

## **Advocacy Council for Tribal Transportation**

### **Meeting Minutes September 19, 2006 – Hinckley, MN**

A meeting of the Advocacy Council for Tribal Transportation (ACTT) was held on September 19, 2006 at 1:00 PM at the Grand Hinckley Inn, Hinckley, MN.

Linda Aitken, Mn/DOT Tribal Liaison, called the meeting to order and welcomed the ACTT members and guests to the meeting. Introductions were made around the table. Two new members of the ACTT were introduced representing the Minnesota counties and Minnesota cities, Dave Enblom and Brian Freeberg, respectively.

Members Present: Burny Tibbetts, White Earth; Jim Walker, Red Lake; Mike Moilanen, Mille Lacs; Carl Dagen, Bois Forte; Bill Vogel, Grand Portage; Teresa Peterson, Upper Sioux Community; Jody Goodthunder, Lower Sioux Community; Lester Morris, Shakopee Mdewakanton Sioux Community; Marc Mogan, Prairie Island Indian Community; Linda Aitken, Mn/DOT; Mike Robinson, Mn/DOT; Dave Trooien, Mn/DOT; Tom Sorel, FHWA – MN Division; Cheryl Cloud, Mich TTAP; Brian Freeberg, City of Bemidji; Annamarie Hill, MN Indian Affairs Council; Todd Kennedy, BIA; David Enblom, Cass County.

Members Absent: Steve Kleeberger, Leech Lake; Jason Hollinday, Fond du Lac; Donald May, Red Lake; Tadd Johnson, Mille Lacs Band of Ojibwe; and Cheryl Martin, FHWA – MN Division.

Guests Present: Scott Hanson, Mille Lacs; Dave Danz, Grand Portage; Paul Walvatne, Mn/DOT; Tom Jacobson, Mn/DOT; Susan Shaw, Mille Lacs Agriculture Inspectors Assn; Sue Groth, Mn/DOT; Mike Weiss, Mn/DOT; Dawn Sherk, White Earth; Bonnie Harper-Lore, FHWA – MN Division.

The meeting started with a review of the ACTT's mission, goals and objectives:

The mission: The Advocacy Council for Tribal Transportation (ACTT) is committed to bringing forward recommendations for improving tribal transportation through effective collaboration and partnerships.

The goals and objectives:

1. Assess & Evaluate Common Tribal Issues
  - a. Identify & prioritize issues
  - b. Determine appropriate course of action for issues
2. Develop Statewide Policy and/or Legislation
  - a. Determine external stakeholders
  - b. Gather input
  - c. Gain ACTT tribal consensus
  - d. Obtain endorsement from MIAC
  - e. Submit to appropriate agency for approval/implementation
3. Create Awareness & Educate on Issues

- a. Identify information resources
  - b. Gather feedback on issues/topics of interest
  - c. Identify & develop forums
4. Identify & Promote Successful Practices
    - a. Develop process to identify, evaluate, and disseminate successful practices
    - b. Identify resources & develop mechanisms to promote forums for successful practices

*The meeting agenda for the issues called for presentations, discussion and process for action using the following strategy:*

- 1) *Define the issue*
- 2) *State Reason for Importance*
- 3) *Presentations*
- 4) *Comments & discussion*
- 5) *Determine Course of Action*

### **Issue: Roadside Vegetation Management**

1. This issue of managing brush within the clear zones on roads through Reservations was brought to the ACTT by Tina Markeson, Forester, Mn/DOT.
2. This issue was brought because of safety concerns on roads. (see issue paper attached)
3. Presentations:
  - Paul Walvatne, MNDOT Forestry Unit Supervisor: Paul made a powerpoint presentation regarding the history of vegetation management and current status.
  - Susan Shaw, Mille Lacs SWCD/County Ag Inspector: Susan made a presentation about the need for a vegetative management plan that includes management by mechanical, spraying, biological methods.
  - Mike Moilanen, Mille Lacs Tribal Planner  
Scott Hanson, Environmental Program Mgr. of Mille Lacs Band  
Mike and Scott discussed the concern of Mn/DOT's control of noxious weeds on TH 169 corridor by the Vineland community. The herbicides sprayed may affect the plants that are gathered for cultural, spiritual, and medicinal purposes by the Band members. Mille Lacs will work with Mn/DOT on management of the noxious weeds on Band land.
  - Tom Jacobson, Mn/DOT District 1: Tom made a powerpoint presentation of the many examples of weeds needing control
4. Comments and discussion:
  - Want to protect tribal natural resources (e.g. keep the chemicals out of the lake at Nett Lake). Need to prove the chemical cannot get to the lake. Need to keep the dialog going.
  - Utility companies don't always get approval for their spraying activities. The Mn/DOT permit holds them to our Mn/DOT standard but they don't always do that. Need to require consultation with tribe. Need continuous education and notification of problem situations.
  - Mn/DOT could have more patience in managing weeds rather than reacting quickly when the public demands quick action.
  - On many reservations, there are no formal easements authorizing utilities, so they

- don't get any permits when they decide to spray for weeds.
  - Many tribes have ordinances regarding no/or controlled chemical spraying within reservation boundaries.
  - Public awareness on impending danger & problems of noxious weed or invasive plants is important.
  - Leafy Spurge is one tough weed!
  - Groundwater testing is done by the Minnesota Department of Health in some areas and the County in other areas, but there is not consistency throughout the state with regard to testing. It is currently "hit & miss".
  - There are funds available through the National Fish & Wildlife Service via the Cooperative Weed Management Areas program. Program was born out of the west and a goal for all of the State of Minnesota.
  - The core tribal issue that emerged is the protection (proof or assurance of) of resources (water) in managing roadside vegetation.
5. Determine Course of Action: Committees formed
- ACTION ITEM:** Committees will research and bring back information to ACTT's next meeting on December 12.
- 1) Look at Statewide Policy
    - Committee members:
      - Burny Tibbetts, White Earth (Lead)
      - Marc Mogan, PIIC
      - Carl Dagen, Bois Forte
      - Tom Sorel, FHWA – MN Division
      - Todd Kennedy, BIA
      - Brian Freeberg, City/Bemidji
  - 2) Create Awareness & Educate on Issues
    - Committee members:
      - Jim Walker, Red Lake (Lead)
      - Cheryl Cloud, Mich TTAP
      - Todd Kennedy, BIA
      - Don May, Red Lake
      - Dave Enblom, Cass County
  - 3) Identify & Promote Successful Practices
    - Committee members:
      - Mike Moilanen, Mille Lacs (Lead)
      - Scott Hanson, Mille Lacs (Lead)
      - Bonnie Harper-Lore, FHWA – MN Division
      - Lester Morris, SMSC
      - Susan Shaw, ML Co Ag
      - Dave Solsrud, Mn/DOT District 8 Wilmar

**Issue: Tribal Road Signs:**

1. Teresa Peterson, Vice-Chair of Upper Sioux Community brought the tribal road sign issue to the ACCT because there is a need to provide signage for tribal governments so that the general public and officials working with tribes know where to go.

2. It is important to tribes just as it is important for any government to be recognized for their boundaries, government offices and community recognition signs.
3. Presentations
  - Sue Groth, MNDOT Office of Traffic Engineering: Sue explained the role of the Mn/DOT's Office of Traffic Engineering with road signs.
  - Mike Weiss, MNDOT Office of Traffic Engineering: Gave the group a handout on the Mn/DOT's guide & service sign programs. Some of the things that were discussed were the development of a revised manual of the Minnesota Guide to the MUTCD (a committee exists which meets monthly);
  - Teresa Peterson, Vice-Chairman of the Upper Sioux Community: Presented the need of signage for Upper Sioux Community
  - Mike Moilanen, Mille Lacs Tribal Planner: Presented the needs of Mille Lacs for tribal reservation road signage.
4. Comments & discussion
  - **Tribal Guide Signing** - A clarification was made on the issue, that the scope of this issue is not just casino signs, but also refers to boundary, cultural, government center and community recognition signs.
  - Guide Signing:
    - Types of signs:
      - Boundary signing
      - Tribal headquarters signing
    - Installation/Maintenance
      - Some tribes want to install/maintain, others would buy the service. (Mn/DOT Sign Shop - Tribes can buy from state contract or ask Mn/DOT to make specialty signs. They have a new machine that makes great signs. Tribe can work with the MNDOT Office of Traffic Engineering and the MNDOT State Sign Shop on 'specific purpose' sign designs (color & wording limitations).
    - Other Sign Discussion:
      - Counties are not consistent – each county has different policy. Counties need statewide practice that it can take to their boards. Ideally a policy from Mn/DOT
      - Need to develop consistency statewide between districts via the State Signing Committee (2 day meeting 1<sup>st</sup> part of October, a good forum to discuss this issue);
      - Dual Language (English/Tribal) on signs.
      - Issue of disputed reservation boundaries – recognized by Federal government but not state or county
5. Determine Course of Action – **ACTION ITEM**
  - 1) ACTT determined that a Statewide Policy needs to be developed.
  - 2) A committee was formed to work on this issue.
    - Sue Groth, Mn/DOT (Lead)
    - Mike Weiss, Mn/DOT
    - Burny Tibbetts, White Earth
    - Teresa Peterson, Upper Sioux

- John Henslin, Mn/DOT – District 8
  - Marc Mogan, Prairie Island
  - (Person representing Counties)
- 3) During the research and development of a TRS policy, the Tribal Road Sign committee will solicit the tribes for additional input regarding tribal road signage.
  - 4) The Tribal Road Signs committee will report back to the ACTT on their recommendation for a statewide tribal road sign policy.
  - 5) The final recommendation will be forwarded to the MN Indian Affairs Council for endorsement of the policy.

**Selection of ACTT Co-Chairs: ACTION TAKEN AT MEETING**

Volunteers were requested for the positions of Co-Chairs for the ACTT. Burny Tibbitts (White Earth) & Mike Moilanen (Mille Lacs) were voted as Co-Chairs for the ACTT.

1. The Co-Chairs will serve for the next four quarterly meetings: December 2006, March 2007, June 2007 and September 2007. At the September 2007 meeting, selection of Co-Chairs for the next year will take place.
2. Primary role of developing the ACTT's agendas and Chair the meetings (Linda Aitken will work in coordination with the Co-Chairs).

Next meeting will be held on Tuesday, December 12, 2006 at the BIA Office in Ft. Snelling, MN. Meeting scheduled to run 9:00 a.m. – 2:00 p.m.

Preliminary agenda for December 12: Old business – reports by Roadside Vegetation Management & Tribal Road Sign Committees; New business – new issues.

Meeting adjourned at 5:00 p.m.

ATTACHMENTS: Issue Paper – Roadside Vegetation Management  
 Powerpoint - Paul Walvetne, Mn/DOT Environmental Services  
 PDF – Mn/DOT Policy Roadside Maint Use of Herbicides  
 PDF – Mn/DOT Guidelines Roadside Main Use of Herbicides  
 PowerPoint – Tom Jacobson, Mn/DOT District 1 Duluth  
 Paper- Minimally Toxic Methods for Control of Weeds (USFS)

Issue Paper – Tribal Road Signs  
 Guide Sign Manual website:  
<http://www.dot.state.mn.us/trafficeng/guidesigndesign/index.html>  
 Mn/DOT State Sign Shop website:  
<http://www.dot.state.mn.us/maint/operations-signshop.html>

Minutes were provided by Cheryl Cloud, MI TTAP; Mike Robinson, Mn/DOT District 1; and Linda Aitken, Mn/DOT CO.