

**Advocacy Council for Tribal Transportation  
Meeting Minutes  
Lower Sioux Community – Government Center  
April 17, 2009  
9:00 a.m. – 12:40 p.m.**

Marc Mogan, Co-Chair, ACTT, called the meeting to order. Introductions were conducted.

Jean Stacy, President, Lower Sioux Community, welcomed the ACTT members and guests to the Lower Sioux Community.

**Members Present:**

Jason Hollinday, Co-Chair, Fond du Lac  
Marc Mogan, Co-Chair, Prairie Island  
Mike Robinson, Mn/DOT  
Cheryl Cloud Westlund, TTAP, Michigan Tech  
Evelyn Howard, Leech Lake  
Cheryl Martin, FHWA-MN Division  
Millie Baird, USFS, Chippewa Nat'l Forest

Mike Moilanen, Mille Lacs  
Linda Aitken, Mn/DOT  
Bill Vogel, Grand Portage (Alt)  
Patty Northrup Lower Sioux  
Dave Trooien, Mn/DOT  
Dave Enblom, Cass County Engineer

**Members Absent:**

Marty Conner, Bois Forte  
Donald May, Red Lake  
Annamarie Hill, MN Indian Affairs  
Dave Danz, Grand Portage  
Shakopee Mdewakanton

Burny Tibbetts, White Earth  
Travis Leenerts, Upper Sioux Community  
Tom Fronk, BIA, (Alt)  
Sam Strong, Red Lake

**Guests Present:**

Tina Markeson, Mn/DOT  
Mike Gregg, Lower Sioux

**Review and Approve Agenda:**

Agenda was reviewed.

Cheryl Martin asked to discuss the Policy and Transportation in Conference in Duluth.

This topic will replace the economic Recovery Program (IRR) topic -Tony Saccoman was not able to attend today's meeting.

Motion: Dave Enblom; Second: Jason Hollinday. Motion carried

**Review and approval of ACTT Minutes (January 30, 2009)**

Motion: Mike Moilanen; Second: Marc Morgan. Motion carried.

**Old Business:**

**Issue: MOU: Roadside Vegetation Management between Mn/DOT and Fond du Lac** *(handout)*

*Presenters: Tina Markeson, Mn/DOT and FDL*

Tina provided an overview of the MOU between Mn/DOT and Fond du Lac Band of Lake Superior Chippewa. This will be a one-year pilot MOU which will allow for amendments to be made at the end of the year. This MOU may then be extended to five years.

## ACTT Quarterly Meeting Minutes

April 17, 2009

Page 2

The MOU may be expanded to the counties and cities - Any overlay between tribal and other agencies would be brought into the MOU. This MOU may be used as a model for between other MN Tribes/MnDOT Districts.

A signing ceremony is scheduled on May 15 at Fond du Lac Government Center. Karen Diver, Chairwoman, Fond du Lake Band of Lake Superior Chippewa and Tom Sorel, Commissioner, Mn/DOT, will be the signatories.

Tina Markeson will contact Leech Lake and Mn/DOT District 2 to begin working on a MOU.

Patti Northrup stated that the Lower Sioux has passed a law that no chemicals are used along roads in the reservation. Patti will check with Ernie Fiala, Redwood County Engineer, to ensure that no chemicals be used on County Road 2. Sioux Community has passed a bill that no chemicals be used on the reservation.

### *Discussion:*

- *What can be done with weed control if no chemicals are used?*
- *This will be an issue with the farming community.*
- *Tribes would like to be informed if chemicals are needed due to control noxious weeds.*
- *Tribes are concerned with the water table with the use of farmers using chemicals.*
- *Cheryl briefly reviewed Section 106 of the National Historic Act. There is a currently an executed contract with five tribes on federally funded projects.*

**ACTION:** Linda will send the MOU to the District Engineers and the other Tribes to encourage the meeting and development of Roadside Vegetation Management MOUs between Mn/DOT and the Tribes.

- Mike Robinson suggested publicizing the signing of the MOU, i.e., Mn/DOT Newslines. Linda Aitken has sent the meeting information to John Bray in Duluth. FDL will also have a story in their tribal newspaper.

### **ACTION:**

- Cheryl Cloud Westlund will include the signing of the MOU in the TTAP newsletter.
- Cheryl Martin will also have someone include the signing of the MOU in a FHWA newsletter.

### **Issue: NEPA Training**

*Presenters: Cheryl Martin, FHWA, and Cheryl Cloud, Michigan TTAP*

- Cheryl Martin stated that the NEPA Training was scheduled for March 25-26; however, due to conflicts, the training is scheduled for September 29 & 30 at Fond du Lac (Black Bear).
- Cheryl Martin will try to get a small group together the first part of May via phone conference to discuss the contact list for the training. Approximately 30 attendees are desired which will include a mix of tribal and Mn/DOT representatives.
- Because the training was not held in March, the registration cost has increased.

**ACTION:** Cheryl Martin will look into funding options for the registration costs, i.e., STEP Program. There is an application available.

- 12 spots are reserved for Mn/DOT attendees. Mike Robinson suggested two attendees per district and one attendee from Metro and Central Office, State Aid (Jennie Ross), Environmental Services. Other attendees suggested: two from BIA, three from the US Forest Service, and one from Federal Highways. If additional funding is secured, the number of attendees may increase.

***ACTION:***

- Cheryl Martin will schedule a teleconference the second week in May for: Cheryl Cloud Westlund, Linda Aitken, Scott Hanson, Mike Moilanen, and Rick Gitar. to determine the contact list.
- Cheryl to coordinate with Cheryl Cloud Westlund.

**Issue: Toward Zero Deaths: Final Summit Report and Follow-up**

**TZD: Presentation at this conference**

*Presenters: Cheryl Martin and Linda Aitken (Summit)*

**MN Tribal Road Safety Summit (Oct 29 & 30, 2008)**

The Draft report has been finalized.

***ACTION:*** Linda will send the report out to ACTT members and the Indian Affairs Council.

**Tribal Safety Plans:**

- Linda shared information from a meeting held December 19 at the White Earth Reservation. The purpose of the meeting was to brainstorm ways on how to develop a Tribal Safety Plan:
  - Discussed the 4 Es
  - Shared safety programs in place and ways to build on those program, i.e., visit communities and hear their issues and perspectives.
  - A questionnaire was developed by White Earth (handout).
- White Earth's DPS and EMMS representatives are currently going door to door to ensure the questionnaire is completed.
  - Once completed, the larger group will reconvene to review and discuss next steps.

**Discussion: Follow up on Summit (safety):**

- Working on crash data and a Tribal Safety Plan.
- BIA would like to meet with Fond du Lac.
- A grant was awarded to Fond du Lac for Safety Routes to School. That plan should be complete in the fall. Once the Safe Routes to School program is finalized, Jason Holliday will begin work on the Tribal Safety Plan.
- Lower cost safety improvement discussed, i.e., intersection lighting, guardrail.
- Education programs focus is important.
- The 12<sup>th</sup> Annual National Tribal Transportation Conference, Phoenix, AZ, November 17-19, 2009.
- Speed Study and Tribal communities how to coordinate.
- Experimental speed studies on tribal roadways.
- Warning signs.
- Interactive actions and enforcement.
- With HSIP funding may be available for interactive signing.
- Speed limit issue: keep on table
- Needs to happen at district level.

***ACTION:***

- Mn/DOT person will be invited to a future ACTT meeting to discuss how speed limits are determined.
- Linda will schedule for the next ACTT meeting.

## ACTT Quarterly Meeting Minutes

April 17, 2009

Page 4

### Toward Zero Deaths Conference:

The Toward Zero Deaths Conference will be held on October 28 & 29, 2009, in Duluth. Linda contacted Sue Groth to secure a Safety Management Plans on Reservations breakout session. Participants are needed for the panel to discuss:

- Federal Safety Plan
- Primary Seat Belt
- Local Reservation Safety Plans

Panel member suggestions:

- Seat Belts on reservations: White Earth
  - They are the only Tribe to pass a Primary Seat Belt law on the reservation.
- Legislator to discuss the Primary Seat Belt Law, i.e., why it isn't a law?
- Federal Tribal Safety Plan
  - Tom Fronk, BIA, point of contact
- Local Tribal Safety Plan
  - Report on Summit
- Summarize Summit and recommendations/best practices.

### ***ACTION:***

- Send other ideas to Linda Aitken.

### SW MN TZD Workshop – Dave Trooien

The SW MN TZD Workshop will be held on April 30, at the Redwood Community Center. Currently, there are four coalitions within the SW region and one coalition is expected to form in the Hutchinson area soon.

***ACTION:*** Diane Beck will send the SW MN TZD Workshop information to ACTT members.

### **Issue: Crash Data Collection**

*Presenter: Thomas Martin unable to attend*

*(handout)* Linda provided an overview from a meeting held at Red Lake on March 17:

- Red Lake does not report crash data to the Department of Public Safety. This is a nation-wide issue with the tribes.
  - Tribes are concerned with sharing personal information
- Suggested reporting data include: gender, time of day, etc.
- Sharing crash data will benefit the tribes to have roadways upgraded.
- Local perspective: crash data available from Tribes in addition to county system will benefit the available funding.
- Crash data is needed to secure grants.
- Mapping of the roadways may be an issue because the IRR system is not IRR based. The tribes would need to update their data and report to the state.
- Important to have the IRR data system completed.

### **New Business**

#### **Issue: Issue Paper: Coordination – Mn/DOT and Tribal Communications**

Presenter: Linda Aitken

*(handout)*

Linda reviewed the handout on Advocacy Council for Tribal Transportation.

- Not all departments within tribal governments are informed of highway construction or maintenance projects that are in the Mn/DOT STIP.
- There is a need for increased communication with the Tribes beyond the tribal planners, TEROs, Roads Departments.

Discussion:

- *Develop a formal process?*
- *Mike Moilanen stated he is on a District e-mail list and receives project information.*
- *A list of tribal contacts or tribal organization chart would be beneficial for Mn/DOT representatives, etc.*
- *Schedule a meeting with tribes in January-March to determine who should receive the project information. Comment: There are various timeframes within the scope of a project*
- *ACTT could take ownership of the contact information and share with Mn/DOT representatives.*
- *Reciprocal agreements with counties and tribes, review STIP.*
- *Take suggestion to a future Operations Division meeting.*
- *LTAP, i.e., training.*
- *Discuss at the Tribes and Transportation Conference.*
- *ACTT coordinate a local Mn/DOT and tribal annual meeting to share Mn/DOT and tribal projects and tribal employment. This should raise issues earlier in the process.*

**ACTION:**

- An ACTT sub committee was formed to develop a communications proposal. Members include: Cheryl Martin, Dave Emblom, Dave Trooien, Mike Robinson, Mike Moilanen, Linda Aitken, and Evelyn Howard.
- Sub committee will bring the recommended process to a future ACTT meeting for approval.

**Information/Discussion**

*(handout):* Cheryl Martin shared information on the 2009 International Conference on Ecology and Transportation scheduled for September 13-17 in Duluth. Cheryl would like to see more tribal involvement.

**ACTION:**

- Cheryl will notify the planning committee there is interest from Fond du Lac and Lower Sioux tribes to have exhibits at this conference.
- Cheryl will also contact other tribes if they are working on ecology projects that could be presented and showcase best practices and pro active techniques that the tribes are using.
- Cheryl Cloud Westlund will assist Cheryl Martin in securing tribal exhibits.

**Issue: Economic Recovery Program – (IRR)**

*Presenter: Tony Saccoman(BIA Roads) unable to attend.*

Linda shared information on the IRR Annual meeting scheduled for May 5-7 in Wisconsin. Registration information is available on the TTAP web site.

**Issue: Mn/DOT Update**

*Presenters Dave Trooien and Mike Robinson*

Dave Trooien

(*handout*): Financial Management and Legislative Briefing dated March 2009.

- Dave highlighted various pages in the document on Mn/DOT's finances and transportation-related legislative issues for the legislative session.
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- Discussed the reduction in state funding for 2010 and 2011 which is having a negative affect on Mn/DOT. The federal funding will also be affected due to reduced funding. Some districts will be taking dollars out of the set aside dollars to program projects.

(*handout*) Mike Robinson reviewed the SRC State Funds Reductions for FY 2010 & 2011 (\$50m in 2010 and \$100 m in 2011). Future projects may be in jeopardy.

(*handout*): Mn/DOT Strategic Vision. Dave Trooien reviewed.

(*handout*): News release on the freight/passenger rail and transit plans.

Public meetings are scheduled to obtain input that will be incorporated into the 2009 Comprehensive Statewide Freight and Passenger Rail Plan. The plan will be presented to the Minnesota Legislature in late 2009.

The 2009 Greater MN Transit Plan is scheduled for completion this spring. Marc Morgan gave an overview of the process. The tribes would be interested in the future plans for rail and what products are transported through tribal lands; however, various products need to be transported by rail or highway.

**ACTION:** Marc Morgan will send out information on upcoming meetings regarding the high speed rail plans.

(*handout*): Linda Aitken briefly discussed the Pathways to Tomorrow information and encouraged the ACTT tribal representatives to share with their appropriate tribal staff.

(*handout*): AASHTO News release: Budget Change Could Cripple Multi-Year Transportation Contracting, Leaders Warn

**Issue: 2009 Tribes and Transportation Conference Update**

*Presenter: Linda Aitken and Jason Hollinday*

The first planning committee meeting was held on March 10 at Black Bear. The conference will be held on October 1 and 2 at Black Bear, following the NEPA Workshop. The conference will have an environmental theme. The conference will include a general session and four breakout sessions: (water quality, fish and wildlife, roadway operation, and historical/cultural).

The next planning committee meeting is scheduled on April 27 at Mn/DOT, Duluth, via video. Save the date postcards will be sent.

Round Robin:

Marc Morgan asked Cheryl Cloud about the GIS mapping software

**ACTION:** Cheryl will bring information folders to the next ACTT meetings

**Next ACTT Meeting – Date and Location**

**ACTION:**

- Mille Lacs: July 10 or 24. Mike Moilanen will check on availability and send out a confirmation.

**Call for Motion to Adjourn meeting:**

Motion: Mike Moilanen; Second: Dave Emblom

Meeting adjourned at 12:40 p.m.

**Handouts:**

- January 30, 2009 minutes
- Draft MOU between MN/DOT and Fond du Lac Bank of Lake Superior Chippewa
- EPA Training
- Notes from Meeting with Red Lake Indian Reservation re: Crash Data Collection
- Toward Zero Deaths: Breakout Sessions on Tribal Issues
- Issue Paper: Mn/DOT and Tribal Communications
- Financial Management and Legislative Briefing (March 2009)
- SRC State Funds – FYs 2010 and 2011 memo
- Mn/DOT Strategic Vision
- News Release: Mn/DOT seeks public input for freight/passenger rail, transit plans
- AASHTO news release: Budget Change Could Cripple Multi-Year Transportation Contracting, Leaders Warn
- FHA: Pathways to Tomorrow

*Recorder: Diane Beck CPS/CAP, Mn/DOT, District 8-Willmar*