

San Diego Association of Governments
INTERAGENCY TECHNICAL WORKING GROUP ON TRIBAL
TRANSPORTATION ISSUES

June 22, 2016

AGENDA ITEM NO.: **3**

Action Requested: APPROVE

APRIL 4, 2016, MEETING SUMMARY

File Number 3400500

The meeting of the Interagency Technical Working Group on Tribal Transportation Issues was called to order by Working Group Co-Chair, Adam Geisler at 9:10 a.m.

1. WELCOME BY VIEJAS TRIBAL COUNCI AND SELF INTRODUCTIONS (INFORMATION)

Councilman Gabriel TeSam (Viejas) welcomed the group to the Viejas Tribal Hall. Tribal Elder Albert 'Boxie' Phoenix (Barona) conducted the opening prayer. Meeting attendees made self-introductions.

Tribal Nations Represented: Barona, Campo, lipay, Jamul, La Jolla, La Posta, San Pasqual, and Viejas.

2. MEMBER/PUBLIC COMMENTS AND COMMUNICATIONS

There were no public or member comments.

3. APPROVAL OF MEETING MINUTES FROM JANUARY 27, 2016 (APPROVE)

Action: Eric LaChappa (La Posta) made a motion to approve the minutes from the January 27, 2016, Working Group meeting. The motion was seconded by Chairwoman Erica Pinto (Jamul). The motion passed unanimously.

Yes - Raymond Welch (Barona), Albert "Boxie" Phoenix (Barona), Marcus Cuero (Campo), Virgil Perez (lipay), Erica Pinto (Jamul), Adam Geisler (La Jolla), Dave Toler (San Pasqual), Donald Butz (Viejas); No - None; Abstain - Councilmember Gabriel TeSan (Viejas).

CONSENT

4. 2016 TRIBAL TRANSIT GRANT PROGRAM NOTICE OF OPPORTUNITY (INFORMATION)

Jane Clough (SANDAG) provided the Working Group with information regarding the Fixing America's Surface Transportation Act (FAST) Act Tribal Transit Grant program. The Federal Transit Administration (FTA) announced for this year's competitive grant program there is \$5 million. Complete proposals for the Tribal Transit Program must be submitted by 11:59 p.m. EDT on May 13, 2016. All proposals must be submitted electronically through the GRANTS.GOV APPLY function. Any tribe intending to apply should initiate the process of registering on the

GRANTS.GOV website immediately to ensure completion of registration before the submission deadline. Instructions for applying can be found on FTA's website at http://www.fta.dot.gov/grants/15926_3553.html and in the "FIND" module of GRANTS.GOV. The Federal Register Notice of Opportunity is attached. California and Nevada tribal grantees should direct all questions on grant development to Hymie at hymie.luden@dot.gov.

REPORTS

5. FIXING AMERICA'S SURFACE TRANSPORTATION ACT: IMPLICATIONS FOR TRIBAL NATIONS (INFORMATION)

Jim Glaze (Sonosky, Chambers, Sachse, Endreson & Perry, LLP) provided an overview of the FAST Act Tribal Transportation Program Funding which will provide funding for five years. There is a \$175 million increase in funding for tribes over the five year period. The other funding increase is in formula funding for transit, which is going from \$30 million to \$35 million. The new 'self-governance' program will allow tribes to develop a master agreement with the U.S. Department of Transportation (U.S. DOT) that will apply to their contracts with any agency under the U.S. DOT. There will be a new rule making process to put this law into place. It is important for tribal leaders to be involved in how this law is set up. The Rulemaking deadline is September 27. This is an opportunity for tribes to work directly with federal agency staff who most likely have never worked with tribes before, which makes it an opportunity to educate and to be sure tribes are able to be part of all programs and expand the menu of grants available to tribes. The presentation from Mr. Glaze will be posted on the SANDAG website for further reference. <http://www.sandag.org/index.asp?committeeid=84&fuseaction=committees.detail>.

Working Group Co-Chair Adam Geisler commented that participating in the Rulemaking process is critical because this is where the money is and if tribes don't weigh in on how the rules are set up, they will pay the price. Setting up the rules on how the self-governance agreements will look is critical. The structure of the funding agreements is vitally important. He noted that there are a lot of opportunities for tribes to access funding from many new sources. Mr. Glaze also mentioned that the Deputy Assistant Secretary of Tribal Government Affairs position has not been filled. This position would oversee the Rulemaking process so it is critical this position be filled. It is long overdue. Mr. Geisler thought the Working Group should write a letter to advocate for filling the position, as well as individual tribes. Mr. Glaze encouraged the tribal representatives to think about sending a letter as it would be helpful to have California tribes included in the tribes sending letters urging the fulfillment of this position. He offered to send a sample template letter along after the meeting.

Kelly Myers (NIJC) added that the first study mentioned on page 22 of the agenda package is due on August 1, 2016. The purpose of this study is to improve the collection and sharing of data on crashes on Indian reservations. Kelly Myers also noted that Adam Larsen of the U.S. DOT has made himself available for assistance with the study at adam.larsen@dot.gov.

6. INTRAREGIONAL TRIBAL TRANSPORTATION STRATEGY – UPDATE (DISCUSSION)

Working Group Co-Chair Adam Geisler introduced the item and emphasized the importance of developing a strategy as a group. He further commented that documents and data are what lead to the funding opportunities.

Jane Clough (SANDAG), Andrew Orozco (San Pasqual), and Matt Horton (Kimley-Horn and Associates, Inc.) updated the Working Group on the Intraregional Tribal Transportation Strategy (ITTS). Draft surveys specific to each tribe were handed out for review.

Matt Horton provided an overview of the scope of work and key tasks. He provided a list of the type of data compiled to date, which is an inventory of transportation needs. Mr. Horton explained that the data has been compiled for each tribe and included in personalized surveys. He continued to explain how the survey will be used to confirm the listed projects and to add new projects. Emphasis was placed on explaining the paired comparison exercise on page 3 of the survey.

Andrew Orozco introduced himself to the Working Group and noted his work with the ITTS Project Development Team. Mr. Orozco provided commentary on the importance of tribal participation in the survey. He continued by noting that finalized printed copies of the survey would be handed out during the next Southern California Tribal Chairmen's Association (SCTCA) meeting on April 19, 2016. Upon receiving the surveys, delegates of each tribe will have five weeks to complete the survey and return to Jane Clough (SANDAG) and/or Claudine Montes (SCTCA) by Friday, May 27, 2016.

Eric LaChappa (La Posta) is interested in having Claudine Montes go to la Posta tribe to go through the survey.

Donald Butz (Viejas) asked that the survey be provided digitally in order to share the draft with other tribal members for additional input. Mr. Geisler added that having the survey put on a USB port would also be beneficial for sharing electronically.

Mr. Geisler commented on the importance of safety and cultural resources in setting the goals and priorities.

7. ENVIRONMENTAL MITIGATION PROGRAM LAND MANAGEMENT GRANT CALL FOR PROJECTS (INFORMATION)

Sarah Pierce (SANDAG) gave a brief presentation of the Environmental Mitigation Program Land Management Grant, noting that tribes are eligible and highly encouraged to apply.

Charles "Muggs" Stoll (SANDAG) further emphasized the interest in having tribes participate in the program.

Adam Geisler asked about matching requirements. Ms. Pierce explained that no match is required for the first program and that points are awarded for matching funds in the second program.

Mr. Geisler asked about contract waivers, to which Ms. Pierce noted she would look into and that SANDAG contract staff will be available at the April 20, workshop.

8. TOPICS FOR NEXT MEETING AND ADJOURNMENT (DISCUSSION/POSSIBLE ACTION)

Dave Toler (San Pasqual) offered to host the next working group meeting. Two potential dates were identified in June: June 15 or June 22.

Agenda topics to be considered included:

- Update on Rulemaking process
- Update on Tribal Transportation Strategy
- 202 funds transfers
- Caltrans TERO templates and updates

Co-Chair Adam Geisler adjourned the meeting at 12:05 p.m.

WORKSHOP

9. CALIFORNIA TRIBAL TRANSPORTATION SAFETY ASSESSMENTS PROJECT (DISCUSSION)

Eduardo Serafin (University of California, Berkeley Institute of Transportation Studies) gave a brief presentation on the Technology Transfer Program (Tech Transfer), which is implementing a new Caltrans-funded program to help California Native American communities identify and implement transportation safety solutions that will lead to improved safety for all. The new program is called the California Tribal Transportation Safety Assessment (T2SA) and will serve 15 selected federally-recognized Indian tribes in California.

Mr. Serafin introduced Nazir Lalani (Tech Transfer) and noted that he has done the only safety assessment for a tribal group in California, which was for the Cabazon Band of Mission Indians.

Mr. Geisler (La Jolla) emphasized that completing surveys is a great way to document tribal safety concerns, which could lead to funding resources. He noted, 'data leads to dollars.' Mr. Serafin added that in transportation, if it is not documented, it does not exist and that surveys are a great way to document issues.

Kelly Myers (Western TTAP Project Manager, National Indian Justice Center) briefly presented a PowerPoint on the Western Tribal Transportation Training and Technical Assistance Program. She showed how the various projects related to tribal safety are connected.

Kristin Hawkom (Department of Public Health, Caltrans Districts 8, 11, 12) gave a brief presentation on California State Bike & Ped Plan and Safe Routes to School. Mr. Serafin noted that active transportation cannot work unless there is an established safety plan or component, then continued to summarize T2SA by visiting the Berkeley Tech Transfer website:
<http://www.techtransfer.berkeley.edu>.

Mr. Serafin stated that as a response to the last meeting with the Working Group and its request to have data from the San Diego region's tribes reported in a summary for this region's use, the T2SA Project will provide summarized data for the region. Don Butz (Viejas) commented that if all tribes within the San Diego region participate in the Tribal Transportation Safety Assessment project that the Working Group will get a regional summary that could contribute significantly to its own Intra-regional Tribal Transportation Strategy project.

When asked whether geography would play into the selection of the 15 tribes that will receive the technical assistance for the Safety Assessments, Chad Riding (Caltrans) explained that Caltrans would try to have geographic equity, although the overriding criteria will be how bad the conditions are in the different tribal areas. He also noted that the greatest number and most severe accidents occur between Central and Southern California.

Virgil Perez (Iipay) asked if as they are filling out the survey they should consider land outside of their reservation. Mr. Serafin responded that they should look at a five-mile buffer around their reservation.

Mr. Riding (Caltrans) noted that some tribes in California straddle state borders, to which Ms. Myers (NIJC) responds that she would be willing to coordinate cross-border issues.

Mr. Serafin closed the session.

**INTERAGENCY TECHNICAL WORKING GROUP ON TRIBAL TRANSPORTATION ISSUES
MEETING ATTENDANCE FOR APRIL 4, 2016**

| JURISDICTION/ORGANIZATION | NAME | ATTENDING | COMMENTS |
|--------------------------------------------|------------------------------|------------|----------|
| La Jolla Band of Luiseño Indians | Adam Geisler, Chair | Yes | |
| Barona Band of Mission Indians | Raymond Welch | Yes | |
| | Albert "Boxie" Phoenix | Yes | |
| | Clifford LaChappa | No | |
| | Sheilla Alvarez, Alternate | Yes | |
| | Melissa Donayre, Alternate | No | |
| Campo Kumeyaay Nation | Harry Cuero, Jr. | No | |
| | Marcus Cuero, Alternate | Yes | |
| Ewiiapaayp Band of the Kumeyaay Nation | Roberto Pinto, Sr. | No | |
| Iipay Nation of Santa Ysabel | Virgil Perez | Yes | |
| Inaja-Cosmit Reservation | VACANT | No | |
| Jamul Indian Village. A Kumeyaay Nation | Erica Pinto | Yes | |
| | Michael A. Hunter, Alternate | Yes | |
| La Jolla Band of Luiseño Indians | Thomas Rodriguez | No | |
| | Nathan Stout, Alternate | No | |
| | James Trujillo, Alternate | No | |
| | Mark Lofton, Alternate | No | |
| La Posta Band of the Kumeyaay Nation | Eric LaChappa | Yes | |
| | Jovaughn Miller, Alternate | No | |
| Los Coyotes Band of Cahuila/Cupeño Indians | Shane Chapparosa | No | |
| Manzanita Band of the Kumeyaay Nation | Angela Elliott Santos | No | |
| Mesa Grande Band of Mission Indians | Virgil Oyos | No | |
| Pala Band of Mission Indians | Robert Smith | No | |
| | Howard Maxcy Jr. | No | |
| | Sheila Lopez, Alternate | No | |
| | Marcos Orozco, Alternate | No | |
| Pauma Band of Luiseño Indians | Temet Aguilar | No | |
| | Dale Brush, Alternate | No | |
| Rincon Band of Luiseño Indians | Frank Mazzetti, III | No | |
| | Alfonso Kolb, Sr., Alternate | No | |

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------------------------------------------------------------------------|-----------------------------|
| San Pasqual Band of Diegueño Indians | Steve Cope | No | |
| | Andrew Orosco, Jr., Alternate | Yes | |
| | Dave Toler, Alternate | Yes | |
| Sycuan Band of the Kumeyaay Nation | Cody Martinez | No | |
| | Sid Morris, Alternate | No | |
| Viejas Band of Kumeyaay Indians | Robert "Cita" Welch, Jr. | Yes | Councilmember Gabriel TeSan |
| | Victor Woods | No | |
| | Don Butz, Alternate | Yes | |
| | Darwin Tewanger, Alternate | No | |
| | Samuel Brown, Alternate | No | |
| ADVISORY MEMBERS LISTED BELOW (ATTENDANCE NOT COUNTED FOR QUORUM PURPOSES) | | | |
| Southern California Tribal Chairman's Association (SCTCA) | Claudine Montes | Yes | |
| | Denis Turner, Alternate | No | |
| Reservation Transportation Authority (RTA) | Tony Largo | No | |
| | Tanya Kingsley, Alternate | No | |
| Bureau of Indian Affairs, Southern California (BIA) | Steve Wilkie | No | Scarlett Carmona |
| | Robert "RJ" Eben, Alternate | No | Demery Bill |
| Caltrans, District 11 | Chi Vargas | Yes | |
| County of San Diego | Eric Lardy | No | Bob Citrano |
| | Sheri McPherson, Alternate | No | Josh Menveille |
| Metropolitan Transit System (MTS) | Janelle Carey | Yes | |
| | Sharon Cooney, Alternate | No | |
| North County Transit District (NCTD) | Johnny Dunning | No | |
| OTHER ATTENDEES | | SANDAG STAFF MEMBERS LISTED BELOW | |
| Councilman Gabriel TeSan, Jr., Viejas Shane Helms, Morongo Band of Mission Indians Kelly Myers, National Indian Justice Center Chad Riding, Caltrans Roberto Ramirez, County of San Diego Alexis Muñoz, County of San Diego Kristin Hawkom, Department of Public Health, Caltrans Matt Horton, Kimley-Horn and Associates, Inc. Jim Glaze, Sonosky, Chambers, Sachse, Endreson & Perry, LLP Nazir Lalani, University of California, Berkeley Tech Transfer Eduardo Serafin, University of California, Berkeley Institute of Transportation Studies | | Charles "Muggs" Stoll Coleen Clementson Jane Clough Elisa Arias Sarah Pierce | |