

OREGON DEPARTMENT OF TRANSPORTATION

**GOVERNMENT-TO-
GOVERNMENT**
ACTIVITY REPORT | 2022

DECEMBER 2022



TABLE OF CONTENTS

Introduction.....	1
Director’s Office	2
Office of Civil Rights.....	7
Fuels Tax Group.....	12
Driver and Motor Vehicle Services Division.....	14
Commerce and Compliance.....	17
Delivery and Operations Division	19
Delivery and Operations Division: Region 1.....	21
Delivery and Operations Division: Region 2.....	24
Delivery and Operations Division: Region 3.....	28
Delivery and Operations Division: Region 4.....	33
Delivery and Operations Division: Region 5.....	38
Delivery and Operations Division: Environmental Section.....	42
Urban Mobility Office	46
Interstate Bridge Replacement Program	50
Public Transportation Division.....	51
Policy Data and Analysis Division (PD&A).....	65
ODOT Data Section.....	68
ODOT Climate Office.....	70

INTRODUCTION

In accordance with Oregon Revised Statute 182.166, the Oregon Department of Transportation (ODOT) submits this report to Governor Kate Brown and the Legislative Commission on Indian Services. This report identifies the ODOT divisions, regions, and individuals responsible for developing and implementing programs that affect the nine federally recognized tribal governments in Oregon. The information in this report was provided by each of the ODOT divisions and regions and was compiled by the ODOT Director's Office.

In accordance with Oregon Revised Statute 182.164, ODOT adopted an official policy statement guiding the department's interactions with tribal governments. ODOT Policy INT 13 was most recently revised on July 31, 2019. This policy states:

It is the policy of the Department, pursuant to ORS 182.162 et. seq., to promote and enhance government-to-government relations between the Department and the federally recognized American Indian Tribes in Oregon through programs that include tribes in the development and implementation of transportation projects and other activities which may affect tribal lands, resources, or interests.

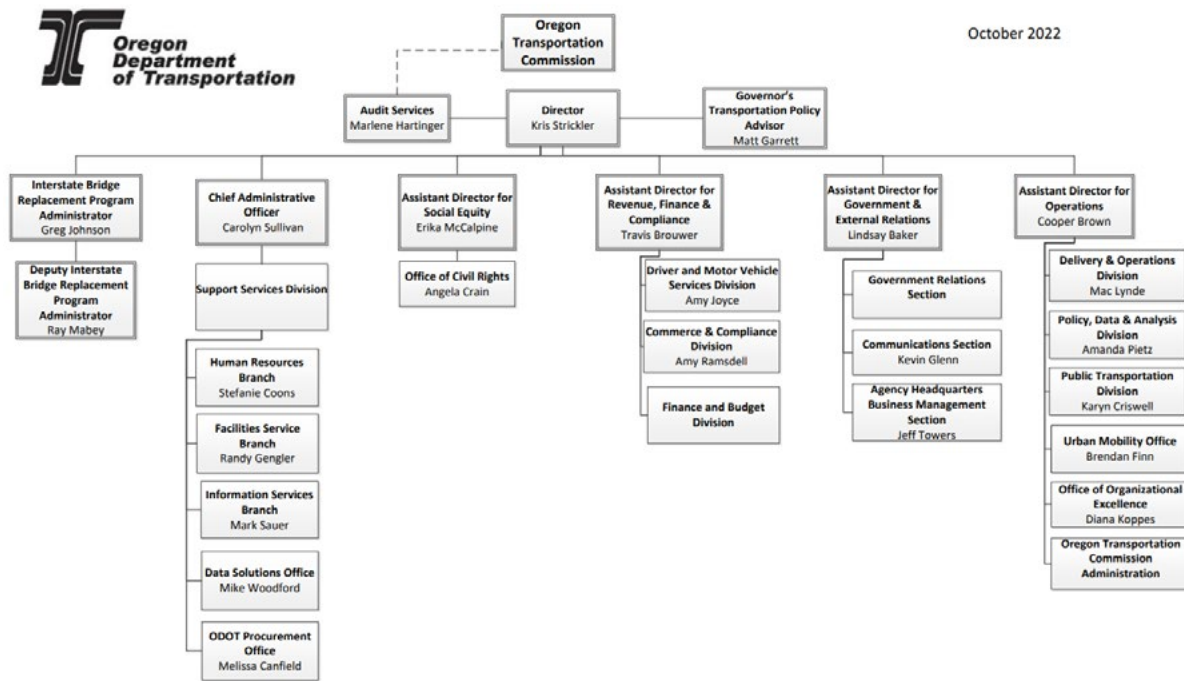
ODOT's mission is to provide a safe, efficient transportation system that supports economic opportunity and livable communities for Oregonians. To accomplish this mission, ODOT operates under the direction of agency Director Kristopher Strickler. Many parts of the agency have extensive tribal interactions and involvement, which will be discussed individually in the proceeding report.

DIRECTOR'S OFFICE

ABOUT

ODOT Director Kristopher Strickler and his staff oversee the management of the department from the headquarters office on the Oregon State Capitol Mall in Salem. Director Strickler and his team of assistant directors are working to better prepare ODOT for the future, to continue ODOT's evolution into a multimodal agency, to have a greater agency-wide focus on social equity, to be better prepared to respond to financial challenges, and to carry on the mission of the agency despite waves of retirement. The following assistant directors are responsible for carrying out this vision for ODOT:

- » Cooper Brown, Assistant Director for Operations
- » Travis Brouwer, Assistant Director for Revenue, Finance and Compliance
- » Lindsay Baker, Assistant Director for Government and External Relations
- » Erika McCalpine, Assistant Director for Social Equity



Government Relations

Carolyn Holthoff, ODOT's Tribal Relations Manager, works in concert with Trevor Sleeman, ODOT Federal Affairs Advisor and Tribal Liaison, to make up the Government Relations Tribal Affairs Team. Carolyn serves as the central points of contact at ODOT for tribal governments seeking to access ODOT's programs, services, and personnel and works to

promote communication and positive government-to-government relationships with each of Oregon's tribes, and continues to work internally with ODOT staff statewide to ensure tribal governments are appropriately involved in the agency's business. While ODOT's regional staff frequently engage with tribes on local operational issues like winter maintenance or vegetation management, as well as project delivery, the tribal relations manager and tribal liaison interacts with tribal governments on broader policy matters. This can involve a number of issues ranging from tolling to broader statewide policy initiatives. In addition, the tribal relations team also participates in meetings of the Legislative Commission on Indian Services clusters on cultural resources, natural resources, and Economic Development and Community Services. The tribal relations team disseminates to tribes information regarding state and federal grant programs and provides regular updates to agency management regarding issues of interest to tribal governments. The tribal relations team also works to assist ODOT staff members in accessing effective government-to-government trainings and other key information.

Tribal Cultural Awareness Training Series

ODOT's Tribal Relations Manager continued work on the tribal cultural awareness training series, which kicked off in the fall of 2021 and was completed in June of 2022 with a wrap up session on how ODOT coordinates with tribes. Key leaders from tribal councils, as well as cultural and historic preservation offices have led these discussions and have covered important topics like tribal sovereignty, history, cultural practices, and interactions with ODOT. In 2022, the following individuals graciously gave of their time to help raise awareness among ODOT staff across the state

- » **January 31, 2022:** Jeremy Johnson, Cow Creek Band of Umpqua Tribe of Indians
- » **February 28, 2022:** Kassandra Rippee, Coquille Indian Tribe
- » **March 28, 2022:** Courtney Krossman & Jesse Beers, Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians
- » **April 25, 2022:** Robert Kentta, Confederated Tribes of Siletz
- » **May 23, 2022:** Briece Edwards, Confederated Tribes of Grand Ronde

Land Acknowledgment Webinar

In response to the new LCIS Land Acknowledgment Guidance, and a desire to ensure that such statements are meaningful, respectful, and not performative, the ODOT Tribal Relations team worked to establish a new internal review process for the use of agency land acknowledgments. As part of this effort, ODOT worked with Patrick Flanagan, LCIS Executive Director, to deliver an agency webinar for ODOT staff on September 7, 2022, which outlined ODOT's efforts to consider land acknowledgments, but also, included a detailed discussion on the LCIS guidance and recommendations.

2020 Wildfire Response and Debris Management

ODOT wrapped up our work with the Federal Emergency Management Agency, Department of Environmental Quality, and the Oregon Office of Emergency Management on the 2020 Wildfire efforts. Protection of cultural resources was a key element throughout this work and

close coordination with Oregon's tribes was critical to the success of the fire recovery efforts. In 2021, ODOT received \$1.25 million to help address gaps in the cultural resources surveys for the 2020 wildfire recovery effort which we closely coordinated with tribes. This work is still ongoing, but should be wrapped up in 2023. As part of the overall wildfire mitigation efforts, ODOT worked with FEMA and tribes on developing a training video on culturally modified trees, a critical resource identified during the wildfire recovery work. The video is currently out for review with the tribes, but should be made available in 2023 for distribution.

ODOT's Tribal Summit on Natural and Cultural Resources

In September of 2022, with partial funding through a STIC grant from the Federal Highway Administration (FHWA), ODOT hosted its first Tribal Summit on Natural and Cultural Resources. The Summit aimed not only to improve tribal consultation, but raise awareness about tribal nations, tribal sovereignty, and create a training opportunity and cultural experience to help raise awareness across the agency. Ninety-three attendees joined the Summit at the conference center at the Boulder Falls Inn, in Lebanon, Oregon, including representatives from thirteen federally recognized Tribes from across the region who shared information on tribal sovereignty, consultation, traditional properties and cultural perspective, and how ODOT might consider better managing resources in its right-of-way. Moving forward, the agency is not only looking for ways to make this Summit a regular occurrence, but examining how that can be done in a meaningful way to make a real difference in ODOT's operations.

Oregon Transportation Commission

The Oregon Transportation Commission (OTC), ODOT's governor-appointed oversight body, is supported by staff in ODOT's Director's Office. The OTC establishes state transportation policy and also guides the planning, development and management of a statewide integrated transportation network, and hires the ODOT Director. The Commission works to rotate its monthly public business meetings to all parts of the state, including holding meetings on tribal lands.

Area Commissions on Transportation

In 1996, the OTC authorized the creation of regionally-based transportation advisory commissions known as Area Commissions on Transportation to expand opportunities for local citizen involvement in ODOT's decision-making. Tribal leaders are important participants on area commissions across the state. Area commissions address transportation issues broadly with primary focus on the state transportation system. Area commissions consider regional and local transportation issues that affect the state system, and they work with other local organizations dealing with transportation-related issues.

Area commissions play a key role in developing the Statewide Transportation Improvement Program, ODOT's four-year transportation capital improvement plan. Through an in-depth public process, and following adopted project eligibility criteria, area commissions meet regularly to prioritize transportation problems and solutions and to recommend projects in

their area for inclusion in the Statewide Transportation Improvement Program. All areas of the state are represented by area commissions. All nine federally recognized tribes are voting members on at least one area commission.

Current listing of area commissions:

- » Northwest Oregon Area Commission on Transportation
 - No current tribal representation
- » Mid-Willamette Valley Area Commission on Transportation:
 - Confederated Tribes of Grand Ronde
- » Cascades West Area Commission on Transportation:
 - Confederated Tribes of Siletz Indians
- » Southwest Oregon Area Commission on Transportation
 - Coquille Indian Tribe
 - Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
 - Cow Creek Band of Umpqua Tribe of Indians
- » Rogue Valley Area Commission on Transportation
 - Cow Creek Band of Umpqua Tribe of Indians
- » Lower John Day Area Commission on Transportation
 - Confederated Tribes of Warm Springs
- » Central Oregon Area Commission on Transportation
 - Confederated Tribes of Warm Springs
- » South Central Oregon Area Commission on Transportation
 - The Klamath Tribes
- » North East Area Commission on Transportation
 - Confederated Tribes of the Umatilla Indian Reservation
- » Southeast Area Commission on Transportation
 - Burns Paiute Tribe
- » Lane Area Commission on Transportation
 - Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
- » Region 1 Area Commission on Transportation
 - No current tribal representation

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OFFICE OF CIVIL RIGHTS

ABOUT

The Office of Civil Rights manages ODOT's implementation of federal and state programs that provide equal access to services and economic opportunities for all. All ODOT regions are required by FHWA to house an Office of Civil Rights Field Coordinator who works at the regional level to carry forward the Office of Civil Rights' mission, values, and program information.

The Office of Civil Rights has several programs that affect the nine federally-recognized tribes, and individual tribe members in Oregon. These programs include:

- » Tribal Employment Rights Ordinance Memorandum of Understanding agreements
- » Workforce Development, Equal Employment Opportunity, On-The-Job Training Programs
- » Disadvantaged Business Enterprises Program
- » Emerging Small Business Program
- » Small Contracting Program
- » Title VI Program

INTERACTIONS WITH TRIBES

Tribal Employment Rights

The most typical area of tribal interaction is through the implementation of the current memoranda of understanding ODOT has with the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Grand Ronde and the Confederated Tribes of Warm Springs to implement the "Indian hiring preference" provision in federal law.

The United States Code, Title 23, Section 140 ("Indian Employment and Construction") established preferential employment of Indians living on or near a reservation on federally funded construction projects and contracts on Indian reservation roads. This section of US Code also states that, "States may implement a preference for employment of Indians on projects carried out under this title near Indian reservations."

ODOT's Office of Civil Rights is identified as the State Liaison for the Tribal Employment Rights Office Memorandum of Understanding agreements with the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Grand Ronde, and the Confederated Tribes of Warm Springs. These signed agreements ensure that the Tribal Employment Rights Ordinance and the "Indian hiring preference" provisions of United States Code are followed for all federally funded construction projects either on or near the reservation. For each construction project subject to the agreement, hiring goals and compliance fees

are coordinated between the tribal employment rights offices and ODOT regional offices. Construction projects that are subject to Indian hiring preference provisions allow tribes the ability to set hiring goals for a tribal workforce as well as to collect fees for working within their recognized boundaries.

Workforce Development Program

ODOT and the Oregon Bureau of Labor and Industries are committed to assisting construction contractors in the highway construction trades. ODOT's goal in creating the Workforce Development program is to find, train, and employ a diverse, skilled workforce that is prepared to meet upcoming construction demands. This program is designed to expand diversity in employment, increase apprenticeship participation, and increase training resources and opportunities for highway construction jobs throughout Oregon. This program provides pre-apprenticeship classes to help diverse applicants develop the skills and knowledge they need to become qualified apprentices.

The Workforce Development Program, Equal Employment Opportunity, and On-the-Job Training programs directly impact individual tribal members as tribal apprentices are utilized through On-the-Job Training opportunities on ODOT projects. This program also offers supportive services to diverse apprentices. Supportive services include: Transportation-Travel assistance, Lodging/Per-Diem (meals-incidentals), Child Care Support, Tools, and Job Related Supplies and Retention Services. The purpose of these supportive services is to keep apprentices in their programs so they will finish their programs and journey out.

Equal Employment Opportunity

This program is a federally required affirmative action program that must be implemented by contractors and subcontractors with contracts and subcontracts of \$10,000 and more on all federally funded construction projects. Under this program, all affected contractors are required to provide equal employment opportunities to presumed socially and economically disadvantaged groups. The program sets targets for minority and female participation, which are expressed in terms of the contractor's aggregate workforce in each trade on all construction work in a covered area.

Disadvantaged Business Enterprise Program

A Disadvantaged Business Enterprise firm includes small businesses that are at least 51% owned by women or minorities (Native Americans, African Americans, Hispanic Americans, Asian-Pacific Americans and Subcontinent Asian Americans). Firms are required to be a certified Disadvantaged Business Enterprise to participate in the Disadvantaged Business Enterprise Program. The U.S. Department of Transportation establishes criteria for certification that applies to Disadvantaged Business Enterprise-eligible firms seeking contracts funded with federal transportation related money. ODOT's Regional Field Coordinators provide outreach to known Native American-owned business to provide information on how to seek certification.

Emerging Small Business Program

The mission of the Emerging Small Business Program is to create new and innovative contracting opportunities for Oregon's small business community. The program also strives to assist emerging small businesses in overcoming barriers to participating in the state's extensive public contracting procurement programs. Regional Field Coordinators provide outreach to known Native American-owned businesses to provide information on how to seek certification.

Title VI Program

Title VI of the Civil Rights Act of 1964 and associated federal laws prohibit discrimination on the basis of race, color, national origin, sex, age, and disability in ODOT's programs, activities and services. ODOT's Title VI program ensures that public funds are not spent in a way that encourage, subsidize, or result in discrimination, including by sub-recipients of federal funds distributed through ODOT. The Office of Civil Rights Intermodal Manager has regular contact with seven of the nine federally recognized tribes to assist with the development and collection of transit-related Title VI plans and semi-annual Disadvantaged Business Enterprise usage reports.

Specific Interactions in 2022

- » **March, June and September 2022:** ODOT Office of Civil Rights Region 2 Field Coordinator attended, collaborated and maintained availability for questions at Confederated Tribes of Grand Ronde's quarterly Contractor Certification trainings.
- » ODOT Office of Civil Rights Region 2 Field Coordinator presented ODOT's Tribal programs at the General Inspector Certification training(s) and discussed ODOT's three tribal employment rights programs and how inspectors interact with them in the field. These training sessions have an average of 50 attendees including inspectors from ODOT, Local Agencies, and Consulting Engineering firms. A total of eight in-person training sessions were attended in 2022.
- » **Monthly:** ODOT Region 1 and Region 2 Field Coordinators, Office of Civil Rights Manager & Confederated Tribes of Grand Ronde TERO Director and staff meet monthly to review projects, discuss questions or concerns, and brainstorm methods to effectively enhance the workforce development program.
- » Office of Civil Rights Regional Field Coordinators join preconstruction meetings with respective tribal partners to ensure the Tribal Employment program is not only discussed but that both tribal and construction staff have the necessary information for the specific project.
- » **April 15, 2022:** Region 2 Field Coordinator met with Confederated Tribes of Grand Ronde to discuss Tribal Employment Rights workers and to collaborate on ways to increase the number of tribal workers in the hiring pool. Investigated ways to provide more outreach to potential tribal workers. Discussed youth opportunities and the possibility of an outreach team to provide information to tribal youth.
- » **April 21, 2022:** Region 2 Field Coordinator presented the ODOT Tribal Employment Rights Ordinance program to the Portland Business Development Group. During the presentation, a general overview of ODOT's three Tribal programs was provided followed by a question and answer session.

- » **May 21-26, 2022:** Region 3 Field Coordinator met with the Coquille Tribe's new Higher Education Coordinator to share information on workforce development opportunities with apprenticeships, internships, as well as ODOT's involvement in the Coquille Tribe Career and College Fairs. Facilitated an introduction between the new Higher Education Coordinator and the director of Alternative Youth Activities (AYA).
- » **April 12, 2022:** Provided the 2022 Women in Wildfire Boot Camp application to Cow Creek Band of Umpqua Tribe of Indian's Tribal Youth Council Lead Advisor of the Bureau of Land Management.
- » **April 15, 2022:** Field Coordinators from regions 1, 2, and 5 met with Confederated Tribes of Grand Ronde TERO Director. Discussed the Confederated Tribes of Grand Ronde's vision and future as well as the successful completion of a class of CDL drivers, who are beginning to be dispatched on ODOT projects.
- » **April 29, 2022:** Field Coordinators from regions 1, 2, and 5 met with the Confederated Tribes of Warm Springs TERO Director to establish and maintain a solid working relationship with new ODOT Staff.
- » **May 13, 2022:** Region 1 Field Coordinator met with CTGR TERO Director to discuss TERO Annual Report, as well as the many upcoming ODOT Projects with TERO Goals in Region 1.
- » **July 12, 2022:** Region 2 Field Coordinator met with the International Laborers Union of North America Training Director & Business Agent. Discussed methods to increase tribal involvement with Union Apprenticeship. Methods included direct entry options, hands-on activities and outreach tailored to youth involvement.
- » **August 3, 2022:** Region 1 Field Coordinator met with the Confederated Tribes of Warm Springs Director to discuss TERO MOU and Core Crew TERO workforce.
- » **August 4, 2022:** ODOT's Office of Civil Rights hosted an introduction meeting between Confederated Tribes of Grand Ronde & the International Laborers Union of North America. Facilitated a kick-off brainstorming session on how the organizations could work together to improve tribal involvement.
- » **August 11, 2022:** Region 1 Field Coordinator met with Confederated Tribes of Grand Ronde TERO Director to discuss TERO reporting. CTGR TERO Director shared plans for CTGR and explored ideas about how ODOT will help provide opportunities.
- » **September 9, 2022:** Region 1 Field Coordinator met in-person with Confederated Tribes of Grand Ronde TERO Director, and Confederated Tribes of Grand Ronde staff. Reviewed Confederated Tribes of Grand Ronde quarterly update. Discussion included the goal to incorporate Indian Owned Businesses into the Tribal Employees Rights Ordinance.
- » **November 2, 2022:** Region 3 Field Coordinator shared information regarding Connect – 2 – Oregon with the Coquille Tribe, Cow Creek Band of Umpqua Tribe of Indians and the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI).
- » **November 16, 2022:** ODOT & Confederated Tribes of Grand Ronde annual project selection meeting. The Office of Civil Rights Manager, Region 1 and Region 2 Field Coordinators attended the selection meeting. The agenda of this meeting includes reviewing the "big picture" for upcoming projects, the previous year's projects and goals, areas that need improvement, and program successes.

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FUELS TAX GROUP

ABOUT

ODOT's Fuels Tax Group administers the Fuels Tax Laws pursuant to Oregon Revised Statutes Chapter 319. The Fuels Tax Group is part of the Financial Services Branch of ODOT's Finance and Budget Division.

The 2021 Oregon Legislature passed House Bill 3055. The bill includes a provision that allows federally recognized tribes who operate service stations on reservation or trust land to purchase tax exempt Motor Vehicle Fuel from licensed Motor Vehicle Fuel Dealers. The provision applies to fuel sold on or after January 1, 2022. In 2022, two tribes have registered with Oregon to take advantage of this provision.

- » **Confederated Tribes of the Umatilla Indian Reservation:** The tribes operate the Arrowhead Travel Plaza and the Mission Market
- » **Confederated Tribes of the Grand Ronde Community of Oregon:** The tribes operate the Grand Ronde Station

The Fuels Tax Group administers the fuel tax refund program that, for fuel sold on the reservation, allows tribes to obtain refunds of fuel taxes paid by tribal members for fuel used on reservation lands. Under that program, the Fuels Tax Group administers the following intergovernmental agreements:

- » **Confederated Tribes of Warm Springs:** The tribes, their fuel suppliers, and the operators of 3 Warriors Markets, DMJ Automotive Services, and the Plateau Travel Plaza, collect state taxes on fuel sold on the reservation and remit the taxes collected to the Fuels Tax Group. The Fuels Tax Group then refunds a portion of the taxes collected to the tribes for tribal use. This agreement is operating successfully.
- » **The Klamath Tribes:** The tribes, and their fuel suppliers, collect state taxes on fuel sold at the Crater Lake Junction Travel Center and remit the taxes collected to the Fuels Tax Group. The Fuels Tax Group refunds a portion of the taxes collected to the tribes for tribal use. This agreement is operating successfully.

Additionally, all federally recognized tribes are eligible to receive refunds of fuels tax paid for fuel used in tribal government vehicles when used for official business. Currently only the Confederated Tribes of Warm Springs, and the Klamath Tribes apply for refunds. The Fuels Tax Group will continue its outreach to inform tribes of the opportunities regarding fuels tax refunds.

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DRIVER AND MOTOR VEHICLE SERVICES DIVISION

ABOUT

ODOT's Driver and Motor Vehicle Services Division (DMV) issues driving privileges, identification cards, vehicle registrations, and vehicle titles to members of the nine federally recognized tribes in Oregon. Tribal members can access these services by visiting any of the 60 DMV field offices across Oregon, going online through [DMV2U.oregon.gov](https://dmv2u.oregon.gov), and via mail at DMV Headquarters. DMV's Transportation Safety Office (TSO) is responsible for promoting activities that reduce the number and severity of highway crashes in Oregon. This is primarily accomplished through community programs, and strategic and long-range planning efforts.

Tribal identification cards and tribal government-issued birth certificates from members of all nine federally recognized tribes are accepted as proof of identity when applying for a standard Oregon driver license, driver permit, or identification card.

Government-exempt vehicle registrations and license plates are issued to all nine federally recognized tribes when tribal governments apply to register any government-owned vehicles. In addition, the department continues to title and register motor vehicles owned by tribal members which are operated outside of reservation boundaries.

INTERACTIONS WITH TRIBES

DMV makes contact with all tribal governments when implementing new or amended state or federal laws, administrative rules or DMV policies. Information is distributed via newsletters, bulletins, fact sheets and frequently asked questions via the same broad-based outreach effort used to communicate with all Oregonians. This communication is distributed throughout the implementation process. DMV welcomes feedback from tribal communities to understand how a given change will affect their communities.

Since July 2020, Oregon has offered optional driver licenses and identification cards that are compliant with the federal REAL ID Act. Holders of REAL ID credentials will be allowed to board domestic commercial flights after May 3, 2023, without additional documentation. To obtain a REAL ID credential, federal regulations require applicants to provide proof of lawful status. Acceptable proofs for U.S. citizens include a government-issued birth certificate, a valid passport, a Certificate of Citizenship, or a Certificate of Naturalization. Federal REAL ID regulations do not include tribal cards as acceptable proof. However, the Transportation Security Administration (TSA) will continue to accept federally recognized tribal-issued photo ID to board domestic commercial aircraft. Tribal identification cards remain acceptable as proof of identity for standard Oregon driver licenses and identification cards. Information regarding the acceptance of tribal identification cards for identity purposes can be found on DMV's website.

The Real ID Communication Plan identifies tribal governments as one of the focuses of the outreach effort. Relevant information was provided directly to tribal government contacts during the REAL ID implementation process. In January 2022, a letter describing the need to prepare for the upcoming REAL ID enforcement was sent to the tribal leaders of each of Oregon's nine federally recognized tribes. Along with information about REAL ID, the letters included information about recently passed legislation that allows customers to register emergency contacts that can be accessed by law enforcement in the event of a crash, and add a deaf or hard of hearing indicator to a driver license or vehicle registration. We asked for their feedback, but no tribal representatives responded. In March 2022, a similar message about preparing for REAL ID enforcement was sent to the editors of each tribes' newspaper or newsletter. Additional information will be provided through a public education campaign targeting all Oregonians in the months leading up to the federal Real ID enforcement date of May 3, 2023. And, DMV will again contact each Tribe with information particularly relevant to Tribal members.

DMV has updated our communications protocol when implementing legislation, to ensure that Tribes are specifically notified on bills that might impact their members. False document recognition training is delivered to tribal government employees upon request. This type of training is most frequently used to help gaming employees detect altered or counterfeit identity documents.

DMV provides photographs, vehicle owner information and other records directly to tribal law enforcement agencies. These records are used to aid with ongoing tribal law enforcement investigations.

Safety focus

In TSO, the Community Program assists local governments, non-profits and volunteers to initiate and conduct ongoing transportation safety programs and activities in their jurisdiction or area of interest. TSO seeks to direct community representatives to grants that improve the safety of the traveling public. Tribal governments are eligible and do access the materials and resources of TSO's community programs.

TSO's strategic and long-range planning program develops and updates the state's Transportation Safety Action Plan to guide transportation safety efforts across multiple agencies statewide. This plan also serves as the state's required Strategic Highway Safety Plan which guides investments in traffic safety improvements in infrastructure and non-infrastructure (education and enforcement). Tribal governments are specifically invited to participate in the development of these safety planning efforts.

Specific Interactions in 2022

- » Child Passenger Safety Technicians Certification Course was held in Region 1 with support from TIPCAP (Tribal Injury Prevention Cooperative Agreement Program) and Native CARS (Native Children Always Ride Safe); seven tribal technicians were certified in June.

- » Collaborated with Burns Paiute Tribal Prevention Coordinator to provide DUII-related training in August. BPT Prevention promoted the training which was attended by multiple tribal members.
- » A Yellowhawk Tribal Health Clinic staff member from the Confederated Tribes of the Umatilla Indian Reservation attended Child Passenger Safety training and provided seat checks to tribal members. This technician worked closely with the local hospital to distribute seats for low income tribal families. The clinic is considering accepting a grant to create their own program.
- » Confederated Tribes of the Umatilla Indian Reservation Tribal PD sent one officer to the DUII Multi-Disciplinary Team Meeting for Morrow/Umatilla Counties in June. Multiple officers and tribal representatives also attended DUII-related training held in Pendleton in August. Tribal police officers received all notices for available scholarships, grants, and training opportunities.
- » Approximately 200 pedestrian safety-focused comic books were sent to the Fire Chief of the Confederated Tribes of the Warm Springs to distribute to schools on the reservation, along with guidance on ordering additional traffic safety publications for future community events.
- » Staff connected the Fire Chief of the Confederated Tribes of the Warm Springs to the District 10 North Traffic Incident Management team for collaboration in incident management in an effort to improve incident response and highway user safety.

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COMMERCE AND COMPLIANCE

ABOUT

Commerce and Compliance Division (CCD) seeks to promote a safe, efficient and responsible commercial transportation industry by:

- » Simplifying compliance.
- » Preserving the infrastructure.
- » Delivering superior customer service.

CCD is continually developing innovative strategies to simplify regulatory processes and improve the way it conducts business in Oregon. CCD ensures the safety of all users on the transportation system, from the highways to railways.

CCD's permitting and enforcement procedures helps ensure that commercial vehicles traveling across Oregon's transportation system are compliant with all safety regulations. CCD's programs also help to ensure the integrity of the state's infrastructure, protecting roads, bridges and rails from unnecessary damage and wear and tear.

CCD works with state and local law enforcement, including tribal police to ensure compliance to the federal and state regulations for motor carriers and protecting infrastructure. CCD operates six ports of entry across the state as well as many more scale house facilities for the purpose of regulating motor carriers.

INTERACTIONS WITH TRIBES

CCD makes contact with tribal governments when implementing new or amended state and/or federal laws, administrative rules or CCD policies. Information is distributed via gov delivery, bulletins, fact sheets via broad based outreach efforts used to communicate with Oregonians and Law Enforcement.

CCD also makes contact with Tribal Law Enforcement Officers when conducting law enforcement training as it applies to motor carrier regulations or human trafficking awareness campaigns.

Commerce and Compliance Division Tribal Interactions in 2022:

- » **June 22, 2022:** Law Enforcement representatives from the Confederated Tribes of Umatilla attended the Umatilla/Morrow County Impaired Driving meeting held at the Eastern Oregon Trade and Event Center in Hermiston. The meeting was facilitated by Region 5 Traffic Safety Coordinator Billie Jo Nickens, and Ryan Stone, ODOT's Driving Impaired Program Manager. The focus of this meeting was to take a multi-agency and jurisdictional approach to combatting impaired driving. Maureen McNeill, MC Enforcement Blue

Mountain Region Manager, took the opportunity to discuss with the tribal representatives CMV traffic and parking issues specifically during winter events and closures in and around the areas of exit 216 and exchanged contact information.

- » **June 23, 2022:** Maureen McNeill contacted the Confederated Tribes of Umatilla Tribal Police (Sgt. Bingham and staff) as a follow-up to the prior day's meeting and included ODOT's work surrounding the awareness and prevention of Human Trafficking, which included MMIP (missing and murdered indigenous people).
- » **August 5, 2022:** At the invitation of Maureen McNeill, Sgt. Bingham and a Tribal Police Detective joined the Truckers Against Trafficking HT Training for Law Enforcement in Umatilla.

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DELIVERY AND OPERATIONS DIVISION

ABOUT

ODOT's Delivery and Operations Division (formerly the Highway Division) is responsible for the maintenance, operations, preservation, and improvement of the state's multimodal transportation system. The Delivery and Operations Division is responsible for delivering major construction programs like the large transportation investment package passed by the Oregon State Legislature in 2017 (Keep Oregon Moving) as well as federally funded projects included in the Statewide Transportation Improvement Program – ODOT's four year capital improvement program. The Delivery and Operations Division maintains nearly 2,700 bridges and more than 8,000 centerline miles of state highway. Typical maintenance work includes emergency road repairs, snow removal, vegetation management, patching potholes, and incident response. Several state highways provide access to, or run directly through, tribal lands. The Delivery and Operations Division's maintenance forces and construction staff frequently interact with tribal governments in this capacity.

Regions

Much of the Delivery and Operations Division's work is accomplished through ODOT's five geographic regions. Each region is responsible for the construction, maintenance, and operations of the state highway system within its boundaries. ODOT's regions serve as the primary liaisons to local governments and other regional stakeholders, including the area commissions on transportation. ODOT staff members from regional offices participate in local government transportation planning and oversee the delivery of federally funded local projects.

Each region conducts project development and construction activities. Within the regions, these construction activities are divided geographically by area. The area offices typically take the lead in developing environmental documents to address the National Environmental Policy Act in advance of preliminary and final design work. Coordination with tribal governments occurs not only due to regulatory requirements, but because ODOT works in partnership with tribes across the state.

Once regulatory approvals have been granted, region staff goes through a process of preliminary and final design for ODOT projects within their areas. Region staff coordinates with tribal governments, as appropriate, based on possible impacts identified during the environmental documentation process.

After completion of preliminary and final design, region offices manage the construction process. Tribal interests, resources, and concerns, as identified through the environmental documentation process and through preliminary and final design, are managed during the construction process.

Region staff funds and conducts a variety of long-range planning activities, in coordination with local governments, stakeholders, and the general public. Planning staff work directly with tribes to ensure proper consultation on long-range planning documents. These efforts establish public support for system management and improvement priorities and set the stage for subsequent project development and implementation when funding is available.

Each region conducts maintenance activities on the state highway system. Within the regions, these maintenance activities are subdivided into districts. District offices routinely coordinate maintenance activities with tribal governments, including traffic control during events, highway closures and other emergency activities, snow removal and other winter maintenance, lane closures, construction delays, severe weather events, and other restrictions.

Region staff members have some of the most frequent face-to-face interactions with tribes because of their local focus.

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DELIVERY AND OPERATIONS DIVISION: REGION 1

ABOUT

ODOT Region 1 encompasses Clackamas, Hood River, Multnomah, and Washington counties. The Region 1 headquarters office is located in Portland. Construction offices in west Portland, east Portland, and Troutdale administer construction contracts which may have tribal involvement. Offices in Clackamas and Troutdale house district maintenance functions.

INTERACTIONS WITH TRIBES

Area Commissions on Transportation

The Region 1 Area Commission on Transportation covers Clackamas, Hood River, Multnomah, and Washington counties and does not currently have a tribal government representative as a voting member.

Hood River Bridge Replacement Project

ODOT and FHWA are coordinating with the Port of Hood River to continue consultation with federally recognized tribes with a connection to the project area. The primary purpose of this project is to improve multi-modal transportation of people and goods across the Columbia River between the Hood River and White Salmon/Bingen communities by replacing the existing Hood River-White Salmon Bridge.

FHWA, along with the Port of Hood River and Oregon Department of Transportation, are the joint lead agencies for compliance with the National Environmental Policy Act. In April 2019, FHWA invited the following tribes to become Participating Agencies in the development of a supplemental draft environmental impact statement for the project: Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, and Confederated Tribes of the Umatilla Indian Reservation. These same tribes were recognized as consulting parties under Section 106 of the National Historic Preservation Act and results of the cultural resources reports were shared with each of the consulting tribes. The Confederated Tribes of Warm Springs and the Confederated Tribes of the Umatilla Indian Reservation have reserved fishing rights along the Columbia River, as stipulated in their respective treaties with the United States Government.

In 2022, FHWA, ODOT and the Port of Hood River met with a special joint session of the Fish and Wildlife Commission together with the Cultural Resource Committee of the Confederated Tribes of the Umatilla Indian Reservation. At this joint session project details were provided to the Tribe with preliminary findings of anticipated impacts to established Treaty Fishing areas and effects to cultural resources. Also in 2022, FHWA, ODOT and the Port of Hood River held

a series of Section 106 Consulting Party Meetings which were attended by representatives of the Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, and Confederated Tribes of the Umatilla Indian Reservation.

Earthquake Ready Burnside Bridge Feasibility Project:

ODOT and FHWA are coordinating with Multnomah County to continue consultation with federally recognized tribes with connections to the Burnside Bridge project area. The purpose of the proposed project is to create a resilient lifeline crossing over the Willamette River that will withstand a major earthquake. FHWA is the lead federal agency for compliance with the National Environmental Policy Act. In September 2018, FHWA invited the following tribes to become a Participating Agency in the development of an environmental impact statement: Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, and Confederated Tribes of the Umatilla Indian Reservation. In 2022, FHWA, ODOT and Multnomah County held two consulting parties' meetings which were attended by representatives of the Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, and Confederated Tribes of the Umatilla Indian Reservation. ODOT also met separately with the Confederated Tribes of Grand Ronde to review specific tribal concerns in greater detail.

Cascade Locks Marine Park Trail Planning Project:

ODOT and FHWA are coordinating with the Port of Cascade Locks to continue consultation with federally recognized tribes with connections to the Cascade Locks Marine Park project area. This project is a planning effort on the development of a trail network within Cascade Locks Marine Park for park's Master Plan. This effort includes some preliminary design. In 2022, FHWA, ODOT and the Port of Cascade locks held two consulting parties' meetings on the proposed trail network which were attended by representatives of the Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, and Confederated Tribes of the Umatilla Indian Reservation. Two onsite visits were attended by the Confederated Tribes of Warm Springs.

US 30: Troutdale (Sandy River) Bridge (MP 0 – MP .03) Project:

ODOT, in partnership with FHWA, is proposing to repair the Sandy River Bridge in Troutdale, Oregon. Pier 2, located in the Sandy River, is supported by a spread footing that is bearing on colluvial deposits consisting of large basalt boulders and conglomerate and doesn't appear to be founded on intact bedrock. The colluvial deposits could be susceptible to scour depending on river flows and conditions. ODOT is proposing to install riprap surrounding the base of Pier 2 to protect it from future scour. ODOT is proposing to construct a temporary access road from a small dirt pullout at the northeast margin of the bridge to Pier 2 on the east bank of the Sandy River. This method may require some minimal ground disturbance and/or vegetation removal. The project area has a high probability for buried cultural deposits. On August 28, 2022, ODOT met with representatives of the Confederated Tribes of the Grand Ronde Community of Oregon cultural staff at the Troutdale (Sandy River) Bridge to discuss the project and implications specific to cultural resources.

Additional Tribal Meetings in 2022:

- » **September 9, 2022:** ODOT and FHWA staff met in person with representatives from the Confederated Tribes of the Grand Ronde Community of Oregon to discuss Region 1 project updates.
- » **November 15, 2022:** ODOT and FHWA staff met in person with the Confederated Tribes of the Umatilla Indian Reservation Cultural Resources Committee and cultural staff to discuss Region 1 project updates.

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DELIVERY AND OPERATIONS DIVISION: REGION 2

ABOUT

ODOT Region 2 encompasses Benton, Clatsop, Columbia, Lane, Linn, Marion, Polk, Tillamook, and Yamhill counties, and a portion of western Washington County. The Region 2 headquarters office is located in Salem. Offices in Salem, Astoria, Corvallis, and Springfield house local maintenance, planning, project delivery, and construction functions. The government offices of the Confederated Tribes of Grand Ronde and the Confederated Tribes of Siletz Indians are within Region 2.

Area Commissions on Transportation

Region 2 includes four area commissions on transportation. The Mid-Willamette Valley Area Commission on Transportation covers Marion, Polk, and Yamhill counties. The Confederated Tribes of Grand Ronde participate as a full voting member on this Area Commission on Transportation. The Cascades West Area Commission on Transportation covers Linn, Benton, and Lincoln counties. The Confederated Tribes of Siletz Indians participate as a full voting member on this Area Commission on Transportation. The Lane Area Commission on Transportation covers Lane County. The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians participate as full voting members on this Area Commission on Transportation. The Northwest Oregon Area Commission on Transportation covers Clatsop, Tillamook, Columbia, and rural western Washington counties; no tribal government is represented on this Area Commission on Transportation.

ODOT Tribal Summit on Natural & Cultural Resources

Region 2 staff attended the first annual Tribal Summit Conference. This was a one-and-a-half-day conference in Lebanon to learn about coordination methods, issues to consider in projects, and how to enhance partnership with tribes.

Interactions with Tribes

Region 2 interacts regularly with designated tribal staff to discuss the Statewide Transportation Improvement Program, maintenance projects, and other relevant topics. Discussions typically involve project scope and status, as well as the status and results of archaeological surveys. These interactions provide opportunities for collaboration as well as discussion of avoidance measures and protections for cultural sites.

Region 2 Maintenance

Highway maintenance activities in Region 2 are conducted through district offices in Salem, Astoria, Corvallis, and Springfield. Region 2's district offices routinely coordinate maintenance activities with tribal governments. Typical activities include traffic control during events,

highway closures and other emergency activities, lane closures, construction delays, severe weather events, and other restrictions.

ODOT District 3 has worked with the Region 2 Environmental staff to maintain a 'no mow' area at milepost 12 of OR 22W where the Confederated Tribes of Grand Ronde collects and monitors butterfly larvae. The district office has also issued three permits to the Grand Ronde Water Association for maintenance and operation of their facilities. District 3 has been working with The Confederated Tribes of Grand Ronde a homeless issue located at I-5 milepost 252 behind the sound wall at Cascade Gateway Park in Salem.

ODOT's District 4 office (Linn, Benton, and Lincoln Counties) has executed an intergovernmental agreement (extended through 2023) with the Confederated Tribes of Siletz Indians to allow tribal members to collect Camas Bulbs at two specific locations on ODOT-owned right of way. ODOT's District 5 Office (Lane County) has been working with the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians to discuss the Tribes' interest in the Waite Ranch Wetlands Restoration Project located east of Cushman on OR 126W that is solely owned by the McKenzie River Trust.

Region 2 Construction and Project Delivery

During July 2022, Region 2 completed recruitments for new area managers in Salem (Area 3) and Eugene/Springfield (Area 5). A representative from the Confederated Tribes of Grand Ronde and a representative from the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians respectively participated in the interview and selection process.

OR 18/Fort Hill to AR Ford Road:

ODOT continues to work on the next phase of improvements on OR 18 in the Fort Hill/Grand Ronde area. This project is considering options for improvements at the OR 18/OR 22 intersection (Valley Junction) and widening of the highway consistent with the improvement project completed between Fort Hill and Wallace Bridge. Staff from the Confederated Tribes of Grand Ronde are active participants in this project development activity. Work on a facility plan has been completed and submitted to Polk County for adoption prior to approval by the ODOT.

US 20: Pioneer Mountain – Eddyville:

Region 2 Construction staff and the Confederated Tribes of Siletz Indians continued negotiations for the transfer of surplus ODOT property to the Tribes that is currently within the US 20 Pioneer Mountain – Eddyville project area. These negotiations have been ongoing, appraisals are complete, and conservation easement and property transfer agreements are currently being reviewed.

OR34: Van Buren Bridge:

Region 2 Project Delivery and Cultural Resources staff did outreach for the historic and archeological elements of the bridge project. The Confederated Tribes of Siletz and the Confederated Tribes of Grand Ronde participated in the visual aesthetics development for features of the potential new bridge.

OR18/Grand Ronde Rectangular Rapid Flash Beacon:

Project will provide upgrades to the existing pedestrian crossing by installing a rectangular rapid flashing beacon crossing along with advanced warning flashers and increased illumination at the intersection. Confederated Tribes of Grand Ronde has expressed support for this project, which went to bid in May 2022. Construction is scheduled to begin late fall 2022.

Region 2 Planning and Development Review

There was no consultation within Area 1 for 2022, although tribes were invited to the facility plan for US 101 in Gearhart.

Region 2 funds and conducts a variety of long-range planning activities in coordination with tribes, local governments, and the general public. These efforts establish public support for system management and improvement priorities and set the stage for subsequent project development and implementation when funding is available.

Ongoing long-range planning projects include:

- » Newport Transportation System Plan
- » Willamina Transportation System Plan
- » A joint Transportation System Plan for Wheeler, Nehalem, and Manzanita
- » An Interchange Area Management Plan for I-5/Brooklake Road (Brooks)
- » A Facility Plan for OR 99W in South Corvallis
- » A Facility Plan for US 101 in Gearhart
- » An Active Transportation Safety Study on the OR 99W Couplet in McMinnville
- » Creswell OR 99 Feasibility and Scoping Study
- » Oregon Coast Bike Route Plan
- » Oregon Coast Trail Plan
- » OR 6 Corridor Study
- » OR 126 East Highway Safety Study

Tribal governments have been invited to participate in each of these studies.

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DELIVERY AND OPERATIONS DIVISION: REGION 3

ABOUT

ODOT Region 3 encompasses Coos, Curry, Douglas, Jackson, and Josephine counties. The Region 3 headquarters office is in Roseburg. Offices in Roseburg, White City and Coquille house local maintenance and construction functions. The government offices of the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, are within Region 3. The Confederated Tribes of the Grand Ronde, Confederated Tribes of Siletz Indians, and the Klamath Tribes also have ancestral ties to Region 3.

Area Commissions on Transportation

Region 3 has two area commissions on transportation. The Rogue Valley Area Commission on Transportation covers Jackson and Josephine counties, and the Southwest Oregon Area Commission on Transportation covers Coos, Curry, and Douglas counties. The Rogue Valley Area Commission on Transportation includes representation from the Cow Creek Band of Umpqua Tribe of Indians. The Southwest Oregon Area Commission on Transportation includes representation from the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. The Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, and the Klamath Tribes requested to participate as ex officio members and receive notifications.

INTERACTIONS WITH TRIBES

Region 3 Maintenance

Modification and maintenance of state highways can potentially have impacts on abutting properties. A number of federally recognized tribes own property, both in fee and in trust, throughout southwestern Oregon; some of that property abuts state highways. Maintenance managers and staff regularly contact tribal governments whose properties or interests might be impacted by maintenance activities.

Region 3 Maintenance generates approximately 30 projects a year within Region 3. Examples of typical projects include culvert repairs or replacements, scour repairs, and minor drainage improvements. Region 3 Maintenance is also charged with maintaining the ODOT right of way. In general, the Region 3 Archaeologist/Tribal liaison consults with the tribes that have ancestral ties to the project location.

Seven Feathers Truck Stop: Region 3 has worked with the Cow Creek Band of Umpqua Tribe of Indians on traffic backups that have been occurring on the frontage road near the Seven Feathers truck stop. Region 3 is monitoring, and staff have provided the Tribe with some

signage improvements. Region 3 staff has ongoing communications regarding capacity issues at the southbound Exit 99 onramp and discuss when the gate will be closed to ensure safe operations of the facility.

Wetland Bank: Region 3 has worked with the Cow Creek Band of Umpqua Tribe of Indians to adjust drainage from I-5 onto Tribe owned land to create a wetland bank near milepost 104.

Winston Surplus Land: Region 3 has worked with the Cow Creek Band of Umpqua Tribe of Indians to identify ODOT surplus land for disposition near OR 99 in Winston.

Winter Maintenance: Region 3 Maintenance coordinates with the Cow Creek Band of Umpqua Tribe of Indians on closures on state facilities due to inclement weather.

Illegal Camping: Region 3 Maintenance works with Cow Creek Band of Umpqua Tribe of Indians Police Department to share information about areas with illegal camping. In particular, Region 3 and the Tribe have coordinated to address areas of concern near Interstate 5 and Yokum Road bridge as well as at the bridge between Dillard and Winston where both ODOT and the Tribe manage adjacent properties.

Region 3 Construction and Project Delivery

Similar to Region 3 Maintenance, Region 3 Construction staff work with tribal governments whose properties or interests might be impacted by construction activities. This coordination is facilitated by the Region 3 Archaeologist/Tribal liaison. Region 3 Construction staff is charged with implementing the Statewide Transportation Improvement Program – ODOT’s four-year capital improvement program. All projects in this program generated tribal coordination in 2022. Coordination happens early in the design phase, throughout project development, and if requested through the construction phase.

Region 3 Environmental

In addition to the above, Region 3 Environmental interacts regularly with designated tribal staff to discuss the Statewide Transportation Improvement Program, Local Agency Program, and maintenance projects. Discussions typically involve the identification of archaeological sites and culturally significant vegetation. Opportunities for collaboration as well as avoidance measures or protections for cultural sites are also discussed.

Region 3 Planning

Region 3 Planning continues to reach out to the Cow Creek Band of Umpqua Tribe of Indians, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, and the Coquille Tribe regarding applicable grants, invitations, and planning-related and transit initiatives. Region 3 Planning manages the development of state and federally required transportation planning documents. These documents can include plans for future transportation projects to improve the transportation system, to improve safety, and relieve congestion. Plans can also include policies designed to reduce the impact of property development on the transportation system. Planning staff regularly interact with tribes when tribal interests or property might be affected by decisions made in transportation plans.

Planning staff conduct outreach to tribes whose properties and other areas of interest coincide with the study area of a given planning effort. Tribes are invited to participate on review committees for planning efforts. Planning staff annually interact with tribal government staff regarding planning grant programs like the Transportation and Growth Management Program (see Policy Data and Analysis Division section of this report for more on this grant program).

Planning staff conduct reviews of potential land use changes and developments. Planning staff have worked with the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians on tribal property developments to ensure that tribal interests and the state transportation system are both accommodated.

Planning staff have or are currently working on the following long-range plans with Tribal Governments:

- » **Umpqua Public Transportation District Master Plan:** The newly formed Umpqua Public Transportation District is developing its first transit master plan. The project is funded through ODOT's Transportation Growth Management program and will identify eligible transit improvements. The Cow Creek Band of Umpqua Tribe of Indians was invited to participate in focus groups and on advisory committees to determine efficiencies in transit service for Tribal members and receive monthly project status updates via email.
- » **OR138E Design Concept Plan:** ODOT is in negotiations with a consultant to prepare the OR 138E Design Concept Plan. The plan will identify roadway, bicycle and pedestrian improvements for OR 138E from Stephens Street east to the Roseburg city Limits. The Cow Creek Band of Umpqua Tribe of Indians will be invited to participate in focus groups and on advisory committees and receive monthly project status updates via email.
- » **US 199 Corridor Plan:** ODOT is working with Josephine County to prepare the US 199 Corridor Plan. The plan will identify roadway, bicycle and pedestrian improvements for US 199 from the Applegate River west to the California border. The Confederated Tribes of Siletz Indians and the Confederated Tribes of Grande Ronde have been invited to participate in focus groups and on advisory committees and receives monthly project status updates via email.
- » **Interstate 5 Exit 27 Interchange Area Management Plan Update:** ODOT is developing a Transportation Solutions and Alternate Mobility Target for the Interstate 5 Exit 27 Interchange Areas Management Plan Update. The update will identify roadway, bike and pedestrian safety and operations improvements within the interchange influence area, and an Alternative Mobility Target for the South Medford Interchange. The Confederated Tribes of Siletz Indians and the Confederated Tribes of Grande Ronde receive monthly project status updates via email.
- » **Interstate 5 Exit 124/125 Interchange Area Management Plan Update:** ODOT is developing a statement of work for the Interstate 5 Exit 124/125 Interchange Area Management Plan update. The update will identify roadway, bike and pedestrian improvements within the interchange influence area. The Cow Creek Brand of Umpqua Tribe of Indians, Confederated Tribes of Siletz Indians and the Confederated Tribes of Grande Ronde will be invited to participate and receive monthly project status updates via email.

- » **City of Winston Transportation System Plan Update:** ODOT is working with the City of Winston to update its Transportation System Plan. The Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribes of Grand Ronde, and the Confederated Tribes of Siletz Indians receive monthly email updates on project process.
- » **Douglas County Transportation System Plan Update:** ODOT is working with Douglas County to update its Transportation System Plan. The Cow Creek Band of Umpqua Tribe of Indians, Coquille Tribe and Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians are members of the Technical Advisory Committee and receive email updates on project process. The three tribes have each been consulted and invited to review project deliverables for consistency with tribal efforts.
- » **Curry County Transportation System Plan Update:** ODOT is working with Curry County to update its Transportation System Plan. The Confederated Tribes of Grand Ronde, and the Confederated Tribe of Siletz Indians have been invited to attend and also receive email updates on project process. The three tribes have each been consulted and invited to review project deliverables for consistency with tribal efforts.
- » **Curry County Transit Master Plan:** ODOT is working with Curry County Transit to develop a Transit Master Plan. This project is funded through the Transportation Growth Management program. The Confederated Tribes of Grand Ronde, and the Confederated Tribe of Siletz Indians have been invited to attend and also receive email updates on project process. The plan is currently under development.
- » **Rogue Umpqua Bicycle Pedestrian Plan:** ODOT is working with FHWA-Western Federal, United State Forest Service, Bureau of Land Management, National Parks Service, and the Cow Creek Band of Umpqua Tribe of Indians to develop a bicycle-pedestrian plan for the Rogue-Umpqua Scenic Byway. The project was scoped in a field trip with the Cow Creek Tribe attendance. This work incorporates a transportation master plan prepared by Western Federal and a Viewshed Management Plan prepared by the United State Forest Service. A potential update to the Scenic Byway Plan was also scoped. Work will commence in 2023.

Other Interactions

Region 3 management met on Dec. 2 with Coquille Indian Tribe to have consultation on the 24-27 STIP. There was a consultation/coordination meeting on Dec. 7 with the Cow Creek Band of Umpqua Tribe of Indians to reestablish processes and procedures as they have had a lot of changes. We also had a consultation on the 24-27 STIP.

Region 3 management had a meeting on January 13, 2022, with the Coquille Indian tribe to discuss current and upcoming projects and historical issues. There was a similar meeting with the Cow Creek Band of Umpqua Tribe of Indians on September 29 and a discussion with the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians on December 12.

Region 3 is currently implementing an ODOT pilot program regarding staging and disposal site selection. This pilot program is intended to facilitate better coordination with tribes regarding contractor designated staging areas.

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DELIVERY AND OPERATIONS DIVISION: REGION 4

ABOUT

ODOT Region 4 encompasses Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Morrow, Sherman, Wasco, and Wheeler counties. The Region 4 headquarters office is in Bend. Offices in Bend, The Dalles, and Klamath Falls house local maintenance and construction functions. ODOT Region 4 primarily interacts with tribal governments in the areas of highway maintenance, construction project delivery, planning, and traffic. The government offices of the Klamath Tribes and the Confederated Tribes of Warm Springs are within Region 4.

Area Commissions on Transportation

Region 4 includes three area commissions on transportation with tribal representation. The Lower John Day Area Commission on Transportation covers Gilliam, Sherman, Wheeler, and Wasco counties. The Confederated Tribes of Warm Springs participate as full voting members on this area commission. The Central Oregon Area Commission on Transportation covers Crook, Deschutes, and Jefferson counties. The Confederated Tribes of Warm Spring also participate as full voting members on this commission. The South Central Oregon Area Commission on Transportation covers Klamath and Lake Counties. The Klamath Tribes participate as full voting members on this commission.

INTERACTIONS WITH TRIBES

Maintenance

Region 4 is covered by three ODOT highway maintenance districts. Typical highway maintenance activities include emergency response, snow plowing and winter maintenance, and other routine activities to maintain safe operations on state highways for the traveling public. Maintenance District 9, which covers the northern portions of Region 4, works with the Confederated Tribes of Warm Springs on matters related to the ongoing operations of the state highway system. Maintenance District 10, which covers the central part of Region 4, also works with the Confederated Tribes of Warm Springs. Maintenance District 11, which covers the southern portion of Region 4 works with the Klamath Tribes on highway maintenance and operations related issues. ODOT Region 4 maintains US 26, US 97, and OR 216, all of which are routed through and provide access to tribal lands.

The routing of US 26 and OR 216 through the Warm Springs Reservation requires close partnership between ODOT and the Confederated Tribes of Warm Springs and has resulted in a number of formal agreements and informal coordination meetings, as well as frequent interaction with the Tribe. District 9 maintenance crews frequently cooperate with the Confederated Tribes of Warm Springs public safety officers on highway incidents and

wildfires. District 9 Maintenance continually works with the Confederated Tribes of Warm Springs to address hazard tree removal, drainage issues, rock fall hazards, and steep shoulder areas on US 26 and OR 216. Key interactions in 2022 include:

- » Region 4 hired a new manager for District 9 in late summer of 2022. During onboarding, the retiring manager introduced the incoming manager to key leadership with Confederated Tribes of Warm Springs.
- » The expiration of an existing intergovernmental agreement necessitated the writing of a new agreement for flagging work along US 97, OR 197, and Interstate I-84. The region's agreements coordinator is drafting a new agreement and we expect to have one executed by early 2023.
- » District 9 and Confederated Tribes of Warm Springs worked together to mitigate the effects of a landslide along a Tribe/Federal highway (#9)—the road between Pine Grove and Simnasho. Region 4 geologists consulted on the project, followed by District 9 and Confederated Tribes of Warm Springs staff removing debris and setting barrier along that portion of the roadway to prevent future incidents.
- » District 9 leadership continues to engage with Confederated Tribes of Warm Springs for Tribal Employment Rights Ordinance (TERO) projects. The Tribes also conduct their own Commercial Driver License programs and ODOT performs outreach to the group when positions become available at maintenance stations close to Warm Springs.

Region 4's maintenance districts continue to provide all tribes in region boundaries with copies of permits for third party utilities locating in ODOT right of way.

In District 10, leadership continues to partner with Confederated Tribes of Warm Springs to place message boards along sections of US 97 and US 26 to notify travelers of all closures and provide support for incidents (usually forest fires) which impact the highways. Another emergency incident occurred along US 26 when two washouts impacted the highway along the Warm Springs Grade (mile post 96-97). ODOT partnered with Confederated Tribes of Warm Springs to remove debris and rebuild the shoulder along affected areas. The ODOT Geology group provided consulting for these efforts.

The District 11 maintenance office in Klamath Falls had several interactions with the Klamath Tribes during 2022 including:

- » The design and placement of a Kiosk location in Beatty, OR along OR 140. This feature was originally part of an ODOT construction project that re-aligned a curve along the roadway but was removed from the budget due to other project costs. District 11 is working with ODOT's Archeological staff to determine design and placement of the kiosk near the Tribes' Community Center.
- » Positive feedback and support for utility permit notifications when work is to be completed in the right of way. Involving the tribes early in the process creates efficiencies when completing the work.
- » Work on the OR 242 fire, which burned in late 2021, was fully completed in the spring of 2022. There was extensive collaboration between the Klamath Tribes, Oregon State Parks, and ODOT during the incident.

Construction and Project Delivery

Through the Lower John Day and Central Oregon Area Commissions on Transportation and through regular coordination, Region 4 Project Delivery staff continues to collaborate with Confederated Tribes of Warm Springs staff to seek funding opportunities for priority transportation needs. Region 4 also includes staff from the Confederated Tribes of Warm Springs Technical and Emergency Services in the development of construction projects for the Statewide Transportation Improvement Program. Region 4 will participate in the Tribes' transportation coordination meetings, where project delivery is a recurring topic.

Specific interactions in 2022 included:

- » Completion of the Warm Springs Safety Corridor project, which made improvements to US 26.
- » September 14 and 15, Region 4 staff attended ODOT's first Tribal Summit on Natural and Cultural Resources in Lebanon. The summit was planned and coordinated by ODOT, FHWA, State Historic Preservation Office and Tribal representatives. The event provided a new platform and opportunities to discuss natural and cultural resources protection and management. It also presented an opportunity for networking and relationship building.
- » Construction coordination: US 26: Clear Lake Road – NW Dogwood Lane project involved the repair of numerous culverts on the Warm Springs Reservation.

Through the South Central Oregon Area Commission on Transportation, the Klamath Tribes participate in the selection and development of construction projects for the Statewide Transportation Improvement Program. The South Central Oregon area manager participates in regular meetings with the Klamath Tribes Planning and Transportation Departments, along with cultural resources staff and ODOT archaeologists to discuss projects in development and construction.

- » With extensive collaboration between Region 4 and the Klamath Tribes, we've completed a first of its kind wetland restoration project where endangered Lost River (C'waam) and Short Nose (Koptu) sucker fish are protected as juveniles and then released into Klamath Lake as adults. This project's uniqueness, overall quality and the resulting benefits have gained both state and national attention. It received the State Land Board's Wetland Award and has been nominated for the National Wetlands Award. A recent video on this project is available here: https://www.youtube.com/watch?v=-wO3_3F-fCE
- » Region 4 has worked with the Klamath Tribes to develop a pedestrian crossing on OR 422 between Tribal facilities. We've also collaborated with the Klamath Tribes and the City of Chiloquin to develop a community wide pedestrian plan that will ultimately connect the City of Chiloquin with the Tribal facilities by means of sidewalks and a multiuse path.
- » We're actively working with the Klamath Tribes to accommodate expanded development on Tribal land while addressing needed safety improvements to the US 97 access at the Klamoya facility.
- » ODOT representatives attended two Tribal Meetings in 2022, the first on April 5, to discuss Region 4 project updates with the Klamath Tribes, followed by a similar meeting on August 5.

Traffic

Region 4 Traffic is a technical group that provides expertise on traffic engineering, roadway engineering, and traffic standards. In 2021, Region 4 Traffic group continued to work with the Confederated Tribes of Warm Springs to improve the safety of the US 26 Corridor through Warm Springs through the development of the US 26 Warm Springs Safety Corridor Project. During 2022, Region 4 Traffic actively worked with residents to understand their concerns regarding changes to the highway and how they impact safety, operations and local access through Warm Springs.

Planning

The Region 4 Planning unit works to develop long-range plans for meeting future transportation needs as well as short-term planning activities for ODOT's construction work. In addition to these planning activities, Region 4 Planning staff works with tribal governments, local jurisdictions, developers, and others to better coordinate land development and transportation. As a part of this coordination, Region 4 Planning staff often works with tribal governments in reviewing land use and development applications. Planning staff also works with tribal governments through the Transportation Growth Management grant program (See the Policy Data and Analysis Division report for more details on this program) and ODOT's Statewide Planning Research fund to support education, outreach, code-assistance, planning studies, and long-range planning.

Region 4 Planning coordinates and participates in formal consultation processes with tribal governments, in accordance with the document, Tribal Consultation for Statewide Transportation Plans and Statewide Transportation Improvement Program. Region 4 also participates in "informal" collaboration meetings with tribal governments.

In 2022, Region 4 Planning provided notice of a consultation opportunity to the Klamath Tribes to discuss Milestone 3 of the 2024-2027 STIP development process, Tribal TIP Project Selection and Integration.

In 2022, the Region 4 manager, Region 4 Active Transportation liaison, and the ODOT Public Transportation Division administrator met with Confederated Tribes of Warm Springs staff and representatives from the Central Oregon Intergovernmental Council to discuss a range of topics all related to active and public transportation initiatives, projects, funding and new investment opportunities, coordination, and operations for ODOT to address, and several follow-up items for Cascades East Transit (Under Central Oregon Intergovernmental Council's purview) programs and operations.

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DELIVERY AND OPERATIONS DIVISION: REGION 5

ABOUT

ODOT Region 5 encompasses Morrow, Umatilla, Union, Wallowa, Grant, Baker, Harney and Malheur counties. The Region 5 headquarters office is located in La Grande. Offices in La Grande, Ontario and Pendleton house local maintenance and construction functions. The government offices of the Confederated Tribes of the Umatilla Indian Reservation and the Burns Paiute Tribe are within Region 5.

Area Commissions on Transportation

Region 5 includes two area commissions on transportation. The Northeast Area Commission on Transportation covers Morrow, Umatilla, Union, Baker, and Wallowa counties. The Confederated Tribes of the Umatilla Indian Reservation are voting members of this commission. The Southeast Area Commission on Transportation covers Grant, Harney and Malheur counties. The Burns Paiute Tribe is a voting member.

Tribal Employment Rights

ODOT has a signed memorandum of understanding with the Tribal Employment Rights Office of the Confederated Tribes of the Umatilla Indian Reservation. This memorandum establishes policies and procedures for ODOT and the tribes to follow to ensure the Tribal Employment Rights Office Code and the "Indian Preference" provisions of federal law are met. Per the terms of the agreement, Region 5 staff participates in an annual project selection meeting in advance of the construction season with staff from the tribes' Tribal Employment Rights Office. This year, the Confederated Tribes of the Umatilla Indian Reservation hosted an in-person meeting at the Wildhorse Convention Center in Pendleton on July 25. The Tribal Employment Rights Office is also invited to every pre-construction meeting that is subject to the tribal employment rights memorandum. Per the memorandum of understanding, these pre-construction meetings take place either on or near the reservation, but due to COVID restrictions, have taken place virtually the last two years. Tribal Employment Rights Office compliance officers are encouraged to attend scheduled project weekly/bi-weekly meetings to receive the most recent updates on project progress, project issues, and project staffing.

Region 5 Maintenance

Region 5 includes three ODOT maintenance districts. District 12 encompasses much of the Umatilla Indian Reservation and the various state highways that provide access to the Reservation. The District 12 offices are in Pendleton. District 12 and 13 also fall within the negotiated boundary as identified in the Tribal Employment Rights Ordinance memorandum of understanding. District 14, which is headquartered in Ontario, includes the Burns Paiute Reservation.

District 12 works with the Confederated Tribes of the Umatilla Indian Reservation in multiple ways throughout the year. For example, when maintenance forces are performing work within the reservation boundary, the district office alerts the Tribal Employment Rights Office that ODOT is performing state-funded work within ODOT right of way. When ODOT crews are unable to perform the necessary maintenance work, ODOT opens up a given project to a competitive bidding process. If the work is within the reservation boundary, then the Tribal Employment Rights Office is eligible to assign a hiring goal and to collect a compliance fee from contractors for working on the reservation.

With new tribal developments in the vicinity, District 12 is engaged with the tribes to create strategies to help OR 331 function safer and efficiently and continues to work with the Confederated Tribes of the Umatilla Indian Reservation during Interstate 84 road closure events at Exit 216 for coordination of truck parking at businesses operated on tribal lands. There is coordination with the Tribes' Hazmat Team on reportable hazmat releases that occur on highways within the Reservation boundary. The district works in conjunction with tribes in issuing chain up permits each winter. The tribes provide five permits to tribal members to assist commercial trucks chaining up on tribal lands. ODOT provides additional permits to individuals to assist commercial trucks chaining up on Interstate 84.

District 12 will continue to engage the Confederated Tribes of the Umatilla Indian Reservation on land use actions in proximity to state highways within the Reservation boundary. Similarly, the district will continue efforts to work with the tribes on safety improvement projects and other projects that benefit the public on state highways within the Reservation boundary. ODOT continues to engage with Confederated Tribes of the Umatilla Indian Reservation Water Quality staff regarding salt usage protocols.

District 13 has coordinated with tribes on several stream bank restoration projects adjacent to state highways. ODOT continues to offer hazard trees that are within the right of way to be used as stream features during these conservation projects.

District 14 and Region 5 have been cooperating with the Tribe on developing and completing a wildlife crossing feasibility study on the US 20 corridor between the communities of Juntura and Harper. This will support the Tribes' applications for grant funding to move into the design and construction phases of a wildlife crossing project.

District 14 also participated in a Wildlife Crossing Summit in Burns which was organized and sponsored by the Tribe.

Region 5 Construction and Project Delivery

Through the area commissions on transportation, the Burns Paiute Tribe and the Confederated Tribes of the Umatilla Indian Reservation participate in the selection and development of construction projects for ODOT's Statewide Transportation Improvement Program.

Throughout 2022, Region 5 staff attend all quarterly Tribal Employment Rights Office Contractor Certification training sessions, when available, by the Confederated Tribes of the Umatilla Indian Reservation and at each training session (all of which were held virtually).

- » **February 3, 2022:** Confederated Tribes of the Umatilla Indian Reservation, Tribal Employment Rights Office, Quarterly Contractor Certification Training, virtual meeting.
- » **May 6, 2022:** Confederated Tribes of the Umatilla Indian Reservation, Tribal Employment Rights Office, Quarterly Contractor Certification Training, virtual meeting.
- » **July 25, 2022:** Confederated Tribes of the Umatilla Indian Reservation, Tribal Employment Rights Office, Statewide Transportation Improvement Program annual review and selection of upcoming 2023 construction projects; the event was held at the Wildhorse Convention Center in Pendleton.
- » **August 5, 2022:** Confederated Tribes of the Umatilla Indian Reservation, Tribal Employment Rights Office, Quarterly Contractor Certification Training, virtual meeting.
- » **November 3, 2022:** Confederated Tribes of the Umatilla Indian Reservation, Tribal Employment Rights Office, Quarterly Contractor Certification Training, virtual meeting.

Tribal consultation meetings and discussion for Region 5 project development and construction actions are coordinated and directed by ODOT's Cultural Resources Program staff (see the Environmental Section of this report for more). To complement the work of the Cultural Resources Program, Region 5's Environmental staff and area manager provided support and attended meetings with cultural resources divisions of the Confederated Tribes of the Umatilla Indian Reservation and the Burns Paiute Tribe. The Region 5 archaeologist coordinates tribal consultation on all Statewide Transportation Improvement Program projects, state funded projects within reservation boundaries, and specific maintenance projects.

Region 5 Planning

Planning staff consults with both the Burns Paiute Tribe and the Confederated Tribes of the Umatilla Indian Reservation to deliver strategic intermodal planning projects and policies. This includes discussion, consultation, and planning for all transportation modes.

Region 5 planning continues to reach out to both the Confederated Tribes of the Umatilla Indian Reservation and the Burns Paiute Tribe regarding applicable grants, invitations, and planning-related initiatives. The Confederated Tribes of the Umatilla Indian Reservation were awarded an Oregon Community Paths grant to construct a walking and bicycling path to access the tribal services center. The Confederated Tribes of the Umatilla Indian Reservation Transportation and Growth Management Program (see the Policy Data and Analysis Division section of this report for more on this program) grant to assist with the update of the multi-modal Transportation System Plan is under development.

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DELIVERY AND OPERATIONS DIVISION: ENVIRONMENTAL SECTION

ABOUT

ODOT's Environmental Section supports environmental regulatory compliance and best practices for state transportation projects and programs. The section is responsible for development of statewide standards of practice, guidance and manuals, training, and asset management for environmental and cultural disciplines within ODOT.

Environmental staff serve as stewards of the public interest for a variety of natural and cultural resources and for safe transportation infrastructure. The majority of the sections interactions with tribes occur through three program areas: Wildlife Crossings Program, Fish Passage Program, and Cultural Resources Program. In addition, ODOT's State Environmental manager participates in the Legislative Commission on Indian Services' Natural Resources Cluster meetings and the Governor's State and Tribal Summit, and ODOT's Cultural Resources Program manager holds a seat on the Legislative Commission on Indian Services' Cultural Resources Cluster.

Wildlife Crossings Program

The ODOT Wildlife Passage Program identifies and builds wildlife passage structures to reduce animal-vehicle collisions on state highways. The goals of the program are to identify areas of heaviest wildlife movement across state highways, reduce animal-vehicle collisions on state highways, determine highest-priority areas to improve wildlife passage across state highways, and inform and educate the public on wildlife corridors and how they can reduce animal-vehicle collisions. ODOT continues to work with FHWA to establish a wildlife passage interest group, including local, state, and federal agencies as well as tribal and non-profit partners to address the issue of wildlife passage.

In 2022, ODOT's Wildlife Crossing coordinator continues to serve on a committee with the Burns Paiute Tribe to explore the potential for a wildlife crossing feasibility study near tribal property east of Juntura.

Wetlands Program

The Wetlands Program addresses ODOT's compliance with the Clean Water Act and Removal-Fill Law. In order to achieve compliance and address compensatory mitigation needs in advance of ODOT project needs, the agency has developed a Mitigation and Conservation Banking Program. The recently built compensatory mitigation site on Upper Klamath Lake won a national FHWA Environmental Excellence Award, in addition to the Oregon State Land Board's 2022 Wetlands Project Award.

The Columbia River Estuary Study Taskforce, working with Bonneville Power Administration funding, successfully restored aquatic life access from the Columbia River to our Dalton Lake Legacy site in St. Helens. Where there once was a berm and water control structure completely blocking access to a 30-acre lake, there is now a beautiful pedestrian bridge and reconstructed stream. This site will be planted this winter.

Fish Passage Program

ODOT's fish passage program supports the Oregon Plan for Salmon and Watersheds. The purpose of the program is to benefit native migratory fish by replacing or retrofitting culverts for improved fish passage on the state highway system in the most cost effective and efficient manner possible. Working with the Oregon Department of Fish and Wildlife and regional stakeholders, Fish Passage Program staff assess high-priority fish passage barriers when selecting improvement projects across the state. In addition, the program is integrated with ODOT's Culvert Repair Program to help ensure that culvert repairs and replacements are designed to improve fish passage conditions. ODOT updates tribes on our fish passage program through the Legislative Commission on Indian Services Natural Resources Workgroup meetings.

In 2022, ODOT delivered three projects under the ODOT / Oregon Department of Fish and Wildlife Culvert Repair Agreement. These projects improved native migratory fish access to over six miles of potential habitat. Two additional projects, designated as statewide high priority barriers, started construction in 2022. When complete, these projects will restore volitional fish passage to over 14 miles of habitat.

Cultural Resources Program

ODOT's Cultural Resources Program supports transportation projects while protecting cultural resources across the state. The program works with ODOT regional offices, tribal governments, local governments, and others to identify cultural resources and potential concerns early in project delivery and throughout the project lifecycle. In addition, FHWA has delegated tribal coordination responsibilities to ODOT archaeologists for transportation projects subject to Section 106 of the National Historic Preservation Act. ODOT's Cultural Resources team provides statewide training to ODOT staff on cultural resources, tribal awareness and government-to-government training.

Cultural Resources Work Agreements: ODOT maintains intergovernmental agreements with tribes to support cultural resources compliance and protection work. Agreements are maintained with the following:

- » Burns Paiute Tribe (under revision)
- » Confederated Tribes of Grand Ronde (currently being renegotiated)
- » Confederated Tribes of the Umatilla Indian Reservation
- » Confederated Tribes of the Warm Springs Reservation of Oregon
- » Coquille Indian Tribe (under revision)
- » Cow Creek Band of Umpqua Tribe of Indians (currently being renegotiated)
- » The Klamath Tribes

New Section 106 Programmatic Agreement: ODOT cultural staff drafted a new program-level Section 106 Programmatic Agreement to replace the existing 2011 programmatic agreement. ODOT sent the draft programmatic agreement to Oregon's nine federally recognized tribes for initial review on October 6, 2021, and incorporated comments in 2022 with continued development and a planned execution in 2023.

Additional Interactions in 2022

As with the previous two years, the COVID 19 pandemic altered some of ODOT's regular tribal consultation and coordination methods. ODOT cultural staff conducted in-person and virtual meetings throughout the year regarding ODOT's transportation projects and special initiatives and trainings. The following meetings occurred in 2022:

- » **January 13, 2022:** ODOT and FHWA staff met virtually with representatives from the Coquille Indian Tribe to discuss program and project updates.
- » **February 1, 2022:** ODOT Cultural Resources Program manager participated in the Cultural Resources Cluster meeting.
- » **February 2, 2022:** ODOT Cultural Resources Program manager participated in the Intergovernmental Cultural Resource Council meeting.
- » **February 8, 2022:** ODOT staff attended the Natural Resources Working Group.
- » **April 5, 2022:** ODOT Cultural Resources Program manager participated in the Cultural Resources Cluster meeting.
- » **April 5, 2022:** ODOT and FHWA staff met virtually with representatives from the Klamath Tribes to discuss program and project updates.
- » **April 12, 2022:** ODOT staff attended the Natural Resources Working Group.
- » **May 3, 2022:** ODOT Cultural Resources Program manager presented a module at the 2022 Klamath Tribes Cultural Resources Technician training in Chiloquin, Oregon.
- » **June 1, 2022:** ODOT Cultural Resources Program manager participated in the Intergovernmental Cultural Resource Council meeting.
- » **July 13, 2022:** ODOT Cultural Resources Program manager participated in the Cultural Resources Cluster meeting.
- » **August 4, 2022:** ODOT and FHWA staff met in person with representatives from the Klamath Tribes to discuss program and project updates.
- » **August 25, 2022:** ODOT staff met in person with representatives from the Coquille Indian Tribe to tour the reservation and significant sites.
- » **September 9, 2022:** ODOT and FHWA staff met in person with representatives from the Confederated Tribes of the Grand Ronde Community of Oregon to discuss program and project updates.
- » **September 14 & 15, 2022:** ODOT Environmental staff participated in and attended the 2022 ODOT Tribal Summit on Natural & Cultural Resources.
- » **October 4, 2022:** ODOT staff attended the annual Governor's Tribal Summit.
- » **October 6, 2022:** ODOT Cultural Resources Program manager participated in the Cultural Resources Cluster meeting.

- » **November 15, 2022:** ODOT and FHWA staff met in person with the Confederated Tribes of the Umatilla Indian Reservation Cultural Resources Committee and cultural staff to discuss program and project updates.
- » **December 5, 2022:** ODOT and FHWA staff met in person with representatives from the Cow Creek Band of Umpqua Tribe of Indians to discuss program and project updates.
- » **December 12, 2022:** ODOT and FHWA staff met virtually with representatives from the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians to discuss program and project updates.

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URBAN MOBILITY OFFICE

ABOUT

ODOT Urban Mobility Office, established in January 2020, and part of a new comprehensive approach to addressing congestion, access and mobility in the state. The Urban Mobility Office is responsible for delivering the design, development and implementation of the state's largest and most complex multimodal transportation projects and systems in urban areas. The initial focus is on the most densely populated and fastest growing geographic region in the state – the Portland metropolitan region. To date, the office is focused on developing and delivering innovative solutions for a comprehensive congestion management and mobility plan, inclusive of the ODOT Toll Program, the Interstate 5 Rose Quarter Improvement Project, and the Interstate 205 Improvements Project.

INTERACTIONS WITH TRIBES

Toll Program

As part of Keep Oregon Moving (HB 2107), the Oregon Legislature directed the Oregon Transportation Commission to pursue and implement tolling on Interstate 5 and Interstate 205 in the Portland metropolitan region to provide additional traffic management tools to further manage congestion. A feasibility analysis determined that tolling could help manage congestion and raise revenue on Interstate 5 and Interstate 205. Two toll projects are currently in development as part of Oregon's Toll Program: I-205 Toll Project and Regional Mobility Pricing Project.

In partnership with FHWA, planning for the Interstate 205 Toll Project began in 2020. As part of the National Environmental Policy Act process for the Interstate 205 Toll Project, ODOT and FHWA are coordinating with eight consulting Tribes, four of which are federally recognized in Oregon: Confederated Tribes of Grand Ronde; Confederated Tribes of Siletz Indians; Confederated Tribes of the Umatilla Indian Reservation; and Confederated Tribes of Warm Springs. Of these, only the Confederated Tribes of Grand Ronde responded to ODOT's August 2020 participating agency invitation: The Confederated Tribes of Grand Ronde declined this invitation and asked to initiate government-to-government consultation. No other Tribes in Oregon have expressed an interest in government-to-government consultation.

The Regional Mobility Pricing Project was initiated in late 2020 and has just completed a pre-National Environmental Policy Act phase known as Planning and Environmental Linkages. The project will require an Environmental Assessment that will be initiated in November 2022. On behalf of the Regional Mobility Pricing Project on September 20, 2021, FHWA sent invitations to Tribes, inviting them to participate in government-to-government consultation, to act as Participating Agencies, and to serve as consulting parties under Section 106. The

following Oregon Tribes received invitations: The Confederated Tribes of Grand Ronde; The Confederated Tribes of Siletz Indians; The Confederated Tribes of the Umatilla Indian Reservation; and The Confederated Tribes of Warm Springs. The invitation letter included a map of the Regional Mobility Pricing Project area.

The following government-to-government consultation took place in 2022:

- » **February 1, 2022:** ODOT and FHWA met with representatives of the Confederated Tribes of Grand Ronde to provide an update on the I-205 Toll Project and the Regional Mobility Pricing Project and hear concerns from the Tribe on the cost of tolling, congestion on local roads from traffic diverted from I-205 as a result of the toll, use of toll revenue, impacts to cultural resources, and the rights of Tribes to cross their own lands.
- » **June 23, 2022:** ODOT's Tribal Relations Manager notified the consulting Tribes of ODOT's proposal to amend the Oregon Highway Plan to address the purpose and role of tolling and congestion pricing in Oregon, and ODOT's development of a Low Income Toll Report to describe types of benefits (e.g., exemptions, credits, or discounts) that could address the impact of tolling on people experiencing low incomes.
- » **September 6, 2022:** ODOT informed consulting Tribes of project changes for purposes of Section 106 compliance.
- » **September 23, 2022:** ODOT's Tribal Relations Manager updated the consulting Tribes of the Regional Mobility Pricing Project's of the documentation done during the Planning and Environmental Linkages phase, and included the Draft Purpose and Need statement and the Proposed Action description. ODOT informed the Tribes of the upcoming Scoping Period of September 30th (which was subsequently moved to November 18th).
- » **September 29, 2022:** ODOT's Tribal Relations Manager notified the consulting Tribes that the Regional Mobility Pricing Project's Scoping Period was rescheduled for late fall.
- » **October 20, 2022:** ODOT's Tribal Relations Manager notified the consulting Tribes of the Regional Mobility Pricing Project's study methods for the technical reports, and requested that if the Tribe has interest in reviewing and commenting on any draft study methods, to let ODOT know by November 4th.
- » **November 9, 2022:** ODOT and FHWA hosted the first Inter-Tribal Tolling Update to present updates on all UMO projects involving tolling.
- » **November 15, 2022:** ODOT's Tribal Relations Manager notified the consulting Tribes of the Regional Mobility Pricing Project's Scoping Period, starting on November 1, 2022. The email provided information on the 50-day scoping period, requested input on the Draft Purpose and Need Statement and Draft Description of the Proposed Action, and invited Tribes to attend and participate in a webinar for Participating Agencies and Tribes on November 30, 2022.

Interstate 5 Rose Quarter Improvement Project

The Interstate 5 Rose Quarter Improvement Project adds auxiliary lanes and shoulders to reduce congestion and improve safety on Interstate 5 between Interstate 84 and Interstate 405, and the project will improve community connections by redesigning overpasses and reconnecting neighborhood streets, enhancing public spaces, and promoting economic

development opportunities. The Environmental Assessment process, per the National Environmental Policy Act, was completed in 2020. FHWA and ODOT published the Finding of No Significant Impact and a Revised Environmental Assessment on November 6, 2020.

Changes to the project design prompted FHWA to rescind the Finding of No Significant Impact in January 2022, and ODOT began preparation of a Supplemental Environmental Assessment. Additional cultural resources studies were conducted in 2022 as part of the Supplemental Environmental Assessment. The Supplemental Environmental Assessment was published on November 15, 2022 for a 50-day public comment period, which will close on January 4, 2023.

On August 22, 2017, The Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, and Confederated Tribes of Warm Springs were sent invitations to be Participating Agencies during the National Environmental Policy Act process. No tribes expressed interest in being Participating Agencies. The project team engaged in tribal coordination as part of the Section 106 process for the Supplemental Environmental Assessment during 2022. The Tribes were informed of the project changes and invited to comment on additional cultural resources studies.

Interstate 205 Improvements Project

The Interstate 205 Improvements Project will upgrade or replace the Abernethy Bridge and eight other bridges to withstand a major earthquake. The project will also provide improved interchanges and on – and off – ramps. These improvements will reduce congestion and crashes, while also making travel times shorter and more predictable. Construction has started on the project's first phase at the Abernethy Bridge and will continue through 2025.

The Confederated Tribes of the Grand Ronde Tribal Employment Rights Office (TERO) and ODOT are working in partnership to build a workforce that reflects the diversity of the community. The collaboration encourages tribal community members to fill multiple job opportunities created by the first phase of construction on Interstate 205 Improvements Project. It is a great opportunity for tribal members to build their resumes and gain valuable work experience in the construction trades. As of August 2022, the project is meeting its goal for five percent of the workforce to be comprised of tribal members, in addition to other Disadvantaged Business Enterprise (DBE) goals associated with the Abernethy Bridge construction. ODOT and the project contractor continue to meet monthly to review progress on DBE goals and develop strategies to improve the performance of the contractor and sub-contractors where actual DBE performance is falling short of the goal(s).

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INTERSTATE BRIDGE REPLACEMENT PROGRAM

ABOUT

The Interstate Bridge Replacement program is co-led by FHWA and the Federal Transit Administration and is being delivered by ODOT and the Washington State Department of Transportation acting together as the Interstate Bridge Replacement Program. The previous planning effort to replace the Interstate 5 bridge across the Columbia River, known as the Columbia River Crossing project, was active from 2005 until 2014, when it did not receive adequate funding to reach construction. During this effort, a Federal Environmental Impact Statement was completed, and the Record of Decision signed in December 2011. In November 2019, Oregon Governor Kate Brown and Washington Governor Jay Inslee signed a bi-state Memorandum of Intent to restart work to replace the Interstate Bridge. This memorandum outlined how the Interstate Bridge Replacement Program will develop a multimodal replacement solution delivered by a bi-state, multiagency team. The program is currently working on a Supplemental Environmental Impact Statement in an effort to advance the project.

The program has continued tribal consultation and outreach since August of 2020. Of the eleven consulting Tribes, four are federally recognized Oregon Tribes: The Confederated Tribes of Siletz Indians, The Confederated Tribes of Grand Ronde, The Confederated Tribes of Warm Springs, and The Confederated Tribes of the Umatilla Indian Reservation.

Tribes will be engaged throughout the life of the program, with special emphasis on the major project milestones. Recognizing the importance of this work, the IBR Program hired a full time tribal liaison in October of 2022. This position is completely dedicated to the IBR program and will help guide consultation efforts through construction.

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PUBLIC TRANSPORTATION DIVISION

ABOUT

The Public Transportation Division exercises statewide leadership and vision in promoting, developing, funding, and managing multimodal statewide networks of transportation systems and facilities. These systems and facilities provide access to Oregon for the state's citizens and visitors, provide efficient movement of commerce, support healthy sustainable travel choices and safe transportation system use, and enhance Oregon's competitive position in national and international markets. There are four sections in the Division:

Policy and Strategic Investment Unit

This unit develops strategies and prioritizes investments to advance modal plans, statutes, and agency policies to create a more integrated statewide multimodal system. The unit manages and develops program guidance and selection criteria, combines funding and strategic management, and maximizes the value of transportation investments locally, regionally and statewide.

Program Implementation Unit

This unit implements investment strategies in ODOT regions directly through existing regional transit coordinators, training staff and through collaboration with ODOT regional staff, such as active transportation liaisons, planners, delivery and operations staff and external partners. The Program Implementation Unit has regional transit coordinators as single points of contact for tribes within described geographic areas of the state, corresponding to ODOT region boundaries. Regional transit coordinators are available to assist tribes with public transportation program development, grants and payments, technical support and training, transit program questions and oversight of transit projects. Regional transit coordinators frequently interact with tribal transit personnel via phone, email and in-person meetings.

Program Services Unit

This unit provides essential multimodal transportation system administration, business processes, and services at the headquarters office in Salem. The unit ensures funding is available and distributes those funds to eligible tribal governments. Staff assist tribes with the technical aspects of grants and payments, reporting and asset management. Support analysts interact with tribal transit personnel via phone and email. The website administrator ensures that information pertinent to tribes is posted and updated regularly. Unit staff manage agreement language in coordination with Oregon Department of Justice attorneys and tribal experts to ensure distinct clauses are included for tribal agencies and that their status as sovereign governments is acknowledged and respected.

Rail Operations and Statewide Multimodal Network Unit

This unit manages contracted delivery of public transportation services. In collaboration with regional transit coordinators, the unit facilitates local partnerships to identify and fill gaps in the statewide public transportation network through local providers or through increased Public Transit Division services. The Unit manages implementation and delivery of capital, operations and research projects that support statewide freight rail, passenger rail, and public transportation systems. This unit manages the Transportation Options Program, which connects people to transportation choices, allowing them to bike, walk, take transit, drive, share riders and telecommute. This unit also manages the Innovative Mobility Program, which is a new initiative that aims to improve access to public transportation, reduce the number of trips Oregonians make by car, and reduce greenhouse gas emissions. This program has a special focus on equity and helping historically excluded groups to get to where they need to go more quickly, cheaply, and safely.

ADVISORY COMMITTEES

Public Transportation Advisory Committee

The [Public Transportation Advisory Committee](#) provides a statewide forum for public and special needs transportation providers and advocacy stakeholders within Oregon. The committee also provides input regarding significant transportation issues to the Oregon Transportation Commission and the Public Transportation Division. PTAC meetings remained virtual for the duration of 2022 and the event lab to host PTAC with the Coquille tribe was postponed until 2023

To ensure the interests of the tribal communities are always considered there is a designated seat on the Committee for a tribal transportation representative. The seat is currently filled by a member of the Coquille Indian Tribe. Additionally, PTAC looks for engagement from tribal members when creating workgroups and subcommittees to assist in making decisions and/or recommendations. For example, a member of the Coquille Indian Tribe participated on a workgroup to refresh the Committee purpose and structure.

Safe Routes to School Advisory Committee

The [Safe Routes to School Advisory Committee](#) provides a statewide forum to recommend allocations from the Safe Routes to School fund to projects and programs that address barriers to students walking and rolling to school within Oregon. The committee also provides input regarding Safe Routes to School policy and program structure. The Safe Routes to School Advisory Committee includes two members from Oregon tribes representing the Confederated Tribes of the Umatilla Indian Reservation and the Coquille Indian Tribe.

Oregon Bicycle Pedestrian Advisory Committee

The [Oregon Bicycle and Pedestrian Advisory Committee](#), or OBPAAC, is an eight-member committee appointed by the governor that acts as a liaison between the public and Oregon Department of Transportation. It advises ODOT in the regulation of bicycle and pedestrian traffic, the establishment of bikeways and walkways, and other statewide bicycle and pedestrian issues. The committee meets six times a year in various locations around the state to support implementation of the [Oregon Bicycle and Pedestrian Plan](#) and listen to the views and concerns of interested citizens, local officials and ODOT staff. OBPAAC includes one member representing the Coquille Indian Tribe.

Rail Advisory Committee

The Public Transportation Division also facilitates a [Rail Advisory Committee](#) to provide advice to the Public Transportation Division and Oregon Transportation Commission on issues that affect rail freight and passenger facilities and services in Oregon, including rail project selection for Connect Oregon funding. There is currently no tribal representative on the Committee.

Consolidated Statewide Transportation Improvement Fund Rules Advisory Committee

The Statewide Transportation Improvement Fund merged with the Special Transportation Fund program and the new combined funding will begin in the 2023-25 biennium. J.D. Tovey of the Confederated Tribes of the Umatilla Indian Reservation, served on the Consolidated Statewide Transportation Improvement Fund Rules Advisory Committee in 2022 representing tribal government transit providers. In this role, Mr. Tovey expressed concerns regarding project eligibility, funding stability, and burdens around reporting and Advisory Committee requirements that other tribal members have expressed.

Parallel to the work of the Rules Advisory Committee, the Public Transit Division engaged with the nine tribes for informal programmatic consultation and, subsequently, formal consultation. Programmatic consultation efforts included information sharing by regional transit coordinators, offers to arrange listening and discussion sessions, and a Tribal Transit Roundtable. Representatives from six tribes attended the Tribal Transit Roundtable in 2022 and efforts to continue meeting will be ongoing in 2023. The tribes include the Confederated Tribes of the Umatilla Indian Reservation, the Burns Paiute Tribe, the Coquille Indian Tribe, the Confederated Tribes of Warm Springs, the Klamath Tribes, the Cow Creek Band of Umpqua Tribe of Indians. The roundtable was a collaborative effort between Public Transit Division and Tribes. The Klamath Tribes planned to host in Summer of 2022. The goal of the Roundtable meetings was to provide an opportunity to gather input from tribal transit staff on this consolidation and other planning projects affecting their communities.

After these informal engagement efforts, ODOT Public Transportation Division staff offered to hold formal consultations with tribal transit representatives to discuss the consolidation and key elements of each funding program that will be maintained. These offered consultations wrapped up in Spring of 2022. The hope is that these efforts will help ODOT staff in the

creation of guidance and training materials to ensure a smooth transition to one state-funded transportation program moving forward. Training on the new process was offered in 6 regional training opportunities both in person and via Zoom in the fall of 2022. Six of the nine tribes attended – Coquille Tribe, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, Burns Paiute Tribe, Confederated Tribes of the Umatilla Indian Reservation, Cow Creek Band of the Umpqua Tribe of Indians, and Klamath Tribes.

PROGRAMS AND INITIATIVES

Safe Routes to School Program

The Safe Routes to School infrastructure program provides \$10 million in state highway funds each year to the Safe Routes to School Fund. The goal of the program is to provide competitive grants that will address the physical barriers of children walking and bicycling to school. Applicants must work with schools and school districts to identify and address these barriers through infrastructure projects within a one-mile radius of the school.

The Safe Routes to School grant awarded to the Confederated Tribes of the Umatilla Indian Reservation is underway. Construction is expected to begin in summer 2023.

In 2022, the Burns Paiute Tribe successfully applied to receive the services provided by ODOT's Project Identification Program. ODOT staff and consultant partners will work with the Burns Paiute Tribe in 2022-23 to complete a Safe Routes to School Plan. Staff reached out via email and phone call to all tribes in advance of the 2022 grant solicitation to make sure all tribes know about grant opportunities resulting in applications from the Burns Paiute Tribe and the Coquille Indian Tribe. Staff from the Confederated Tribes of Warm Springs is potentially interested in ODOT technical assistance in 2023.

Oregon Community Paths

The Oregon Community Paths grant program is a biennial competitive grant program for funding off-road paths that connect communities or access destinations. In the first grant cycle, the Confederated Tribes of Warm Springs was awarded a federally funded Community Paths program grant for an off-road safe route to school project. In 2022 ODOT transferred the funds to the Bureau of Indian Affairs in order to provide greater project flexibility for the Tribes. This option allows tribes to manage federally funded Community Paths grants through the tribal transportation account via the Bureau of Indian Affairs, rather than ODOT administering the grants. The Confederated Tribes of the Umatilla Indian Reservation were awarded a state-funded project to construct an off-road path to the Government Center, which links to the Safe Routes to School improvements connecting to Nixyaawii Community School.

For the second round of Oregon Community Paths program grants began in August 2022 and will consist of \$33 Million in federal dollars, and \$4 Million in state dollars. ODOT reached out to tribal administrators regarding the Community Paths program, invited them to the

series of live webinars discussing the program, and offered to host exclusive one-on-one webinar sessions. The application period is November 1, 2022, through January 31, 2023.

Oregon Pedestrian and Bicycle Program

The goals of the Pedestrian and Bicycle program are to reduce crashes involving people walking and biking, eliminate crashes that result in injuries and deaths, and promote walking and biking to improve health and safety. We work towards these goals by supporting implementation of the [Oregon Bicycle and Pedestrian Plan](#), developing walking and bicycling safety and education materials, funding projects that improve conditions for walking and biking, providing planning and design guidance for pedestrian and bicycle projects and staffing the [Oregon Bicycle and Pedestrian Advisory Committee](#).

The Sidewalk Improvement Program distributes one percent of ODOT State Highway Funds each year to complete sidewalks and bike facilities along state highways. In 2021-2024, Sidewalk Improvement Program will distribute \$22 million in funding. Tribes are eligible to propose projects on state highways for consideration for Sidewalk Improvement Program funding by contacting their ODOT region active transportation liaison (contact available at www.oregonwalkbike.org). In 2022, ODOT began construction on a Sidewalk Improvement Program-funded pedestrian crossing of OR 18 in Grande Ronde that was requested by the Confederated Tribes of Grande Ronde.

Statewide Transportation Improvement Fund

Section 122 of [Keep Oregon Moving](#) (HB 2017) established the Statewide Transportation Improvement Fund, an ongoing source of funding for expanding public transportation service in Oregon.

This funding is allocated to four funding programs:

- » Formula Fund: 90 percent of funding is distributed to qualified entities, including tribes, based on employee payroll taxes collected within their geographic area, with a minimum amount of \$100,000 per year to each qualified entity.
- » Discretionary Fund: Five percent of funding is awarded to eligible public transportation service providers based on a statewide competitive grant process.
- » Intercommunity Discretionary Fund: Four percent of funding is awarded to public transportation service providers to improve public transportation between two or more communities based on a statewide competitive grant process.
- » Public Transportation Technical Resource Center: ODOT uses one percent of the funding for its statewide technical resource center to assist transit providers in rural areas with training, planning and information technology; and to fund ODOT administration.

All nine federally recognized Tribes in Oregon are Qualified Entities and, as such, are eligible to receive Formula funds from the Statewide Transportation Improvement Fund. At present, no tribe generates enough taxable payroll in its area of responsibility to receive more than the minimum allocation \$100,000 per year. This amount will increase for Fiscal Year 2023 due to a legislatively mandated adjustment. During the second Formula funding period, eight

of the nine tribes submitted plans for funding in the 2021-23 biennium. Tribes approved for 2021-23 funding by the Oregon Transportation Commission include the Coquille Indian Tribe; the Cow Creek Band of Umpqua Tribe of Indians; the Confederated Tribes of Coos, Lower, Umpqua, and Siuslaw Indians; the Confederated Tribes of Grande Ronde; the Confederated Tribes of Warm Springs; the Confederated Tribes of Siletz Indians; the Klamath Tribes; and the Confederated Tribes of the Umatilla Indian Reservation. One tribe—the Burns Paiute Tribe— notified ODOT of their plan to defer submittal for Formula funds to next biennium. ODOT has held their funds from the 2021-23 biennium and will roll them into the next biennium upon approval of the 2023-25 Statewide Transportation Improvement Fund Plans. In 2022, staff supported tribes in the process of completing the work laid out in their Statewide Transportation Improvement Fund Plans using tools like phone calls, emails, and in-person meetings with grantees.

2021-23 Statewide Transportation Improvement Fund Discretionary and Statewide Transit Network

All nine federally recognized Tribes in Oregon are eligible to apply for Statewide Transportation Improvement Fund discretionary and intercommunity discretionary funds where they are providers of public transportation services. For the 2021-23 solicitation period, the Confederated Tribes of the Umatilla Indian Reservation applied for and was awarded grants totaling \$524,653 to support intercommunity fixed route transportation services that serve a multi-county area in northeastern Oregon and southeastern Washington. Umatilla County applied for and received \$601,644 in awards that will also be used to maintain essential services provided by the Confederated Tribes of the Umatilla Indian Reservation’s Kayak Public Transit. As part of the ODOT project selection process, tribes are asked to provide funding recommendations and any other feedback on submitted projects that concern their areas of responsibility. In 2022, staff supported tribes in the process of completing the work laid out in their grant agreements using tools like phone calls, emails, and in-person meetings with grantees.

Pedestrian and Bicycle Strategic & ODOT Safe Routes to School Programs

Public Transportation Division has identified a list of projects for funding through this new program through a data driven process with extensive outreach to stakeholders, including consultation with the nine federally recognized Tribes in Oregon and outreach to other tribal groups. In 2023, the Oregon Transportation Commission will review and approve the draft Statewide Transportation Improvement Program (STIP) containing projects funded through these new programs.

Passenger Rail

The Public Transportation Division houses Oregon’s rail and passenger rail program and has some interaction with tribes. For example, in 2022 State Rail Planner Robert Melbo coordinated with the Confederated Tribes of the Grand Ronde regarding Pacific Railroad’s plan to restore a retired railroad siding for use by Amtrak on the property of the former Blue Heron Paper Mill which is owned by the Confederated Tribes of the Grand Ronde.

REGIONAL INTERACTIONS

While numerous Public Transportation Division staff interact with tribal governments, the regional transit coordinators are the division's primary points of contact with Oregon's nine federally recognized Tribes. These coordinators, stationed in ODOT's regions across the state, continue to work with the tribes to develop transit programs by providing technical assistance as requested. The following are specific interactions between regional transit coordinators and tribes in 2022:

Region 2, Northwest Oregon/Willamette Valley

Region 2 Transit Coordinator Arla Miller was made aware that the combined Transportation Human Services Coordinated Plan/Transit Development Plan had been adopted by resolution on April 17, 2019, by Tribal Council. Tribal staff were challenged to put these plans in place during the COVID 19 pandemic, as transit plans and expansions were put on hold while tribes concentrated on ensuring member safety.

COVID-19 has delayed further transit expansion plans between Confederated Tribes of Grand Ronde and Dallas, which as the county seat of Polk County provides amenities and community services and facilities that are not available in Grand Ronde. Tribal members will ride free. Once the service begins, it will also afford residents of Dallas and surrounding communities the opportunity to travel to Confederated Tribes of Grand Ronde for jobs at the casino, to visit family members, and connect to other transportation services. Tragically, Tribal Planner Mr. Kim Rogers passed away unexpectedly November 2021. The transit agency that Mr. Rogers was working with has been short on drivers due to COVID-19, so the expansion has not been able to happen.

Ms. Miller is working with the Tribal Planner Mr. John Mercier, who took over after Mr. Rogers passing at Confederated Tribes of Grand Ronde regarding all funding received by the tribe through Public Transportation Division, especially the Statewide Transportation Improvement Fund. This funding should address some of the needs identified in the combined plan mentioned above.

Ms. Miller is working with Confederated Tribes of Siletz Indians staff to catch up on reporting that is required to receive Special Transportation Fund (STF) and Statewide Transportation Improvement Fund (STIF). Due to COVID-19 the tribal offices have just recently reopened to outside visitors. Ms. Miller has been cognizant of the effects that could happen if visiting tribal lands during a pandemic and did not push for meetings. Ms. Miller has a meeting setup for November 17, 2022, to address reporting and releasing funds.

Region 3, Southwest Oregon

Regional Transit Coordinator Jennifer Boardman has continued working to maintain relationships during this past year with regular phone and virtual meetings with each of the three tribes in ODOT Region 3. These interactions provided technical assistance, training and facilitation between tribes and local transit providers. The COVID-19 pandemic continued to delay many of the projects that were anticipated in 2022.

The Confederated Tribes of Coos Lower Umpqua and Siuslaw Indians continue to partner with Lane Council of Governments and Coos County Area Transportation District on the intercity coastal transit from Coos Bay to Eugene. These services provide a vital connection to medical and social events on both ends of the travel path. Tribal transit funds were also used to purchase tickets on local transit for tribal members but have slowed significantly due to COVID-19 and variants.

The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians' partnership projects with local transit providers and funding assistance continue to aid in closing gaps in the transit network along the central Oregon coast.

The Cow Creek Band of Umpqua Tribe of Indians has expanded its dial-a-ride service for use by tribal elders and human service transit for the greater Umpqua Valley. The tribe continue to grow their program refining policies and procedures to stay in compliance with Federal Transit Administration regulations. The expansion of these services has also required hiring an additional driver, and the tribe acquired a new transit vehicle in 2022. They are looking into the possibility of needing an additional vehicle as they grow their tribal services.

The Coquille Indian Tribe expanded its transit services numbers in 2022. The completed expansion of the Ko-Kwel Wellness Center in Coos Bay provided an increase in service for tribal members who are from highly sensitive populations. The addition of non-tribal members' use of the wellness center also increased the need for transport. A coordination of service with local transit agency, Coos County Area Transportation District (CCATD) expanded services to the wellness center. This in turn has provided increased transit options for those living at the tribal housing needing rides to work or other services.

The Coquille Tribe also continues to offer transit trips that include travel to urban areas, like Eugene or Portland, where specialized medical care is received by tribal members.

The Coquille Indian Tribe is finishing up the pilot program to increase service to Charleston to Coos Bay. The funding has been replaced with Statewide Transportation Improvement Fund funding through a partnership with Coos County Area Transportation District.



The Link Lane portion of the project funded by Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Confederated Tribes of Coos Lower Umpqua and Siuslaw Indians partnership with Lane Council of Governments Florence to Eugene Route.



Ko-Kwel Wellness Center-Coos Bay near Coos Bay. The Tribal Transit Department is housed here.

In August Lauren Morris, Tribal Transit Coordinator, hosted the Region #3 Transit Providers meeting that is held quarterly with all transit providers in ODOT Regions 2B and 3.

Region 4, Central Oregon

In the central Oregon region, the most recent Regional Transit Coordinator Theresa Conley, continued to build relationships with the Confederated Tribes of Warm Springs and the Klamath Tribes, providing technical assistance, training and facilitating meetings between tribes and local transit providers. Theresa Conley has taken another position within ODOT in the fall of 2022 and the Public Transportation Division is recruiting for her replacement.

The Confederated Tribes of Warm Springs contract with the Central Oregon Intergovernmental Council to provide transit service within the community of Warm Springs and connecting the community to neighboring cities. Ms. Conley helped facilitate several state and federal transit grants with the tribes, participating in regional planning conversations, providing ongoing technical assistance related to state and federal transit grants and organized a visit for ODOT management to the Warm Springs Reservation.

Specifically, Ms. Conley supported ODOT's Government to Governmental relationship with the Confederated Tribes of Warm Springs by:

- » Facilitating and participating in two in-person meetings with tribal staff and leadership and local transit partners. This included one meeting with the Public Transportation Division Administrator and Region Manager with tribal transit staff and leadership including the Director of Government Affairs. This meeting of ODOT and Tribal leadership allowed for government to government relationship building higher than the staff level and raising of a range of transportation-related questions and issues including highway safety.
- » Facilitating and participating in regional conversations regarding a coordinated Rural Veterans Healthcare Transportation program, building a connection with the Tribal Veterans' Service Officer and understanding of how the new program can better service rural Jefferson County and the Warm Springs Reservation
- » Facilitating tribal staff training on Public Transit Division grant management and reporting,
- » Providing ongoing technical assistance related to implementation of state and federal transit grants. This included extension of a mobility management grant to fund a tribal planner position which had continued to be vacant and allowed the Tribe additional time to bring on the needed expertise.

The Klamath Tribes directly operate demand response and Quail Trail intercommunity service throughout the Klamath Basin in south central Oregon. During 2022, Ms. Conley participated in collaborative conversations among regional transit providers, provided technical assistance in implementation of several state and federal transit grants and made one in-person visit with tribal transit staff. Specifically, Ms. Conley supported ODOT's Government to Governmental relationship with the Klamath Tribes by:

- » Participating a coordination meeting with staff of the Klamath Tribes transit program, Cascades East Transit, Basin Transit Service and regional public health partners to discuss service needs in Northern Lake County, and particularly how to best serve the need for

Rural Veterans Healthcare Transportation between northern Lake County and Deschutes County.

- » Supporting The Klamath Tribes in implementation of new Statewide Transportation Improvement Fund grant including training on required reporting.
- » Providing technical support as Tribal staff planned to address findings from their 2021 ODOT compliance review
- » Held several conversations with tribal transit staff regarding scheduling for a Tribal Transit Roundtable in late summer 2022. Ultimately tribal staff advised that the roundtable would be best postponed until later in the year, and Ms. Conley heeded the advice.
- » Providing ongoing technical assistance, via phone calls and virtual meetings, related to implementation of state and federal transit grants with the Klamath Tribes.

Region 5, Eastern Oregon

Region 5's Interim Regional Transit Coordinator, Arla Miller, works closely with Kayak Public Transit, a service of the Confederated Tribes of the Umatilla Indian Reservation, and the Burns Paiute Tribe tribal transit program.



Kayak Public Transit Hub in Mission, OR.

December 31, 2021, Mr. Kenton Dick retired from the Burns Paiute Tribe Planning position, along with several other positions he held. Mr. Manuel Mose was hired to fill the positions for the tribe. Ms. Miller has worked with Mr. Mose to let him know of the funding that is available. Ms. Miller advised Mr. Mose to reach out to Federal Transit

Administration (FTA) to access Tribal Transit Funds the tribe is eligible to receive through FTA directly. The Burns Paiute Tribe has never accessed the funds available to them through FTA. During COVID-19 pandemic the Burns Paiute Tribe suspended public transit services, restarting in mid-December 2021. During COVID-19 the proposed Confederated Tribes of the Umatilla Indian Reservation and Morrow County public transit services to the Port of Morrow in Boardman, Oregon, has been delayed waiting on vehicles. The Port of Morrow is Oregon's second largest port. A joint planning project undertaken in FY 2021 anticipates intercommunity services delivered by Kayak Public Transit and a high frequency circulator route operated by Morrow County to address the first-mile-last-mile needs of commuters.

September 20, 2022, the permanent Regional Transit Coordinator for Region 5 was hired, Ms. Angie Jones. Ms. Jones will continue to work with the Confederated Tribes of the Umatilla Indian Reservation, as well as the Burns Paiute Tribe for public transit needs.

Training Program

Due to the concerns surrounding the COVID-19 pandemic, the 2022 Oregon Public Transportation Conference was held virtually and attended by members of the Burns Paiute Tribe, Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians, Confederated Tribes of Siletz Indians, Coquille Indian Tribe, Confederated Tribe of the Umatilla Indian Reservation, and The Klamath Tribes. An in-person conference is currently planned for October of 2023.

Tribal members from the Confederated Tribes of Siletz Indians; the Coquille Indian Tribe; the Cow Creek Band of Umpqua Tribe of Indians; Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians, The Klamath Tribe, Confederated Tribe of Warm Springs, Confederated Tribes of Grand Ronde; and the Burns Paiute Tribe all attended additional trainings offered throughout the year made possible with the Technical Assistance Program scholarship funds. The trainings included Diversity in Contracting, Navigating the new Statewide Transportation Improvement Fund guidebook and website, Advisory Committee Strategies, Incorporating Equity into Project Selection, managing grants, OPTIS software, Passenger Assistance (PASS), procurement instruction, vehicle maintenance management and wheelchair securement certification, as well as driver-specific training covering subjects such as communication, conflict resolution, understanding the needs of riders, person-first perspective, assisting persons with mobility differences, Americans with Disabilities Act and wheelchair securement.

Staff Training

Marsha Hoskins, the Policy and Implementation Manager until April of 2022, holds a Professional Certificate in Tribal Relations from Portland State University's Institute for Tribal Government. In 2022, she continued to participate in sessions with subsequent cohorts.

In 2022, two Public Transportation Division staff, Jennifer Boardman and LeeAnne Ferguson, completed Portland State University's Professional Certificate in Tribal Relations program. The program started in in December 2021 and was held virtually with some in-person field trips to visit the Coquille Tribe, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, and the Confederated Tribes of Siletz Indians. In the past years two other staff members received their certification.

Technical Resource Center

The Technical Resource Center assists public transportation service providers in rural areas with training, transportation planning and information technology. The [Technical Resource Center website](#) is designed to help Oregon's transportation agencies acquire the resources they need to effectively carry out their respective missions.

OTHER FEDERAL AND STATE GRANTS

Federal Grants

The Program Services Unit administers multiple U.S. Department of Transportation Federal Transit Administration programs that are available to the nine tribes:

- » **Enhanced Mobility of Seniors and Individuals with Disabilities Program, Section 5310:** This program provides funds for capital purchases and operations that benefit seniors and individuals with disabilities. The discretionary portion of the funds are distributed for two-year cycles beginning during odd numbered fiscal years. Tribes may use

the funds for vehicle purchases or other capital needs, as well as transit operations such as purchased service and maintenance projects. The Confederated Tribes of the Umatilla Indian Reservation received an award under the Fiscal Year 2022 competitive solicitation.

- » **Formula Grants for Rural Areas Program, Section 5311:** This program provides grant assistance to entities that deliver general public transportation services to communities of fewer than 50,000 people. Funds may be used for planning, administration, operations and capital purchases. The majority of funds are distributed through a formula program. Tribes are eligible to apply to ODOT for these funds. The Confederated Tribes of the Umatilla Indian Reservation, the Klamath Tribes and the Confederated Tribes of Grand Ronde currently participate in this program.
- » **Coronavirus Aid, Relief and Economic Security (CARES) Act Funds:** This one-time funding program supports projects to assist transit providers experiencing negative impacts from the COVID-19 pandemic and supports operating, capital, and other expenses generally eligible under the Section 5311 and 5311(f) programs. Funding comes from CARES Act funds apportioned to Oregon by the Federal Transit Administration. Tribes are eligible to apply to ODOT for these funds. The Confederated Tribes of the Umatilla Indian Reservation, the Klamath Tribes and the Confederated Tribes of Grand Ronde currently participate in this program. Additionally, tribes who receive Federal Transit Administration Section 5311 (c) Tribal Transit funding also received a direct apportionment of CARES funds.
- » **Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Funds:** This one-time funding program supports projects to assist transit providers experiencing negative impacts from the COVID-19 pandemic and supports operating, capital, and other expenses eligible under Federal Transit Administration Section 5310 and Section 5311 programs. Recipients must certify no furloughs to be eligible for non-operations funding through CRRSAA. ODOT added CRRSAA funds into the 5310 and 5311 solicitations. Tribes are eligible to apply to ODOT for these funds. Coquille Indian Tribe and the Cow Creek Band of Umpqua Tribe of Indians currently receive funding from this program. Additionally, tribes who receive Federal Transit Administration Section 5311 (c) Tribal Transit funding also received a direct apportionment of CRRSAA funds.
- » **Bus and Bus Facilities Program, Section 5339:** This program supports the purchase of buses and transit facilities. The funds are distributed through a discretionary grant program; tribes that offer public services are eligible to participate. In Fiscal Year 2022, two complementary solicitations were offered: Section 5339 Vehicle Replacement and Section 5339 Bus and Bus Facilities, the latter being for facilities or rolling stock expansions. Agreements were created for The Confederated Tribes of the Umatilla Indian Reservation under both funding opportunities.
- » **Statewide Planning Federal Transit Administration Section 5304:** This funding provides multimodal transportation planning in metropolitan areas and states. These funds are apportioned to each state through a formula that includes the state's proportion of the nation's urbanized area population and other factors. These funds are allocated by ODOT for local planning needs through a discretionary grant program. Applicants, which include federally recognized Tribes, may use these funds for planning activities that increase the safety, security, accessibility, and mobility of the transportation system for people and freight whether they are motorized or non-motorized users. Funds were awarded to the

Coquille Indian Tribe in 2021-23 for this program. Another awarded project for Basin Transit will update the joint Transportation Human Services Coordinated Plan for Klamath County and the Klamath Tribes. In 2022, staff supported tribes in the process of completing the work laid out in their grant agreements using tools like phone calls, emails, and in-person meetings with grantees.

- » **Tribal Transit Funds:** Federally recognized Tribes are eligible to participate as direct recipients of Federal Transit Administration Tribal Transit funds if tribes meet Section 5311 Rural Program requirements. The Klamath Tribes, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Warm Springs, the Confederated Tribes of Grand Ronde, and the Confederated Tribes of Siletz Indians are eligible to participate in the formula portion of the Tribal Transit program. Both the Coquille Indian Tribe and the Cow Creek Band of Umpqua Tribe of Indians are working with ODOT staff to explore obtaining formula eligibility.

State Grants

The Program Services Unit administers several state-funded programs that are available to the nine tribes:

- » **Special Transportation Fund:** These funds were combined with the Statewide Transportation Improvement Fund through the Statewide Transportation Improvement Fund Consolidation effort and will be reported under that program now and in the future.
- » **Statewide Transportation Improvement Fund:** This fund provides a dedicated source of funding to expand public transportation to access jobs, improve mobility, relieve congestion, and reduce greenhouse gas emissions around Oregon. All nine federal recognized Tribes are Qualified Entities, eligible to receive Statewide Transportation Improvement Fund Formula dollars. In the Statewide Transportation Improvement Fund Formula 2021-23 cycle eight of the nine tribes will receive formula funds with the Burns Paiute tribe deferring the 2021-23 allocation into 2023-25. In 2022, staff supported tribes in the process of completing the work laid out in their Statewide Transportation Improvement Fund Plans using tools like phone calls, emails, and in-person meetings with grantees.
- » **Rural Veterans Healthcare Transportation Grant Program:** Public Transportation Division's partnership with the Oregon Department of Veterans Affairs to develop the Rural Veterans Healthcare Transportation (RVHT) grant continued in FY 2022. The pilot project created the previous year was formalized by the Oregon Legislature in House Bill 2139. HB 2139 preserved through statute the initial RVHT policy recognizing Oregon's federally recognized Tribes as categorically eligible to participate in the program, irrespective of their rurality metrics. HB 2139 introduced eligibility for Oregon's highly rural jurisdictions, which had not been a feature of the pilot program. Consistent with the Public Transportation Division's approach to rulemaking, it invited Oregon's federally recognized Tribes to consult on the development of language amending the Oregon Administrative Rule to accommodate the new eligibility partners. The Public Transportation Division reassembled the RVHT Steering Team from the pilot cycle to review, score, and prioritize applications for funding. By design, the RVHT Steering Committee has standing membership roles for representatives from Oregon's federally recognized Tribes.

During the pilot round, Oregon's Tribes were responding to local pandemic challenges that (understandably) took priority but the Steering Committee enjoyed steady Tribal perspectives through three solicitation rounds under HB 2139 funding. The Confederated Tribes of the Warm Springs Reservation was RVHT's first Tribal partner funded under a coordinated application process in Fiscal Year 2022. At the time of this report, they're part of the most successful project in the State.

Compliance Monitoring Program

As part of its federal grant management program, the Public Transportation Division administers a compliance monitoring program for entities receiving federal and state public transportation grant funds. Reviews are conducted at least every five years. As grantees, all nine tribes participate in the program. In 2022 three tribes were reviewed including the Burns Paiute Tribe and the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians which were completed in summer 2022 and the Confederated Tribes of the Umatilla Indian Reservation which will be completed in December. Looking ahead to 2023, three tribes are tentatively scheduled for review. Those include The Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, and the Confederated Tribes of Warm Springs.

The Public Transportation Division also administers a Drug and Alcohol Compliance Program for all entities receiving Federal Transit Administration Section 5311 funds that employ "safety sensitive" employees. Three of the nine tribes participate in this program. There were no drug and alcohol reviews completed in 2022.

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POLICY DATA AND ANALYSIS DIVISION (PD&A)

The Policy Data and Analysis Division is the strategy, policy and planning arm of ODOT. It includes the Climate Office, Policy and Planning, Research, and Transportation Data. The division leads the efforts to implement the agency's 2021-2023 Strategic Action Plan, which focuses on building a modern transportation system that is equitable and has sufficient and reliable funding for the future.

The Division is responsible for producing the Oregon Transportation Plan, the Oregon Highway Plan, modal and topic plans as well as supporting ODOT Regions to develop individual plans for specific highway corridors.

The Policy Data and Analysis Division is also the home of interagency partnerships that help to shape the future, such as the Transportation and Growth Management Program, sustainability program and transportation/health initiatives.

The Policy Data and Analysis Division has helped Oregon take a leading role nationwide in many fields such as transportation and land use modeling, greenhouse gas reduction, and coordinated land use and transportation development.

The ODOT Climate Office is responsible for integrating climate considerations into ODOT divisions, with other state agencies, local jurisdictions, and the public participating in this work. Mitigation work focuses on reducing greenhouse gas emissions from transportation, including transportation electrification and implementing state directives. Adaptation work focuses on preparing for and responding to the impacts of climate change to transportation infrastructure. The Climate Office also supports legislative and Governor's Office directives related to climate change mitigation, adaptation or sustainability.

The Oregon Transportation Plan (OTP): A major update to the OTP is underway. The update process began in April of 2021 and will continue through 2023. ODOT Statewide Planning will handle formal consultation for the plan. As part of the planned outreach for the Oregon Transportation Plan in fall/winter, the project team is preparing to send out letters inviting consultation to the tribes by early 2023. The final (OTP) is anticipated to be approved and adopted by the Oregon Transportation Commission in late summer 2023.

The Oregon Highway Plan (OHP): During the development of the Oregon Highway Plan Amendment for Tolling process, PDAD notified all tribes of the proposed action. Additionally, PDAD staff presented a project overview and answered questions with the Confederated Tribes of the Grand Ronde. PDAD staff also responded to comments, letters and emails from the same tribe during the process to further discuss potential policy impacts and matters sensitive to the tribe. New policy was introduced because of these interactions that specifically addressed concerns presented by the tribe. PDAD engaged with the Confederated Tribes of the Grand Ronde several times during the OHP Amendment process. In addition to numerous email responses and phone discussions, the following meetings were held:

- » **June 28, 2022:** Consultation Letter (signed by Erik Havig) sent via email
- » **July 19, 2022:** Presentation to tribe representatives and extensive discussion

The engagement with the Confederated Tribes of the Grand Ronde resulted in discussion of important issues for the tribe and revised policy language that reflects these discussions. These discussions are a good foundation for future discussions and engagement. PDAD will continue outreach with tribes during, following the policy development project as needed, particularly around issues associated with tolling, and pricing such as rate setting, discount options and other related issues outlined in tribal agreements.

The Statewide Transportation Improvement Program (STIP): The Statewide Transportation Improvement Program (STIP) – The STIP is ODOT’s capital improvement program. The STIP development process contains milestones in which we have committed to seeking consultation with Tribal governments. Milestone #3 is the integration of the Tribal Transportation Improvement Program (TIP) into the STIP. This initiates a consultation opportunity between ODOT and the Tribal governments to review the finalized project lists in the draft 2024-2027 STIP, share the development status of the Tribal TIP, and engage in discussion about investment priorities and opportunities to leverage work. This consultation was initiated in October 2022 with meetings conducted with region managers, area managers and other key staff. ODOT is scheduled to conduct formal consultation with:

- » **December 9, 2022:** The Confederated Tribes of Grand Ronde
- » **December 2, 2022:** The Coquille Indian Tribe
- » **November 16, 2022:** The Cow Creek Band of Umpqua Tribe of Indians

Long Range Planning

The Policy, Data and Analysis Division develops policies and strategies for operating, managing, maintaining, and funding the state’s transportation system to achieve Oregon’s long-range transportation vision and goals. Transportation policy guides ODOT’s decision-making towards the implementation of a planned transportation system. The Oregon Transportation Plan is the state’s long-range transportation system plan. It establishes a vision and policy foundation to guide transportation system development and investment. The Oregon Transportation Plan and the various mode and topic plans that fall underneath it guide decisions by ODOT and other transportation agencies statewide and are reflected in local and regional planning efforts. All statewide policy plans are available online for reference. Consultation with Tribal governments for statewide plans will take place when new plans are written or when existing plans receive updates. Statewide plan update cycles vary; those that are established by federal regulation have a set timeline, while others will occur on an as-needed basis.

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ODOT DATA SECTION

Data services provided by the Transportation Data Section are critical for successfully managing Oregon's transportation system. The Crash and Analysis Reporting Unit provides motor vehicle crash data through database creation, maintenance and quality assurance. Ten years of crash data is maintained at all times. The unit also has ongoing communication with the Confederated Tribes of Warm Springs Police Department with regard to fatal crash reports on the tribes' lands.

The **Crash Analysis and Reporting Unit (CAR)** interacted with Billie Jo Nickens from the Confederated Tribes of the Umatilla Indian Reservation sharing information about SS4A Grant applications.

The **GIS Unit** responded to Ask ODOT inquiry to assist a representative of the Coquille Indian Tribe to acquire right-of-way map information for use in a GIS format. They are currently working with Region 2 to develop a map that contains the TERO boundaries that allow for STIP projects to be selected to see what (if any) tribal boundary they fall in.

Research Program

The Research Program oversees the state's federally funded research and the Technology Transfer Program. Research focuses on safety, infrastructure repair and preservation, maintenance practices, innovative contracting and project delivery, sustainable environmental practices and the land use transportation connection. The ODOT Research Manager participated in the first ever ODOT sponsored Tribal Summit on September 14-15, 2022.

The **Technology Transfer Program (T2)** is a part of the Research Section and offers training, technical assistance and technology transfer to local transportation agencies, which includes cities, counties, tribal governments, and other public entities.

The Technology Transfer program's customer base includes the nine federally recognized tribes in Oregon.

Tribal Involvement

The T2 Center Trainers delivered circuit rider packets of timely transportation and safety related materials to six of the nine federally recognized tribes in Oregon in 2021. During these visits, the trainers request feedback on what services are beneficial to the tribes and what other trainings and resources would be beneficial to the tribes. We will again be delivering these packets in 2023 and touching base with each of the tribes.

The T2 Center Director has been reaching out to some of the tribes to share information about services offered and set up meetings to discuss how T2 can serve the tribal needs. Tribal contacts for this purpose were primarily done at the ODOT Tribal Summit on Natural and Cultural Resource in September of 2022.

Other Successes

The T2 Center Director was an active member of the planning committee for the ODOT Tribal Summit on Natural and Cultural Resources. Due to COVID-19, the tribal Symposium was pushed back multiple times, and was finally held in September of 2022 with a virtual option for those that could not attend in person.

Future Actions

The T2 Center Trainers will continue to make contacts with the tribes in Oregon.

The T2 Center Director will continue to be reaching out to the tribes to garner involvement in strategic planning, recruit steering committee involvement, have discussions on beneficial services to the tribes, and to ensure that each of the tribes are aware of the services that the T2 Center has to offer.

ODOT CLIMATE OFFICE

Program Updates

The Climate Office participated in the ODOT-Tribal Summit on Natural and Cultural Resources on September 15, 2022. This was a collaborative, in-person event in Lebanon, Oregon. The Climate Office presented during a session on climate change and natural hazards planning along with representatives from the Burns Paiute and Grand Ronde Tribes. Program updates covered ODOT's transportation electrification program, adaptation/resiliency planning, and sustainability efforts.

Electrification

The Climate Office responded to inquiries from two individuals with the Confederated Tribes of Warm Springs about putting EV charging at the soon-to-be-reopened Kaa-Ne-Taa Resort in Warm Springs. The Climate Office shared information about future ODOT-funded Level 2 Community EV Charging Rebate that could be a resource for EV charging locations, including this one, next year. Additionally, we referred these individuals to ODOT contacts for West Coast Electric Highway public-private partnership, and Forth, a non-profit EV advocacy group, to help the Confederated Tribes of Warm Springs further evaluate potential EV charging resources for Kaa-Ne-Taa Resort in Warm Springs.

Mitigation

As a part of the Every Mile Counts multi-agency partnership to implement the Statewide Transportation Strategy for Greenhouse Gas Reduction, ODOT and partner agencies provided an Every Mile Counts Equity Guiding Principles Crosswalk to the Affiliated Tribes of the Northwest Indians, Native American Youth and Family Center, and Northwest Portland Area Indian Health Board organizations. The crosswalk documented how agencies used feedback from these organizations to identify equitable outcomes for state agency actions to reduce emissions. The Affiliated Tribes of the Northwest Indians organization met with agency staff to provide additional feedback on emissions reduction, social equity and environmental justice objectives.

The Transportation and Growth Management Program

Umpqua Public Transportation District, Master Plan: This project provided a master plan for the recently formed Umpqua Transit District of Douglas County, which included a detailed transportation improvement funding list. The Cow Creek Band of Umpqua Tribe of Indians, Grande Ronde and Siletz Tribes participated on the advisory committee and in focus groups. Each Tribe also received monthly updates on the status of the project.

Curry County Public Transportation Service District, Transit Development Plan: This project is providing a development plan for the Curry County Transit District. The Coquille Indian Tribe and Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians were invited but declined to participate in focus groups and on advisory committees.

City of Coos Bay, Front Street Blueprint: This project incorporates community and economic interests to achieve a vision for the City's waterfront. Tribal One participated in focus groups and review of project deliverables to support Tribal interests. Tribal One is the Mith-ih-Kwuh Economic Development Corporation (MEDC), a federally chartered corporation that is 100% owned by the Coquille Indian Tribe.

City of Roseburg, Bike Routes Plan: This plan will identify ways to increase bicycle trips by establishing and mapping designated bicycle routes throughout the City. The Cow Creek Band of Umpqua Tribe of Indians was invited but declined to participate on the advisory committee and in focus groups.

Confederated Tribes of the Umatilla Indian Reservation Transportation System Plan (TSP): This is an update grant that is in the concept development phase. The TSP update encompasses the tribal boundaries, including several roads on and off reservation Trust Lands. Mobility choice is a high priority of the update. The TSP will incorporate recommendations provided in the TGM 2017 Mission Community Master Plan.