

**Native American Advisory Committee
Draft Quarterly Meeting Minutes
January 21, 2010**

Welcome and Introductions: Chairman Joseph Myers opened the meeting at 9:15 AM with a prayer. He welcomed the Native American Advisory Committee (NAAC) members and participants, thanking them for attending the meeting despite the inclement weather.

Roll: Kimberly Johnston-Dodds, Native American Liaison Branch (NALB) took roll call.

Adopt Agenda: The Agenda was adopted with no changes for the January 21, 2010 meeting.

Approved Minutes: Motion to approve November 12, 2009 Minutes by Member Stacy Dixon, second by Members Lorena Sanchez and David Fass. Chairman Myers approved the Minutes.

Members in Attendance: Dore Bietz (Alternate), Tuolumne Rancheria; Stacy Dixon, Susanville Indian Rancheria; Ralph Troy Hatch, Ione Band of Miwok Indians; Chris Howard, Elk Valley Rancheria; John D. Green, (Alternate), Elk Valley Rancheria; Donna Miranda-Begay, Inter-Tribal Council of California, Inc.; Chairman Joseph Myers, National Indian Justice Center (NIJC), Kelly Myers (Alternate), National Indian Justice Center, CA/NV TTAP; Maryann McGovran, North Fork Rancheria; Lorenda Sanchez, California Manpower Consortium, Inc.

Members who notified NALB their inability to attend because of severe inclement weather: Ron Andrade, La Jolla Band of Luiseno Indians; Joel Bravo, Smith River Rancheria; Jacque Hostler, Trinidad Rancheria; Dale Ann Frye Sherman, Yurok Tribe; Sandi Tripp, Karuk Tribe.

Director's Representatives in Attendance: Sharon Scherzinger, Chief, Division of Transportation Planning; Garth Hopkins, Chief, Office of Regional and Interagency Planning; Lonora Graves, Branch Chief, Native American Liaison Branch.

Others in Attendance: Richard Olson, Caltrans D-3; Anmarie Medin, Caltrans HQ; Tina Biorn, Caltrans HQ; Mary Lea Filbert, Caltrans HQ; Jorge Rivas, Sr., Caltrans HQ; Sandra Rivera, Caltrans D-2; Jo Sanford, Caltrans D-8; Kimberly Johnston-Dodds, NALB; Tyler Monson, NALB.

Old Business:

1. New NALB Chief Introductions and CA Department of Transportation Update. Sharon Scherzinger introduced the new Native American Liaison Branch Chief, Lonora Graves, to the NAAC. Sharon Scherzinger updated the NAAC on actions taking place

that may affect Caltrans, including the January 10 Governor's Proposed Budget and the federal Economic Recovery Act including the possible second federal stimulus package.

There was significant discussion regarding the ARRA funds that have not yet been obligated (about \$30M): the process required for obligation, the reasons for the delays in approval, and what will happen to funds that are not allocated within the requisite timeframes.

2. California Legislative Analysis Report. Kimberly Johnston-Dodds provided an update in response to a previous meeting action item regarding whether SB 607 was an isolated bill, or whether it may set precedent for including Tribal representatives in name only. The bill, which establishes the Imperial County Transportation Commission (ICTC) and states that one member of the ICTC will be from a Federally recognized Tribe and that this member would be nonvoting, appears to be the first bill of its kind to be executed.

3. 2010-2011 NAAC Members Status Report. Chairman Myers provided a status report on the Tribal recommendations received after the November NAAC meeting through the end of 2009, and the recommendation package being prepared for the Director's review.

4. Bureau of Indian Affairs (BIA) Indian Reservation Roads Inventory Program Update – The item was tabled since no one from BIA attended the meeting.

5. Tribal Technical Assistance Program (TTAP) CA/NV. Kelly Myers provided information about recent training initiatives. FHWA Region 9 convened a meeting with the Tribes that nobody attended; this was because neither the Native American Liaison Branch (NALB) nor the tribes knew about it. NIJC is working to develop another Tribal Transportation Planning Meeting in March or May. Caltrans NALB will be made aware of these meetings so that the State perspective can be represented in these discussions.

NAAC was informed that BIA has a contract with ESRI that will allow every Tribe in the country licenses to use ArcView GIS software and to receive training from ESRI regarding how to use it. A great deal of interest in using GIS was expressed, but questions about data sharing (i.e., the sources and quality of data, and protection of cultural resource information from the tribes) were also raised. It was noted that there is a perceived inequity by the Tribes of the level of GIS knowledge and assistance provided by the Districts. Some CT employees appeared to be more willing or able to help than others.

6. NAAC Ad Hoc Technical Research Workgroup – Encroachment. Tyler Monson, NALB, reported that a workgroup has been formed to define the issues that have been raised by the NAAC in the areas of CT encroachment policy, permitting, tribal local development, and community functions of the highway. This group will be comprised of members of the NAAC, NALB staff, Native American Liaisons (from the Districts), and two individuals from Traffic Operations. The first meeting will be scheduled soon.

7. NAAC Ad Hoc Technical Research Workgroup – Federal Transportation Act Authorization. Kimberly Johnston-Dodds, NALB, reported that the purpose of this workgroup is to stay abreast of upcoming federal legislation and its impact to Caltrans and to the Tribes. In addition to exploring the implications of the upcoming Transportation Authorization, this group will also track relevant legislation and discuss ways to be engaged and to have dialogue in the Strategic Growth Council conversations. NAAC members offered suggestions to use web resources such as the TTAP and NALB websites as tools to provide current information to Tribes. Member Lorenda Sanchez reminded NAAC and NALB staff to stay connected to national tribal organizations such as National Congress of American Indians (NCAI) legislative staff to receive timely information from their resources as well.

8. Tribal Employment Rights Ordinance (TERO) Update. Responsibility for TERO issues has been moved from the Office of Business and Economic Opportunity (Civil Rights) to the Native American Liaison Branch, Division of Transportation Planning. There has been no movement from the Attorney General's office regarding a decision about the legality of TERO requirements

9. 2010 Environmental Justice Grant Program Information Update. Jorge Rivas, Jr., Office of Community Planning, gave a presentation regarding grants available to the tribes, the requirements for eligibility, and the process for applying for these grants. Last year, all four tribal applications submitted received a grant, and there appears to be tribal interest in applying for future grants. The NAAC noted that it is hard for tribes without a general fund to do work on a reimbursement basis (as required by the grants), and there was much discussion regarding ways to address this problem.

New Business:

1. Transportation Research Board (TRB) Native American Transportation Issues Committee Update. Chairman Myers provided an overview of the TRB annual meeting sessions held from January 10-14, 2010 in Washington, D.C. He provided information related to Indian Transit Program research and tribal safety issues. Currently, research is being conducted across the country regarding tribes who collaborate with local county transit projects. A booklet/manual about how to develop a transit program will be developed and released in a couple months. Chairman Myers conducted a four-hour workshop on safety during which he shared information about tools and measures being used to improve safety on tribal lands.

2. California Transportation Plan (CTP2035)/California Interregional Blueprint. Sharon Scherzinger described the shift in DOTP priority from immediately updating the California Transportation Plan (CTP) to first completing the Interregional Blueprint process. She explained that the government to government relationship will be maintained in this process as well, but that the consultation with the tribes will come later. NAAC requested information on how the tribes will be involved in the Blueprint process and about what they need to do to prepare for these meetings/involvement

opportunities. It was suggested that it would be helpful for Caltrans to provide timelines for the Interregional Blueprint process to the CA/NV TTAP to include in an article in a future newsletter that further describes Interregional Blueprint initiative.

3. Notice of Consultation between Tribes and U.S. Attorneys Kelly Myers briefly discussed the memo that was sent out to tribal leaders concerning US Department of Justice consultation and coordination process.

4. State Highway System Bus Restrictions and Tribal Trust Lands Map. Kimberly Johnston-Dodds informed the NAAC that a copy of the map is included in each member meeting packet. She informed the NAAC that the map overlays Bureau of Indian Affairs tribal trust lands GIS data onto the California State Highway System (SHS) data, including the SHS sections where 45-foot bus restrictions are in place. The map was prepared and distributed to NAAC pursuant to a request made at an earlier NAAC meeting. She advised the NAAC that the map was created for general informational purposes only. The Caltrans Office of Truck Services website provides real time information regarding 45-foot bus restriction designations on the SHS.

Announcements: Written announcements for upcoming meetings and workshops were provided on the agenda.

The meeting was adjourned at approximately 1:15 p.m.