/ABOUT/envplan/index.html>.*

### **14. Why aren't there more public meetings for transportation planning and why aren't they closer to home?**

*Getting public participation at meetings regarding individual projects is a major challenge for the planners. They want as much public participation and input as possible and there are also tradeoffs in terms of the expense of each meeting. For example, when they held public meetings for the SR 264 corridor study, they actually held about nine more meetings than originally planned, at a cost of \$5000 each. Only about 12-30 people showed up for each meeting. The*

*message from the Planning Department is this – they need your help in getting the word out and encouraging people to participate in the process. Take note of the upcoming planning meetings around the State and please take part. Also note that the LRP policy guidelines indicate that the document will be produced in consultation with local and tribal governments, so your needs will be included.*

#### **15. How do we tap into the federal lands discretionary funds?**

*As mentioned in the FHWA presentation, the discretionary funds represent a very small amount of money on an annual basis (\$5 million statewide). It is part of the Public Lands Highway Discretionary (PLHD) Program, and through congressional earmarking has become very political in its distribution. As a result, FHWA has not issued a solicitation of candidate projects for PLH Discretionary Funds for FY 2003. However, if you wish to pursue some of this money, FHWA and/or ADOT can help with the application process. Contact their office in Phoenix or one of your regional representatives.*

#### **16. What qualifies for Bridge Replacement funds?**

*A bridge on any public road that meets the qualifications for replacement will be considered. This includes roads that are not functionally classified for federal highway funds, but are owned/maintained by a public entity. ADOT administers these funds through the COG's, so that is where to go for your requests. There is also the IRR bridge replacement fund administered by BIA for IRR roads.*

#### **17. What is the difference between Title 23 and the 23 Code of Federal Regulations?**

*The numbering is purely coincidental. Title 23 is the law that set up the federal transportation funding process. The 23 CFR are the FHWA rules and regulations that govern how the laws will be implemented and managed.*

#### **18. ISSUE: Compensation for emergency use of tribal roads**

Further commentary: There are times when the state or interstate highway is closed due to an accident or other emergency. Traffic is then routed through the reservation as an alternate. The heavy truck and car traffic stresses the roads and does some damage, yet we are not compensated for this use and the maintenance costs incurred.

*It was noted that some compensation has been given in the past under certain conditions. This should be brought up with the ADOT district engineer in your area to see what further action can be taken.*

#### **19. Why can't tribes go directly to the State for HURF funds?**

*By law, this is not allowed. There would have to be a legislative change. The legislature dictates through statute the amount of funds that are collected for the Highway User Revenue Fund (HURF) that goes to each county, city, and the State. Indian tribes are not included. For more information on HURF see Title 28 Arizona Revised Statutes, Chapter 18 Distribution of Highway User Revenues on the Arizona Legislative Information Services website at <http://www.azleg.state.az.us/ars/28/title28.htm> and the ADOT website at <http://www.dot.state.az.us/ABOUT/fms/hurflink.htm>. (Also see questions #26, #32 and #33 below)*

#### **20. ISSUE: Lack of maintenance funding. Where do maintenance funds come from and how can they be increased?**

Additional commentary: Funding is primarily directed toward road construction, not maintenance. It doesn't do much good to build roads if there is no money to maintain them afterwards. We find ourselves robbing from construction funds to pay for maintenance. This issue should be considered in the planning process.

*Maintenance monies for BIA roads come through the Department of Interior and are appropriated on an annual basis. Maintenance monies for state highways come from the state HURF and are appropriated annually by the State Legislature.*

#### **21. Why don't the tribes have their own COG?**

*The intent of the COG's, when they were established, was to provide **regional** planning and prioritization of projects. The key to influence over projects isn't for the tribes to join together, but for the tribes to actively participate in their respective COG's. You need an active, vocal representative that attends all the meetings and gets the tribe's needs inserted into the decision making process. (Also see questions #8 and #9 above)*

#### **22. How does the COG prioritize projects and allocate funding?**

*Funding is allocated to each county based upon population. Individual projects can be submitted by any county, city, town or tribe. Then, the COG representatives from these entities review the project requests and, through a*

*consensus process, collectively decide on the priorities and where the money will be spent. It is recommended that project requests be provided to the respective district engineer so that they may coordinate with the COG regarding priorities.*

**23. Who is the point of contact for tribes for participation with NACOG?**

*Chris Fetzer is the NACOG Transportation Planning Manager who can be reached at (928) 213-5209 or [cfetzer@nacog.org](mailto:cfetzer@nacog.org). There is also a NACOG website that can be accessed for more information at: <http://www.nacog.org/>*

## **Breakout Group A: ADOT, FHWA & NACOG**

### **Unanswered Questions, Issues and Concerns:**

The following questions, issues and concerns were submitted to Group A, but due to time limitations were not addressed during the forum. Follow-up was conducted to obtain further detail from FHWA, ADOT, NACOG and both the BIA Navajo Regional Office and BIA Western Regional Office. The information presented for each item here are reflective of the post-forum responses received from the various agencies.

**24. Are the State DOT's able to receive and expend maintenance money on purchasing equipment (e.g., graders)? And related questions: What is the availability of state construction equipment surplus? How can local entities get them?**

*Maintenance and construction equipment is purchased by ADOT through the maintenance budget. Equipment that is surplus is auctioned about once a year. Visit <http://www.dot.state.az.us/about/equipsvcs/index.htm> for more information.*

**25. Where do school districts fit into the planning and funding process?**

*School districts do not have a special role in the programming process. (Also, see questions #10 and #11 above)*

**26. How is the amount of HURF dollars shared with the BIA determined?**

*BIA is required to work with ADOT or one of the counties to determine what projects will be funded and how much will involve state HURF. BIA does not get a guaranteed amount of HURF dollars. Presently, there are no HURF dollars*

*shared with BIA Navajo Region. (Also see question #19 above and question #32 below)*

**27. What is the process for tribes to tap into the Section 5311 funds?**

*The Section 5311 Rural Public Transportation Program is a federal grant program administered by ADOT-TPD. This assistance is provided to fund general public transit systems in rural and small urban areas (under 50,000 population). Funds are available on a competitive basis and may be used by successful applicants for the operation of transportation systems and for related administrative expenses. Under the program, 80% federal funds and 20% local match funds are utilized for capital outlay, and 50% of federal funds are utilized for operating expenses. Funds are also available for planning assistance to eligible recipients with the federal share not to exceed 80%.*

*Announcements of 5311 funding and application availability are made by mail normally around November or December each year to all Indian tribes, COG's, MPO's, and to local governments located entirely in non-urbanized parts of Arizona. Program information can be obtained through Sam Chavez, Program Administrator, at (602) 712-8956 or [schavez@dot.state.az.us](mailto:schavez@dot.state.az.us) and on the ADOT website at <http://tpd.az.gov/transit/index.html>.*

**28. Are native tribes eligible to receive funding from HBRRP, or does it vary depending on the status of the tribe?**

*Native tribes are eligible to receive Highway Bridge Replacement and Rehabilitation Program (HBRRP) funds provided the bridge is deficient and is located on a public road. ADOT Bridge Section can assist with determining the sufficiency rating of the structure. The status of the tribe would only depend on what Congress says. HBRRP funds are primarily available through the BIA.*

**29. What is the breakout of IRR construction funds? Other % of other funds? Source for local roads?**

*Of the 12 BIA Regions nationwide, the Navajo Region received approximately \$56 million for fiscal year 2002 in IRR construction funds. There are no other funds for road construction. The IRR source of funds can be applied to local roads as long as the local roads are listed in the Tribal road construction priority system.*

**30. What is the future of the Section 5310 funds? LTAF no longer available. What dollars could rural communities use as a match to get grants (through 5310)?**

*The status of State LTAF II funding currently has no direct effect on the availability of federal funds under Section 5310. However, the future of the 5310 Program would depend on the outcome of TEA-21 reauthorization in year 2003. Under 5310, an applicant must provide financial assurance that it has available the required local cash match from a non-federal source. As a general rule, other federal funds cannot be used as local match funds, except where specific legislative language of a federal program permits its funds to be used to match other federal funds.*

**31. When can tribes start applying for HELP loans and where do they do it? What is the length of time for payback on HELP loans?**

*Highway Expansion Loan Program (HELP) applications are solicited on a semi-annual basis. Financial assistance requests are evaluated at least quarterly or as deemed appropriate. Requests are submitted to ADOT Financial Management Services. Payback periods have been variable in the past; however, ADOT prefers loan durations of five years or less. Program information can be obtained through Steve Schaefer, Program Manager, at (602) 712-8036 or [sschaefer@dot.state.az.us](mailto:sschaefer@dot.state.az.us) and on the ADOT Website at <http://www.dot.state.az.us/ABOUT/help/index.htm>.*

**32. BIA/tribes need more info on how HURF funds work (to) see if tribes can apply for this fund.**

*BIA and the tribes cannot directly access the Highway User Revenue Fund (HURF) since the legislators dictate who gets how much. For more information on HURF see Title 28 Arizona Revised Statutes, Chapter 18 Distribution of Highway User Revenues on the Arizona Legislative Information Services website at <http://www.azleg.state.az.us/ars/28/title28.htm> and the ADOT website at <http://www.dot.state.az.us/ABOUT/fms/hurflink.htm>. (Also see questions #19 and #26 above)*

**33. We as a State have a shortfall because of no inflation factor in our tax base. How can we give to other groups who do not contribute to the fund source?**

*To the best of our knowledge anyone who uses a state highway, at one time or another, contributes to HURF.*

**34. How do tribes get into the planning process and is Don Sneed, the DE, or the MPO/COG the point of contact?**

*All three. (Also see questions #3, #8, #9, #14, and #21 above)*

**35. E/A – B/A for projects on tribal land. Is it going to hurt the tribes?**

*The environmental clearance processes have stalled some projects but the majority of projects get cleared in a reasonable time frame. (Also see questions #39, #44, #45 below and questions #36 and #78 under Breakout Group B)*

**36. How can tribes and states integrate better so that tribes get a larger piece of the FHWA pie?**

*Communicate, communicate, communicate. Meetings and workshops are a good start but will need to be followed up on.*

**37. How does sovereign nation impact the issue of qualifying for and sharing funding from/between BIA, state and federal sources?**

*The sovereign nation concept does not normally apply to funds that cross BIA, state, and federal jurisdictions. The BIA Navajo Region has successfully entered into fund sharing projects with ADOT, but this was done after attempts to cost share for a project between the Navajo Nation and ADOT failed.*

**38. (What is the) WACOG – 5310 funding process – 1) eligibility; 2) projects that were recently funded; 3) elderly program deadline for application?**

*See question #5 above.*

**39. Long range planning – funding of regional overviews for environmental or cultural concerns?**

*Funding for environmental and cultural reviews is usually done for individual projects after a project is programmed in the 5-Year Highway Construction Program and during the project development process. (Also see questions #44 and #45 below, questions #36 and #78 under Breakout Group B)*

**40. Work on communication within the whole system – clearer ways of communicating**

*This forum and the remaining planned state-tribal transportation forums are one of the major tribal, state and federal efforts underway through which the communication issue can be understood and addressed.*

**41. Does the NACOG Board recruit for tribal representatives or do they just see who applies?**

*NACOG does invite the Chairperson or President of each tribe to participate and take their seat as a member of the Regional Council.*

**42. Can 5311 funds be combined with 5307 funds to fund a regional transit system?**

*Projects that receive assistance from FTA Section 5307 Formula Program for urbanized areas are not eligible to receive Section 5311 rural assistance for the same service area projects or portions of projects which tend to exclude certain portions of the general public of the project service area, or are intended to benefit a specific group to the exclusion of others. (Also see question #27 above) Additional FTA program information can also be viewed by checking: <http://www.fta.dot.gov/library/program/grantprog.html> and the ADOT website at <http://tpd.az.gov/transit/index.html>.*

**43. How can funds be increased to assist tribes with their transit programs?**

*Generally, tribes can check into other resources of funds for their transit programs. In addition to the references identified under question #42 above, here are some additional transit funding resources:*

*<http://www.fta.dot.gov/library/program/grantprog.html>*

*<http://www.fta.dot.gov/wtw/uoft.html>*

*<http://www.ctaa.org/ntrc/atj/toolkit/>*

*[http://www.ctaa.org/ntrc/is\\_nativeamerican.asp](http://www.ctaa.org/ntrc/is_nativeamerican.asp)*

*<http://www.ctaa.org/ntrc/ctap/pubs/funding/>*

*<http://www.apta.com/tcrp/>*

**44. What is the interface between LRP public involvement and the NEPA process?**

*The Long Range Planning process and public involvement plan do not specifically address environmental issues at this phase unless they are significant. The NEPA process is based on an individual project basis and is carried out after a project is programmed in the 5-Year Highway Construction Program and during the project development process. (Also see question #39 above, and questions #36 and #78 under Breakout Group B)*

**45. How long of a process is there to receive a right-of-way for new road construction?**

*For the State, the actual right-of-way acquisition process may only take 1 month to 1 year. The preliminary work including environmental clearances can take up to 3 years. For BIA Navajo Region roads, a minimum of three years is considered the norm. Some projects take a lot longer depending upon the environmental and archeology clearances.*

**46. I would like to learn more about how the 18.4 cents and 24.4 cents are apportioned to the different funding categories.**

*The distribution of the 18.4 cents and 24.4 cents is all done by formula based methods at the Washington level. The FHWA offices work with the states to spend these funds once they are distributed to the state by formula. The formula's use many factors including population, vehicle miles traveled, miles of roads by functional classification, amount of tax paid in, etc. The best way to understand, or at least see how things are done is to visit the FHWA website at <http://www.fhwa.dot.gov/reports/fifahiwy/index.htm> and also the ADOT website at: <http://www.dot.state.az.us/ABOUT/fms/fndsorce.htm>.*

**47. Over (blank) of the state and a significant population is on tribal lands. Why is it that Arizona does not have tribal representation on the State Board of Transportation?**

*The Governor of Arizona appoints the State Transportation Board Members for terms of 6 years based on board districts and population within those districts, see <http://www.azleg.state.az.us/ars/28/00302.htm>. Tribes need to develop a way to advise the Governor of qualified people that could serve on the Arizona Board. The State of New Mexico has taken the initiative where one member of the Commission is a tribal member.*

**48. Why do the COG's, the ADOT Districts, and the Transportation Board use different ways to define their boundaries? Nothing seems to match up.**

*The Transportation Board and COG's are based on county boundaries and since each have differing responsibilities the counties they serve are different. ADOT Districts were aligned based on maintenance and construction programs rather than by county.*

**49. Do the Navajo and Hopi Reservations provide updated requests for functionally classified roads?**

*Navajo has always questioned how the functional classifications are designed for roads on Indian reservations. If ADOT is questioned, it is referred to FHWA and vice versa. Whatever the answer is, they (ADOT and FHWA) say it is something that has been predetermined with enactment of ISTEA.*

**50. What is the difference in tribal government-to-government and local government-state IGA(s)?**

*IGA's between the tribes and state are limited to those that do not require either*

*party to exchange money with the other or relate to some action that may require conflict resolution in the future. Neither the tribes nor the state have expressed a willingness to appear in each other's courts.*

**51. Where or who monitors or collects access needs for reservations?**

*On Navajo, the BIA and NDOT determine the needs through the tribal transportation planning program.*

**52. Can gaming revenue be used for transportation?**

*Yes.*

**53. Can FHWA funds and programs be expanded to better serve rural communities/tribes for road improvement on roads “smaller” than “local” roads?**

*We are not sure what is meant by “lower” than local roads. All publicly owned roads classified below rural minor collector or urban collector are classified as local. The only other category would be privately owned and no privately owned roads can receive federal funds. TEA-21 stipulates that up to 15% of statewide STP funds can be spent on rural minor collectors but is not mandatory. HBRRP, HES and Transportation Enhancement funds can be used on any publicly owned road regardless of functional classification. Any changes are dependent on Congress.*

**54. Is HPMS, 536, population census data available and who collects this data for tribes?**

*State Highway Performance Monitoring System (HPMS) data is compiled by the ADOT-TPD Data Collection Team and is available through Mark Catchpole, Manager, ADOT Data Section at (602) 712-8596 or [mcatchpole@dot.state.az.us](mailto:mcatchpole@dot.state.az.us). Also for more information see: <http://tpd.az.gov/datateam/index.html>.*

*The Arizona Department of Economic Security Population Statistics Unit prepares official population estimates and projections for the State of Arizona including tribal communities. Further population information can be obtained by contacting:*

*Betty Jeffries  
Arizona Department of Economic Security  
Research Administration – Population Statistics Unit  
1789 West Jefferson, First Floor, Northeast Corner  
P.O. Box 6123 (Site Code 045Z)*

Phoenix, AZ 85005-6123  
(602) 542-5984 FAX (602) 542-7425  
Email: [Betty.Jeffries@de.state.az.us](mailto:Betty.Jeffries@de.state.az.us)  
Web: [www.de.state.az.us/links/economic/webpage/page2.html](http://www.de.state.az.us/links/economic/webpage/page2.html)

**55. How do we get all tribes to submit into (the) 5-year plan? Do they have general plans, etc. that spell out projects?**

*Work with the DE's and COG's when submitting projects. There is a five-year improvement plan that is approved and published annually, see <http://tpd.dot.state.az.us/pps/azpps.asp>. Many tribes have transportation plans which identify improvement projects. The BIA Regional Offices have information on plans relative to each tribe within Arizona.*

**56. For NACOG, what is the % of funds spent on projects between tribes: e.g., Navajo Nation and others?**

*NACOG does not have a specific breakout of funds spent between tribes (or compared to land base, road miles, etc.) since the allocation of funds is done at the countywide level. Each countywide Transportation Planning Organization or TPO evaluates projects based on project need and merit and makes funding recommendations. No individual jurisdiction receives specific funding entitlements based upon a set formula.*

**57. What is the % of funds used by tribes as compared to land base, road miles, etc., under the COG system?**

*See question #56 above.*

## **Recommendations**

The Discussion Group A Breakout Sessions were primarily devoted to answering questions and addressing the concerns of the participants. Attendees were asked at the end of each session to submit, in writing, any recommendations they had that would help further the ability of tribes to participate in the transportation planning process. The following suggestions were provided. Note that there was no discussion to see if there was general agreement, nor was any priority assigned to the recommendations.

- Develop a resource catalog/handbook for tribes that lists the various programs (funds) available, with a summary of the eligibility criteria,

administrators, amounts available, contact information and application process. Include IRR, FHWA, FLHP, COG, (and) ADOT programs.

- Conduct some kind of follow-up in about six months
- Provide networking information with ADOT, FHWA, COG, counties, tribes
- Navajo Nation – would like to meet with FHWA at our capitol office.
- For future forums -- Suggest having this as a 1- or 2-day forum, to spend more time learning about each of the major programs.
  - Have a Q & A session after each presentation
  - Distribute this information to other tribes prior to the forum
- For the next Transportation Reauthorization Bill, waiver the IRR obligation limitation from the FLH funding.
- Disseminate forum information to and through the Inter Tribal Council.
- ADOT needs to provide better education to tribes about all its programs, like HELP loans; and make sure projects in tribal TIPs get equal consideration with other projects statewide.
- Suggest NACOG have a strategy session with tribes to identify funds that tribes could apply for.
- IRR and HURF dollars as matching to construct and maintain roads.
- Percy Deal's suggestion, recommend that Polacca-Low Mountain (13.7 miles of H60) be listed for project information session. Project is under Hopi Tribe.
- MoveAZ – Bring the LRP process to us rather than making us come to you.
- Overhaul the “system.” Times have changed and there are additional stakeholders today and more will be added in the future. Therefore, review overall organization and its subcommittees, structures, policies, federal and state statutes, etc. that control organizational functions, planning, funding, etc. Make changes to the whole system to achieve equal participation and opportunities to all stakeholders. This is a big job, but let's start the process. Establish a committee to tackle this challenge. It's not far-fetched and can make the system more successful.

## Breakout Group B: ADOT Districts & BIA

**Panel Members:** Jeff Swan (ADOT Holbrook District), John Harper (ADOT Flagstaff District), Richard Powers (ADOT Globe District), Sam Elters (ADOT Kingman District) and Bill Frazier (BIA-Navajo Regional Office)

### Answered Questions, Issues and Concerns:

**1. When the tribe applies for discretionary funds and is not selected, can the tribe apply again?**

*Yes, the tribe can apply again. Please coordinate efforts with the respective District Engineer and COG. (Also see question #15 under Breakout Group A above)*

**2. Are roads on Indian allotments included in the state-tribal transportation programs?**

*Yes, if they are on the state's, BIA's, or tribe's highway systems.*

**3. Where can the public get information on the BIA long-range transportation plans?**

*From the BIA Western Region Roads Office, BIA Navajo Region Roads Office, Navajo DOT, and tribal offices that have published plans.*

**4. Navajo projects - what if one person goes against the right-of-way, can this stop the project?**

*For a BIA or Navajo initiated project the answer is yes, unless the tribe determines that the project is important enough to the economic and social goals of the tribe, then they can take the land by eminent domain which is rarely done.*

**5. Where does the BIA get their funding to maintain the highway?**

*From the Department of Interior - maintenance funding.*

**6. TEA-21 construction and maintenance, where is the funding for equipment replacement?**

*ADOT only uses TEA-21 funds for constructing new roadways or performing major maintenance actions on the State Highway System or the construction of eligible new transportation facilities. There is no funding from TEA-21 sources for equipment replacement.*

*Within and adjacent to the Navajo Nation boundaries TEA-21 funds are allocated to the counties that include the Navajo Nation. These funds can be used to maintain and reconstruct roads within and leading to the Navajo Nation and have been used to purchase maintenance equipment that will be used on roadways specifically identified under this funding source.*

*Road maintenance funds are budgeted from the Department of Interior Road Maintenance Program. Road construction funds are allocated from the FHWA to BIA. Road construction funds (i.e. TEA-21 funds) cannot be expended for equipment purchase, whereas road maintenance equipment can be acquired with Interior road maintenance funds.*

**7. Partnering with ADOT and the tribe...can this be used toward maintenance on asphalt crack sealing?**

*Partnering between the tribes and ADOT is encouraged for all transportation related issues including maintenance. Contact the district engineer to initiate further discussion. Crack sealing of BIA owned roads is done under the BIA maintenance side of the IRR Program.*

**8. Is there a separate set of Neg Regs from the state and tribes? Example: Tribes are now going through the Neg Reg process.**

*ADOT does not have and is not involved in a Neg Reg process. There is an FHWA/FTA proposed rule for statewide transportation planning which is going through a "rulemaking" process but not a "negotiated rulemaking" process. You can check the following website to see that status of various federal transportation rulemaking processes: <http://regs.dot.gov/Rulemaking5.htm>.*

**9. Why are FLHP and IRR jointly administered?**

*These programs are not jointly administered. FLHP is discretionary to Federal-Aid and administered through the states and FHWA. IRR is a direct federal program administered by BIA.*

**10. Mr. Frazier mentioned something about recycling their construction funds for maintenance. Was he talking about federal or BIA funds or both? If they are using construction funds is it because those funds were not utilized?**

*The road life cycle is shorter so the road must be rebuilt (using construction funding) sooner than anticipated making funding an issue. Because the BIA road maintenance program is so under-funded, the life of roadways reach a point where these roads are no longer maintainable and have to be rebuilt long before the design life is reached using IRR construction funds.*

**11. Is the 15 or 20-year project planning updated or revised each year – Navajo Reg (Reservation) roads?**

*The IRR 20-year plan is updated every five years. The Navajo plan is updated every year. ADOT district engineers would like to be involved in discussing these plan updates to assure coordination between local plans and the individual district plans.*

**12. STIP – Why hasn't the BIA become actively involved?**

*The BIA Regional offices provide TIP information to FHWA for approval and submittal to the states for inclusion in their STIPs. BIA's processes and planning efforts are different than the states as a whole and FHWA has requested coordination between BIA and FHWA when TIPs are submitted to states.*

*The Navajo Region TIP is provided to the states as soon as FHWA approval is acquired. This is done directly by the Federal Lands Highways Office in Washington DC to the respective states.*

*BIA-WRO involvement in the STIP is currently limited to providing IRR Program project information to Councils of Government, upon request, and providing ADOT with a copy of the IRR program – TIP, which usually comes from FHWA after IRR-TIP approval.*

**13. Do tribes have LRPs (15–20 yrs.) and can ADOT access them?**

*Yes. ADOT receives copies of tribal long-range transportation plans from the BIA Regional Offices once they are finalized. For some projects, tribes also submit LRPs directly to ADOT or ADOT can access them by contacting the tribes individually. Also, ADOT district engineers encourage tribes to contact them of LRP updates and efforts.*

**14. Is there a process for reviewing projects so improvements are factored into the project?**

*Projects are identified and there is a process that reviews project scope and fund availability. Improvements are only factored in if funding has been set aside to cover any of those improvements.*

**15. NDOT & BIA to Navajo Program. What funding is used in the planning process? Navajo/federal/state?**

*Funds come from 23 U.S.C. 204(j) for tribal planning and IRR Construction funds for all project planning. The tribes may also supplement these funds with tribal general or gas tax funds.*

**16. Why is funding low for IRRP (FLHP) as compared to the other programs?**

*Funding is set by Congress and distributed according to the Neg Regs. Unless the general public (including Indian tribes) lobbies for increases in the Federal Lands Highway Program, the funding levels will remain stagnant.*

**17. Why are not all tribal projects in the TIP by (BIA) WRO?**

*The TIP generated by the BIA is for road construction projects that are being funded with IRR funds. There are no provisions in the current IRR TIP process to include tribal road construction projects funded by the tribe or other sources.*

**18. How much does the N(avajo)-BIA get for construction? Is there any other funding that it gets?**

*The BIA Navajo Region IRR Program receives between \$36 to \$64 million in road construction funds each year as determined by a published distribution formula which may include additional RABA funds.*

**19. Why is FLHP identified as a funding source for IRR?**

*FLHP can be a funding supplement to an IRR programmed project and it is identified as a direct source of Federal funding and as a category under the Federal Lands Highways Program under Title 23.*

**20. Is there an interest rate on the (HELP) loan? Can the tribe get a loan?**

*The HELP loan rate is 6% and tribes can apply for loans. (Also see question #31 under Breakout Group A above, and questions #27 and #66 under Breakout Group B below)*

**21. What technical assistance is available for tribal use fuel tax?**

*Information and technical assistance inquiries can be made by contacting John McGee, Chief Financial Officer, ADOT Financial Management Services at (602)*

712-7441 or [jmcgee@dot.state.az.us](mailto:jmcgee@dot.state.az.us), or Kathleen Morley, Assistant Division Director, ADOT-MVD Motor Carrier & Tax Services at (602) 712-4027 or [kmorley@dot.state.az.us](mailto:kmorley@dot.state.az.us).

State statutes pertaining to the Motor Vehicle Excise Tax, Fuel Tax Exemption, and Refund are located at the following links:

<http://www.azleg.state.az.us/ars/28/05606.htm>

<http://www.azleg.state.az.us/ars/28/05610.htm>

<http://www.azleg.state.az.us/ars/28/05611.htm>

<http://www.azleg.state.az.us/ars/28/05612.htm>

**22. Why does the Federal Highway Trust Fund (HTF) not reach tribal lands where it is most needed?**

*Federal monies are used on tribal lands by the state on state highways when they are available and also on Tribal STP/enhancement/safety projects upon request and when funds are available. The IRR Program does receive HTF funds to address the transportation needs of the various Indian communities. The problem is that there is a \$10 billion backlog of those needs and only a fraction of HTFs are provided to the IRR Program to address them. (Also see questions #6 and #16 under Breakout Group B above)*

**23. (How do tribes address) bridge construction on roads (flood control, funding; culverts, drainage systems under highways)?**

*To answer this question it would be best to contact the ADOT district engineer, or the respective BIA regional engineer and their staffs to discuss what the specific needs are and suggested alternative improvements. Specific drainage or bridge improvements must meet certain criteria, which can also be accessed through the district engineer, the BIA regional engineer and their staffs.*

**24. What are the steps and procedures for obtaining funding for ROWs?**

*Refer to Question 23 above regarding the process and also realize that any funding for right of way must meet specific criteria as well.*

**25. (For) design purposes (do) drawings need engineer's stamp/approval before regional office review?**

*ADOT requires that specific drawings and designs be stamped by a professional engineer for projects that impact the State Highway System. If there are any questions contact the Arizona State Board of Technical Registration at (602) 364-4930 or check their website is [www.btr.state.az.us](http://www.btr.state.az.us).*

**26. What's the Navajo Nation's annual budget for construction and maintenance?**

*Currently in 2002, \$10 million from fuel tax. For further information contact Lee Bigwater, Director, Navajo Department of Transportation at (928) 871-6498.*

**27. Can local governments get a loan for street improvements?**

*HELP loans may be available and working with the respective COG and ADOT district engineer will help the process as well. For further information please refer to the ADOT website <http://www.dot.state.az.us/about/help/index.htm>.*

**28. Why is there only \$5 million designated for the FLHP (IRR) pot when that's the most sought after area for tribal highway funding?**

*Clarification: \$5 million in FLHP discretionary funding is for Arizona, \$275 million is for the entire IRR program under TEA-21. (See also question #16 under Breakout Group B above)*

**29. How much in-depth involvement do the tribes have in the State Transportation Improvement Program process?**

*The involvement tribes have in the STIP process is dependent on the level of participation tribes have provided in terms of providing project proposals to district engineers, COG's, and the State Transportation Board. The more the tribe is involved the better a chance for the STIP to address some of the tribal issues. The tribal STIP is also sent to FHWA and ADOT for inclusion in the STIP. Tribal STIP projects, other than BIA-IRR projects, must be sent to ADOT for inclusion in the priority programming process. There is Transportation Board meeting input required from different levels of representatives from the tribes. (See also question #12 under Breakout Group B above)*

**30. Is traffic volume data of BIA system routes (off state routes) needed by ADOT?**

*BIA supplies what data it has and ADOT will accumulate data that it may need for major studies. The statewide HPMS database maintained through the ADOT-TPD has some traffic information as well.*

**31. Does Navajo contract through 638, have a share on the BIA's 6% administrative operation?**

*No, not currently. Navajo Region 638 road construction contracts are fixed-price contracts where administrative costs as well as profit are built into the unit bid items. The BIA's 6% is the cap amount allowable for administrative costs,*

*but, for the Navajo Region Roads Program Management and Operations are at 4.4%, or less than the allowable.*

**32. What type of data does NDOT collect under the planning contract?**

*Average Daily Traffic (ADT), comprehensive planning, mapping, accident reporting, Global Positioning System (GPS) roads, inventories of roads and bridges, and data for the 20-Year Long Range Transportation Plan (LRTP).*

**33. Where does BIA fit into FHWA funding processes?**

*Through the IRR Program which is a category of the FLH Program. (See also questions #16 and #19 under Breakout Group B above)*

**34. Where does the BIA plan go after approval – to get funded?**

*Projects identified in the plan for BIA-IRR funding are included in the IRR TIP process. Upon approval of the TIP, the BIA can initiate the planning process to prepare a project for eventual construction. Projects identified in the plan for BIA-IRR funding are included in the IRR TIP process.*

**35. After the (BIA) plan is submitted/approved by FHWA, how does it get funded? Does it flow into the ADOT LRP?**

*The plan is provided as information only for the STIP and has not flowed into the ADOT LRP. For the IRR Program, once the IRR TIP is approved, funds are made available to the BIA for expenditure on those approved projects. (See also questions #5, #6, #12, #15 and #18 under Breakout Group B above)*

**36. NEPA process – what is the timeframe for review?**

*Average time is two to three years, depending on the type of document required. An Environmental Impact Study (EIS) usually take longer than an Environmental Assessment (EA). Some tribes assist ADOT with the NEPA process.*

**37. Are scenic by-way projects on the planning list for new construction or improvements?**

*Some projects are eligible for special grants but they go through the normal priority programming process and may be required to compete on a national level as well.*

**38. Who monitors air quality on tribal lands?**

*The U.S. Environmental Protection Agency (EPA) and/or tribes do the monitoring. It is up to the tribe to determine how they want to handle it. Air Quality on tribal lands within metropolitan non-attainment areas is usually monitored by the MPO.*

**39. What is the difference between the STP and the STIP?**

*The Surface Transportation Program (STP) deals with dollars and is one of the major federal highway funding programs. The STP provides the bulk of federal money to the states and the Federal Lands Highway Program. The Statewide Transportation Improvement Program (STIP) is a document that ADOT develops by compiling a three-year project list in cooperation with all federal agencies, COGs, and MPOs as required under TEA-21. All highways and transit projects in the State, funded under Title 23 and the Federal Transit Act, must be included in a federally approved STIP.*

**40. Does Navajo do their own archeological surveys?**

*Yes, under a P.L. 93-638 contract with the BIA. Contact Roger Walkenhorst of the Navajo Nation DOT in Window Rock at (928) 871-6498.*

**41. Why is HURF funding restrictive?**

*State HURF funds are distributed in accordance with ARS §25-6538. The monies are distributed by formula to the state, counties, and municipalities only. (See also questions #19, #26, #32 and #33 under Breakout Group A above)*

**42. What is the Navajo Nation doing with Navajo gasoline tax “NHURF?”**

*There is no “NHURF”. The Navajo gas tax is used on tribal transportation projects and policy is under development. (See also question #26 under Breakout Group B above)*

**43. Where would you (Bill Frazier) like to see HURF funds used on Navajo? What types of projects?**

*Anywhere! What we (BIA-NRO) would like to see is the State Statutes interpreted to allow HURF funds to be used on reservation lands road improvement projects.*

**44. How does BIA IRR “accommodate transit systems?”**

*It is an eligible activity depending on tribal or local priorities.*

45. When Navajo talks about spending \$1,000 per mile per year on their roads, are they talking about paved or dirt roads? Does that include funds for maintenance?

*The money is for maintenance only and is more on the order of \$300 – \$700 per mile or approximately one sixth of the funds the states or counties spend for the same mile of road to maintain.*

46. How are your (Navajo) gas tax revenues spent? What are the categories or needs that the Navajo has established?

*Money is spent on roads not maintained by BIA, state or counties. Navajo Nation policy is still under development.*

47. Why is the general funding of federal-aid for highways only for major highways and does not include rural/reservation roads?

*There are funds for rural or rural minor collector federally classified roads. Consult with your COG and ADOT district engineer.*

## Breakout Group B: ADOT Districts & BIA

### Unanswered Questions, Issues and Concerns:

The following questions, issues and concerns were submitted to Group B, but due to time limitations were not addressed during the forum. Follow-up was conducted to obtain further detail from FHWA, ADOT, NACOG and both the BIA Navajo Regional Office and BIA Western Regional Office. The information presented for each item here are reflective of the post-forum responses received from the various agencies.

48. Why are HURF funds not directly distributed to tribes? What happened to government to government?

*The State Legislature only appropriates HURF to counties, cities and the State. (See questions #19, #26 and #32 under Breakout Group A above and question #41 under Breakout Group B above)*

49. How do ADOT and BIA interact at the interface of each other's roads?

*Each agency is responsible for maintaining their roadway section to where it actually intersects with the other's roadway. ADOT district offices and the BIA*

*Navajo Region Roads Office have worked together to try to improve intersections of State highways and BIA routes adding turn lanes and re-striping, as funds are available. Also, interaction takes place through memorandums of agreement, especially where BIA roads intersect with state highways. A request to cost share for intersection improvements is made to ADOT. Coordination is between the BIA (usually the Agency Roads Office), the ADOT district engineer and/or local maintenance supervisor. Construction easements are obtained for connections to the each other's roads.*

**50. Where does ADOT currently get their information or data about Navajo lands?**

*From both BIA and Navajo Nation. The Navajo DOT can provide information.*

**51. Where do county roads operation, construction and maintenance fit in?**

*Counties are responsible for the operation, construction and maintenance of county owned roads over Indian land and should coordinate these activities with local tribal officials. Coconino and Apache counties have reached agreement with BIA to maintain some of the BIA routes in the respective counties. Navajo County has been funding the purchase of roadway maintenance materials to be used by BIA or the individual communities in road improvements.*

**52. ADOT criteria - why is road construction only improved to the reservation boundary?**

*To the best of our knowledge this question focuses on SR 77 north of Interstate 40 and the continuation of the roadway north of the reservation boundary at N6. SR 77 ends at the reservation boundary and the state does not have responsibility for the roadway north of the boundary.*

**53. Why don't (the) Navajo roads constructed have the ROW fenced?**

*In the past Navajo roads were constructed through lands classified as open-range. The Navajo Council has since requested that all roads constructed include fencing at the right of way boundaries. Some roads built in the past without fencing have remained unfenced. But more recently fencing has been included in road construction projects. Some ROW fencing projects have been entered in the construction priorities for programming. One major problem the BIA has with fenced ROWs is tort liability. Therefore, the BIA discourages the fencing of road ROWs unless there is strong support to do otherwise.*

**54. Who is responsible for livestock on state/county road ROWs that present danger to traffic on the Navajo Reservation (Mr. Frazier's presentation).**

*Those who own the livestock, according to the Navajo Nation Supreme Court and the tribal code. The livestock owner is responsible where fencing is installed. Enforcement for gate closures along BIA, state, and county roads is under the jurisdiction of the Navajo Nation. Other tribes have different policies in regards to keeping livestock off the roadway.*

**55. Local trucking has increased through SR 264 into Low Mountain...what can be done to help the BIA improve this road (60N) to safety?**

*There is a citizens group working on this issue. Both Hopi and Navajo need to make it a priority on both the Western and Navajo Region TIPs. For the Navajo portion of N60, the Navajo Nation has to get the project in the priority system before anything gets done. For the Hopi portion, the Hopi Tribe has to be consulted. A major portion of N60 is within Hopi jurisdictional lands.*

**56. How was the ROW obtained for the state highway crossing two Moencopi allotments above the village?**

*This will need to be researched. In most cases the right of way was obtained through BIA when the roadway was originally constructed and then it was turned over to ADOT when the roadway was declared a state highway. A formal request for further information can be made by contacting Steve Hansen, Chief Right of Way Agent of the ADOT Right of Way Group at (602) 712-7316 or [shansen@dot.state.az.us](mailto:shansen@dot.state.az.us).*

**57. How much highway funds are available to Hopi/Navajo areas for the next three years?**

*The State construction program would be \$6.5 million for Hopi and \$15 million for Navajo. The construction funding is based on needs and statewide funding priorities. Under the IRR construction program for Navajo the funding amounts are unknown at the present time. Information on IRR construction funding available to the Hopi Tribe for the next three years is available from the BIA-WRO Branch of Roads, upon receipt of a written request from the tribe again subject to the on-going negotiated rule making.*

**58. What is the process for counties to get COG money and service rural tribal communities?**

*The tribes need to work with the counties and the COG's to be represented on the different committees and work groups.*

**59. How do Indian reservations get funding to maintain roads after being built?**

*Maintenance funding for BIA system roads are prioritized and provided in the Department of Interior's budget. Maintenance funding for non-BIA roads must come from other sources. (See question #61 under Breakout Group B below)*

**60. How do you piggyback BIA, state or federal funds on a project government-to-government agreements or IGA's?**

*Work with the respective ADOT district engineer and BIA regional road engineer. One agency (e.g. BIA-WRO) is named the lead agency for the project, and is responsible for project development and construction. Project funding from the other agency(s) is provided to the lead agency through an Intergovernmental Agreement (IGA), which outlines each agency's roles and responsibilities for the project. This process has been followed in the past by both ADOT and BIA.*

**61. Do the tribes get money or better yet, qualify for federal funds to maintain their roads after the roads are constructed?**

*Routine maintenance (i.e. pot hole repair, mowing, crack sealing, roadway grading, etc) is not eligible for federal funds. Pavement restoration or rehabilitation would be eligible for STP funds provided the roadway was functionally classified as either rural minor collector or higher or urban collector or higher. (Per FHWA)*

*Maintenance monies are through Department of Interior appropriations for Indian routes. State routes are maintained by ADOT using State monies. (Per ADOT)*

*Through the Department of Interior budget process. Roads qualify for Interior road maintenance funds by being inventoried into the BIA road maintenance inventory. (Per BIA-NRO)*

*Department of Interior funds are provided to the BIA for the maintenance of BIA system roads on the reservation. These funds are available to tribes, under a P.L. 93-638 contract/grant, for the maintenance of BIA system roads subject to the appropriate tribal oversight committee approval. (Per BIA-WRO)*

**62. Overall work program - who would assist tribes in applying for funding?**

*Work with the ADOT district engineer and respective COG to identify funding sources and availability. Assistance is also available from the BIA-WRO and NRO Branch of Roads to help tribes prepare the necessary documents required to apply for BIA roads program funding. This includes (2%) Tribal Transportation Planning Funds. Assistance in applying for other state or federal funding should be available through the funding agency.*

### 63. Identify specific funding available for tribes.

*Tribes can work with the ADOT district engineer and respective COG to identify project-specific funding.*

*Per BIA-WRO and NRO the following are identified:*

- *IRR (2%) Tribal Transportation Planning Funds – Available from the BIA for transportation planning projects/activities under a P.L. 93-638 contract or grant.*
- *IRR Construction Funds – Available from the BIA for the construction and improvement of roads, bridges and transit facilities, and for transportation planning projects/activities, under a P.L. 93-638 contract or grant.*
- *IRR Bridge Program Funds – Available from the BIA for the rehabilitation or reconstruction of deficient BIA bridges, under a P.L. 93-638 contract.*
- *Federal Lands Highway-Discretionary Funds – Available from the FHWA – Federal Lands Highway Office, through state DOT's, for road construction projects, and transportation planning that promotes and/or benefits tourism and recreational travel. Applications for these funds are submitted by the tribe to the state DOT.*
- *Tribal Gas tax Funds B Available through the appropriate tribal transportation department for use on local non-BIA roads and bridges.*

### 64. Why doesn't BIA provide more or better communication of laws, regulations, and policies?

*We (BIA-WRO and NRO) have and will continue to provide tribal leaders with information on laws, regulations and policies pertaining to the IRR program.*

### 65. What is the number of projects and construction costs for building and improving roads on/off the reservations (Hopi & Navajo)?

*The average construction cost for projects on reservations are a little higher than some of the costs off the reservation. Most of the increase in costs is due to increased haul distances for materials and meeting the different employment requirements dictated by tribal law. (Per ADOT)*

*The number varies from year to year for Navajo depending on the funding, size of projects, degree of project readiness, as examples. (Per BIA-NRO)*

*This information is available for the Hopi and Navajo Reservations from the BIA-*

*WRO and NRO Branch of Roads, upon receipt of a written request from the tribe.  
(Per BIA-WRO)*

**66. If the HELP program can be accessed by tribes, then ADOT and regional engineers should have public meetings on reservations.**

*Visit <http://www.dot.state.az.us/about/help/index.htm> for more information.  
(Also, see questions #14 and #31 under Breakout Group A above and questions #20 and #27 under Breakout Group B)*

**67. How has the State Transportation Board addressed the needs on the reservation located within municipalities?**

*There has been limited opportunity to do so because there is very little reservation land within municipal boundaries. Any improvements are based on the identification of needs and prioritized on a statewide basis.*

**68. Is any funding available for equipment purchase (e.g. graders)?**

*IRR Construction funds cannot be used for equipment purchase (BIA). Road maintenance funds may be used to purchase equipment but the program is so under-funded that it is generally infeasible. (Also see questions #24 under Breakout Group A above and question #6 under Breakout Group B above)*

**69. How can ADOT/tribes collaborate on combining funding to coordinate adjacent road projects?**

*Work with the respective ADOT district engineer and COG. Also, MOAs can be used to fund jointly sponsored projects.*

**70. Local transit program for Tribes?**

*IRR construction funds may be used to construct transit system facilities (i.e. transit pick-up shelters) and purchase vehicles for a tribal transit program, but, cannot be used to operate the program. Funds for both capital improvements/purchases and operating assistance are available from the Federal Transit Administration, under Section 5311, through the state DOT. Funds are also available from the Federal Transit administration, under Section 5313, through the state DOT, to provide training and technical assistance to transit operators. (Also see questions #5, #6, #27, #30, #42 and #43 under Breakout Group A above)*

**71. How can the tribe/state coordinate transit funding to better the transit needs of the tribes?**

*Transit planning should be coordinated with input from both government entities and transit plans should be implemented with involvement of all impacted parties. Communication between both government entities is key. (Also see questions #5, #6, #27, #30, #42 and #43 under Breakout Group A and question #70 under Breakout Group B above)*

**72. Is the Navajo Nation being adequately funded/considered for transit program funding?**

*No. Operations budget is needed to cover expenses such as facilities, repairs, and general operations.*

**73. Are there any representative positions as a voting member with NAGOG?**

*Each county, city, town and tribe within the NACOG Region can have a voting member position on the COG Regional Council or Board and can attend the COG transportation committee meetings. The tribes that are currently active in this capacity are the Navajo Nation and the White Mountain Apache Tribe. (Also see questions #9 and #41 under Breakout Group A above)*

**74. Can NACOG program provide improvements to existing 1.0-mile school entrance road surface on BIA system?**

*Perhaps, but this would depend upon the type of improvements proposed (STP funds can only be used for capital projects) and whether or not the facility in question is eligible for the expenditure of STP funds based on the functional classification of the facility.*

**75. Why doesn't NACOG want to fund County roads through Indian reservations?**

*Facilities selected to receive funding are based on a number of factors relative to project need and merit (technical evaluation criteria), but not facility ownership or the lands through which a facility may pass. Programming recommendations are developed through the countywide TPOs and the members that choose to participate and submit projects for consideration through the TPO process.*

**76. How are state and metro planning processes involving tribes that are located within metro areas? How is the BIA involved?**

*BIA involvement is limited to providing information on BIA projects, and providing the names of tribal contacts to State DOTs and MPOs to assist them in*

*meeting the statewide planning “consultation” requirements of 23 U.S.C. 135(d) (2) – Consultation with Governments.*

**77. Both the tribe and NACOG need to know each other more.**

*NACOG would like to see tribes get actively involved in the COG process. Chris Fetzer, NACOG Planning Director, can be contacted for assistance at (928) 213-5209 or [cfetzer@nacog.org](mailto:cfetzer@nacog.org). There is also a NACOG website that can be accessed for more information at: [www.nacog.org](http://www.nacog.org). (Also see questions #8, #9 and #22 under Breakout Group A and question #73 under Breakout Group B above)*

**78. Better coordination between NEPA and NHPA compliance process early on – public hearing meetings.**

*ADOT provides assistance to the FHWA in complying with environmental law that includes the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) when projects are planned on tribal land. In 1999, the ADOT Environmental and Enhancement Group (EEG) developed and initiated a process and policy for tribal consultation early and fully at all stages of the Section 106 process and during project development. In particular the process ensures that tribal consultation occurs that affords the tribe a reasonable opportunity to identify its concerns, advise on the identification and evaluation of historic properties, articulate views on a project’s effect on properties, and participate in resolution of adverse effects. ADOT-EEG also serves to encourage public input, including comments on project design, location, and environmental and social impacts throughout all stages of project development. Further information can be obtained by contacting Richard Duarte, Manager, ADOT EEG at (602) 712-7760 or [rduarte@dot.state.az.us](mailto:rduarte@dot.state.az.us) and by checking the ADOT-EEG website at [www.ADOTenvironmental.com](http://www.ADOTenvironmental.com).*

**79. What can be done to streamline or shorten the length of time to obtain road projects to get started?**

*This issue needs to be addressed on a tribe-by-tribe and project-by-project basis, as there are certain activities and time frames associated with the project development. Typical time frames for a BIA-WRO road construction project are delineated on the “Pre-Construction Activities” flowchart (a copy of this handout is included in the Appendix). In the BIA-NRO, the existing tribal ROW, NEPA, and other processes need to be restructured to allow for a more streamlined approach to getting transportation needs met in a timelier manner.*

**80. Planning for highway projects?**

*See question 81 below.*

**81. How much involvement do Indian tribes have in planning?**

*Tribal involvement in planning is directly dependent on the individual tribes ability to access and be a part of the planning effort. Contact ADOT-TPD, the respective ADOT district engineer, or the COG. On Navajo, the transportation planning process starts at the Chapter level and is elevated to the Agency and Council Committee levels. Tribes have a major role in the IRR program transportation planning process. They develop or assist in the development of long range transportation plans, they conduct and/or participate in public meetings for transportation planning and/or road construction projects and they establish road construction priorities, which are used to develop the IRR TIP.*

**82. What is the process for collaborating with BIA to obtain HURF funds? Partnering agreements?**

*The BIA, tribe, State, or county will need to determine and negotiate both the project and the collaboration process when HURF funds are involved. Arizona State HURF funds are only available to State, county, or municipalities but there is opportunity for the tribes to work with the State and the BIA to possibly access some of the HURF funds under specific conditions. However, this process is cumbersome and as a result very few projects have used state HURF funding. (Also see questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above)*

**83. How can HURF rules and regulations be changed to benefit tribal lands?**

*This will take State legislative action. (Also see questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above)*

**84. Could HURF funds be distributed to the school for bus routes?**

*See questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above.*

**85. HURF swap - affects on Indian reservation projects and proposals?**

*At the present time tribes have been advised by NACOG and ADOT that Indian reservation projects are ineligible to receive HURF assistance. (Per BIA-NRO) (Also see questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above)*

**86. HURF: What distinguishes a highway from other types of roads?**

*With regard to HURF and pursuant to A.R.S. 28-6531, "Arterial street or highway means a street or highway used primarily for through traffic in such manner that vehicular traffic from intersecting streets and highways is required by law to stop or yield before entering or crossing the street or highway." See <http://www.azleg.state.az.us/ars/28/06531.htm>. The COG's can give further information regarding the definition of highways and roads.*

**87. How does a tribe get access to HURF funds?**

*See questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above.*

**88. How does HURF work through BIA to the tribes?**

*See questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above.*

**89. HURF – needs long-range planning.**

*See questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above.*

**90. HURF – funds for Indian reservation roads?**

*See questions #19, #26, #32, and #33 under Breakout Group A and question #41 under Breakout Group B above.*

## **Recommendations**

The Discussion Group B Breakout Sessions were primarily devoted to answering questions and addressing the concerns of the participants. Attendees were asked at the end of each session to submit, in writing, any recommendations they had that would help further the ability of tribes to participate in the transportation planning process. The following suggestions were provided. Note that there was no discussion to see if there was general agreement, nor was any priority assigned to the recommendations.

- Pursue BIA coordination with counties to maintain roads (IGA's).
- Consider developing a process so funding to go directly to schools to maintain roads.

- Pursue developing HURF as a funding source. Current policies do not support “government to government.” Open HURF to the tribes. Define the programs available. Get tribal involvement in the process and change the language.
- Develop a plan to improve communication between ADOT/BIA/tribes/counties/local governments.
- COGS – need individual tribal representatives on COG committees.
- Tribes need to interface with the COG on planning. The program needs to be better defined.
- Need more information on TEA-21. Need an information meeting and recommendations for reauthorization.
- Access funding through HELP for school access roads.
- Hold a follow-up meeting of this forum in the next 3-6 months to better formulate action plans.

## **Major Issues**

According to participants in the Discussion Group B Breakout Session, the following were identified as major issues among the discussion items.

- HURF – define program; limitations & restrictions; tribal involvement in HURF; legislative language change or MOA’s/MOU’s.
- Open HURF to the tribes for more funding. Admin plan from ADOT within 3-weeks.
- We accept all of HURF questions as posted.
- Access funding through HELP for school access road.
- Need to consider funding to go directly to schools to maintain roads (cover equipment costs and salaries).
- COGS – individual tribal representatives needed on COGs; how can tribes better interface with COGs planning; define the program better.

- Better communication with ADOT/BIA/tribes/counties/local governments and COGS.
- BIA coordination with counties to maintain roads (IGA).
- More information on TEA-21. Set up an information meeting with tribes to discuss recommendations for next reauthorization.

## CONCLUSION

### Forum Results

#### Forum Goals

With completion of the Northern Arizona Region State-Tribal Transportation Forum, staff of the FHWA and ADOT learned a great deal. The information obtained will be used in on-going efforts to:

- Improve tribal participation in the statewide transportation planning and programming processes.
- Improve the lines of communication between tribal, regional, state and federal government agencies.
- Assist tribal, regional, state, and federal government agencies work together to address inter-jurisdictional transportation needs in Arizona.

The following summation is based upon the forum results:

Major Goals: Improve tribal-state-federal relations and coordination, as well as tribal participation in the statewide transportation planning, programming and funding processes

- Officials from all participating transportation agencies in Arizona were invited, introduced and provided the opportunity to address the forum participants regarding regional concerns.
- Forum attendee lists were provided to the participants, so contact information was available in case further follow up between agency and tribal representatives was needed.

These items are essential resources to help foster increased interagency relations, coordination and increased tribal participation in the statewide transportation planning and programming processes.

#### Forum Outcomes

Consensus of the ADOT Tribal Strategic Partnering Team was that although some of the issues raised during the forum would require additional follow-up, much of the discussion basically helped to address a number of the concerns of tribes in Arizona. Additionally, much insight was obtained through the completed Pre-Forum Surveys and Participant Feedback of Forum Effectiveness Questionnaires. Based upon the forum presentations, discussions, and participant feedback, the following forum outcomes were addressed:

Outcome A: Gained knowledge of state, federal, tribal and regional highway program processes and on processes for coordination with the state

- The forum presentations provided the participants with information on state, federal, tribal and regional transportation processes and programs. The opportunity to ask specific questions was provided during the breakout discussion sessions.

Outcome B: Identification of program funding cycles, understanding of highway program/project flowcharts, requests for funding and leveraging funds

- This report includes detailed reference information presented and further refined researched information regarding the funding cycles, process flowcharts, funding requests, and strategies for leveraging funding.
- This report also provides Internet links, contact and document references for the participants to refer to obtain further information on their topics of interest.

Outcome C: Identification of tribal best practices for planning and financing transportation improvements

- Consultation and Communication Protocol Information Sheets were distributed to participants. Thirty (30) sheets were returned: twenty-two (22) tribal, two (2) BIA, three (3) county, one (1) COG, and two (2) state. The sheets identify steps and levels of consultation and communication required by each tribe/agency to carry out transportation planning and programming processes. The information will be compiled and is planned to be used to develop an Agency Protocol Resource Tool.
- The October 1999 edition of the *Indian Reservation Roads Program Transportation Planning and Procedures Guideline*, developed by the USDOT-FHWA in collaboration with government agencies, Indian tribal governments, and associations, is being utilized by ADOT to understand how the Indian Reservation Roads program funds and plans transportation projects. The document states: *"It is intended that this document provide flexible guidance for Indian Tribal Governments to address transportation issues specific to the*

*Tribe rather than predetermined criteria that may not be applicable to Tribal needs while yet providing the basis for developing goals and strategies that will ultimately lead to good decision making.”* This document can be reviewed in its entirety on the USDOT–FHWA website at: <http://www.fhwa.dot.gov/flh/reports/indian/intro.htm>.

#### Outcome D: Improved tribal capacity to identify needs/goals and implement tribal transportation plans

- The issue of capacity building is one of the most challenging for tribes and related federal, state and regional transportation agencies interested in tribal involvement. According to participant respondents, this forum was useful because program overviews, and resource and contact information were incorporated into the program.
- Additional agency–to–agency follow up is required to address major issues of concern in the funding and coordination processes, and inter–jurisdictional issues.

#### Outcome E: Identification of road ownership within the reservation boundaries

- Maps depicting regional boundaries of the State Transportation Board Districts, ADOT Engineering Districts, Councils of Governments, and Metropolitan Planning Organizations and their relation to tribal reservation boundaries and roadways were included in the informational packets.
- The majority of participants were aware that many roads were owned by different agencies. However, several questions reflected the unawareness of how ownership and maintenance were inter–related.

#### Outcome F: Identification of tribes that are leaders in the field of transportation

- Basically, the tribes with large land bases have required a volume of roads to accommodate mobility in the most isolated areas of Arizona. To establish this network has required a certain amount of interaction with the state and federal agencies and has increased their understanding of road projects.
- Officials from the seven represented tribes expressed varied levels of transportation capacity within the tribal government. This ranged from the designation of tribal planning staff as the transportation contacts, to the establishment of departments of transportation and transportation committees or boards.

Of the tribes represented, the following is the identification of their transportation capacity:

Hopi Tribe – Has an established Transportation Task Team and designated transportation related staff.

Hualapai Nation – Has an established Transportation Committee and one project manager for a specific road project and a planner assists with grants on an as needed basis.

Navajo Nation – Has an established Transportation and Community Development Committee, established Agency Roads Committees, an established Department of Transportation and designated transportation related staff.

Salt River Pima–Maricopa Indian Community – Has an established Department of Transportation to oversee transit/mobility activities and designated transportation related staff.

San Carlos Apache Tribe – Has designated the planning department to lead transportation efforts and multiple planners depending on availability, are involved with different aspects of transportation projects.

White Mountain Apache Tribe – Has an established Transportation Committee, a Transportation Planning Sub–Committee, and one public works engineer.

Yavapai–Apache Nation – Has an economic development staffperson to address transportation issues.

ADOT–TPD will continue to update its tribal transportation contact database and maintain a resource database on tribal transportation related activities.

#### Outcome G: Identification of networking strategies

- The first step in addressing this goal was to identify a process for implementing networking strategies. This included the identification and introduction of contact persons at each level of government. Working with the proper contact, each government entity would then determine its networking approach (written/electronic communication, person–to–person meetings, medium to large interagency forums, etc.), taking into consideration that interagency communication and follow through is vital.
- Initial networking took place at the forum with some attendees seeking further follow–up from the representative agency staff. Other major contact persons needed to carry out networking are also identified in this report.

Based upon the forum discussions, some potential networking strategies identified for consideration by tribal, regional, state and federal agencies included:

- Contact the FHWA Arizona Division for information and counsel on what federal funds may be available for tribal land projects and how to go about applying for them.
- Consider that FHWA does not select or manage any construction projects, they are strictly a funding source to other agencies for their programs.
- Get to know the ADOT district and headquarter staff and involve them when needed.
- Submit to the ADOT districts, project requests along with how the tribe can participate.
- Work with the ADOT district engineers to get projects into ADOT's five-year construction program, carry out grant program coordination under the Transportation Enhancement Program, and the Section 5310 and 5311 Transit Programs
- Get involved in the statewide and regional transportation planning process (i.e. the Arizona long-range transportation planning, transportation improvement programs, regional, sub-regional and local plans, and regional transit development program).
- Work through the MPOs and COGs to identify and promote projects.
- Actively participate in the COG decision-making process to get needs and projects identified and to lobby for their funding so local needs are being addressed.
- Consider that transportation planning must be a continuing, comprehensive and cooperative process
- Develop a strong, productive partnership thereby allowing each member to be more successful.
- Conduct dialogue that involves giving and getting feedback on each partner's issues and concerns.
- Share accident and traffic data.
- Share programming efforts and participate in other agency's programming processes.
- Outline information sharing and decision-making protocol and relay to concerned jurisdictions.
- Develop relationships with tribal elected officials and staff.
- Develop localized agreements taking into consideration that memorandums of agreement can be used to fund joint sponsored projects.
- Take note of upcoming planning meetings around the state and take part.
- Get the word out regarding public meetings and encourage people to participate in the process.

With regard to the forum sponsors, on-going communication with the forum participants is a key networking strategy and another objective for statewide coordination. Therefore, related follow-up to the recommendations made by participants and the identified "next steps" to the regional forums, will be the

basis for a major networking strategy by the ATSPT. Also, the Agency Protocol Resource Tool previously mentioned will play an important role as agencies continue to implement their networking strategies. Finally, it is the hope of the sponsoring agencies that the information provided in this report will be used by the various agencies as a working reference source in their pursuit of implementing networking strategies.

### Participant Survey and Questionnaire Results

- Pre-forum Survey: Sixty (60) of seventy-seven (77) were completed.
- Participant Feedback of Forum Effectiveness Questionnaire: Thirty-one (31) of seventy-seven (77) were returned.
- Consultation and Communication Protocol Information Sheets: Thirty (30) of seventy-seven (77) were submitted.
- The collective responses will guide ADOT in the development of an Agency Protocol Resource Tool. It is anticipated that upon completion of all the state-tribal regional transportation forums, ADOT will initiate a resource for tribes and all transportation agencies within Arizona.
- A summary of the results of the survey and questionnaire are included in the Appendix of this report.

## Next Steps

The Northern Arizona Region State-Tribal Transportation Forum was the first of a series of state-tribal transportation forums planned to cover the various regions of the State. Once the regional forums are completed, all forum results will be analyzed to identify major priority issues, needs and concerns, both on a regional basis and a statewide basis. Those priorities will then be relayed to FHWA, ADOT and other transportation related agency officials.

Additionally, the ATSPT will begin the process of determining the best means of addressing those priority items through necessary follow-up actions. These could include but are not limited to education/training sessions, process/policy changes, and/or an annual state-tribal transportation summit.

On behalf of the forum sponsoring agencies, we would like to thank those individuals who participated in the forum and in the development of this proceedings report. The input provided is of great value and will be used as we endeavor to address Arizona's transportation priority challenges. We look forward to an improved and continuing working relationship in order to fulfill our overall statewide mission of operating and maintaining a safe and efficient transportation system for the traveling public.

**APPENDIX A**  
**List of Forum Attendees**



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*Transportation Technical Advisory Committee meets when and where called at 10:00 a.m. (usually a 1st Thursday)*

**FLAGSTAFF METROPOLITAN PLANNING ORGANIZATION (FMPO)**

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*Technical Advisory Committee meets at 1:30 p.m. on 3rd Tuesday.*

**MARICOPA ASSOCIATION OF GOVERNMENTS (MAG)**

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Dennis Smith, Executive Director	(602) 254-6300	Fax: (602) 254-6490
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*Streets Committee meets at 1:30 on 2nd Tuesday*

**NORTHERN ARIZONA COUNCIL OF GOVERNMENTS (NACOG)**

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Flagstaff, AZ 86001-5296

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Chris Fetzer, Manager, Transportation Planning	(928) 774-1895	Fax: (928) 773-1135
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*Technical Advisory Committee meets at 10:00 a.m. on 1st Wednesday*

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*Transportation Improvement Program Subcommittee meets when called (usually a 3rd Tuesday). Transportation Planning Committee meets at 9:00 a.m. on 1st Wednesday.*

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*Technical Advisory Committee meets in Wilcox at 10:00 a.m. when called (usually a 3rd Thursday)*

### **WESTERN ARIZONA COUNCIL OF GOVERNMENTS (WACOG)**

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*Transportation Advisory Committee meets when and where called at 10:00 a.m. (usually a 4th Wednesday).*

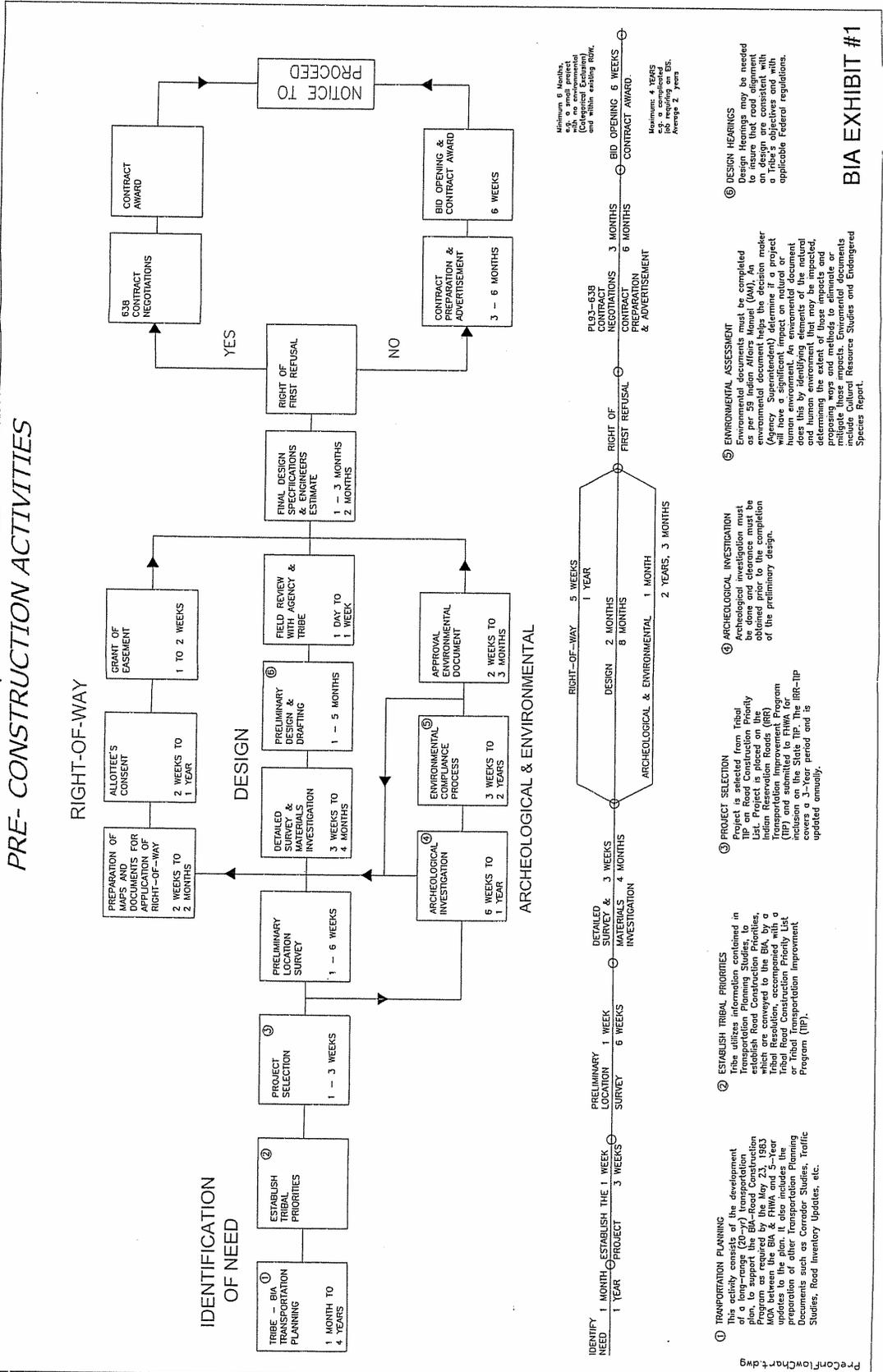
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*Technical Advisory Committee meets at 9:00 a.m. on 2nd Thursday.*

**APPENDIX C**  
**BIA-WRO Pre-Construction Activities Flowchart**



PreConFlowChart.dwg

**APPENDIX D**  
**Pre-Forum Survey – Summary of Results**



**NORTHERN ARIZONA REGIONAL STATE-TRIBAL TRANSPORTATION FORUM:  
HIGHWAY TRANSPORTATION FUNDING AND COORDINATION**

**Oct. 17, 2002, Little America Hotel, Flagstaff**

**PRE-FORUM SURVEY – SUMMARY OF RESULTS**

*This survey will assist the FHWA and ADOT in understanding levels of knowledge in the State Transportation Planning and Programming processes. The information will be used to determine the effectiveness of the forum and any necessary follow-up.*

1. I understand highway funding processes in Arizona and how they function:

To a great degree..... To an average degree .....Not at all  
\_\_3\_\_5                    \_\_15\_\_4                    \_\_18\_\_3                    \_\_13\_\_2                    \_\_11\_\_1

2. I understand transportation coordination processes in Arizona and how they function:

To a great degree..... To an average degree .....Not at all  
\_\_1\_\_5                    \_\_12\_\_4                    \_\_18\_\_3                    \_\_20\_\_2                    \_\_9\_\_1

3. I believe that the coordination between Tribal Government & State government is effective:

Definitely..... Somewhat .....Not at all  
\_\_2\_\_5                    \_\_2\_\_4                    \_\_32\_\_3                    \_\_15\_\_2                    \_\_8\_\_1

4. I believe that Tribes participate effectively in the statewide transportation planning & programming (funding) processes:

To a great degree..... To an average degree .....Not at all  
\_\_2\_\_5                    \_\_3\_\_4                    \_\_20\_\_3                    \_\_26\_\_2                    \_\_8\_\_1

5. I believe that Tribes know how to identify needs/goals and implement Tribal transportation plans:

To a great degree..... To an Average degree .....Not at all  
\_\_3\_\_5                    \_\_10\_\_4                    \_\_24\_\_3                    \_\_17\_\_2                    \_\_5\_\_1

6. I understand best practices that can be used for the planning and financing of transportation improvements.

Definitely..... Somewhat .....Not at all  
\_\_2\_\_5                    \_\_10\_\_4                    \_\_29\_\_3                    \_\_13\_\_2                    \_\_6\_\_1

7. I understand the communication protocols which assure continued tribal participation in the planning, programming, and funding of transportation programs.

To a great degree..... To an Average degree .....Not at all  
\_\_0\_\_5                    \_\_13\_\_4                    \_\_22\_\_3                    \_\_14\_\_2                    \_\_11\_\_1

Comments: Thanks for involving the tribes now, and now the tribes have stepped forward for

what we should have done before.

---

Comments: I would like to be involved in the tribal transportation planning and/or inputs.

---

Comments: This forum should give the tribe better understanding.

---

Comments: I hope this will be used positively not just a statistic – regarding tribal relationships.

---

Comments: States need to recognize tribal needs and problems to roads.

---

Comments: Need to know why counties don't get construction dollars from Federal Highway Trust Fund/ Counties in Indian Country.

---

Comments: New to tribal transportation planning.

---

Comments: I'm here to learn, as noted above, I'm knowledgeable.

---

Comments: Unfamiliar with state transportation planning and programming processes.

---

Comments: I only deal with BIA undertakings on the tribal lands. The process for getting these projects completed is cumbersome and not particularly effective.

---

Comments: State Transportation Board meeting place should include Indian Country for Native Americans participation.

---

Comments: Greater involvement at the level by tribes is needed, greater understanding of functional class of BIA roads with FHWA.

---

Comments: Need to inpart to tribes. Additional data – How to info and share.

---

Comments: NDOT needs to be more informed with the school /communities on the Navajo reservation with funding, improvements and basically what NDOT have done????? Or how to help improve public roads reservation wide.

---

Comments: Does (this) survey integrate transit state system, processes etc.?

---

Comments: The tribe and BIA and the state need to inform chapters on project and funding programs.

---



**APPENDIX E**  
**Participant Feedback of Forum Effectiveness –**  
**Summary of Results**



**NORTHERN ARIZONA STATE-TRIBAL TRANSPORTATION FORUM  
PARTICIPANTS' FEEDBACK**

What is your overall rating of the effectiveness of this forum?

<b>Forum Format Needs Improvement</b>	<b>Somewhat Met My Expectations</b>	<b>Met My Expectations</b>	<b>Exceeded My Expectations</b>
0.5    1.0    1.5	2.0    2.5	3.0    3.5	4.0

**Overall forum Effectiveness Rating = 2.9 out of 4.0**

1-1.0's  
4-2.0's  
6-2.5's  
11-3.0's  
6-3.5's  
2-4.0's  
86/30= 2.86

How do you rate the effectiveness of the Facilitators?

<b>Forum Format Needs Improvement</b>	<b>Somewhat Met My Expectations</b>	<b>Met My Expectations</b>	<b>Exceeded My Expectations</b>
0.5    1.0    1.5	2.0    2.5	3.0    3.5	4.0

**Effectiveness of Facilitators Rating = 3.1 out of 4.0**

1-2.0's  
7-2.5's  
11-3.0's  
11-3.5's  
91/29=3.13

How do you rate the State-Tribal partnership team's potential effectiveness?

<b>Forum Format Needs Improvement</b>	<b>Somewhat Met My Expectations</b>	<b>Met My Expectations</b>	<b>Exceeded My Expectations</b>
0.5    1.0    1.5	2.0    2.5	3.0    3.5	4.0

**Partnership potential Rating = 2.7 out of 4.0**

1-0.5                      8-2.5's  
 1-1.0's                    4-3.0's  
 3-1.5's                    10-3.5's  
 2-2.0's                    1-4.0's  
                                   81.5/30=2.7

<b>Most Valuable</b>	<b>Suggested Improvements</b>	<b>Overall Comments</b>
<ul style="list-style-type: none"> <li>◆ Everything was valuable</li> <li>◆ May resources &amp; contacts</li> <li>◆ Forum shed light on problems throughout the state and reservations</li> <li>◆ Information on state funds and their restrictions/usage's</li> <li>◆ What has been said by the presenters (but putting into action is somewhat difficult because of funding limitation)</li> <li>◆ Learning who are my contacts, from ADOT &amp; new projects, who could help the tribes</li> <li>◆ I don't know. The system is set. State &amp; non-tribal entities are providing courtesy effort.</li> </ul>	<ul style="list-style-type: none"> <li>◆ More handouts for the tribe representatives, so they can better understand the different processes and the funding available to them and why</li> <li>◆ No music; temperature was cold in room</li> <li>◆ I think BIA officials needed to be part of the forum presenters. They could offer insight on their involvement to road and transportation issues</li> <li>◆ More time: 2 day session</li> <li>◆ What is being practiced out in the field is not consistent. There needs to be more action instead of talk. Reality is not there between the funding that is spent on reservations, state &amp; county roads</li> <li>◆ Eliminate the disturbances from next door</li> </ul>	<ul style="list-style-type: none"> <li>◆ Thank you</li> <li>◆ Need more meetings with tribes to feel comfortable</li> <li>◆ Treat AZ Indian Nation road on same level as any other AZ road- needs more equal funding (not as vast priority)</li> <li>◆ Thanks; now it is up to us- the tribe- to get our foot in the door</li> <li>◆ Forum is a good idea but state just wants tribes to use non-tribal user friendly system. AZ tribes have a definite land base presence in the state. We need our own COG.</li> <li>◆ The 1<sup>st</sup> afternoon session was not well planned because planners did not anticipate so may questions to be raised. When a person writes a question, one expects it to be answered. Some participants did not understand the afternoon process and were asking more questions rather than trying to bring issues into general categories</li> <li>◆ Good start- need more; maybe take our to one of the reservation facility- so State &amp; federal people</li> </ul>

Most Valuable	Suggested Improvements	Overall Comments
<ul style="list-style-type: none"> <li>◆ Learned some ways that tribes can become participants in the planning process to become a recipient</li> <li>◆ State issues</li> <li>◆ State processes</li> <li>◆ A little more clarification of the different organizations and their functions</li> <li>◆ Networking with FHWA, ADOT and other tribal transportation personnel and officials</li> <li>◆ IRRP</li> <li>◆ Information on FHWA &amp; ADOT funding</li> <li>◆ Getting to know other representatives and what questions everyone has</li> <li>◆ Receiving clear information regarding the function of FHWA, NACOG, etc.</li> <li>◆ Information on the FHWA- the major programs!</li> <li>◆ All</li> <li>◆ Meeting representatives from the various tribes &amp; BIA</li> <li>◆ Learning about tribes' processes, concerns &amp;</li> </ul>	<ul style="list-style-type: none"> <li>◆ Address the laws, regulations, statutes, executive orders that set up the system that does not address Govn't to Govn't, direct tribal involvement, etc.</li> <li>◆ I felt the "process information" method was helpful to have participants think through what they heard, learned and generate more questions</li> <li>◆ More time- perhaps a 2 day session</li> <li>◆ County/COG processes</li> <li>◆ More clarification of inter organizational re: processes, guidelines &amp; policies governing their organizations</li> <li>◆ Another day to properly address the issues and prioritize critical needs</li> <li>◆ More time to answer all questions</li> <li>◆ Longer presentations of all topics</li> <li>◆ Expand presentation to include questions</li> <li>◆ A 2 day workshop- 1 day was too short for the volume of information</li> <li>◆ More time for each subject/presentation</li> <li>◆ Additional forum on questions – those most important</li> <li>◆ More time to fully understand issues &amp; concerns</li> <li>◆ Better meeting environment: loud music/singing was disruptive</li> </ul>	<p>know firsthand about rural roads</p> <ul style="list-style-type: none"> <li>◆ County/COG processes need to be defined</li> <li>◆ Very informative meeting</li> <li>◆ Only a start for Fed/State/Local- tribal cooperation</li> <li>◆ Place us on your mailing list. Most of the time just to get to your meetings, we have problems w/funding for travel</li> <li>◆ There needs to be more participation from all tribal members. Certain mutual agreements need to be established between Federal, State, Counties and tribes</li> <li>◆ Was a good session</li> <li>◆ This was a very interesting agenda, but due to time, I was left frustrated and disappointed.</li> <li>◆ Showcase successful projects between tribe, state, federal and county for tribes.</li> <li>◆ Needs more communications from all parties</li> <li>◆ BIA must be part of the forum</li> <li>◆ Many, many issues were identified. I suggest that issues be sorted through &amp; focus on those issues that are within reach/delegation authority to resolve. Much potential for accomplishment; we need to keep the focus &amp; preserve the momentum.</li> <li>◆ Most issues require changing federal or state laws &amp; will be difficult to achieve. There are issues that can be addressed by this group- that is where the focus point should be.</li> <li>◆ Add't comment re: partnership potential rating: (0.5 rating for BIA)</li> <li>◆ Well organized!</li> </ul>

Most Valuable	Suggested Improvements	Overall Comments
<p>challenges</p> <ul style="list-style-type: none"> <li>◆ Identification of issues; networking; finding who your contacts are.</li> <li>◆ The general overview of FHWA &amp; state programs was valuable (need more specific information about COG's)</li> <li>◆ Learning about other entities constraints, abilities, collaboration, input, etc.</li> <li>◆ New contacts</li> <li>◆ Becoming better informed about ADOT programs and related funding sources</li> <li>◆ Understanding what other funds are offered by the county, state and federal levels</li> <li>◆ Extensive information provided</li> </ul>	<ul style="list-style-type: none"> <li>◆ Longer time frame: 2-3 days</li> <li>◆ Make it longer</li> <li>◆ More focus on Indian reservation roads &amp; what planning &amp; funding sources are specifically available to tribes. Explanation of the various programs and how they are specifically relevant to <u>rural</u> Indian tribes. Specific information about how the COG's distribute funding to various projects. And, how do other federal/state programs provide benefits to tribes (other than IRR)-handouts explaining these issues would be extremely useful.</li> <li>◆ Better sound</li> <li>◆ Extend forum to 2 days!</li> <li>◆ Guidelines be provides to attendees of this forum</li> <li>◆ Add one day to finish afternoon sessions. Suggest prioritizing issues.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Additional follow-up meetings needed- or initially extending the length of the meeting. But- don't wait too long to do the follow-up or else you'll lose the energy of the participants. I think that you need to have a facilitator to lead a discussion about environmental/ public participation issues- this is extremely important on tribal lands where people are still living on their ancestral lands &amp; are more deeply attached to the land than are people living in an urban setting, apart &amp; separate from the land.</li> <li>◆ Perhaps you might consider taking this "show on the road" to the various tribal capitals (e.g. Window Rock) so that the concerned tribal officials &amp; interested public can more fully participate in this process</li> <li>◆ Rated partnership low because of the comment related to bus routes on the reservations</li> <li>◆ I'd like to thank FHWA, ADOT &amp; NACOG for initiating this discussion in this manner, &amp; I hope it continues through the problem-solving phase.</li> <li>◆ This was a good "ice-breaker" for future forums.</li> </ul>

**GLOSSARY**  
**Abbreviations and Acronyms**



## Glossary of Abbreviations and Acronyms

<b>AASHTO</b>	American Association of State Highway and Transportation Officials
<b>ADOT</b>	Arizona Department of Transportation
<b>ADT</b>	Average Daily Traffic
<b>A.R.S.</b>	Arizona Revised Statutes
<b>ATSPT</b>	ADOT Tribal Strategic Partnering Team
<b>BIA</b>	Bureau of Indian Affairs
<b>BIADOT</b>	Bureau of Indian Affairs, Division of Transportation
<b>COG</b>	Council of Governments
<b>CFR</b>	Code of Federal Regulations
<b>DE</b>	District Engineer
<b>DOI</b>	Department of Interior
<b>DOT</b>	Department of Transportation
<b>EA</b>	Environmental Assessment
<b>EIS</b>	Environmental Impact Study
<b>EPA</b>	Environmental Protection Agency
<b>EEG</b>	Environmental and Enhancement Group
<b>FHWA</b>	Federal Highway Administration
<b>FLHP</b>	Federal Lands Highway Program
<b>FTA</b>	Federal Transit Administration
<b>FY</b>	Fiscal Year
<b>GPS</b>	Global Positioning System

<b>HELP</b>	Highway Expansion Loan Program
<b>HES</b>	Hazard Elimination System
<b>HTF</b>	Highway Trust Fund
<b>HURF</b>	Highway User Revenue Fund
<b>IGA</b>	Intergovernmental Agreement
<b>IRR</b>	Indian Reservation Roads
<b>IRRBP</b>	Indian Reservation Roads Bridge Program
<b>LRP</b>	Long Range Plan
<b>LRT</b>	Long Range Transportation
<b>L RTP</b>	Long Range Transportation Plan
<b>LTAP</b>	Local Technical Assistance Program
<b>MOA</b>	Memorandum of Agreement
<b>MOU</b>	Memorandum of Understanding
<b>MPO</b>	Metropolitan Planning Organization
<b>MVD</b>	Motor Vehicle Division
<b>NACOG</b>	Northern Arizona Council of Governments
<b>NDOT</b>	Navajo Department of Transportation
<b>NFWD</b>	Navajo Fish and Wildlife Department
<b>NRO</b>	Navajo Regional Office
<b>NROBOR</b>	Navajo Regional Office Branch of Roads
<b>NEG REG</b>	Negotiated Rulemaking (for the Indian Reservation Roads Program)
<b>NEPA</b>	National Environmental Protection Act

<b>NHPA</b>	National Historic Preservation Act
<b>NHTSA</b>	National Highway Traffic Safety Administration
<b>NHURF</b>	Navajo Highway User Revenue Fund
<b>P.L. 93-638</b>	Public Law 93-638, Indian Self-Determination and Education Assistance Act, as amended
<b>RABA</b>	Revenue Aligned Budget Authority
<b>ROW</b>	Right of Way
<b>R/W</b>	Right of Way
<b>SR</b>	State Route
<b>STIP</b>	Statewide Transportation Improvement Program
<b>STP</b>	Surface Transportation Program
<b>TCDC</b>	Transportation and Community Development Committee (Navajo Nation)
<b>TEA-21</b>	Transportation Equity Act for the 21 <sup>st</sup> Century
<b>TIP</b>	Transportation Improvement Program
<b>TPA</b>	Tribal Priority Allocation
<b>TPD</b>	Transportation Planning Division
<b>TPO</b>	Transportation Planning Organization
<b>TTAP</b>	Tribal Technical Assistance Program
<b>WACOG</b>	Western Arizona Council of Governments
<b>WRO</b>	Western Regional Office
<b>U.S.C.</b>	United States Code
<b>USDOT</b>	United States Department of Transportation



