



Washington Transportation Professionals

Forum and Peer Exchange

APRIL 20, 2023

8:30 AM-12:00 PM

Credit: Washington State Legislature

Welcome

- **Introduction to a Draft Design Guide for the Pedestrian and Bicycle and Safe Routes to School Programs**
- **Tribal Coordination in Transportation**
- **Tribal Sovereignty and Tribal Engagement: “How to do Business with Tribes”**
- **Tribal Traffic Safety Planning and Projects**

Washington Transportation Professionals

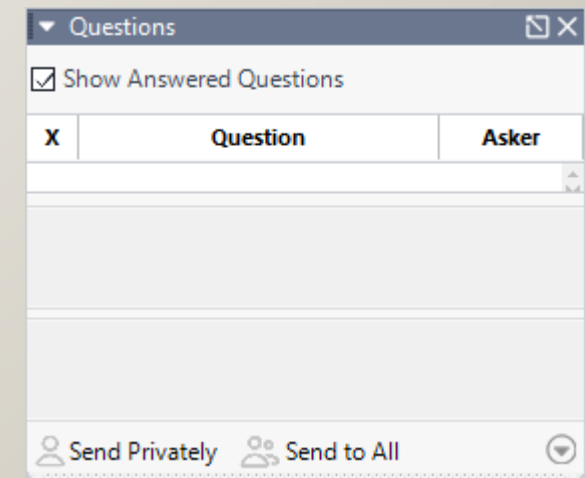
- Formed
 - ✓ Over 40 years ago as the Urban Traffic Engineers Council.
 - ✓ By city traffic engineers and focused on traffic operations.
- Evolution and Growth
 - ✓ All cities, all counties, MPOs/RTPO's, vendors, consultants, nonprofits, & other agencies = Over 400 entities (Over 1000 individuals).
 - ✓ Discuss local agency transportation issues of statewide significance.
- Forums and Peer Exchanges
 - ✓ Facilitated by WSDOT's Local Programs and Active Transportation divisions with help from public agencies, consultants, and vendors.
 - ✓ Looking for relevant topics and presenters.
 - ✓ Forum Hosts

Statewide Participation

- Cities
- Counties
- Tribes
- WSDOT—All regions, WSF, and HQ
- MPOs/RTPOs
- FHWA
- State Agencies—WTSC, CRAB, TIB, DOH, +others
- Transit, Ports, Railroads, and other transportation providers
- Nonprofit Organizations
- Consultants and Vendors

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We will read it to the presenter for a response.



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Agenda

- **Introduction to a Draft Design Guide for the Pedestrian and Bicycle and Safe Routes to School Programs**
- **Tribal Coordination in Transportation**
- **Tribal Sovereignty and Tribal Engagement: “How to do Business with Tribes”**
- **Tribal Traffic Safety Planning and Projects**

Introduction to a Draft Design Guide for the Pedestrian and Bicycle and Safe Routes to School Programs

Briana Weisgerber, P.E.

Active Transportation Programs Engineer

WSDOT Active Transportation

Washington Transportation Professionals
Forum and Peer Exchange



Credit: City of Spokane Valley

Active Transportation Grant Programs Design Guide

Washington Transportation Professionals Forum

Briana Weisgerber, P.E. | Active Transportation Programs Engineer
April 20, 2023

Agenda

- PBP & SRTS Funding Programs
- Past Application Cycles
- PBP & SRTS Design Guide
- Schedule



Safe Routes to School and Pedestrian and Bike Programs

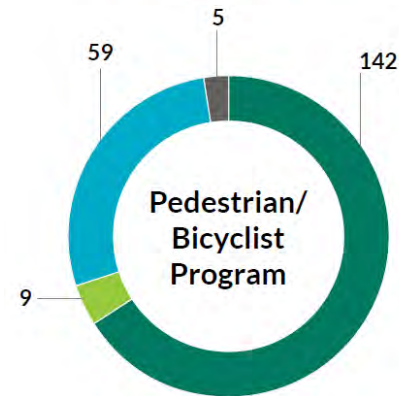
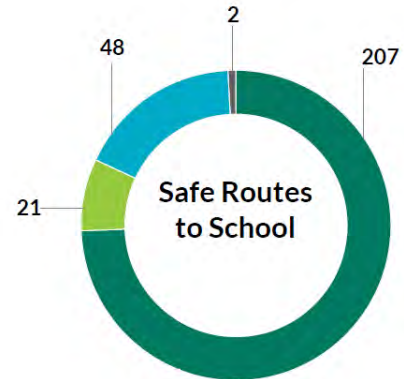
- Aim to improve safety for pedestrians and bicyclists
- All roads
- All public agencies & Tribal governments are eligible



Grant Programs Summary

- Programs can fund:
 - Pedestrian and bicycle crossing improvements
 - Speed management
 - Pedestrian-scale lighting
 - Linear bicycle facilities
 - Linear pedestrian facilities

Completed Approved Underway Cancelled



Status of projects from 2005-2022 as of December 1, 2022

Past Application Cycles

“This project will include the following number of Crossing Infrastructure/Geometric **Treatments**. Indicate the number or length of each type that will be included in the project and leave the other options blank.”



PBP & SRTS Design Guide

- Expands on the prior list of treatments with design guidance
- Simplifies project development and application for funding
- Establishes common definitions of the treatments for these funding programs
- Emphasizes “how” to design treatments
- Applicant determines where and when to apply a treatment



When Does the Guide Apply

- All SRTS and PBP grant applications on local or county roads
- Could be adapted for a pilot or trial treatment installation
- On state routes, comply with WSDOT Design Manual and related agency standards
- Applications for projects that deviate from the guide should include plan sheet details, standard drawings, or sample plans



Wenatchee quick-build complete streets project.
Source: Smart Growth America

Design Guide Contents

- **Part 1** – How to use the guide
- **Part 2** – Treatment list containing:
 - Treatment description
 - Design guidance
- **Appendix** – Plan sheet details of each treatment

Part 1 – Equity

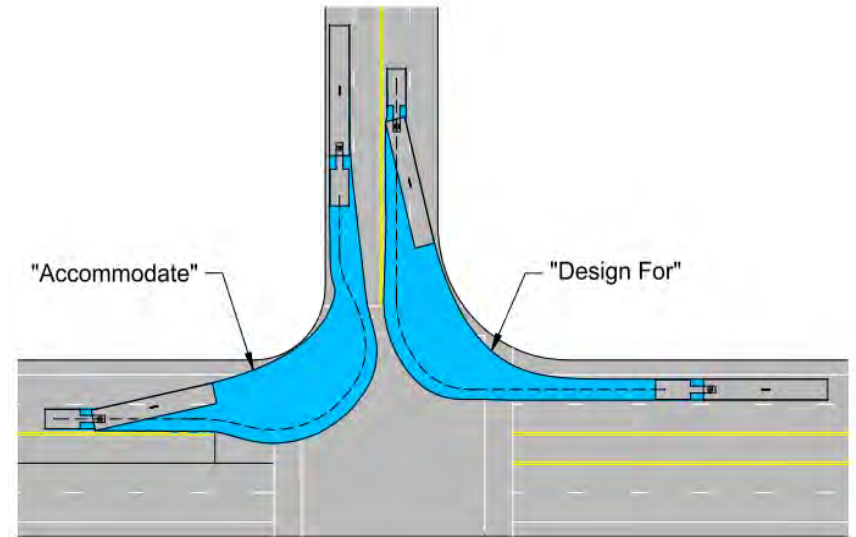
Consider ways equity can be infused into project design decisions including, but not limited to:

- Project location
- Public outreach
- Cultural elements or public art



Part 1 – Design Elements

- WSDOT Level of Traffic Stress
- Pilot or trial installations
- Design and control vehicles for corner radii
- MUTCD and Interim Approvals
- Additional guidance and sources



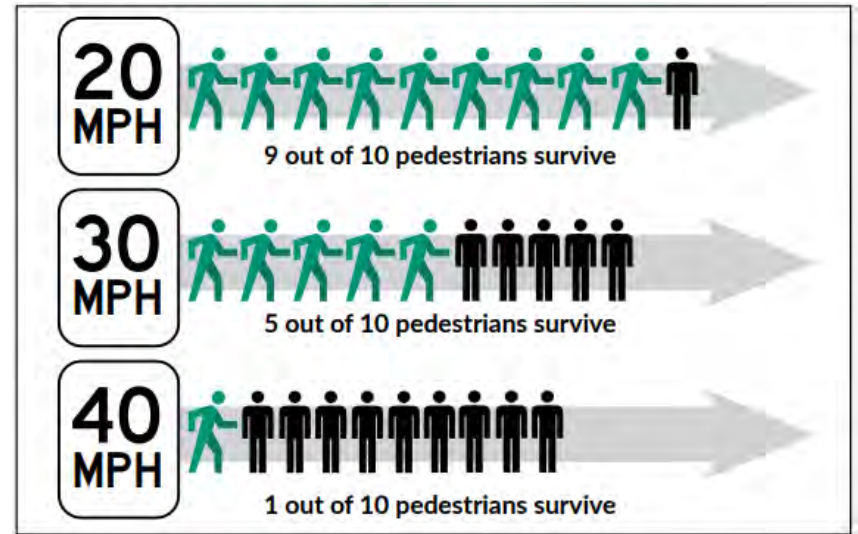
Designing for vs. Accommodating Vehicles at an Intersection.
Source: Seattle Right-of-way Improvements Manual.

Part 2 – Some Included Treatments

- Reduced Corner Radii
- Raised Crosswalk
- Pedestrian Refuge Island
- Physical Barrier to Restrict Parking Near Crossings
- Curb Extension
- Protected Intersection for Linear Bicycle Facilities
- Pedestrian/Bicyclist Overpass
- Pedestrian/Bicyclist Underpass
- High-Visibility Crosswalk
- Pedestrian Crossing Advance Stop Lines
- In-Street STOP FOR PEDESTRIAN Sign
- Pedestrian Countdown Signal
- Flashing STOP Sign
- Prohibit Turn-on-Red
- Rectangular Rapid Flashing Beacon
- Leading Pedestrian Interval
- Pedestrian Hybrid Beacon
- Half Signal for Pedestrians and Bicyclists
- Full Traffic Signal
- Pedestrian-Only Phase
- Bike Detection at Traffic Signals
- Bike Signal Face
- Leading Bike Interval
- Bicycle Intersection Crossing Markings
- Bicycle Box

Part 2 – Speed Management

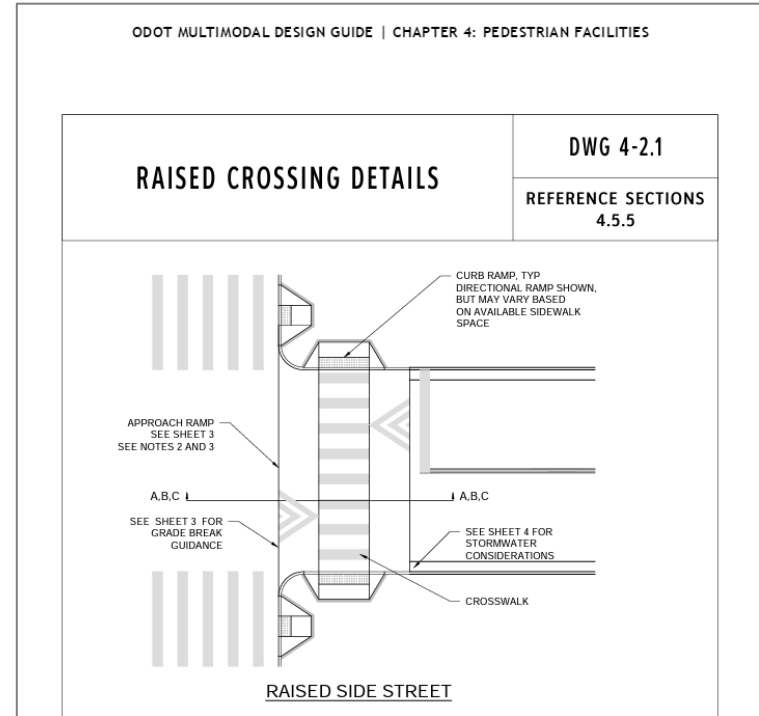
- Grant programs encourage all applicants to consider ways to set injury minimization speed limits for projects
- Iterative speed reduction with treatments
- Speed management section and treatments identified throughout the guide



Speed and pedestrian risk of fatality
Source: WSDOT Target Zero

Appendix

- Plan sheet details of treatments



Example Plan Sheet Detail. Source: Ohio DOT

Schedule



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Questions?



Contact

Briana Weisgerber, P.E.
Active Transportation Programs Engineer
(564) 669-4552, weisgeb@wsdot.wa.gov

For more information about the grant programs see:

[Safe Routes to School Program](#)
[Pedestrian & Bicycle Program](#)

Tribal Coordination in Transportation

Megan Nicodemus, WSDOT Tribal Liaison



Washington Transportation Professionals
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TRANSPORTATION PLANNING

COORDINATION WITH TRIBES

MEGAN NICODEMUS, TRIBAL LIAISON,
TRIBAL PLANNING COORDINATOR

April 20, 2023

ROGER MILLAR, SECRETARY OF TRANSPORTATION

AMY SCARTON, DEPUTY SECRETARY OF TRANSPORTATION

COORDINATION WITH TRIBES



WSDOT EASTERN REGION PLANNING PHOTO. NORTH SPOKANE CORRIDOR COMMUNITY ENGAGEMENT. SPOKANE, WA.

- Fundamental to transportation planning
- 3C process (continuing, comprehensive and cooperative)
- WSDOT Strategic Plan is our playbook!



TRIBAL TRANSPORTATION PLANNING ORGANIZATION. NISQUALLY MEETING, OLYMPIA, WA.

PLAN OF POSSIBILITIES

- Shared vision
- Consistent, aligned with values of all
- Addresses & reflects priorities
- Multimodal



WSDOT FILE, DEDICATION OF THE M.V. SAMISH, 2015



"THE SALMON CHIEF" SCULPTURE BY COLVILLE TRIBAL SMOKER MARCHAND. 2014. SPOKANE, WA

TRIBAL PERSPECTIVE

- Consulted after the fact
- Renew, Restore, Replace
- Preserve, Protect
- Each tribe has a unique history and unique culture



ELDER'S PATH DEDICATION. VELMA MCCLLOUD. NISQUALLY COMMUNITY. JIM LONGLEY PHOTO. OLYMPIA, WA.



"HEALS ALL" CIRCLE, MANAGEMENT TEAM. KALISPEL TRIBE. WSDOT FILE PHOTO, USK, WA.

TRIBAL ORGANIZATION

- Elections, operations
- Leadership priorities, resource availability
- Tribal calendar, traditions
- Federal Fiscal Year Calendar
- Lands & cultural areas



TRIBAL TRANSPORTATION PLANNING ORGANIZATION. COWLITZ MEETING., MICHAEL CARDWELL PHOTO.

VANCOUVER, WA.



WSDOT EASTERN REGION FILE PHOTO. US2 SPOKANE TRIBE ROUNDABOUT. 2018, SPOKANE, WA.

TRIBAL ENGAGEMENT

- Non-traditional coordination
- Include the right communities
- Early and often, share, followup
- Tribal Law and Regulations
- Tribes are developers



WSDOT NORTH CENTER REGION FILE PHOTO. US2 LEAVENWORTH, WA.

ASK FOR HELP

- RTPO or MPO
- WSDOT Tribal and Regional group
<https://wsdot.wa.gov/engineering-standards/planning-guidance/tribal-regional-planning>
- WSDOT Federal & Tribal Relations group
<https://wsdot.wa.gov/about/contacts/tribal-contacts>
- WSDOT Environmental & Cultural Resource Offices
- Tribes

Tribal Sovereignty and Tribal Engagement “How to do business with Tribes”

Dr. Margo Hill, J.D., Eastern Washington University



*Fishing Wars
Memorial Bridge*

Credit: Jennifer Squally, Puyallup Tribe of Indians

Doing Business with Tribes

Margo Hill, JD, MURP

Eastern Washington University

Washington Transportation Professionals Forum and Peer Exchange

April 20, 2023



Why do Business with Tribes?

- Universities, Transportation officials and State Agencies are increasingly involved with projects that involve tribal governments.
 - Tribes have businesses located on and off reservation lands.
 - Tribal Governments are often the largest employer in their region.
 - Tribal Governments are Sovereign Nations and State law typically does not apply to tribes.
 - The history of the American Indian is not taught in schools.
 - Understanding how U.S. government dealt with American Indians will help you understand tribal governments and citizens.
 - There unique opportunities working with tribes.
 - Federal Indian Policy will help you understand how to work within tribal frameworks.



29 Tribes in Washington State



Every tribe is unique and different

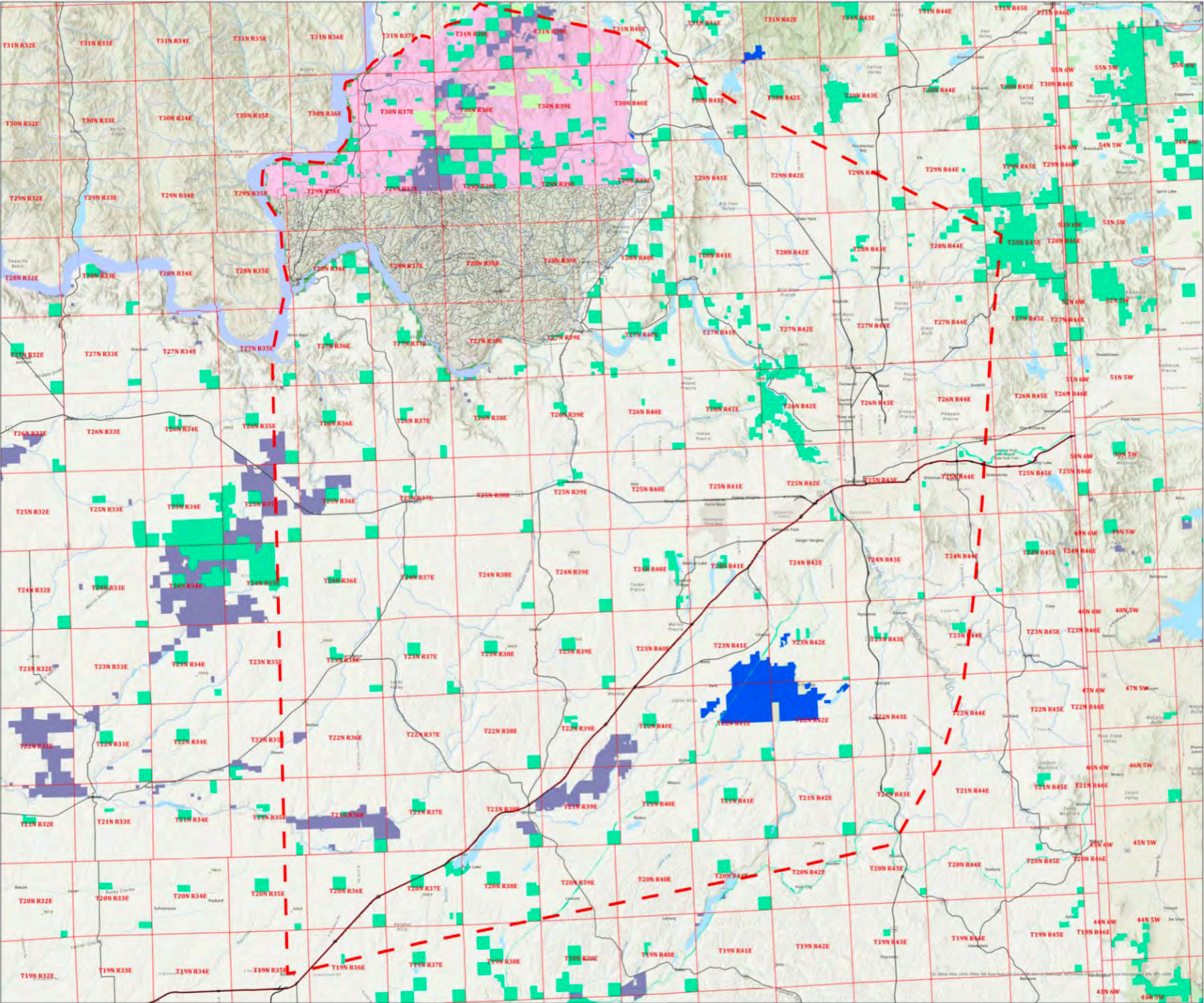
- Every tribe has a different and unique Culture and language.
- Each tribe has a different and unique History with the Federal Government.
- This leads to a different Establishment of Reservation Lands
 - Treaty and Executive Order Tribes – Colville Confederated Tribe, Coeur d'Alene
 - Treaty of Point Elliot (Lummi), 8 Stevens Treaties of 1855 (Yakama Nation)
 - What is the Tribe's Ceded Territory?
 - Tribe's will have off reservation consultation authority over Ceded lands.
 - Tribe's have hunting and fishing rights on ceded territories
 - Tribe's have Historic Preservation interests in ceded territories.
 - Some tribal territories may overlap with other tribes

Spokane Tribe Usual and Accustomed Lands

(Addendum Page)

Land management in the Spokane Tribe of Indian's land determined by 1877 Agreement and 1881 Executive Order:

- US Bureau of Land Management
- US Fish and Wildlife Service
- WA State DNR Managed Parcels
- Hancock Timberland Inc.

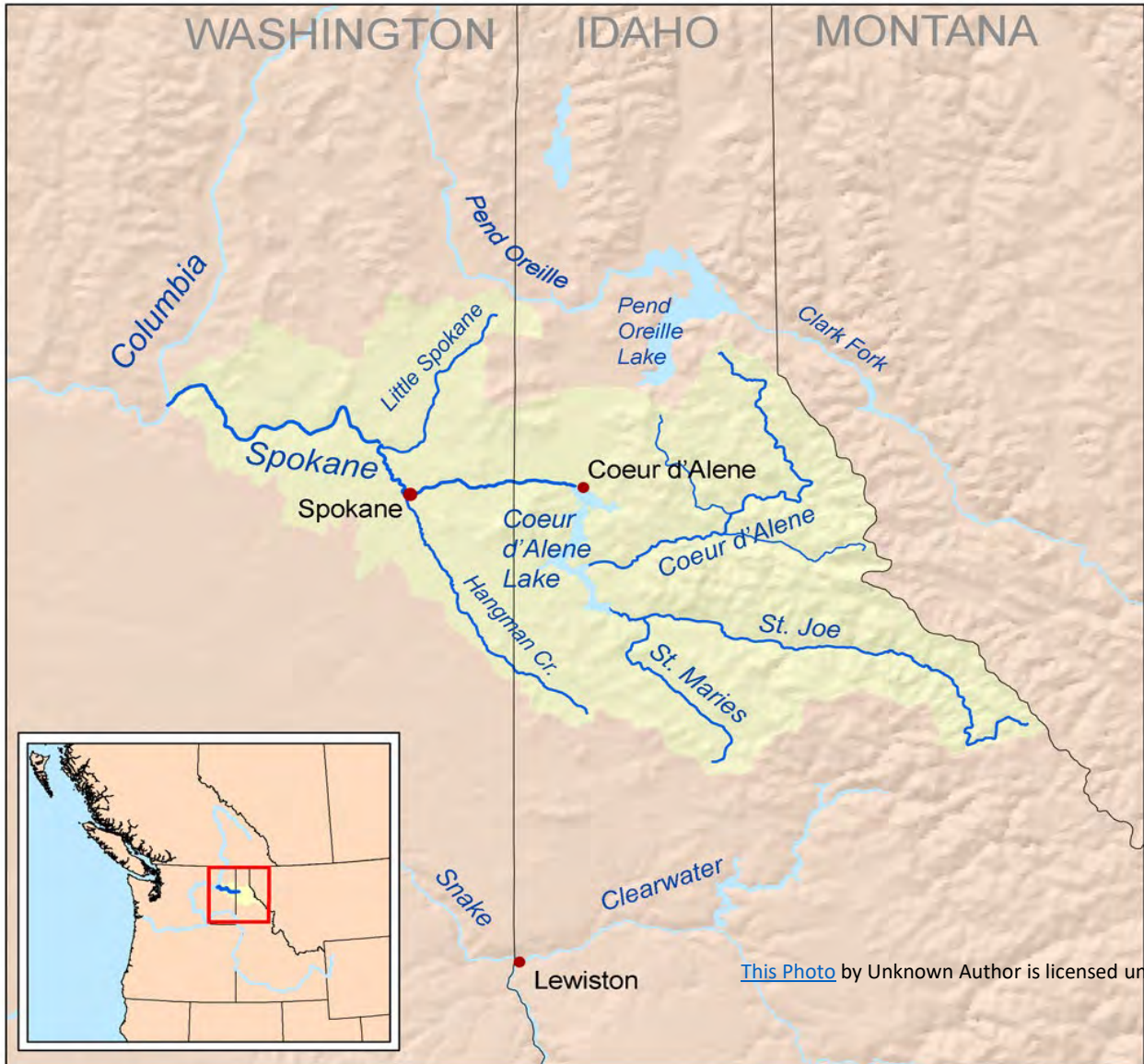


DRAFT MAP



Spokane Tribe of Indians

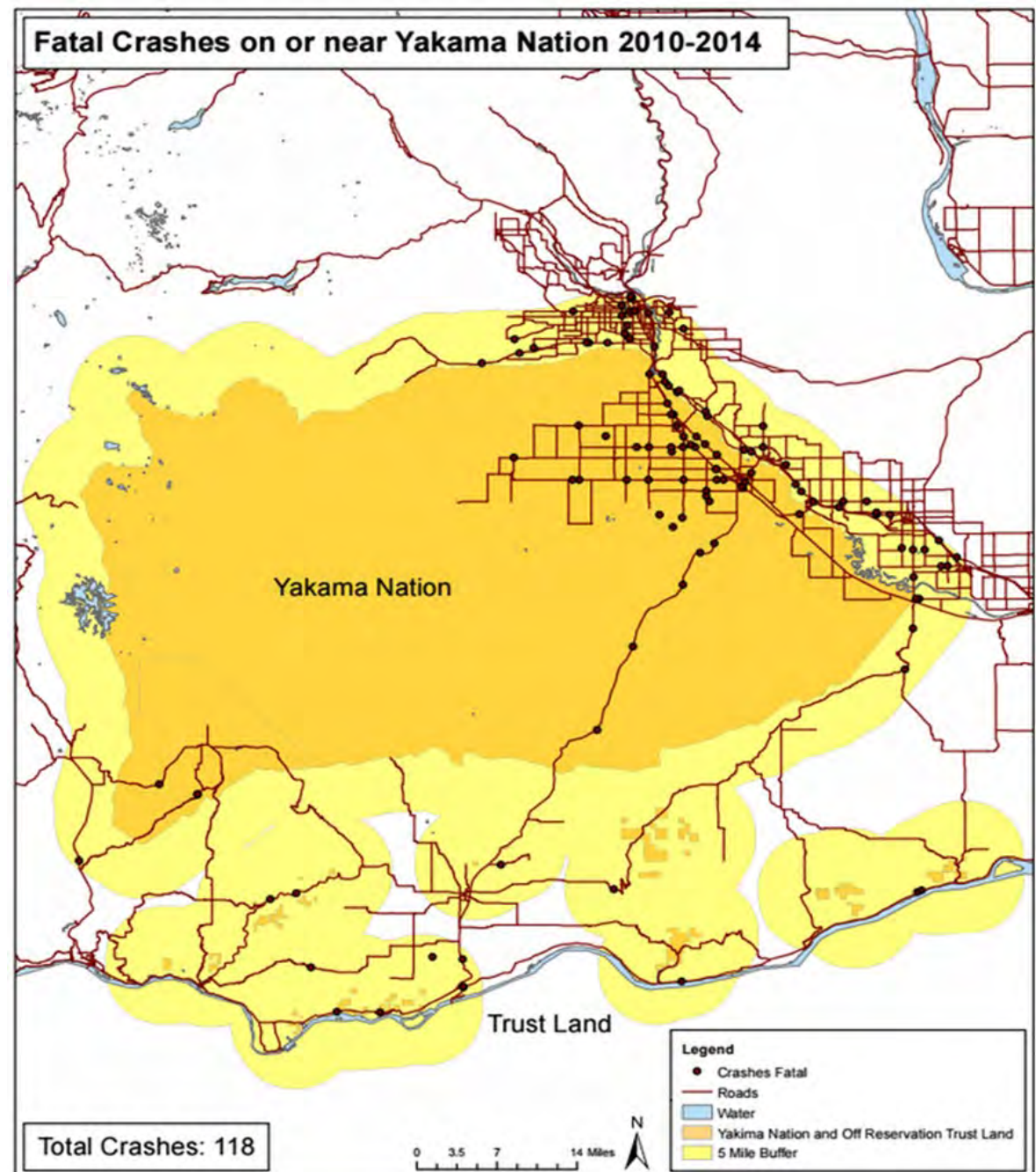
Both Exec.Order and Treaty at Supreme Ct.



- IDAHO et al. v. COEUR d'ALENE TRIBE OF IDAHO. 2001 (7 year battle -Tribe won 98)
- The Supreme Court upheld the Coeur d'Alene Tribe's claim to the southern third of Lake Coeur d'Alene in Idaho.
- the decision acknowledges ownership of an historically and culturally important lake and river. The tribe once held domain to over 3.5 million acres of land, whittled down over the years to make way for white settlement.
- Yet the tribe had always sought to include the lake within its boundaries. So much so that President Ulysses Grant in 1873 issued an executive order to set aside a reservation including the lake.

Tribes at Supreme Ct.

- Cougar Den (a Yakama Nation Corp) v. Wash State Dept. of Licensing,
U.S. Supreme Court ruled 5-4 on March 19,
- Associate Justice Breyer: 'To impose a tax burdens travel. And the right to travel on the public highways ... is just what the treaty protects.'



Differences across Tribes

- Land Base: Colville 1.4 million acres, Yakama 1.2 million acres, Kalispel reservation is 4,557 acres in Usk, WA.
- Demographics: there are nearly 400,000 members of Navajo Nation. There are 2,950 of Spokane Tribe.
- Membership- Req'ts – *“A person MUST be at least 1/4 (one quarter) Navajo to be enrolled as a member of the Navajo Nation. To determine if you are eligible for tribal membership, contact the Navajo tribe.” Other tribes require proof of lineal descendancy.*
- Priorities – Every tribe has different priorities based on their culture, their communities, their resources and history.
- Environmental Priorities – Spokane Tribe, Umatilla, Yakama –Wind Turbine

Tribal Sovereignty and Federal Preemption

- We cannot understand or do good planning in Indian Country without knowing some American Indian history or understanding the concepts of tribal sovereignty and federal preemption of the field of Indian Affairs.
- State law does not apply to tribes unless they take state money.
- European colonial governments presupposed their right to take the New World from its original inhabitants. They found justification in Christian evangelism, the Roman law of conquest, and the international law of the day.

Sources of Federal Indian Law

- 1. International Law and Practice--Look to borrowed settled principles of International law. Roman Law, Land Title of European governments. Spanish law of Conquest
- 2. Inherent Tribal Sovereignty--The inherent right or power to govern. At the time of the European discovery of America, the tribes were sovereign by nature and necessity; they conducted their own affairs and depended upon no outside source of power to legitimize their acts of government.
- 3. Treaties--369 treaties entered into with the United States of America

Sources of Federal Indian Law

- 4. Federal Statutes – Statutes are laws enacted by Congress. There are some laws enacted by Congress that specifically apply to Indians and tribes such as the Indian Child Welfare Act (ICWA) or the Indian Gaming Regulatory Act (IGRA).
- 5. Executive Orders -- unilateral agreements entered into with the President that typically establish the reservation. (This is opposed to treaties that are bi-lateral agreements between the Tribe and the United States government.)
- 6. Federal Court Decisions- these are decisions made in federal courts that apply to tribes. In Indian Country tribes want to be careful of the cases they bring forward. Bad facts make bad law.

Sources of Federal Indian Law

- 7. Administrative Regulations come from Federal Regulatory agencies. – When it comes to federal regulations its validity depends upon its being within the statutory authority Congress conferred upon the regulating agency. The Secretary of Interior issues regulations that apply to tribes. The Environmental Protection Agency – puts forth regulations that apply to tribes.
- 8. U.S. Constitution -- U.S. Constitution –Indian Commerce Clause, Treaty clause, Supremacy – federal laws are Supreme over State laws. U.S. Constitution (4) Federal Government, States, Foreign Nations, Tribes.
- 9. Tribal Law – Tribes enact Constitution/codes/statutes—the internal law that each tribe applies to its own affairs and members.(Example – the Tlingits have a highly evolved traditional property law.)

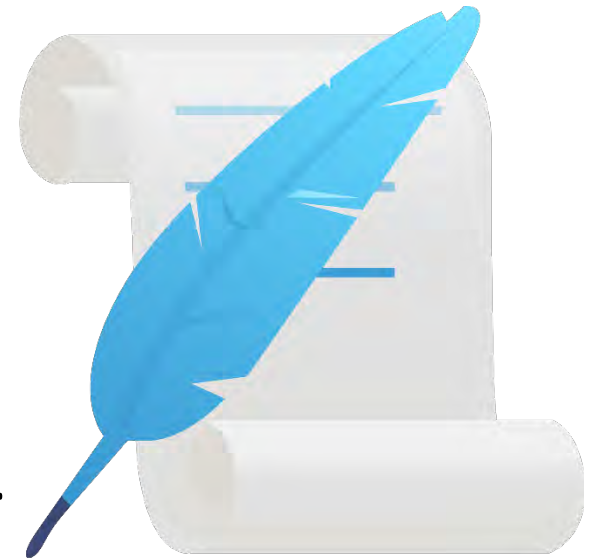
The United States Constitution

- The U.S. Constitution gives to Congress the power to “regulate commerce with the Indian tribes.” U.S. Const. Art. I, § 8.
- The first congresses passed Trade and Intercourse Acts which put Indian affairs under exclusive federal control, prohibited all but federal agents from negotiating for cessions of Indian land, and defined areas of “Indian Country” into which non-Indian access was restricted. E.g., 1 Stat. 137.



Roots of Tribal Sovereignty – Treaty Making

- The Federal government engaged in Treaty Making
- A treaty is: “essentially a contract between two sovereign nations” according to the United States Supreme Court.
- Indian tribes were recognized as sovereign nations by the European countries that began settling in North American during the 1600s.
- Europeans entered into treaties with Indians to acquire land.
- After the United States gained its independence from Great Britain is relied on treaties to conduct its formal relations with Indian tribes.



Tribal Inherent Sovereignty Recognized

- The United States Supreme Court noted in 1823, that Indian tribes were regarded by the nations of Europe and by the United States “as distinct, independent political communities, retaining their original natural rights,” and ranked “among those powers capable of making treaties.”
- The legal and political relationship between tribes and the federal government has been augmented (has become greater) by Congress, the executive branch, the courts, and the tribes themselves largely within this “Treaty” framework.



Defining Tribal Legal Status

- Not every tribe signed a treaty.
- Principles drawn from cases analyzing treaties (and other aspects of the nations historic dealings with tribes) really help define the nature of the tribal legal status.
- Treaties
 - Dealt with acquisition of Indian lands; and
 - Defined the nature of Indian tribes as governments relative to other sovereigns (federal government and the states).

What do the treaties say?

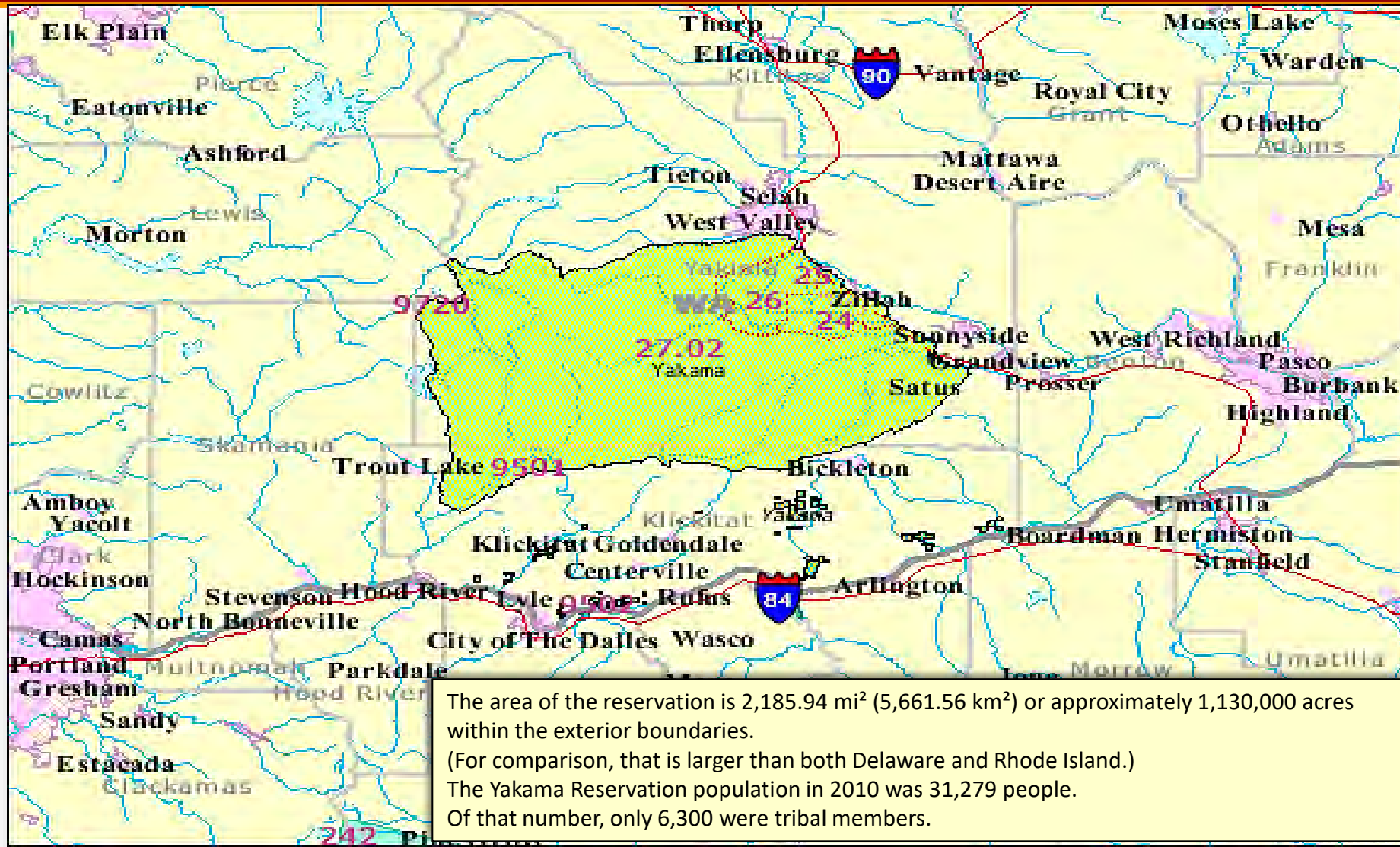
- The goal of the United States in nearly all of its treaties was to **OBTAIN** cessions of Indian land through negotiation rather than warfare.
- In exchange, the United States typically gave the tribe a set of promises.
- While all of the treaties varied from one tribe to another, nearly all of them “expressly recognized the sovereignty of the tribes and many contained express assurances that the federal government would protect the tribes.”

Rights Secured by Treaty

- Important rights were guaranteed to the tribes by treaty, and many of these rights continued to be enforceable.
 - Rights secured to the tribes by treaty today include beneficial ownership of Indian lands, hunting and fishing rights, and entitlement to certain federal services such as education or health care.
 - Many of these present rights are now a product of statute or executive agreement.



Yakama Indian Reservation



Cannons of Construction

1. Ambiguities in treaties must be resolved in favor of the Indians.
2. Treaties must be interpreted as the Indians would have understood them.
3. Treaties must be construed liberally in favor of the Indians.

The Federal Trust Relationship

- A treaty creates a trust relationship between the tribe and the United States, a relationship that requires the federal government to enhance—not injure—tribal interests, and therefore it should be presumed that the treaty was intended to provide the tribe with what it needed to prosper.
- These canons of construction have been extremely important to Indians resulting in favorable court decisions in numerous cases.

The Four Themes of Federal Indian Policy

1. The tribes are independent entities with inherent powers of self-government.
2. The independence of the tribes is subject to powers of Congress to regulate and modify the status of the tribes.
3. The power to deal with and regulate the tribes is wholly federal; the states are excluded unless congress delegate power to them.
4. The federal government has a responsibility for the protection of the tribes and their properties, including protection from encroachment by the states and their citizens.

Tribal Sovereignty

- One major concept is “Sovereignty,” the ability of tribes to govern their people and their lands.
- Tribal sovereignty has been recognized from the very beginning of American history. Tribes have inherent sovereignty which means that our ancestor’s had the power to govern their people before Europeans arrived.
- The boundaries of tribal self-government have been narrowed in recent years by the United States Supreme Court, particularly with regard to tribal authority over non-Indians.

Three Broad Areas of Trust Duties

- While Congress has placed major trust responsibilities in the Department of Interior, it also has delegated certain duties to the other government agencies.
- The official relationship is between the United States Congress and tribal governments.
- There are three areas of trust duties:
 1. Protection of Indian trust property;
 2. Protection of the Indian right to self-government; and
 3. Provision of those social, medical, and educational services necessary for survival of the tribes.

Tribal Government Powers

- Tribal Constitution
- General Membership – Voting members over 18
- Tribal Council
- Executive Director
- Departments/Tribal Programs

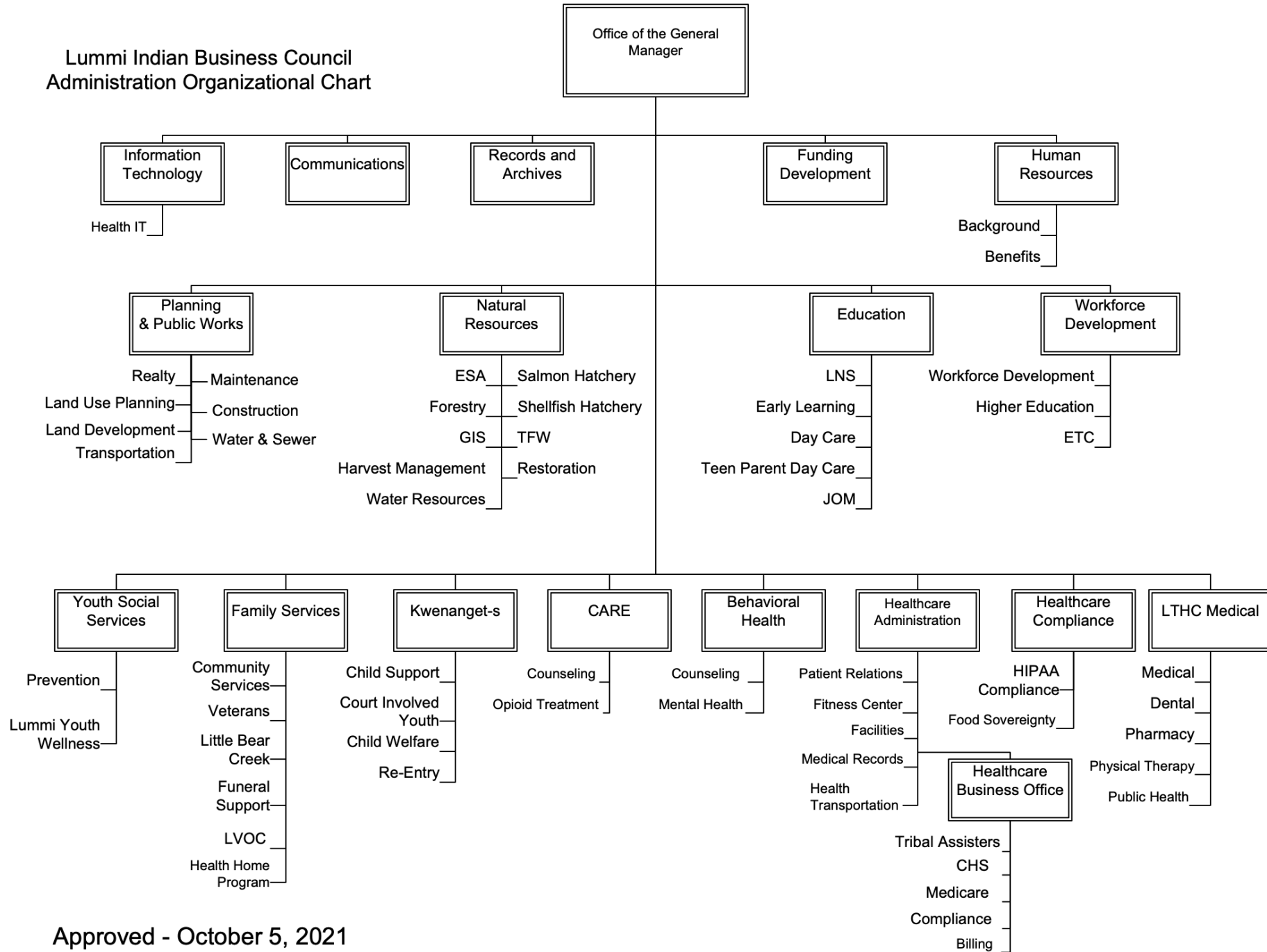
General Powers of Tribes



As governments, Indian tribes have general powers to:

1. make laws governing the conduct of persons in Indian country;
2. establish bodies such as tribal police, tribal courts, and administer justice,
3. exclude non-members from the reservation
4. Regulate hunting and fishing and land use and environmental protections.

Lummi Indian Business Council
Administration Organizational Chart



Approved - October 5, 2021
Resolution #2021-125

Shared Powers



- The power to control Indian affairs remains shared between the federal government and Indian Nations, to the exclusion of the states.
- Many of these diverse, complicated elements may, at any given time, impinge on the design and implementation of tribal planning and land use.

Learn about how the Tribe does Business

- Understand how the tribe is organized.
 - What is structure of the Tribal Council?
 - What is the structure of their Departments?
- How do they do Business?
 - Many tribes separate Government from Business
 - Economic Development Arm of Tribe – Corporate Board
- Meeting and Resolution Process?
- Working with staff to schedule meetings
 - Coordinating with Tribal Council staff



COLVILLE BUSINESS COUNCIL COMMITTEE CHART 2022-2023



MONDAY	TUESDAY	WEDNESDAY	THURSDAY
LAW & JUSTICE	NATURAL RESOURCES	COMMUNITY DEVELOPMENT	TRIBAL GOVERNMENT
<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>
Chair - Tyler Zacherle-Boyd 1st - Roger Finley 2nd - Jack Ferguson Dustin Best Sharlene Zacherle	Chair - Joseph Somday 1st - Jack Ferguson 2nd - Cindy Marchand Sharlene Zacherle Tyler Zacherle-Boyd	Chair - Roger Finley 1st - Jack Ferguson 2nd - Cody Peone Tyler Zacherle-Boyd Cindy Marchand	Chair - Alison Boyd-Ball 1st - Dustin Best 2nd - Norma Sanchez Karen Condon Tyler Zacherle-Boyd
Secretary: Deanna James x2197	Secretary: Peggy Circle x2237	Secretary: Derek Palmanteer x2248	Secretary: Deanna James x2197

HEALTH & HUMAN SERVICES	FISHERIES	MANAGEMENT & BUDGET	CULTURE
<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>
Chair - Andy Joseph, Jr. 1st - Norma Sanchez 2nd - Alison Boyd-Ball Sharlene Zacherle Karen Condon	Chair - Cindy Marchand 1st - Roger Finley 2nd - Tyler Zacherle-Boyd Cody Peone Norma Sanchez	Chair - Norma Sanchez 1st - Alison Boyd-Ball 2nd - Dustin Best Cindy Marchand Karen Condon	Chair - Cindy Marchand 1st - Roger Finley 2nd - Tyler Zacherle-Boyd Cody Peone Karen Condon
Secretary: Derek Palmanteer x2248	Secretary: Peggy Circle x2237	Secretary: Derek Palmanteer x2248	Secretary: Deanna James x2197

EDUCATION & EMPLOYMENT	VETERANS	ELECTIONS	SPECIAL SESSION
<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>	<i>1st & 3rd Week</i>
Chair - Cody Peone 1st - Sharlene Zacherle 2nd - Tyler Zacherle-Boyd Jack Ferguson	Chair - Dustin Best 1st - Andy Joseph, Jr. 2nd - Norma Sanchez Roger Finley	Chair - Cindy Marchand Vice - Sharlene Zacherle Omak Rep - Dustin Best Keller Rep - Joseph Somday	Chair - Jarred-Michael Erickson Vice - Jack Ferguson Secretary - Cindy Marchand Omak Rep - Karen Condon



Confederated Tribes of the Colville Reservation
Colville Business Council
AGENDA APPLICATION



COMMITTEE

Committee?

TOPIC

Agenda Topic

Estimated Time Hour(s) Min(s)

CONTACT INFORMATION

Name
 Title
 Program/Entity
 Work Phone
 Email Address

DIVISION OR EXECUTIVE DIRECTOR

DATE

Q&A

QUESTION	YES	NO	N/A
Discussion only?			
Recommendation sheet?			
Powerpoint presentation?			
Supporting documentation?			
Administrative review complete?			
Chairman's signature necessary? <i>(signature tabs required)</i>			
Original documents submitted?			

Deadline: One (1) week prior to committee date at 2:00pm to

Raylene Ensminger | Phone: (509)634-2117 | Fax: (509)634-4116 | Email: raylene.ensminger.cbc@colvilletribes.com

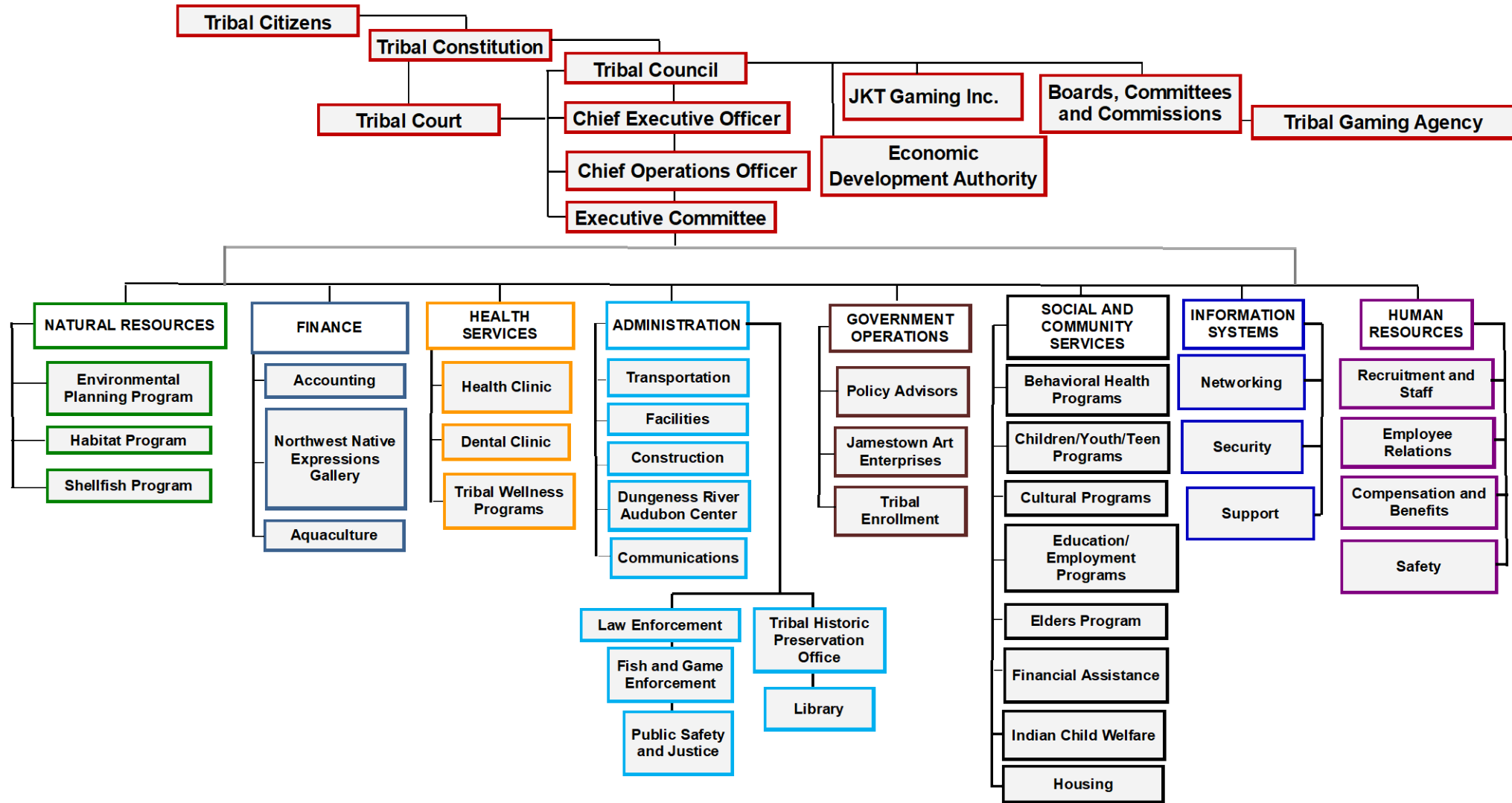
PROGRAM MANAGER OR DIVISION

DATE

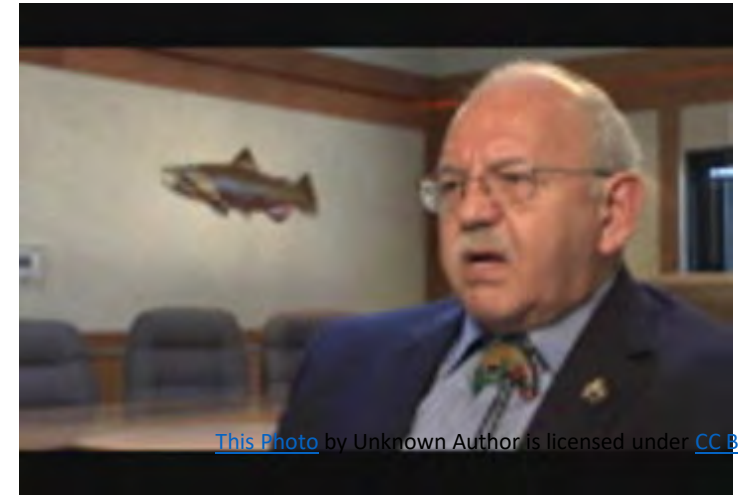
Tribal Corporations

- A tribally owned business is different than a business owned by a member of a tribe.
- There are specific forms of tribal business structures that tribes can take advantage of when establishing their business under tribal, federal, or state law.
- When a tribe incorporates, it will need to determine the structure that their tribally owned business adopts and under whose laws it will be organized.
- A tribally owned business can be formed as an Indian Reorganization Act (IRA) Section 17 corporation, a tribally chartered corporation, or a state-chartered tribal corporation.
- Each structure has different consequences in terms of tax liability, preservation of tribal assets, and corporate transparency requirements for potential creditors, investors, partners, regulators, and customers.

Tribal Governmental Organizational Chart FY 2019



Washington State Centennial Accord



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[This](#)

Planning Documents – Tribe's organic documents

- Tribal Constitutions
- Law and Order Code

Planning Documents

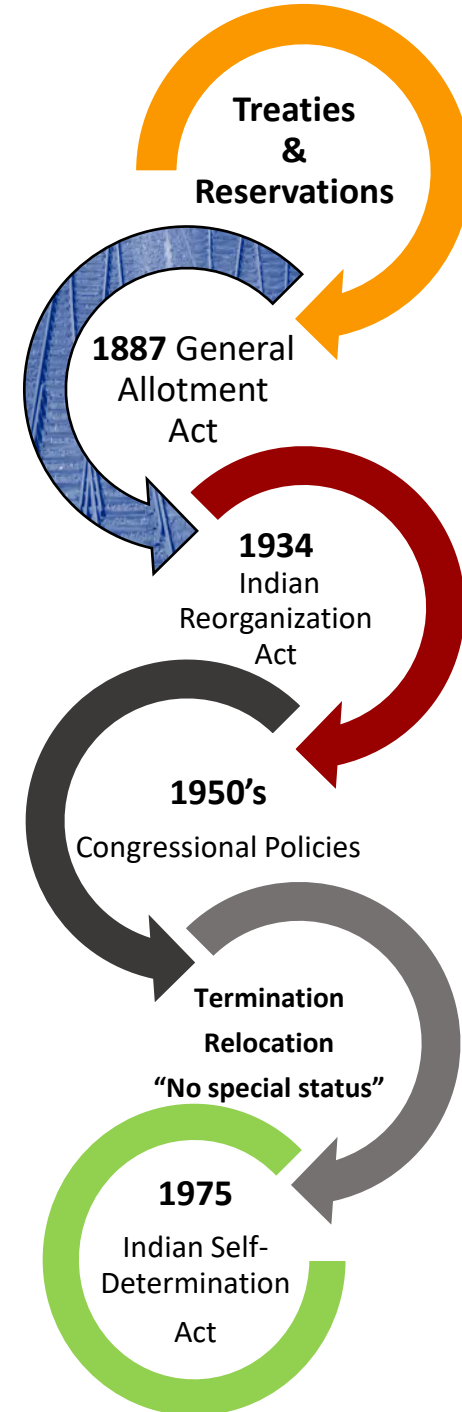
- Lummi Nation Community Plan
- Colville Tribe's Integrated Resource Management Plan – How they manage natural resources.
- Spokane Tribal Community Sustainable Master Plan – much like a Comp Plan with additional Tribal Elements.

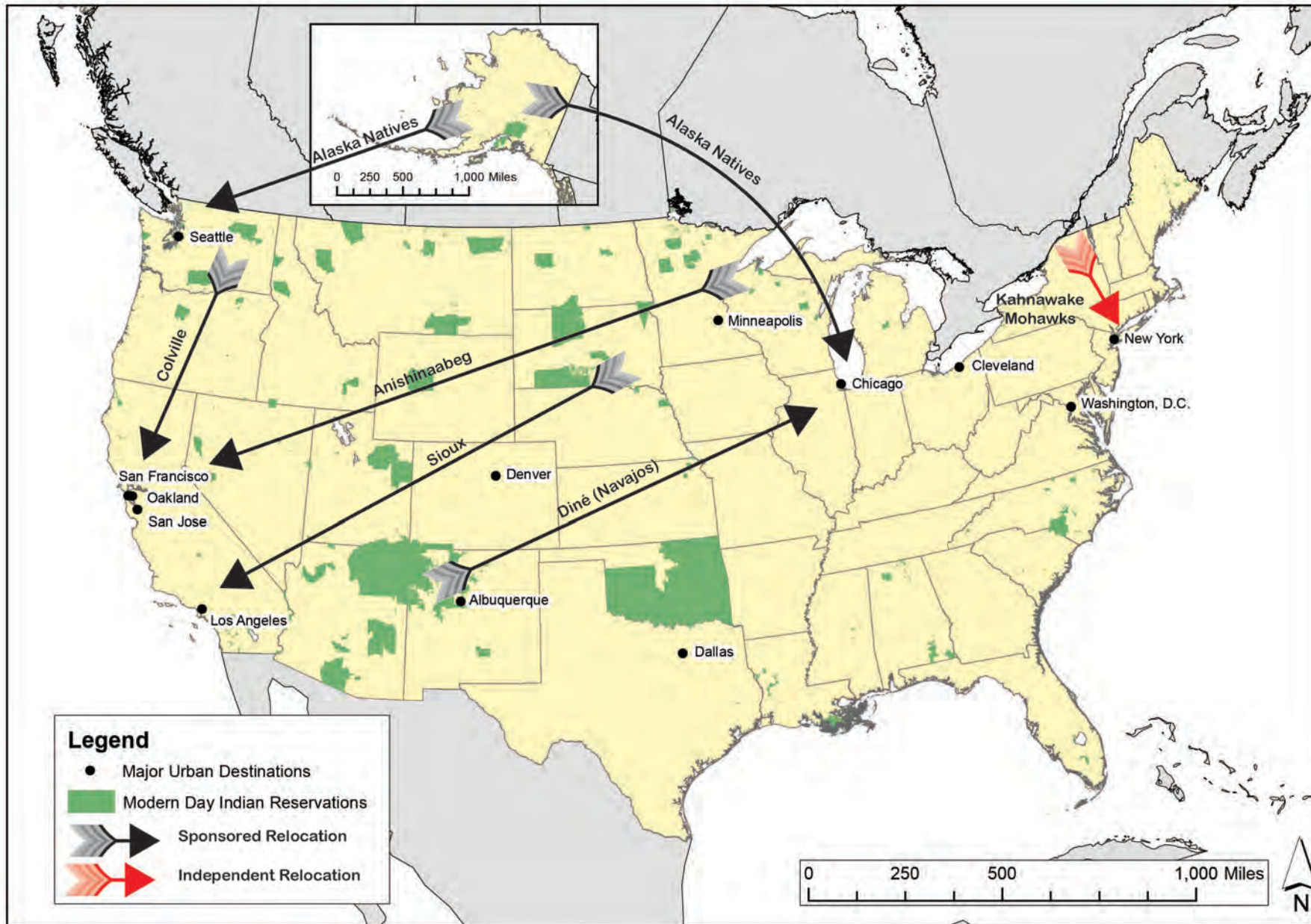
Problems Caused by Checker Board Pattern

Jurisdictional Problems

- Criminal Law – Domestic Violence
 - No jurisdiction over non-Indians
- Civil Law
 - Montana Test- Consensual Relations with the tribe
 - Environmental Problems
 - Zoning Problems

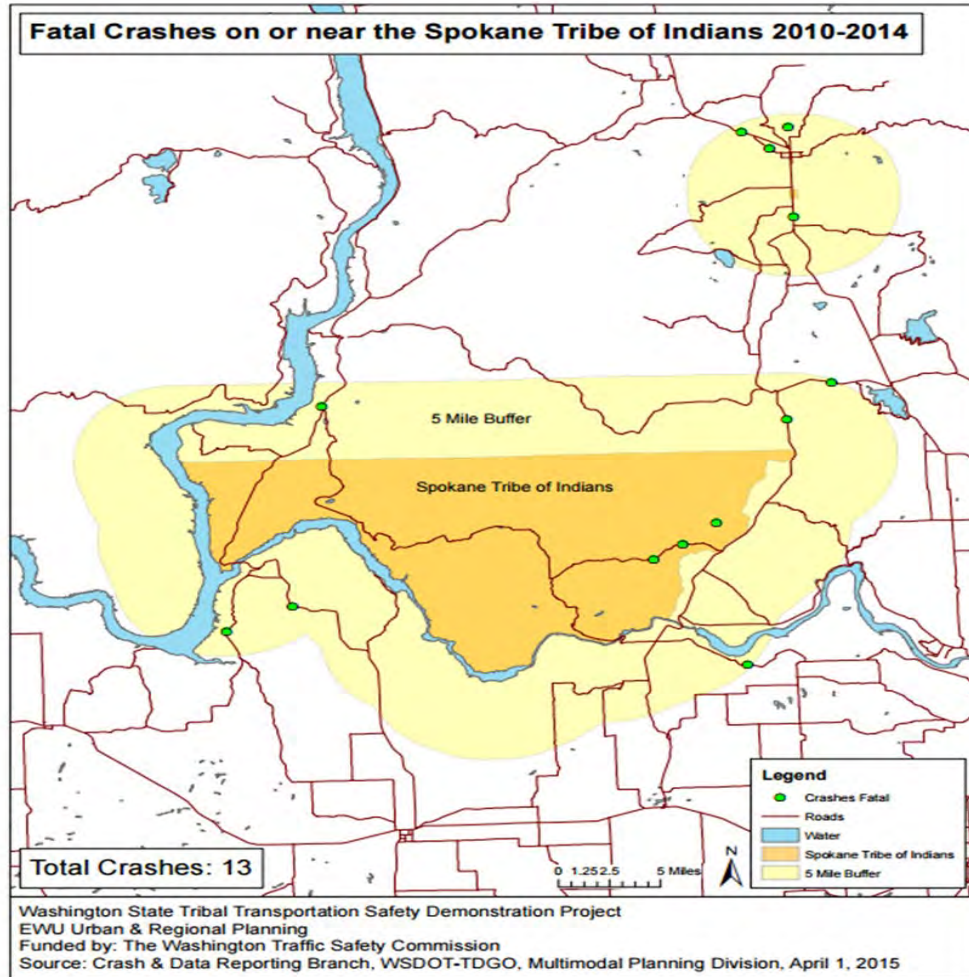
Shifting Federal Indian Policy



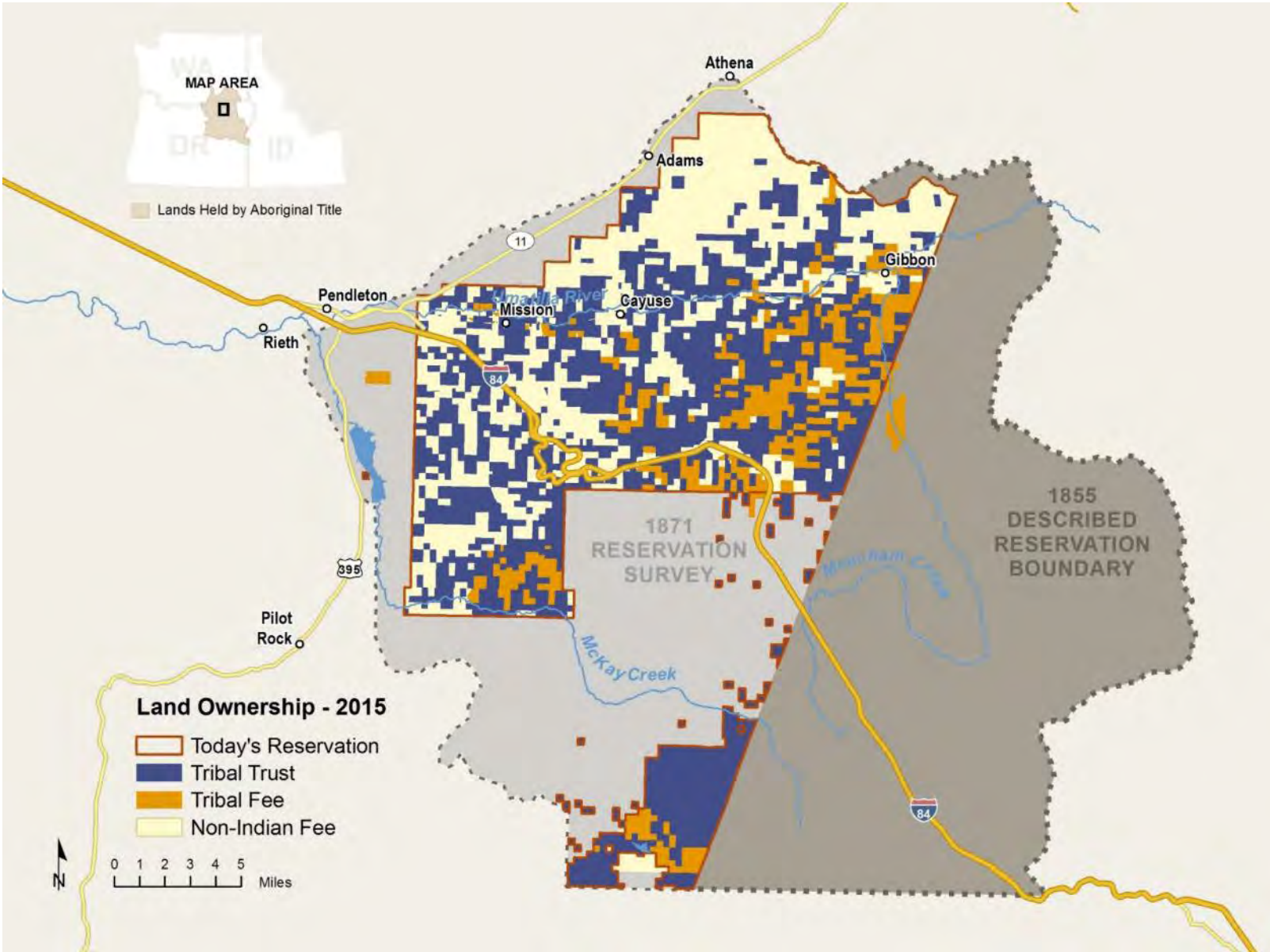


Selected American Indian Relocations, 1950-1970

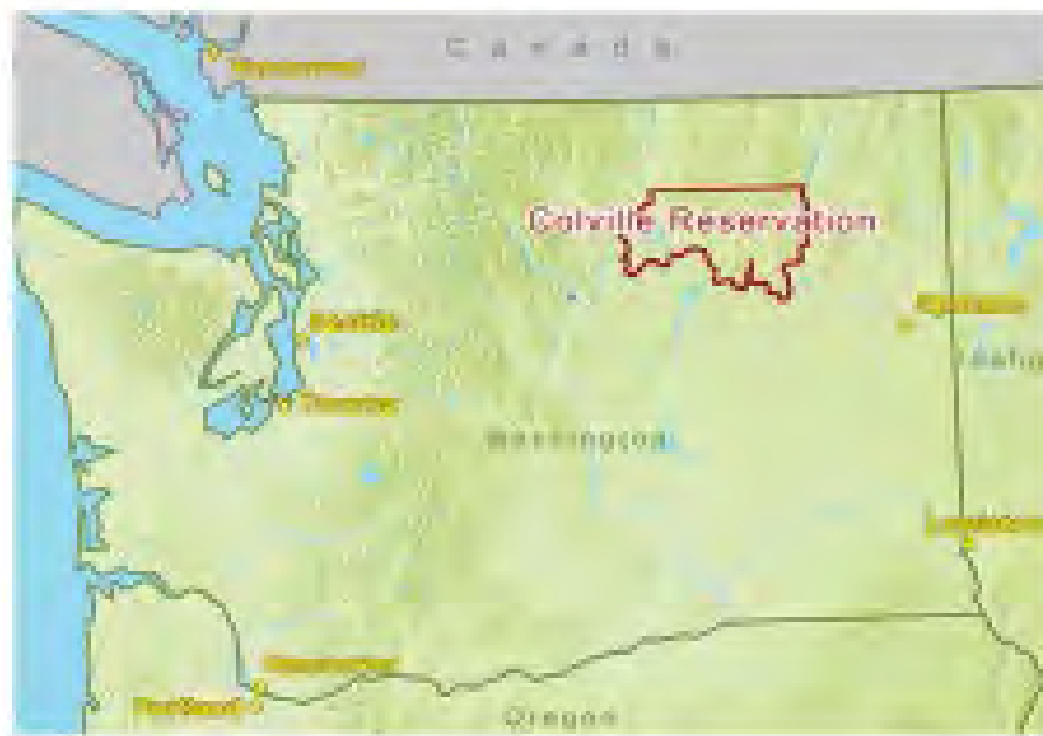
Many Indian reservations have state highways



Background Maps:



The Colville Reservation



Affiliated Tribes of NW Indians, National Congress of American Indians

- ATNI – 57 Tribes in Northwest – Powerhouse across nation, great leaders.
- Resolution Process – Ask Committee Chair, You present to your committee: Health, Transportation, Natural Resources
- Discussion by tribal leaders, concerns and issues
- The committee may decide to pass resolution or change wording to support your project.
- It is presented on the floor to all the tribal leaders.
- If it passes it can be carried to NCAI and go through their protocol

Release Salmon into the Columbia River

**For the first time in 80 years,
salmon are in the Upper
Columbia River**

UPDATED: Fri., Aug. 9, 2019, 8:56 p.m.



Virginia Redstar, right, Darnell Sam and Norma Sanchez release a salmon into the Columbia River on Friday. (Eli Francovich / The Spokesman-Review)



Scientists, Attorneys



Indigenous women in Congress

- Two Native American women elected to Congress. This is why it matters.
- Centuries ago, colonists demoted indigenous women from leadership roles. We've been fighting to get them back ever since.
- Two Native American women won seats in the House of Representatives. Deb Haaland, a Laguna Pueblo from New Mexico, and Sharice Davis, a member of the Ho-Chunk Nation from Kansas, will be the first Native American women to serve in Congress.
- For Native American women, this is also about asserting their ancestral right to leadership in a society that has overlooked and undermined the power of indigenous women.
- Now Deb Haaland Secretary of Interior, Setting the Agenda, MMIV



SHARICE
DAVIDS 





Tribal Traffic Safety Planning and Projects

Adam Larsen, Safety Program Manager, FHWA Office of Tribal Transportation

HollyAnna DeCoteau Littlebull, Traffic Safety Coordinator, Yakama Nation

Dan Tolliver, P.E., Community Development Engineer, Upper Skagit Indian Tribe



Haxton Way & Kwina Road Roundabout— Lummi Nation



U.S. Department
of Transportation
**Federal Highway
Administration**

ZERO IS OUR
GOAL
A SAFE SYSTEM IS HOW WE GET THERE

FHWA Tribal Transportation Safety Efforts

Tribal Transportation Safety Management System Steering Committee

- Tribes
- Indian Health Service
- Centers for Disease Control
- BIA Indian Highway Safety Program
- BIA Division of Transportation
- FHWA Office of Safety
- FHWA Office of Tribal Transportation
- NHTSA Center for Statistics Analysis
- NHTSA Region 6
- Guests

Next Meeting:

- September 25, 2023 Anchorage, AK
- Meeting Details on [TribalSafety.org](https://tribalsafety.org)



Tribal Transportation Strategic Safety Plan

- ↳ Decision Making Process
- ↳ Safety Data
- ↳ Occupant Protection/Child Seats
- ↳ Roadway Departure Crashes
- ↳ Alcohol/Drug Impaired Driving
- ↳ Pedestrian Safety
- ↳ Public Safety Services



presented by the

Tribal Transportation Safety Management System Steering Committee

August 2017



www.TribalSafety.org/Reports/

Tribal Crash Reporting Toolkit

<https://www.tribalsafety.org/tribal-crash-reporting-toolkit>



- Crash Facts and Fictions Tool
- Data Analysis Tool
- Crash Reporting Tool
- Officer's Instruction Tool
- Quality Control Tool
- Database Tool
- Tribal Self-Assessment Tool

FHWA Special Projects



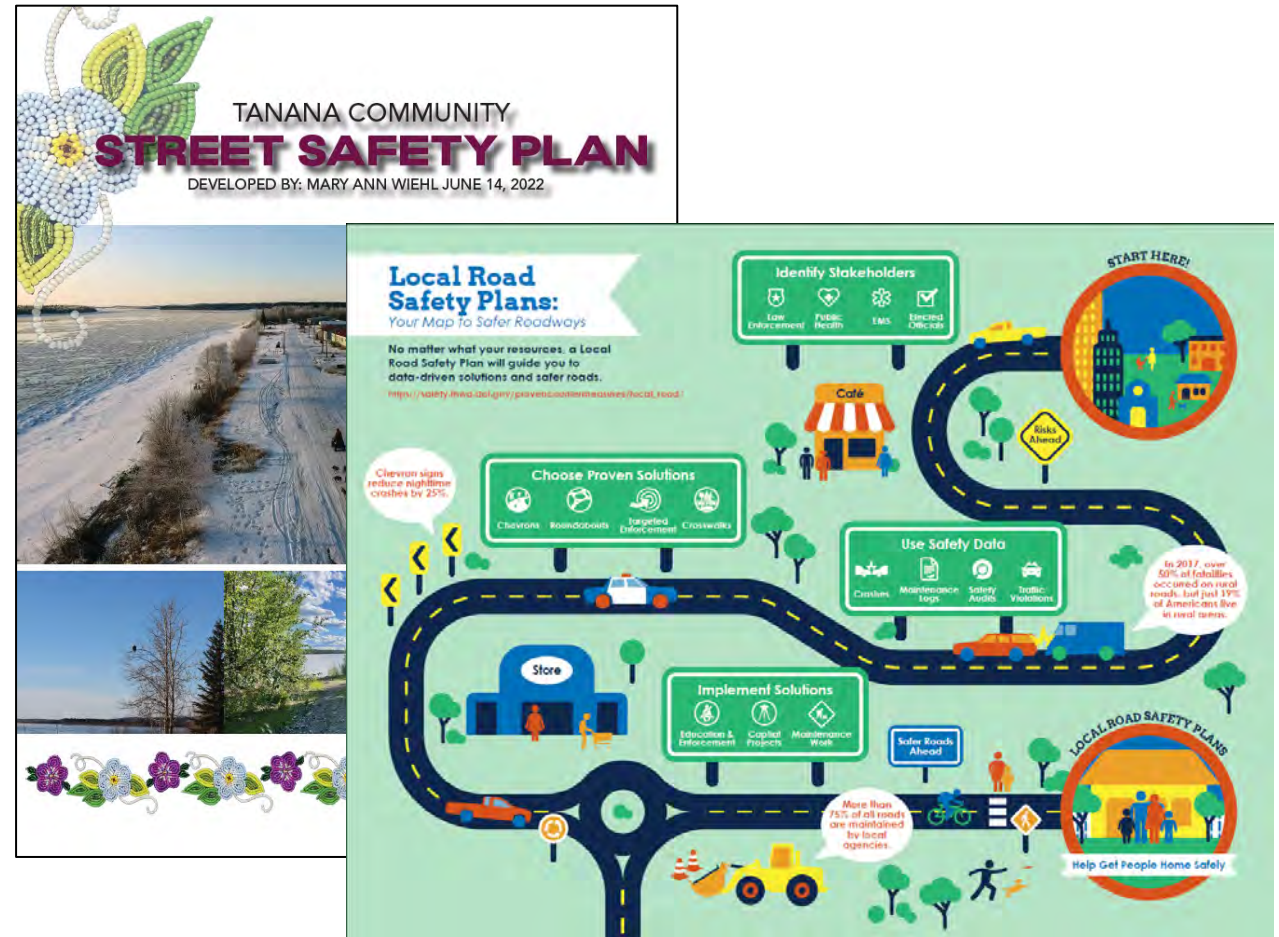
Picture 3: Unprotected Culvert
the east side of Route 447
(looking south)

- ← Roadway Departure Safety Action Plans at Northern Cheyenne and Crow Tribes
- ← Tribal Transportation Safety Peer Exchanges
- ← Speed Management Plan at Oglala Sioux Tribe
- ← Complete Streets / Safety System Pilot at Pyramid Lake Paiute Tribe
- ← Saint Regis Mohawk Tribe Local Road Safety Plan (NY)
- ← Technical Assistance: Safety Analysis for 3 BIA highways at Navajo Nation
- ← Road Safety Audit using GIS & Crowdsourcing tools at Tohono O'odham Nation
- ← usRAP Implementation at Winnebago Tribe

Transportation Safety Plan Resources for Tribes

www.TribalSafety.org/safety-planning-resources

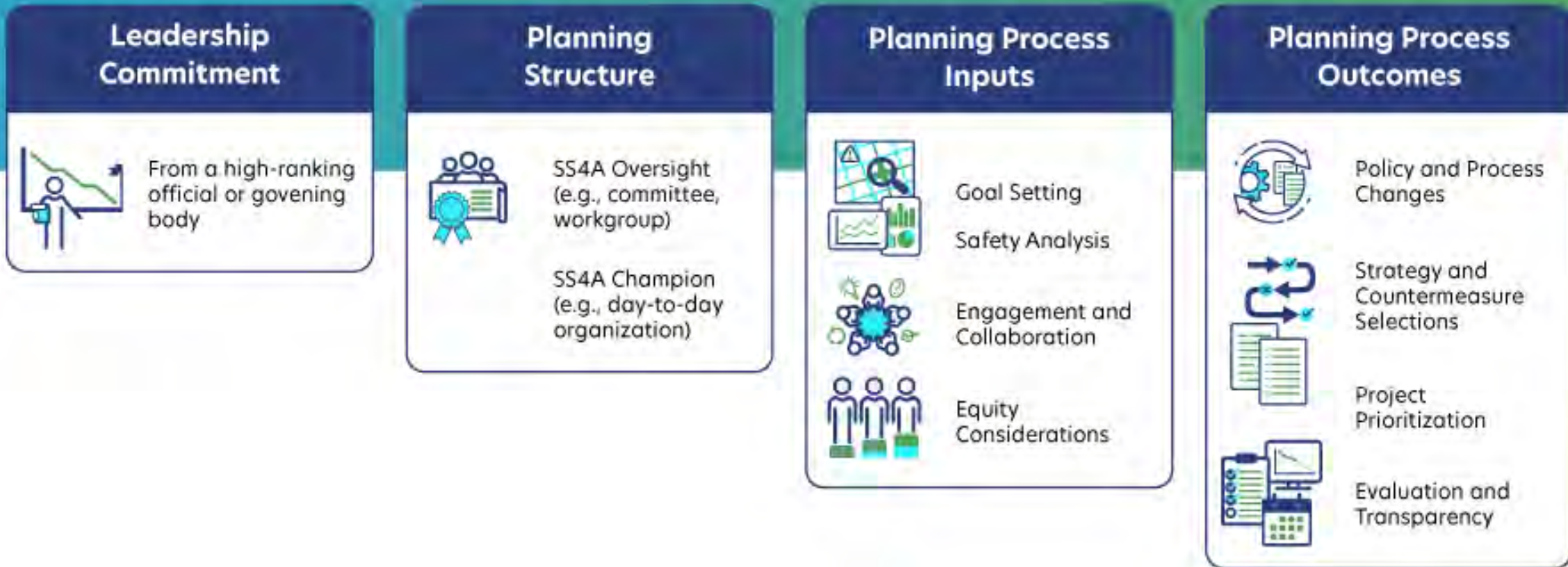
- ◀ Template for a Safety Plan
- ◀ Library of Completed Plans
- ◀ Links to guides and tools



Safety Plan Communicates Needs



SS4A Comprehensive Safety Action Plans



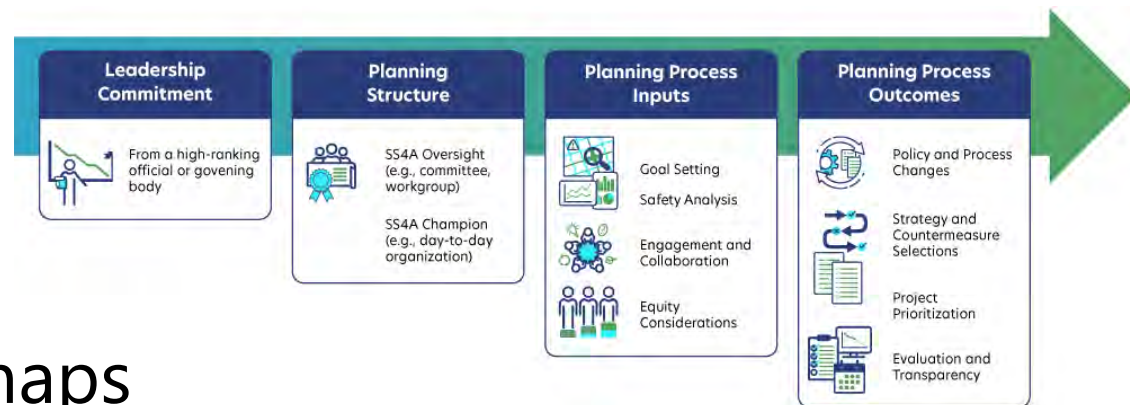
<https://www.transportation.gov/grants/SS4A/resources>



SS4A Comprehensive Safety Action Plans

Key SS4A Safety Action Plan Elements:

- Zero fatality goal
- Leadership commitment
- Risk and crash analysis, including maps
- Community engagement
- Equity considerations
- Review policies, guidelines, and/or standards
- Prioritized projects
- Evaluation
- Public website

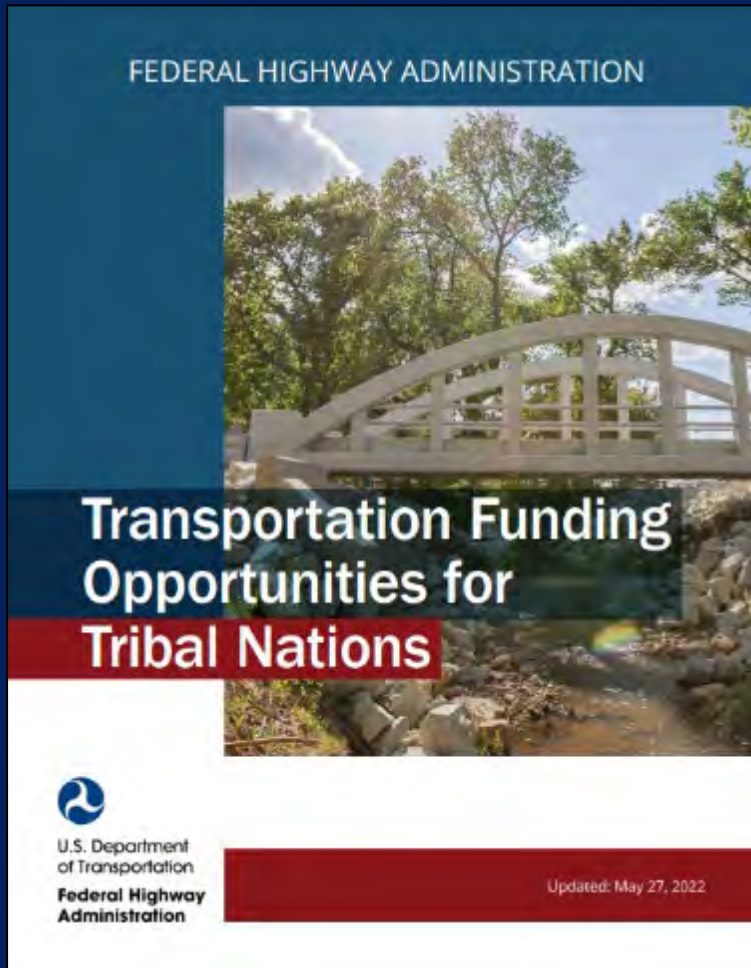


<https://www.transportation.gov/grants/SS4A/resources>



Transportation Safety Funding Opportunities

www.TribalSafety.org/Funding



- Safe Streets and Roads for All (SS4A)
- BIA Indian Highway Safety Program (IHSP)
- Tribal High Priority Projects Program (HPP)
- Tribal Transportation Program Safety Fund (TTPSF)

Safe Streets and Roads for All (SS4A)

Key program that supports the National Roadway Safety Strategy



Gorodenkoff - stock.adobe.com

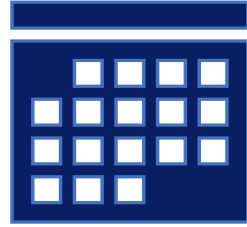
Funding supports local initiatives to prevent death and serious injury on roads and streets, commonly referred to as “Vision Zero” or “Toward Zero Deaths” Initiatives.

\$1 billion in annual funding, FY22-26

Eligible applicants are Tribal Governments, Local Agencies, and Metropolitan Planning Organizations

20% non-federal match required

SS4A FY 2023 NOFO Is Now Open

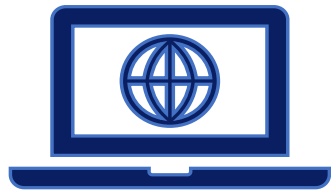


Notice of Funding Opportunity is now **OPEN**



Submit technical questions by June 16, 2023 to ss4a@dot.gov

Apply by July 10, 2023, at 5:00 p.m. EDT (**no late applications will be accepted**)



Additional resources about SS4A and the NOFO can be found at

<https://www.transportation.gov/grants/SS4A>

Overview of FY 2022 SS4A Grants to Tribes



- 12 Tribal Governments were lead applicants on awarded projects in FY 2022
- 3 projects awarded funds to Tribal Governments through multijurisdictional partnerships

Lead Applicant	State	Grant Type	Award Amount
Colusa Indian Community Council	CA	Action Plan	\$ 128,148
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	WI	Action Plan	\$ 132,500
Cher-Ae Heights Indian Community of the Trinidad Rancheria	CA	Action Plan	\$ 168,000
Robinson Rancheria - Pomo Indians of California	CA	Action Plan	\$ 200,000
Bois Forte Band of Chippewa	MN	Action Plan	\$ 221,822
Prairie Band Potawatomi Nation	KS	Action Plan	\$ 225,600
Keweenaw Bay Indian Community	MI	Action Plan	\$ 259,384
Alabama-Coushatta Tribe of Texas	TX	Action Plan	\$ 279,652
Confederated Salish and Kootenai Tribes	MT	Action Plan	\$ 368,000
Caddo Nation of Oklahoma	OK	Action Plan	\$ 389,649
Blackfeet Tribe of the Blackfeet Indian Reservation	MT	Action Plan	\$ 797,105
San Diego Association of Governments (partnering with La Jolla Band of Luiseno Indians)	CA	Action Plan	\$ 2,548,000
Saint Regis Mohawk Tribe	NY	Implementation	\$ 10,235,200
Modoc County (partnering with Fort Bidwell Tribal Reservation)	CA	Implementation	\$ 12,954,400
Indian Nations Council of Governments (serves the Cherokee, Muscogee, and Osage Nations)	OK	Implementation	\$ 21,200,000
Total			\$ 50,107,460

Planning and Demonstration Activities



Action Plan

- Develop or complete a Comprehensive Safety Action Plan
- 8 components to an Action Plan

Supplemental Planning

- ↳ Topical safety plans
- ↳ Road safety audits
- ↳ Additional safety analysis and data collection
- ↳ Targeted equity assessments
- ↳ Follow-up stakeholder engagement

Demonstration Activities

- ↳ Feasibility studies using quick-build strategies
- ↳ Pilot programs for behavioral or operational activities
- ↳ Pilot programs for new technology
- ↳ Manual on Uniform Traffic Control Device (MUTCD) engineering studies

Implementation Grants

- ✦ Implementation Grants applications must fund projects and strategies identified in an Action Plan that address a roadway safety problem.
- ✦ Infrastructure, behavioral, and operational safety activities are all eligible.
- ✦ Applicants must have an qualifying Action Plan in place to apply for Implementation Grants.
- ✦ Implementation applications may also include supplemental planning and demonstration activities.



Source: FHWA



SS4A Webinars

April 26 – May 2, 2023

<https://www.transportation.gov/grants/SS4A/webinars>

April 24, 2023

SS4A for Rural and Tribal Applicants

[**Register Now!**](#)

Indian Highway Safety Program NHTSA/BIA Grant Funding

- Traffic Safety Enforcement Activity Hours
- Highway Safety Specialist & Administrative Support
- Vehicles and Equipment for Traffic Safety Law
- Enforcement Training
- Child Safety Seat Distribution Programs
- Other activities eligible for 23 USC 402
- Lifesavers Conference Attendance
- Application Deadline
 - May 1, 2023.
- Search “IHSP” on Grants.gov



NHTSA/BIA Grant Funding



- USC Title 23, Section 402 grant program for federally recognized tribes
- *Annual expenditures of \$6.2 million for 30-45 tribal projects*
- *Approximately \$17 million available for new projects*

<https://www.bia.gov/bia/ojs/dhs>

Kimberly Belone
Bureau of Indian Affairs, Office of Justice Services
Indian Highway Safety Program
(505)563-3900
Kimberly.Belone@bia.gov

Tribal Transportation Program Safety Fund Overview

- ~\$21-million per year (2022-2026)
- Competitive grant
- Tribes are the only eligible applicants
- Strategic safety plans encouraged
- Prior year awards listed at <https://highways.dot.gov/federal-lands/programs-tribal/safety/funds>



TTP Safety Fund Categories

2021-2022 Funding Distribution by Category

87.5%

Infrastructure Safety Improvements



3% Safety Plans

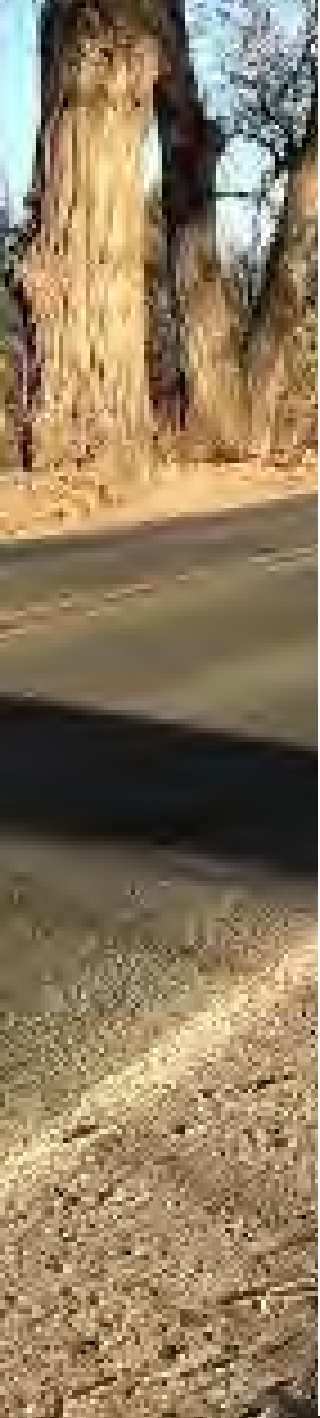
3.5% Data Improvement, Analysis

6%
Systemic Roadway Departure Countermeasures



This application for funding by the Department of Transportation is for roadway departure countermeasures. If your application contains any items not on the list below, you must submit an application that addresses the selection criteria of the infrastructure improvements category for those items. The items eligible for the Systemic Roadway Departure Countermeasures Category are:

<p>Horizontal alignment warning signs from Table 2C-5 of the Manual on Uniform Traffic Control Devices (MUTCD);</p>	
<p>Delineators (MUTCD Chapter 3F);</p>	
<p>center line and edge line markings (no maintenance, first installation or upgraded material / line width);</p>	
<p>Edge line rumble strips or rumble stripes; Center line rumble strips or rumble stripes;</p>	
<p>Mitigation of roadside hazards to establish or widen clear zones including clearing and grubbing, removal of fixed objects, and replacement with crashworthy devices but excluding roadside slope flattening.</p>	



County H

BEFORE->



<-AFTER



TTPSF Important Dates

2022 Application Period	Awards Announced Feb 2, 2023
2023 Application Period	Anticipated announcement Fall 2023
2024-2026 Application Period	Apply October 1 - Jan 15, each year


Award selection announced about 5 months after deadline.





State-Managed Federal Funding Safety Programs

- ↳ Highway Safety Improvement Program
- ↳ Transportation Alternatives
- ↳ Safe Routes to School
- ↳ Highway-Rail Grade Crossing Program



The Secretary shall, for projects on **tribal transportation facilities**, determine that the obligation of funds for the project is **supplementary to and not in lieu of** the obligation of a fair and equitable **share of funds apportioned to the State** under section 104.


– 23 U.S.C. 202 (f)



Use of Federal Land and Tribal Transportation Funds.-

Notwithstanding any other provision of law, the funds authorized to be appropriated to carry out the tribal transportation program under section 202 and the Federal lands transportation program under section 203 may be used to pay the non-Federal share of the cost of any project that is funded under this title or chapter 53 of title 49 and that provides access to or within Federal or tribal land.

-23 USC 120(k)



Section 202(a)(9) of title 23, United States Code encourages cooperation between States and Tribes by allowing any funds received from a State, county, or local government to be credited to appropriations available for the Tribal Transportation Program (TTP).

Tribal Safety.org



COMMUNITY ▾ RESOURCES ▾ NEWS/EVENTS ▾ FATALITY DATA

Transportation Safety for Tribal Governments

Join the Mailing List Funding Training & Events Contacts

Pedestrians Roadway Departure Impaired Driving Seat Belts & Child Safety Seats

Availability of Public Safety Services Safety Plans Safety Data Collection & Analysis More...

Spotlights

DRIVE PEDAL

A screenshot of the Tribal Safety.org website. The top navigation bar is orange and contains links for COMMUNITY, RESOURCES, NEWS/EVENTS, and FATALITY DATA. Below this is a yellow banner with the title "Transportation Safety for Tribal Governments". Under the banner are four icons: an envelope (circled in red) for "Join the Mailing List", a dollar bill for "Funding", a calendar for "Training & Events", and a person icon for "Contacts". Below this is a grid of eight icons representing different safety topics: a pedestrian for "Pedestrians", a car crash for "Roadway Departure", a bottle for "Impaired Driving", a person in a car seat for "Seat Belts & Child Safety Seats", an ambulance for "Availability of Public Safety Services", a document for "Safety Plans", a location pin for "Safety Data Collection & Analysis", and a double arrow for "More...". At the bottom, there is a "Spotlights" section with a "DRIVE PEDAL" banner and several small images.



Adam Larsen

Safety Engineer & Safety Program Manager
Office of Tribal Transportation, FHWA

Adam.Larsen@dot.gov

office: 360-619-7751

cell: 360-619-2601

fax: 360-619-7846

<https://highways.dot.gov/federal-lands/programs-tribal/safety/funds>

<http://www.TribalSafety.org/>



WSDOT PROFESSIONALS

YAKAMA NATION DNR ENGINEERING

TRAFFIC SAFETY



UNLEADED
4.99
PREMIUM











Jurisdictional complications?

Federal

State Parks

Fish & Game

Coast Guard

BLM

Railroad

State

County

Cities

Tribal

TREATY of 1855

IN THE LATE SPRING OF 1855, REPRESENTATIVES FROM THE MANY TRIBES OF WASHINGTON TERRITORY GATHERED IN COUNCIL AT WILLA WALLA. CHIEF KAMIAH WAS THE LEADER OF THE CONFEDERACY OF TRIBES & BANDS. THE YUKONIA TREATY CREATED A RESERVATION OF APPROXIMATELY 1,875 SQ. MILES OF LAND, FORESTS, STREAMS, & LAKES FOR THE 14 ORIGINAL TRIBES OR BANDS FOR "AS LONG AS THE MOUNTAIN STANDS AND THE RIVER FLOWS."

ISAAC STEVENS, MILITARY GOVERNOR OF THE WASHINGTON TERRITORY, ASSEMBLED THE COUNCIL FOR THE SIGNING OF THE TREATY BETWEEN THE 14 TRIBES AND FEDERAL GOVERNMENT. A COPY OF THE ORIGINAL TREATY IS ON DISPLAY AT THE MUMUKU NATION CULTURAL CENTER MUSEUM.

June 9, 1855 12 Stat., 951. Ratified Mar. 8, 1859. Proclaimed Apr. 18, 1859.

ARTICLE 3.

And provided, That, if necessary for the public convenience, roads may be run through the said reservation; and on the other hand, the right of way, with free access from the same to the nearest public highway, is secured to them; as also the right in common with citizens of the United States, to travel upon all public highways.

Safety Management Activities Tribal Traffic Safety Committee

Committee formed, by Tribal Council Resolution, of staff with expertise from tribal programs, necessary to develop measures to treat traffic safety issues on YN lands. A Strategic Plan and Work Plan was developed to guide committee objectives and priorities. Other's participating: Washington State Department of Transportation – South Central Region, City of Toppenish, Yakima County, Yakima Valley Conference of Governments and others.

Committee assisted with various grants for: a Traffic Safety Coordinator to lead TTSC, pedestrian safety, trail development; road safety and has developed media campaigns.



**CONFEDERATED
TRIBES AND BANDS OF
THE YAKAMA NATION**



SAFETY MANAGEMENT PLAN

Tribal Transportation Safety Program

Prepared by:
Yakama Nation
Department of Natural Resources
Engineering Program

August 2019

CONFEDERATED TRIBES AND BANDS OF THE YAKAMA NATION

LONG RANGE TRANSPORTATION PLAN 2019

Tribal Transportation Program

Prepared by:
Department of Natural Resources
Engineering Program

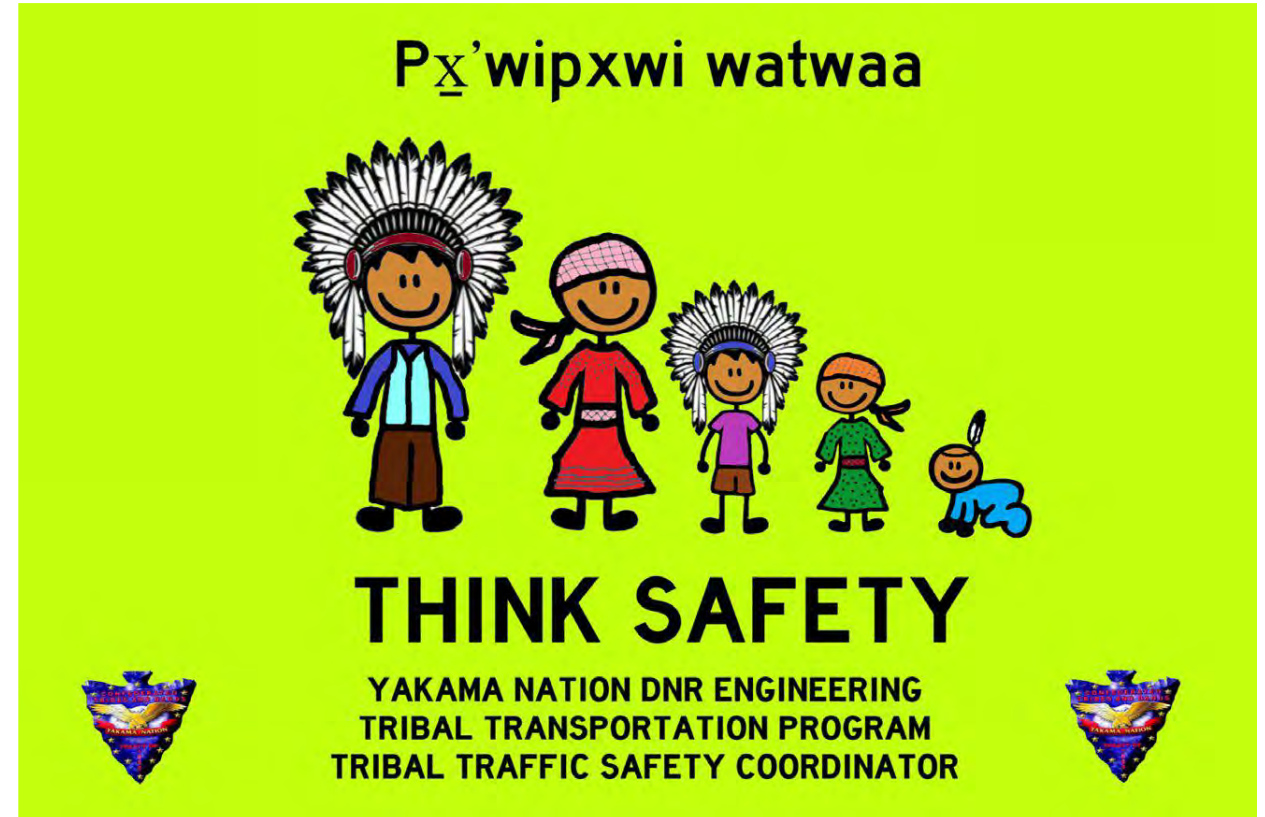


USC Title 23, FAST Act, requires a Long Range Transportation Plan (LRTP) in order for tribes to receive Highway Trust Funds (HTF). This 2019 Long Range Transportation Plan, solely for the Yakama Nation, updates LRTP completed in 1999 and as updated in 2008. YN Engineering developed this LRTP with the assistance of the public comment, various tribal programs and local transportation agencies.

Confederated Tribes and Bands of the Yakama Nation

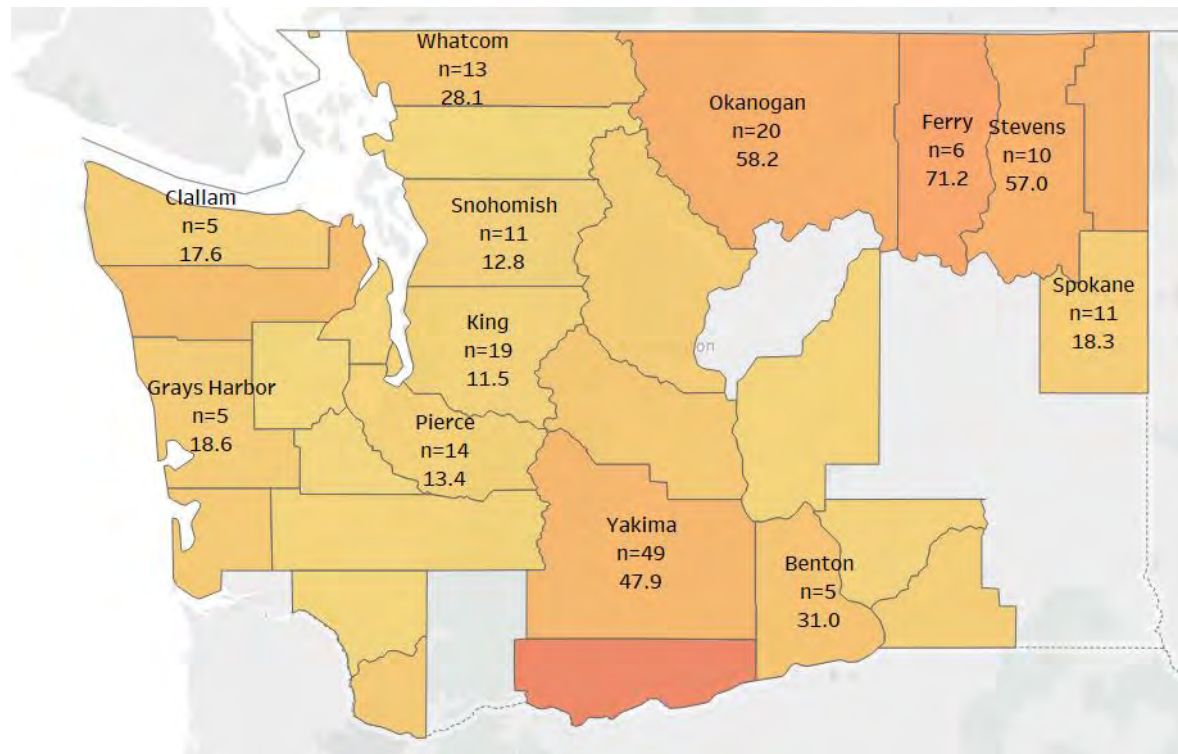
Yakima County

- **Highest number of fatalities** for Native Americans/Alaskan Natives (NA/AN) in vehicle collisions
- **No.1 for NA/AN pedestrian fatalities**



Prevailing Safety Issues of Yakama Nation

Yakima County has one of the highest rates of motor vehicle fatalities for Native American and Alaskan Native Populations in Washington



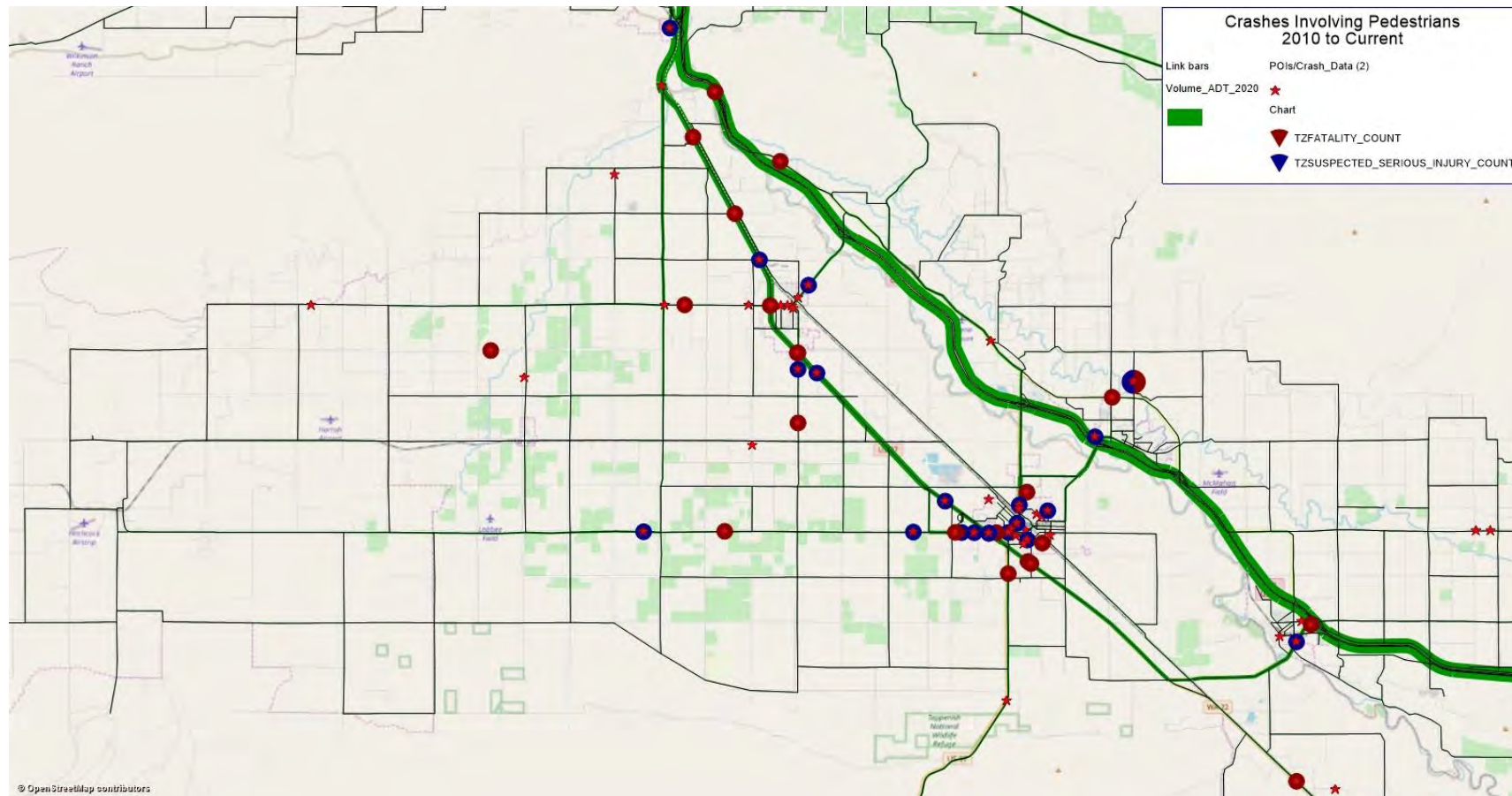
Darker color = higher motor vehicle fatality rates

AI/AN Motor Vehicle Fatality Counts and Rates per 100,000 Population by County of Residence, 2011-2016

Source: Washington State death certificates linked to the Northwest Tribal Registry to identify AI/AN race

Prevailing Safety Issues of Yakama Nation

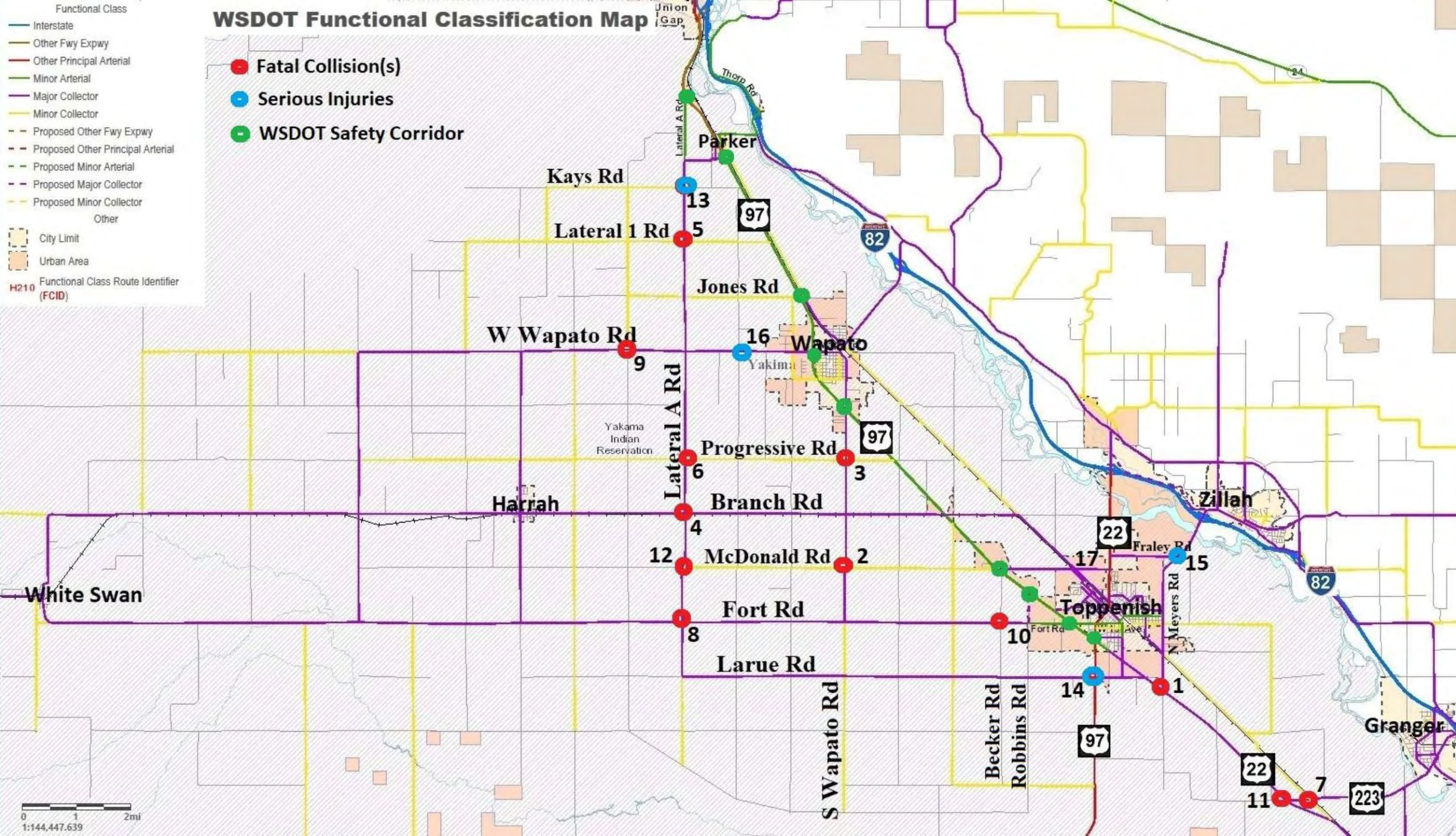
A large portion of these collisions occur on the Yakama Nation reservation and ceded territory



WSDOT Functional Classification Map

- Functional Class**
- Interstate
 - Other Fwy Expwy
 - Other Principal Arterial
 - Minor Arterial
 - Major Collector
 - Minor Collector
 - - - Proposed Other Fwy Expwy
 - - - Proposed Other Principal Arterial
 - - - Proposed Minor Arterial
 - - - Proposed Major Collector
 - - - Proposed Minor Collector
 - - - Other
- Other**
- City Limit
 - Urban Area
 - H210 Functional Class Route Identifier (FCID)

- Fatal Collision(s)
- Serious Injuries
- WSDOT Safety Corridor



0 1 2mi
1:144,447.639

Project?

- TIP?



Yakama Nation Safety Data Portal









❑ GitHub repository:

(<https://github.com/Al-Group-STAR-Lab-UW/yakama-nation-roadway-safety-data-portal>)

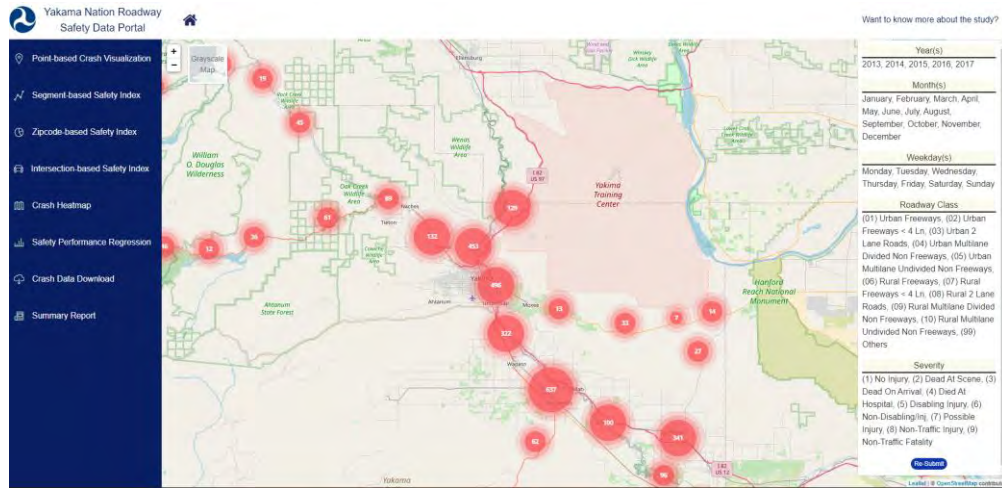
❑ Training to Yakama Nation Employees on “Safety Data Collection, Management, and Analytics Technologies”

➤ May 19th, 2022 at the UW STAR Lab

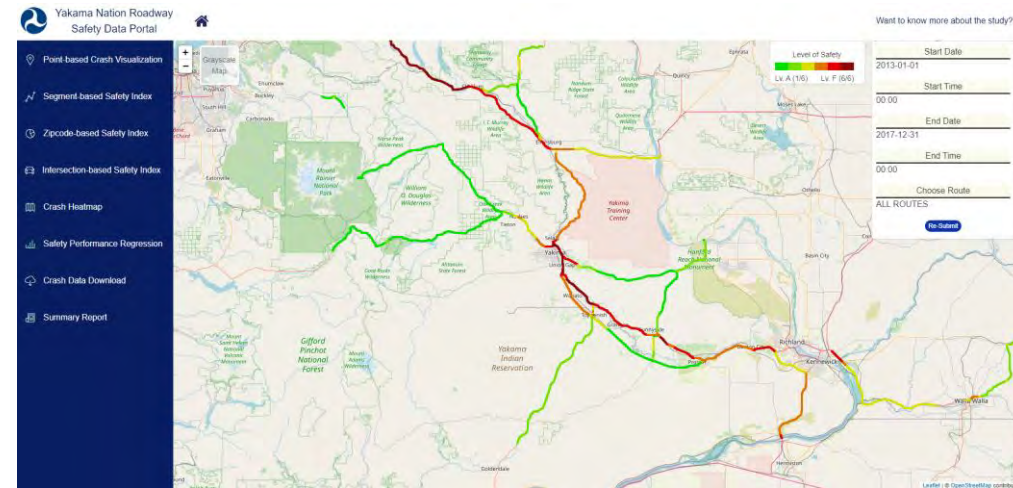


			
Point-based Crash Visualization	Segment-based Safety Index	Zipcode-based Safety Index	Intersection-based Safety Index
Visualize crash data on the map by the crashes locations	Visualize crash data on the map by roadway segments	Visualize crash data on the map by different zipcode	Visualize crash data on the map by different intersections
			
Crash Heatmap	Safety Performance	Crash Data Download	Summary Report
Visualize crash frequencies and severities with heatmap	Estimate traffic network safety and visualize the position of history incident events	Customized crash data download with user-specific settings	Reporting functions with customized tables and figures

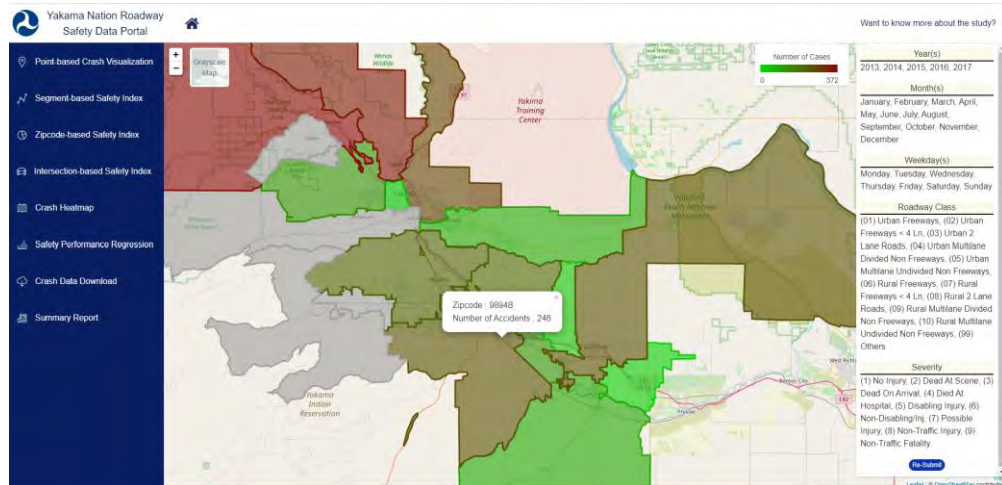
Yakama Nation Safety Data Portal



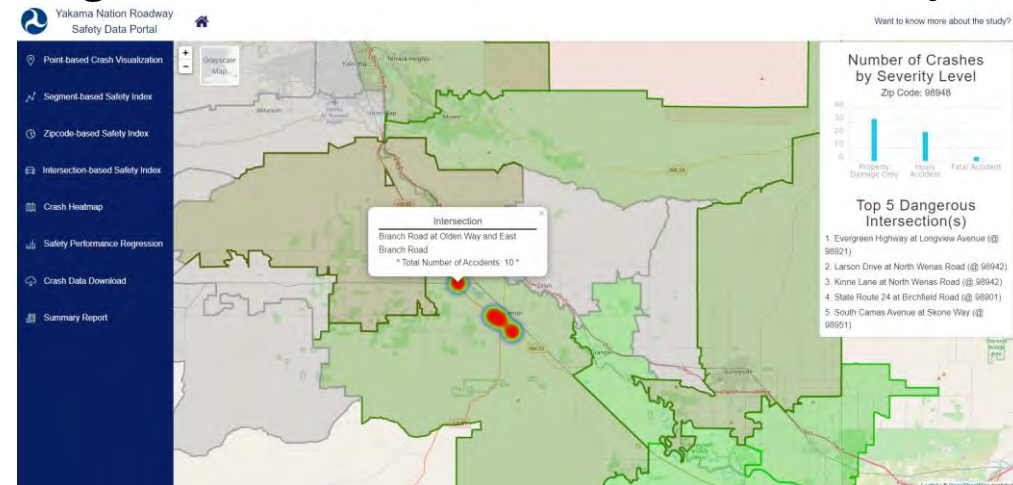
Point-Based Crash Visualization



Segment-Based Crash Visualization & Safety Performance



Area-Based Crash Visualization



Intersection-Based Crash Visualization

Mobile Unit for Sensing Traffic

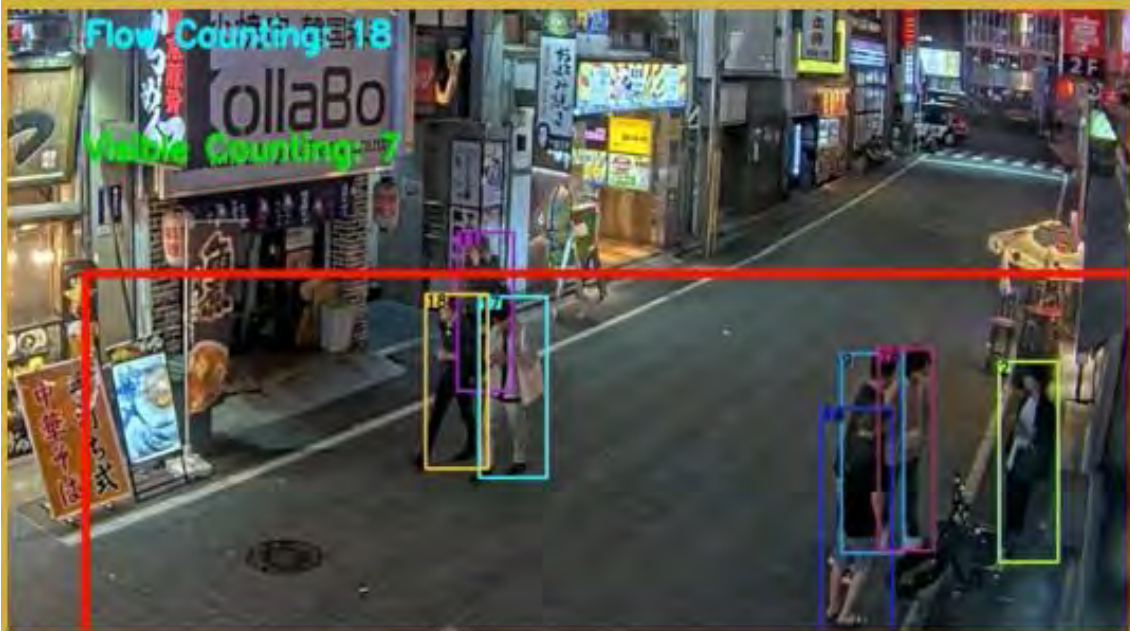
MUST

Phone: (800)326-1868

E-mail: wsun@aiwaysion.com

Web: <https://aiwaysion.com>

Mobile Unit for Sensing Traffic (MUST) is a comprehensive sensor fusion and edge computing device that can be used for traffic sensing, sensor data fusion, connected vehicles applications, roadway monitoring and control, and smart parking applications. It integrates multiple cutting-edge technologies for enhanced transportation safety, efficiency, and reliability. Multiple sensors, including video cameras, media access control (MAC) address detectors via Wi-Fi and Bluetooth signals, and temperature and humidity sensors, etc., are integrated together to address the diverse needs of smart transportation. Taking advantage of edge AI technology, MUST can produce vehicles, pedestrian, and bicycle volume and speed data, road surface condition information, and travel time estimates. In addition, MUST can be configured as a communication node on the infrastructure side for connected vehicle and other smart transportation applications. Its robust design and engineering enable MUST to work under very challenging weather and environmental conditions.



Location: Larue Rd and Highway 97, Toppenish, WA

The danger zone



Green energy Yakamas request more consultation on projects

Yakama Nation seeking safer roads, better data with sensor outside Toppenish

PHOTO BY JASPER KENZO SUNDEEN

A new sensor at the intersection of Larue Road and U.S. Highway 97 will provide more information to improve traffic safety in what can be a dangerous part of the Yakima Valley.

Yakama Nation's Department of Natural Resources collaborated with the University of Washington's Smart Transportation Applications and Research Lab and AWayson to install the sensor, called a Mobile Unit for Sensing Traffic, this week.

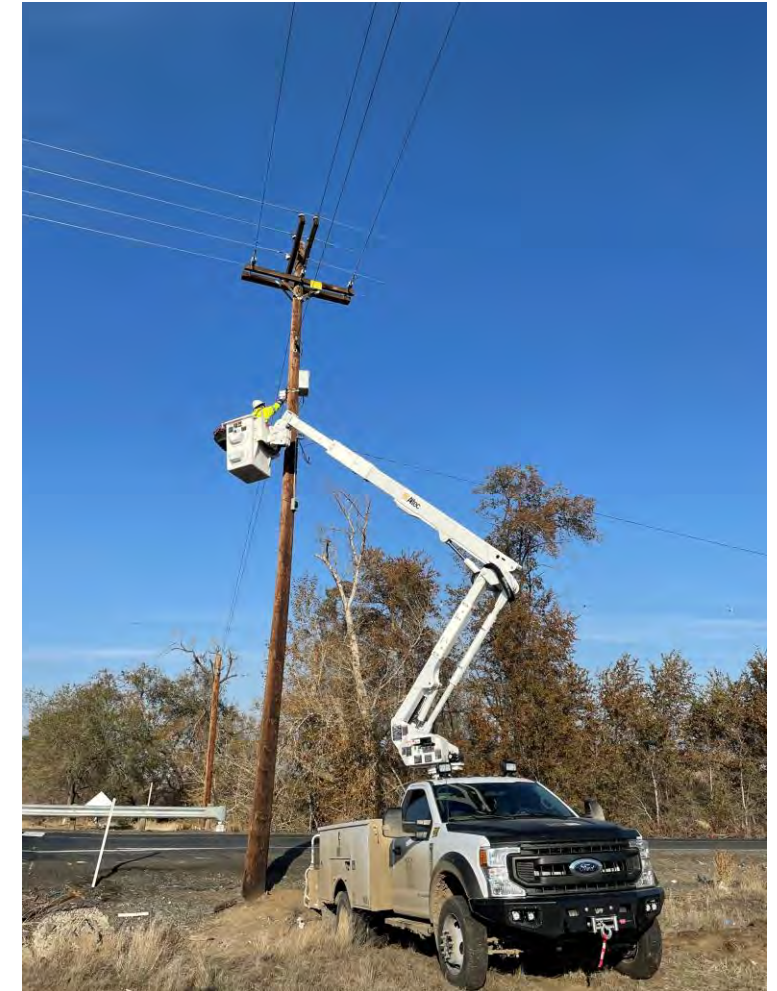
"This is the deadliest intersection on the reservation," explained HollyAnna Littlebull, traffic safety coordinator at the Yakama Nation.

Seven fatalities and more than 30 collisions have occurred at the intersection of Larue Road and Highway 97. The sensor could inform drivers of road conditions and give planners more data moving forward.

"We want to see what kind of users are using this intersection... We need to know the volume, the types of vehicles," Littlebull said. "We're trying to make data-informed decisions."

It's a pilot project, said Littlebull, and was funded by a grant from the University of Washington. Littlebull said that once the device was properly tested, it would produce data for real-time road conditions. That could be helpful when visibility is low, during foggy or smoky days.

SEE SAFETY PAGE 2A



Location: Larue Rd and Highway 97, Toppenish, WA





Dashboard: device management, real-time data collection, event detection &



Toppenish1 Online
Location: US-97 & Larue Rd, Toppenish, WA 98948
Installed at: 2022-11-15 15:26:30
Last updated at: 2022-12-04 20:30:00

[Overview](#)



-  **-3 °C**
Temperature
-  **66.4 %**
Humidity
-  **Snow**
Road Condition
-  **35.0 mph**
Traffic Speed



HD-IPC

2022-11-22 12:16:16



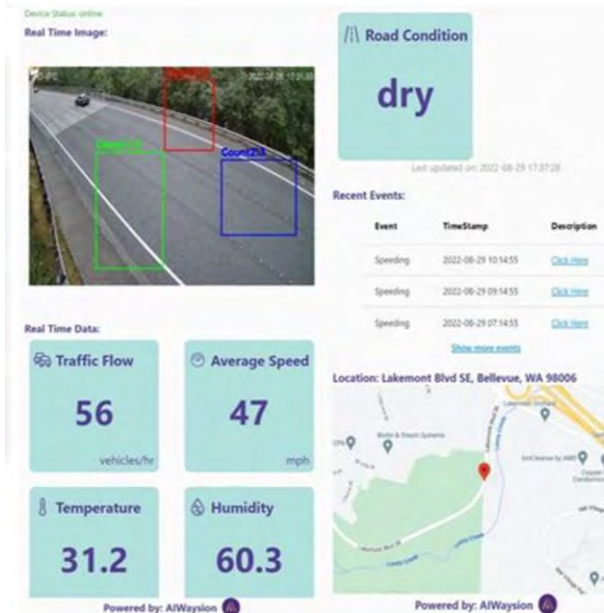
Next Steps

- ❑ Data collection to support countermeasures implementation/grants application for funding
 - Semi-trucks, Agricultural vehicles
 - Pedestrian safety
 - Heavy fog/low visibility
 - Human behavior: speeding, fail to stop at stop sign
- ❑ More devices installation
 - Fort Rd & Lateral A
 - US 97 & S Wapato
 - US 97 & McKinley
 - Fort Rd & Elmwood

Next Steps

❑ Traveler information & warning system

- Dashboard and mobile app to communicate with Yakama Nation DNR Engineering
- Variable message signs to alert travelers
- Pedestrian safety APP



Fish Passage Culverts - Status

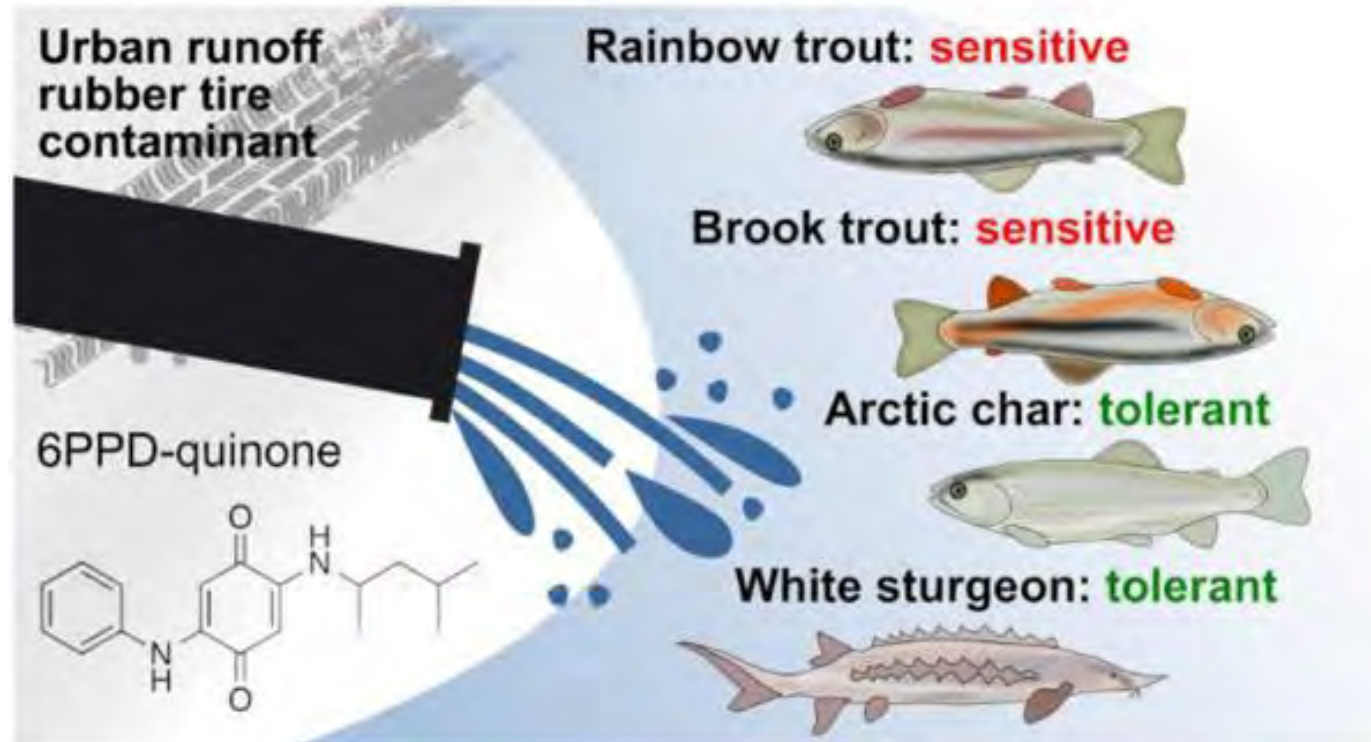
At the yearly update meeting with WSDOT the culvert at Shinando Canyon on Highway 97 was mentioned.

Yakama Nation would welcome a comprehensive review of all culverts for fish passage.



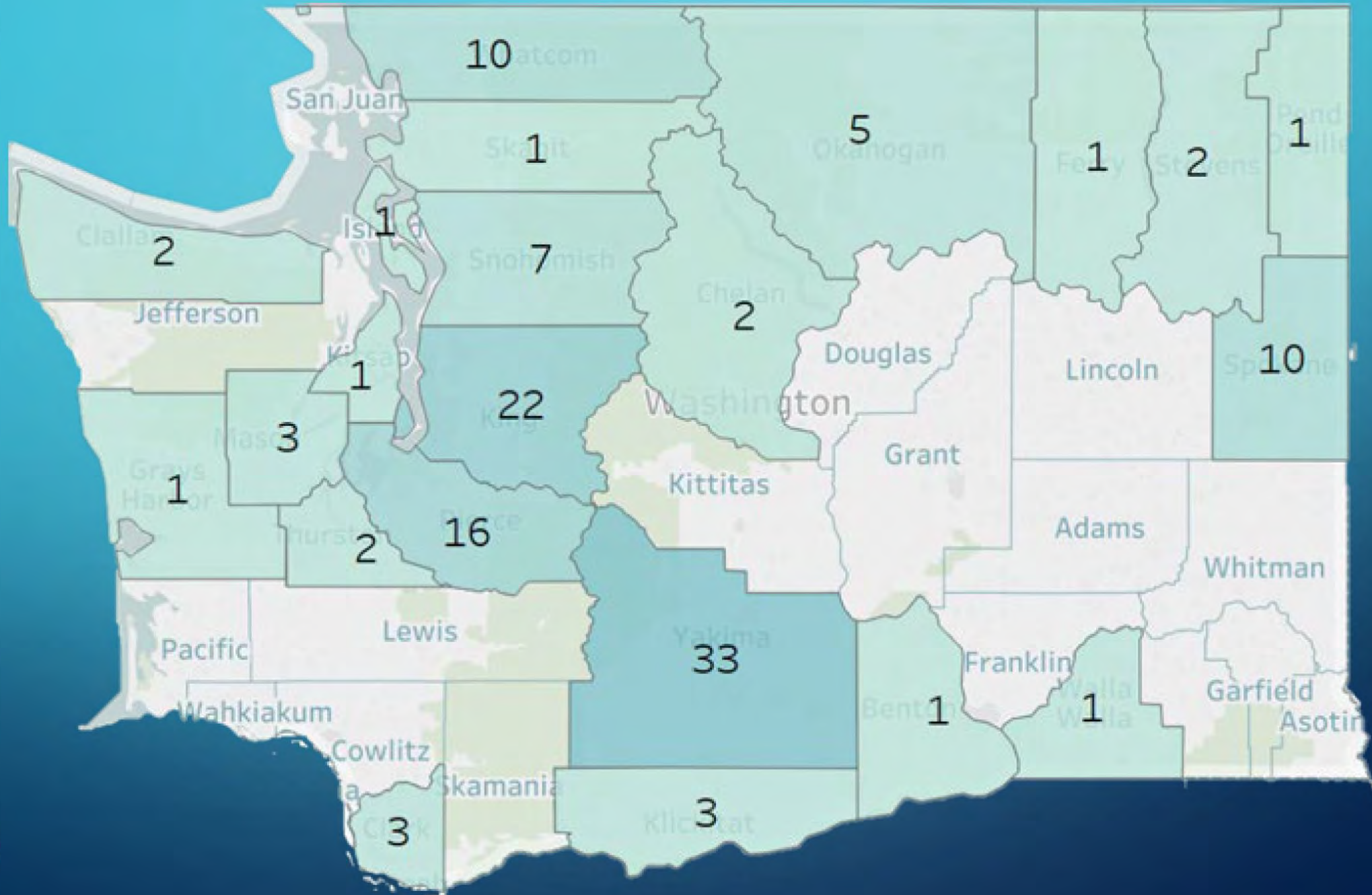
Tire Anti-degradant (6PPD) & 6PPD-Quinone Chemical 6 p-phenylenediamine

- Study on Yakima and Columbia Rivers



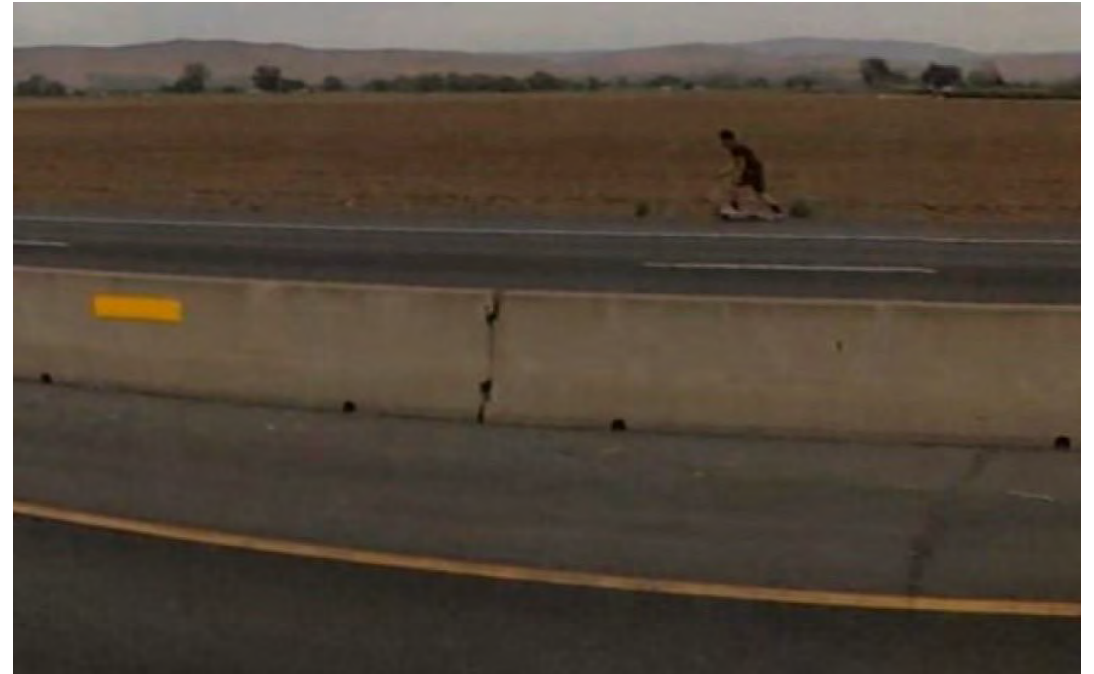
Yakama Nation Right to Travel and Trade







Rivers, Trails, and Conservation Assistance



Heritage Connectivity Trail

Draft Concept Plan

APPROVED
AUG 2021





Legend

- Heritage Connectivity Trails
- Other Existing Trails
- - - Other Planned Trails
- Phase One Priority Areas

Yakama
Nation

Ahtanum
Mission Park

Wiley City
Ahtanum

Union Gap

Fulbright Park
Parker

Kyle's
Korner

Wapato

Donald

Buena

Zillah

Job
Corps
Ft Simcoe

White
Swan

Brownstown

Harrah

Ashue

Toppenish

Alfalfa

Granger

Sunnyside

Sunnyview Park

Grandview

to Goldendale +
Columbia River

Satus

Mabton

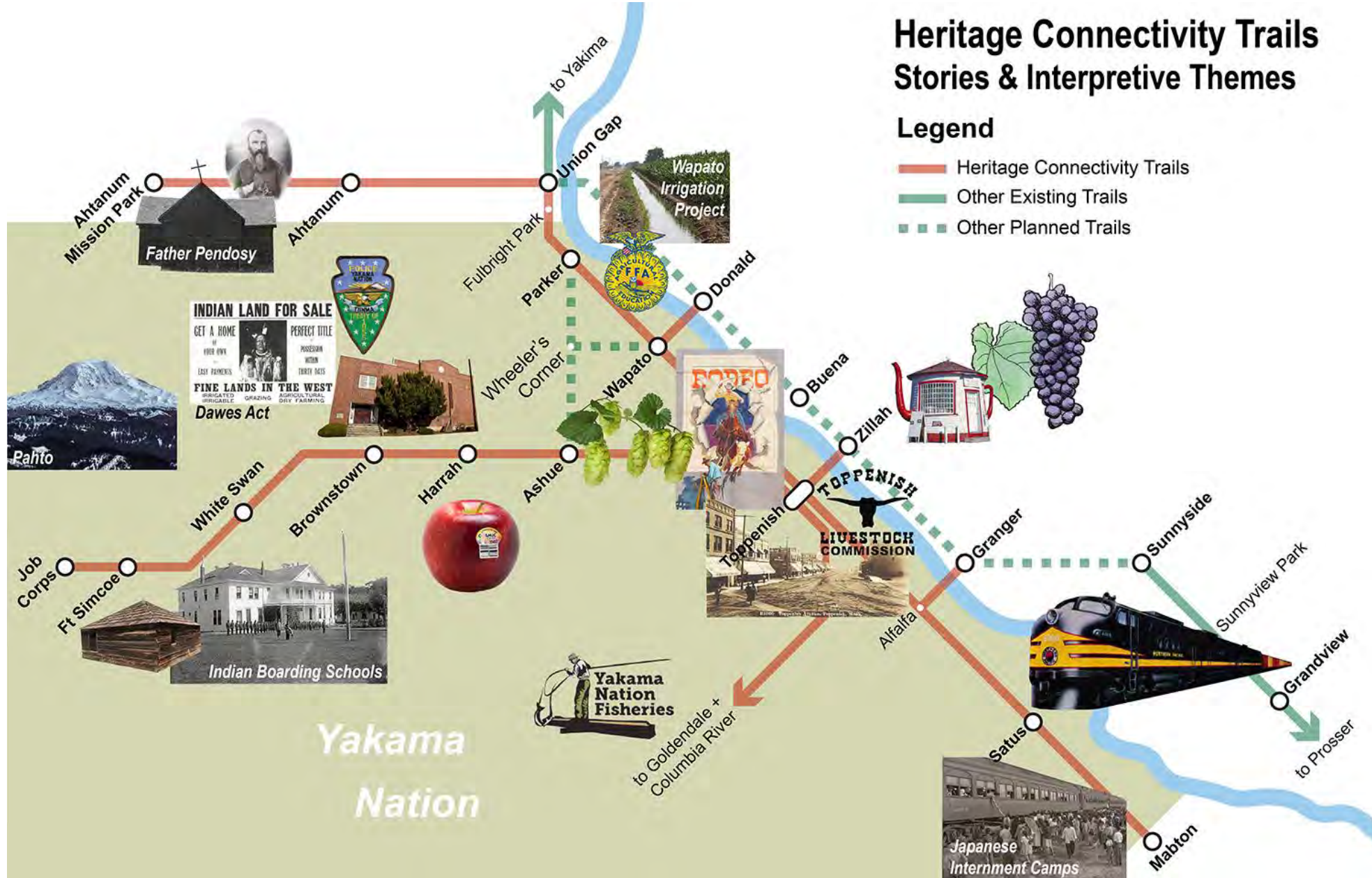
to Prosser

to Yakima

Heritage Connectivity Trails Stories & Interpretive Themes

Legend

- Heritage Connectivity Trails
- Other Existing Trails
- - - Other Planned Trails





Sacred Mount Adams returned to Yakama Nation after century-long fight

On May 20, 1972, President Richard Nixon signed an executive order returning 21,000 acres of forest land to the Yakama Nation of Washington and resolving a century-long dispute over reservation boundaries. The order returned to tribal territory the east side of Mount Adams, a nearly 10,000-foot, snow-covered peak that is one of the Yakama Nation's sacred mountains. The Yakama Treaty of 1855, which created the reservation, erroneously omitted the mountain.

"When we were negotiating the treaty, our elders made sure to include Mount Adams within the reservation boundaries," said Emily Washines, a spokeswoman for Yakama Nation Fisheries. "The treaty sparked the Yakama battles that took place between 1855 and 1859 and finally the treaty was ratified, but at that point they made a surveying error that cut Mount Adams out of the reservation boundaries."

In 1897, President Grover Cleveland created the Mount Rainier Forest Reserve near the western boundary of the Yakama Reservation. Ten years later, President Theodore Roosevelt extended the boundary of the forest to include a tract of 21,000 acres, then assumed to be public land. In 1942, a portion of the tract was designated the Mount Adams Wild area; and between 1964 and 1972, it was considered public land under the Wilderness Act. When Nixon returned the land to the Yakama, it was part of a larger tract known as the Gifford Pinchot National Forest.

"This action rights a wrong going back 65 years," Nixon said as he signed the executive order. "The U.S. Government lost the treaty map in its own files and by the time it was found actions had been taken which had mistakenly displaced the Indians from this land."

The executive order was a victory for the Yakama Nation, a confederacy of 14 tribes and bands in south central Washington that revered Mount Adams as an important and legendary landmark. The mountain, also known as Pahto, is one of five sisters who comprise the Yakama Nation's five sacred mountains.

The story of Pahto

Pahto was jealous of Washxim, or Simcoe Mountain, because she was the first to greet the sun every morning. So Pahto chopped off Washxim's head, leaving the mountain with a flattened top. As a punishment, the Creator put an eagle over Pahto. Despite Pahto's act of aggression, the mountain still delivers clear spring waters and many sources of food.

"Mount Adams is important spiritually, but it also is a source of a lot of resources," Washines said. "Creeks come down, animals live there and berries are harvested. We also have traditionally gathered there as families."

A generations long fight

Immediately after it lost Mount Adams, the tribe began working to get it back. Before it was successful, however, it had to raise up a generation of savvy leaders.

"As each generation grew up, one of the things the elders would reiterate was that this was an error on the part of the U.S., this was something we needed to fix," Washines said. "Our children were raised knowing this, hearing this. We finally had a generation that understood the laws and spoke English and could take the case to the government."

The first victory came in 1966 when the Indian Claims Commission found that the land was rightfully part of the Yakama Reservation. But the commission had authority only to reimburse the tribe for lands lost, not correct the mistake. The tribe then partnered with other Indigenous Peoples in similar circumstances—and caught the attention of the national media, said Johnson Meninick, cultural resource program manager for the Yakama Nation. Meninick was a member of the tribal council when Nixon returned the land.

"The original surveyors were all mixed up," he said. "We always knew the tract had been left out of the treaty, but we had to complain for years before we got it back. Our forefathers fought for it for 50 years before it finally went through."

In his signing statement, Nixon acknowledged the "unintentional but mistaken actions" of the federal government and the Indian Claims Commission's inability to return the land. Roosevelt's 1907 executive order "did not constitute a 'taking' of the land by the government in the legal sense," Nixon said, so the land could be restored through executive order.

When he received news that the mountain was returned, Yakama Tribal Council Chairman Robert Jim praised Nixon. "Although we have not fared well in other claims or treaty matters, the President of the United States, representing Indians as their trustee, in returning Mount Adams has shown the world the caliber leader he is," he said. Meanwhile, in the halls of conference centers, homes and offices, the people could be heard saying, "We got the mountain back; we got the mountain back," Washines said.

(Article by Alysa Landry, Indian Country Today, May 20, 2017)



President Nixon officially returning Mt Adams to the Yakama Tribe
(Indian Country Today)



Southwest portion of the original 1855 treaty map
(Goldendale Sentinel)

Heritage Connectivity Trails

Advancing Mobility and Communities

Application for the FY 2022 RAISE Discretionary Rural Planning Grant

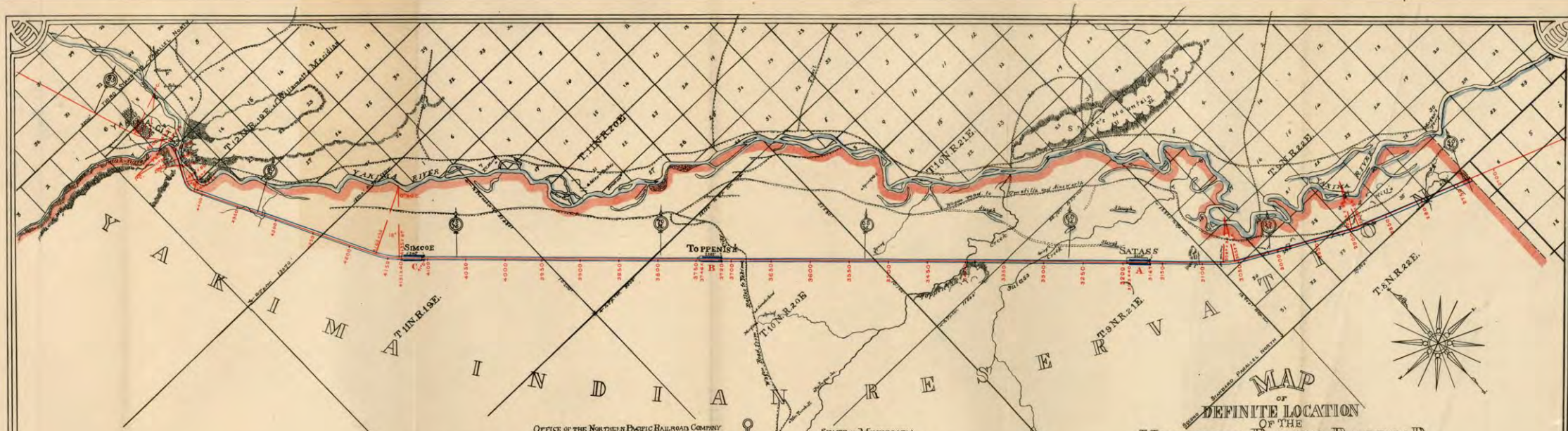


Washington State Department of Transportation
310 Maple Park Avenue, Olympia WA 98504

Multiple Cities, Yakima County, Washington State
Congressional District 4
April 14, 2022

Passenger & Freight Rail

- Unable to find “official” contact with Yakama Nation (according to study by Steer there was consultation with YN)
- Need to reinstate Passenger Rail Service, preferred Pasco, Toppenish, Yakima, to Seattle.
- Need improved Freight Service

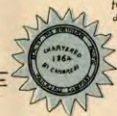


Map referred to in the agreement entered into between the United States and the Confederate Tribes and bands of Yakima Indians this 22^d day of January, 1855.

OFFICE OF THE NORTHERN PACIFIC RAILROAD COMPANY
No. 35 Wall Street, New York City, N.Y.

It is hereby certified that in pursuance of the Act of Congress, approved July 2nd, 1864, entitled "An Act granting lands in aid of the construction of a railroad and telegraph line from Lake Superior to Puget Sound on the Pacific Coast, by the Northern Pacific, and of subsequent Acts and joint Resolutions of Congress relating to the same," and after this map is made to show, and does show, the definite location of the line of the Northern Pacific Railroad through the Yakima Indian Reservation, from the presumed southeasterly boundary of said reservation on the right bank of the Yakima River, eight (8) miles below the mouth of Satass River to its north boundary near the mouth of Atah-nam River, all being in Washington Territory, as definitely fixed and determined in compliance with said Acts of Congress, and as approved by the Board of Directors of said Company by resolution passed on the twenty-first day of June A.D. 1864.

And it is further certified that A. Anderson, whose signature is attached to the affidavit on this map, is and at the date of said affidavit was, the duly appointed and empowered Chief Engineer of the Northern Pacific Railroad.



Attest
(Signature)
 Secretary



STATE OF MINNESOTA } ss.
 COUNTY OF RAMSEY }

A. Anderson of St. Paul in said County and State, being duly sworn, deposes and says, that he is the Engineer-in-Chief of the Northern Pacific Railroad, from Lake Superior to Puget Sound, that the survey of the line of route of said railroad has been made, and that said line is definitely located and fixed from the presumed southeasterly boundary of the Yakima Indian Reservation, near the right bank of the Yakima River, eight (8) miles below the mouth of Satass River; thence, North-westwardly through said reservation to its North boundary near the mouth of Atah-nam River, all being in Washington Territory; and that the Red line delineated on this map represents and shows the said line as so definitely located and fixed, and also the location of the Station Grounds is likewise delineated thereon.

Subscribed and sworn to before me
 this eleventh day of October A.D. 1864.
(Signature)
 Notary Public.

MAP
 OF
 DEFINITE LOCATION
 OF THE
 NORTHERN PACIFIC RAILROAD
 THROUGH THE
 YAKIMA INDIAN RESERVATION
 IN
 YAKIMA COUNTY
 WASHINGTON TERRITORY
 1864
 Scale 1 inch = 8000 feet









PX'WIPXWI
WATWAA



THINK
SAFETY

YAKAMA NATION DNR ENGINEERING TRIBAL TRANSPORTATION & TRAFFIC SAFETY PROGRAMS

HollyAnna Littlebull

Hollyanna_Littlebull@yakama.com

509/830-6639

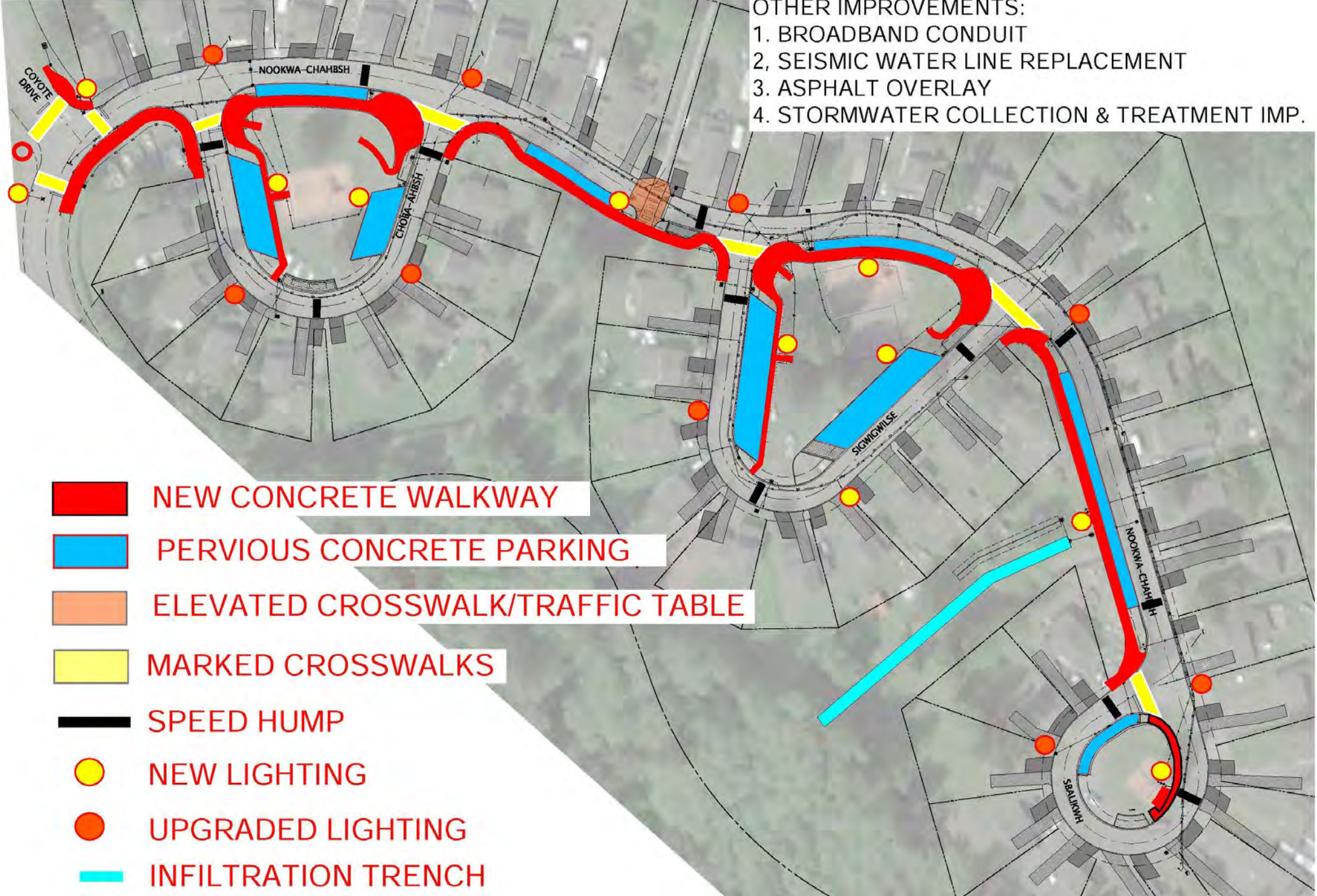


Nookwa Chahbsh Lane Pedestrian and Parking Safety Project

UPPER SKAGIT INDIAN TRIBE – HELMICK ROAD RESERVATION (SKAGIT COUNTY)

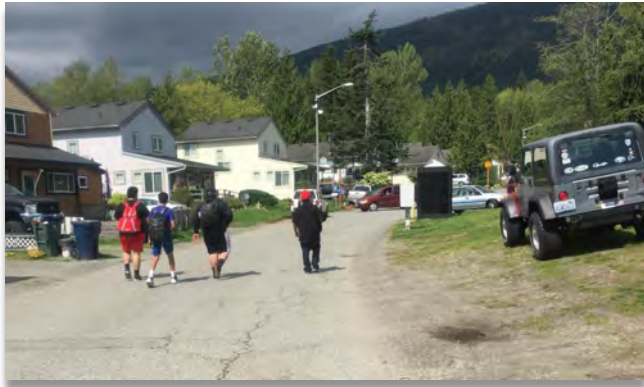
2 MILES EAST OF SEDRO WOOLLEY ON SR 20 (NORTH CASCADE SCENIC HIGHWAY)

OTHER IMPROVEMENTS:
1. BROADBAND CONDUIT
2. SEISMIC WATER LINE REPLACEMENT
3. ASPHALT OVERLAY
4. STORMWATER COLLECTION & TREATMENT IMP.



-  NEW CONCRETE WALKWAY
-  PERVIOUS CONCRETE PARKING
-  ELEVATED CROSSWALK/TRAFFIC TABLE
-  MARKED CROSSWALKS
-  SPEED HUMP
-  NEW LIGHTING
-  UPGRADED LIGHTING
-  INFILTRATION TRENCH

Lack of Sidewalks & Sufficient Parking Required Pedestrians to Use Drive Lanes as a Path



LOWER THIRD OF PROJECT

Nookwa-Chahbsh Lane



MID-PROJECT

Intersection with Connecting
Path to Multifamily Housing



ENTRANCE TO PROJECT

Nookwa-Chahbsh Lane
Intersection (Project Entrance)

Walkway and Parking Lane

June 2014 – Parked Vehicles Preventing Use of Shoulders for Pedestrians



April 2023 Completed Walkway

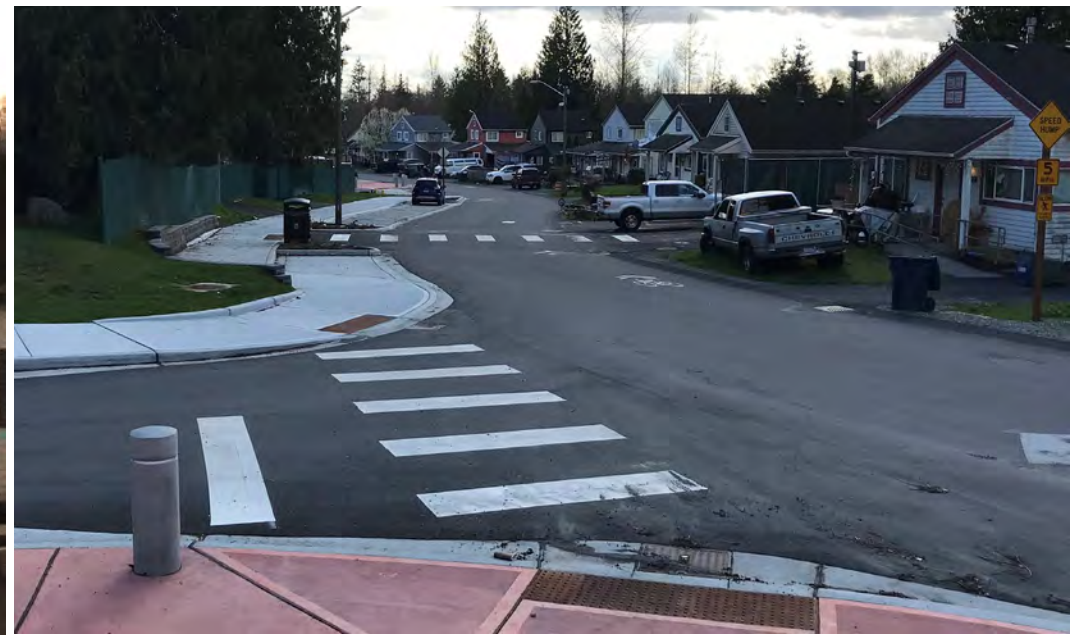


Walkway & Raised Crosswalk

November 2014 – Intersection with Elder's Blvd. Path



April 2023 – Raised Crosswalk/Traffic Table With Improved Lighting



WHY BUILD WALKWAYS?

IT'S A PROVEN SAFETY COUNTERMEASURE

SIDEWALKS SAFETY BENEFIT:

"65-89% REDUCTION IN CRASHES
INVOLVING PEDESTRIANS WALKING
ALONG ROADWAYS."

FHWA FACT SHEET: FHWA-SA-21-047



WHY BUILD A RAISED CROSSWALK/ SPEED TABLE

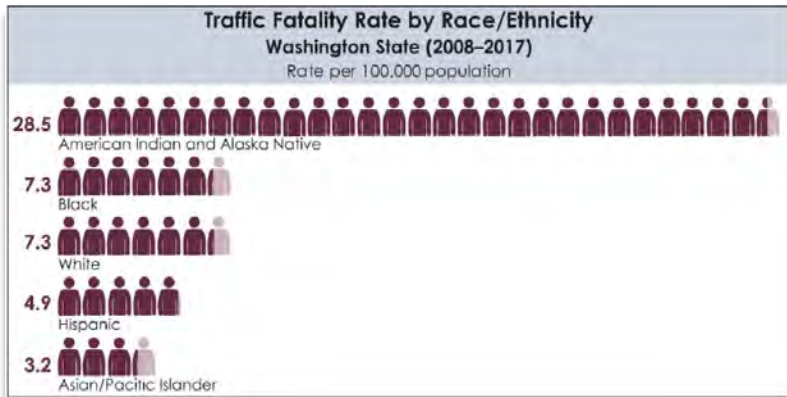
"THIS COUNTERMEASURE CAN REDUCE PEDESTRIAN CRASHES BY 45%"

"RAISED PEDESTRIAN CROSSINGS AND INTERSECTIONS REDUCE VEHICLE SPEEDS, REDUCE THE NEED FOR CURB RAMPS..., AND ENHANCE THE PEDESTRIAN CROSSING ENVIRONMENT"

FACT SHEETS: PEDSAFE: RAISED PEDESTRIAN CROSSINGS & ITE SPEED TABLE/RAISED CROSSWALKS



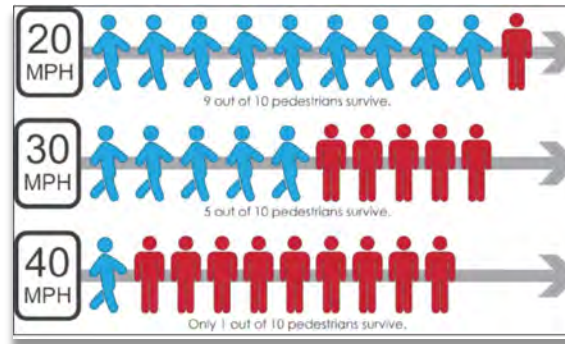
WHY REDUCE VEHICLE SPEEDS?



AIAN FATALITY RATE IN WA STATE

28.5 DEATHS PER 100K PEOPLE. ALMOST 4x HIGHER THAN RATE FOR NEXT HIGHEST RACE/ETHNICITY (WHITE & BLACK).

PEDESTRIANS & BICYCLISTS KILLED ON RES LANDS INCR 360% FROM 2012-2014 TO 2015-2017 (TARGET ZERO WSDOT)



LOWER SPEEDS = FEWER FATALITIES

AT 20 MPH 9 OUT OF 10 PEDESTRIANS SURVIVE A COLLISION WITH A MOTOR VEHICLE (TARGET ZERO WSDOT)



15 MPH & 20 MPH

POSTED SPEED WITHIN PROJECT AREA IS 15 MPH.

MAXIMUM POSTED SPEED WITH THE RESERVATION IS 20 MPH

PROJECT FUNDING

FUNDING SOURCE	GRANT	AWARD AMOUNT
WSDOT	2019 Pedestrian & Bicycle Safety Grant	\$705,000
Tribal Transportation Program	2014 Safety Funds Grant	\$83,000
	2017/18 Safety Funds Grant	\$800,000
WSDOT & TTP SAFETY FUNDS TOTAL:		\$1,588,000
Other Tribal Transportation Funding	2009 BIA 638 Nookwa-Chahbsh Lane	
	2009 BIA 638 Choba-Ahbsh lane	
	HIP-CRRSAA Funds (COVID)	
	Upper Skagit TTP Shares (Multiple Years)	
Housing and Urban Development (HUD)	NAHASDA	
	IHBG ARPA (COVID)	
FEMA	2019 Pre-Disaster Mitigation Grant	
Other COVID Funding	Treasury ARPA State and Local Recovery	
	Coronavirus Capital Projects Fund	
EPA	319	
Tribal Funding	Various Tribal Sources	
TOTAL LEVERAGE FUNDING:		\$3,680,000
TOTAL PROJECT COST:		±\$5,268,000

THANKS TO ALL OF OUR PROJECT SPONSORS!

- ▶ WSDOT
- ▶ TRIBAL TRANSPORTATION PROGRAM (FHWA & BIA TRANSPORTATION)
- ▶ HOUSING AND URBAN DEVELOPMENT (HUD)
- ▶ FEMA/DHS
- ▶ TREASURY/VARIOUS COVID FUNDING
- ▶ EPA

**THIS NEED WAS IDENTIFIED IN THE TRIBE'S LRTP/TIP MORE THAN 20 YEARS AGO.
THANKS TO THE FUNDERS FOR MAKING IT A SUCCESS!**

- ▶ BUT THERE IS MORE WORK TO BE DONE...



Thank you!

Next Forum and Peer Exchange:

✓ **September 2023**

✓ Do you have a topic of interest?

✓ **Contacts:**

- Ed Spilker– Ed.Spilker@wsdot.wa.gov
- Lynn Noah– NoahL@wsdot.wa.gov
- Charlotte Claybrooke– ClaybrC@wsdot.wa.gov

**Washington Transportation Professionals
Forum and Peer Exchange**