Testimony of the
HUALAPAI TRIBE
on
Transportation Issues in Indian Country
before the
Committee on Indian Affairs
United States Senate
July 12, 2007

Mr. Chairman and Members of the Committee:

I. INTRODUCTION

Good morning. My name is Erin S. Forrest. I have been employed as the Director of Public Works for the Hualapai Tribe for nearly four years. I am responsible for maintaining the public utilities, public buildings and the public road system for the Hualapai Tribe.

The Hualapai Tribe has 2,042 enrolled tribal members with approximately 1,300 residing on the reservation. The one million acre reservation is located in northwestern Arizona, midway between the cities of Flagstaff and Kingman. Kingman is the closest center of services and is 50 miles to the west. 108 miles of the reservation borders the Colorado River.

Hualapai Tribal Road Maintenance Program

660 miles of roads on the Hualapai Reservation need to be maintained on a regular basis. According to the Indian Reservation Roads (IRR) Inventory, 72.5 miles or 11 percent of the roads are paved; 236 miles or 36 percent of the roads are gravel; and the remaining 352 miles remain unimproved.

The Bureau of Indian Affairs (BIA) was responsible to maintain these roads. However, about 15 years ago, the Hualapai Tribe entered into a Public Law 93-638 self-determination contract with the BIA to maintain the roads. The BIA has transferred to the Hualapai Tribe the road maintenance responsibilities and annual maintenance funds to service the roads. During recent years, the BIA road maintenance budget has decreased and the roads are slowly falling into disrepair.

Over half of the 72 miles of paved roads on the Hualapai Reservation are in the town of Peach Springs, the remaining miles are on the IRR Route 18 to Supai. The roads in Peach Springs were paved in the 1970's. IRR Route 18 was paved in 1971. None of these roads have received any preventive maintenance, such as overlays, chip seals, or crack sealing. Therefore, the roads are now experiencing pavement failure, such as extreme alligatoring that allows moisture into the sub-grade and causes total pavement failure.

The following three photos were recently taken to document the road conditions on IRR Route 18.

Hualapai Reservation. Example of deteriorated road pavement conditions. Provided courtesy of the Hualapai Tribe.

Hualapai Reservation. Example of deteriorated road pavement conditions. Provided courtesy of the Hulapai Tribe.

Hualapai Reservation. Example of potholes in the roadway. Provided courtesy of the Hualapai Tribe.

Diamond Creek Road

Over 236 miles of roads on the reservation are gravel, including the heavily traveled Diamond Creek Road. This road provides the only vehicle access to the Colorado River in the Grand Canyon between Lee's Ferry and Lake Mead (distance of over 200 miles). This road is used for transporting river rafters and is essential to tribal tourism enterprises.

Starting in Peach Springs, the 18-mile road drops from an elevation of 4500 ft. to 1500 ft. at the Colorado River. This road washes out an average of three times per year from flash floods. Due to the importance of the road to tourism, it is a high priority to reopen the road after it has washed out. This effort usually requires all the Hualapai road maintenance personnel over three days work to open it back up.

The following four photos show the gravel road conditions on Diamond Creek Road.

With the cost of fuel, labor and materials growing annually, the Tribe cannot provide maintenance of their roads with the declining funding levels. The lack of funding is a hardship for the Tribe and affects the economic, social and physical well being of the Tribe. Hindrances include the transport of goods and services; bus routes for the youth; transport of the elderly and sick; and the increased emergency medical services response time. These are all great concerns to the tribal leaders who are trying to provide for their people.

As the primary Western Region (WR) member of the IRR Program Coordinating Committee, it is my responsibility to bring to your attention the IRR Program issues affecting the WR and the program as a whole. My testimony is organized by six categories – finance, safety, road maintenance, congestion, tribal consultation and safety project successes. Recommendations, with supporting statements, have been provided for each topic. Examples are from Arizona, one of three state areas in the WR. At this time, I will review only the recommendations.

II RECOMMENDATIONS

As tribal governments in Arizona work to improve the transportation network on tribal lands, numerous matters related to finance, safety, road maintenance, congestion and tribal consultation are being encountered. Infrastructure systems support society. The tribal transportation system plays a key role in the economy, security and the safety of the public at large. Recommendations to improve the IRR program are:

- Increase, annually, funding levels for the IRR program to expand the purchasing power and to attend to the numerous unmet needs.
- Reinstate full authorization for the IRR program by eliminating the "lop off" for obligation limitation.
- Establish and provide $20 million start-up funds for an IRR loan program, similar to the State Infrastructure Banks.
- Institutionalize a process for the reliable collection of data to quantify road maintenance needs.
- Develop and implement a Safety Management System for the IRR program.
- Streamline a process between the BIA Division of Transportation, BIA Highway Safety Office and BIA Law Enforcement to manage transportation safety.
- Increase the funding level of the BIA Road Maintenance Program to meet the safety needs and to protect the IRR investments.
- Require any federally funded transportation project on tribal lands to be included in the Tribal Transportation Improvement Program.
- Expand the tribal consultation requirements for the States and Metropolitan Planning Organizations (MPO) to include consultation on all federally funded projects, in addition to statewide planning and programming, and the Long Range Transportation Plan.

Mr. Chairman, this concludes my testimony. I would be pleased to answer questions from the Committee.

A. FINANCE

Purchasing Power

- **Increase, annually, the funding levels for the IRR program to expand the purchasing power and to attend to the numerous unmet needs.**

All governmental transportation programs have been losing purchasing power. Even with the increased funding level from the Safe Affordable Flexible Efficient Transportation Equity Act: A Legacy for Users, the tribal governments, utilizing the IRR program funds, cannot meet their responsibilities.

The American Association of State Highway and Transportation Officials (AASHTO) published a report entitled, *Transportation: Invest in Our Future*, to assist the National Surface Transportation Policy and Revenue Study Commission. The Commission was charged to study the needs of America's surface transportation system and sources of revenue for at least the next 30 years. The following paragraph is a quote from the AASHTO report describing the challenge:

> Commodity prices for steel, concrete, petroleum, asphalt, and construction machinery increased dramatically from 2004 to 2007. As a result it is estimated that between 1993, the year in which federal fuel taxes were last adjusted, and 2015, construction costs will have increased by at least 70 percent. To restore the purchasing power of the program, federal highway funding will have to be increased from $43 billion in 2009 to $73 billion by 2015. To restore the purchasing power of the transit program, federal funding would have to be increased from $10.3 billion in 2009 to $17.3 billion in 2015.

Lopping off for Obligation Limitation

- **Reinstate full authorization for the IRR program by eliminating the "lop off" for obligation limitation.**

  The appropriations process has been the traditional process for controlling annual federal expenditures. However, for transportation spending, a budgetary control mechanism, referred to as Obligation Limitation, has been imposed.

  Within the larger, national transportation program, the IRR program is a relatively small program. The portion of funds for the IRR program is less than one percent of the annual total in guaranteed obligation authority for the surface transportation program, which is approximately $50 billion.

  Prior to the enactment of the Transportation Equity Act for the 21st Century (TEA-21), the IRR program was exempt from Obligation Limitation. The lopping off of nine to fourteen percent from the current IRR program for obligation limitation is a significant reduction of spending authority for tribal transportation, which is already severely underfunded. Limited funds are directly impacting the safety and wellbeing of the general public, as well as American Indian citizens.

Innovative Finance

- **Establish and provide $20 million start-up funds for an IRR loan program, similar to the State Infrastructure Banks (SIB).**

Similar to states governments, tribal governments are dealing with limited resources and inflation issues. The annual inflation costs in Arizona for labor and materials are estimated between ten to 25 percent. Therefore, tribal governments are beginning to view low-interest loans and construction advancement as viable strategies for efficiently planning and completing transportation projects.

SIB operate similar to banks, offering financial assistance thru loans or credit enhancements for eligible projects. As the loans are repaid, the SIB is replenished, monies re-loaned, leading to the SIBs'sustainability. 32 states have active SIB, although all may create them.

An IRR SIB could provide assistance in two ways: 1) loan guarantee program – a pool of money that the state SIB could access in case of defaults and/or 2) loan program – a source of funds to lend to tribal governments. Tribal governments could use the IRR tribal allocations and other sources to repay the loans. More importantly, the BIA would be ensured of repayment, because IRR tribal allocations could be withheld, if the tribal government defaulted on payments.

In 1998, the Arizona SIB, Highway Expansion and Extension Loan Program HELP), was established to bridge the gap between transportation needs and available revenues. Tribal governments are eligible borrowers for the low-interest loans.

However, four HELP requirements have proved challenging for full tribal participation. The topics of tribal concern have been: 1) waiver of sovereign immunity, 2) dispute resolution in state court, 3) creation of transportation authorities or limited liability corporations (LLC), and 4) disclosure of tribal government assets. In addition, Federal and Arizona laws specify that the Federal SIB dollars are intended to improve the Federal Aid System, State Routes, the National Highway System, and the State Highway System, and not the BIA or tribal road systems.

Tribal solvency is a major issue for Arizona Department of Transportation (ADOT). In the case of local governments, ADOT provides them revenue from the vehicle fuel sales. These funds can be withheld, should a local government default on a loan payment. Unlike local governments, tribal governments are not eligible to receive revenue from the sales of vehicle fuel in Arizona. Therefore, ADOT requires the tribal establishment of LLC. Although, the LLC can be established under tribal codes, ADOT prefers state-chartered corporations, because disputes would then be resolved in state courts, not tribal courts.

Tribal members and governments are eligible to receive reimbursements for only vehicle fuel taxes. Three tribal governments in Arizona have negotiated agreements with ADOT. However, a portion of the remaining tribal governments has not applied because there are no gas stations on the reservations or the negotiations have not delivered results.

It is quite unfortunate that SIB exist, and yet are not structured to benefit all governments with low interest loans. Some tribal governments in Arizona have negotiated loans from banks where tribal funds are deposited. The Inter Tribal Council of Arizona is assisting the tribal governments and the Arizona Commerce and Transportation agencies to explore alternatives to replace the current requirements.

B. SAFETY

Arizona has been recognized as an "opportunity state" by the Federal Highway Administration, U.S. Department of Transportation. A state that has had a motor vehicle crash (MVC) mortality rate consistently higher than the national MVC mortality rate and has the "opportunity" to make strides in transportation safety.

American Indians in Arizona are a population at risk for injuries and fatalities associated with MVC. Young American Indian men, between the ages of 15 and 35 years, are most at-risk. In Arizona, MVC injury and mortality rates for American Indians have been consistently higher than the statewide rates over the last 25 years.

The 1998-2005 estimated economic losses for American Indian in Arizona totaled approximately $904,431,000. This estimate is based on combined information from the National Safety Council (for fatality estimates) and the Arizona Department of Health (for the number of American Indian MVC fatalities for a select portion of Tribes). Unintentional injuries sustained from MVC are one of the top five causes of death for American Indians in Arizona.

One of the greatest tribal challenges in Arizona has been the automation and analyzation of tribal crash data. To help tribal governments manage MVC issues requires capacity-building programs involving adequate multi year funding and local technical assistance.

In Arizona, tribal crash data are contained in manual environments. This type of system significantly hinders data accessibility and analyses. A manual data system may be inexpensive to maintain, but the labor for extracting and organizing the data is expensive. In depth crash analyses, identifying high crash locations and causation, are not being completed on a regular basis. The BIA Highway Safety Office (BIAHSO) documented the needs in the 2005 final report prepared after the first national assessment of tribal traffic records. The Indian State Traffic Records Assessment report stated:

> Not only must the crash data be accurate, timely and complete, it must also be analyzed thoroughly. This means that the data must be accessible. In general, the more difficult the data are to access, the less likely the crash data will be studied or analyzed in depth. It did not appear that in depth crash data analyses were conducted by the tribes.

For Arizonans and American Indians, the overall trends in mortality rates due to MVC have decreased over time. However, Figure 1 shows the MVC mortality rates for American Indians have remained much higher than the MVC mortality rates for the general population in Arizona.

The MVC mortality rate for American Indians in the US is nearly twice the rate for general population. The MVC mortality rate for American Indians in Arizona is about four times the rate for the general population in the US. Figure 2 illustrates the public safety disparity.

Figure 1: Motor Vehicle Crash Mortality Rates

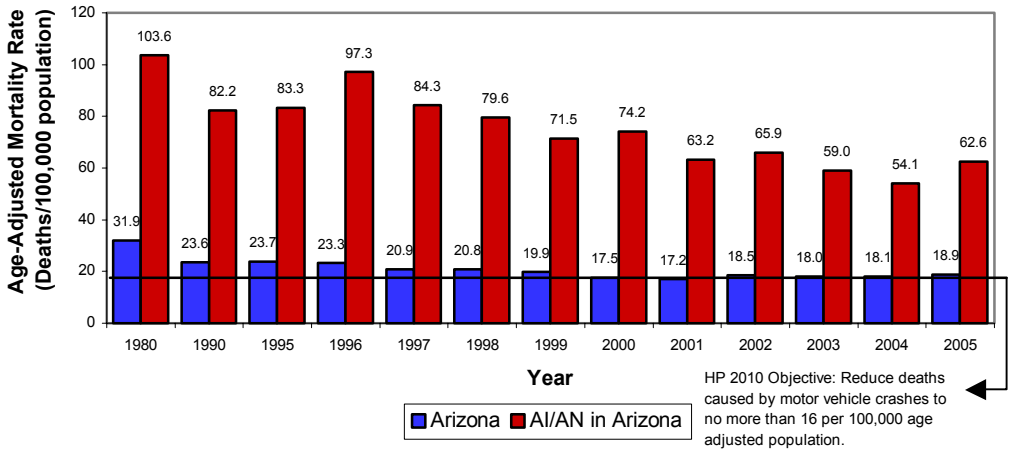


Fig.1: Data Source: Bureau of Public Health Statistics, Arizona Department of Health Services. Arizona Health Status and Vital Statistics Report, 2005.

Figure 2: Motor Vehicle Death Rates, United States and Arizona: American Indians/Alaska Natives and All Races, 1999-2004

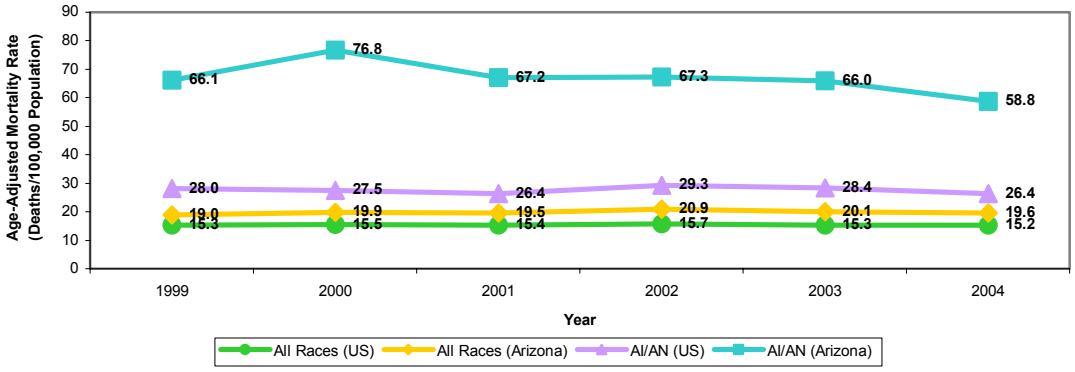


Fig. 2 Data Source: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. Web-based Injury Statistics Query and Reporting System (WISQARS) [online]. (2005) [cited 2007 Jun 19]. Available from URL: www.cdc.gov/ncipc/wisqars

Reliable Collection of Data to Quantify Road Maintenance Needs

- **Institutionalize a process for the reliable and standardized collection of data to quantify road maintenance needs.**

  The maintenance of roads is a critical transportation safety issue. Sufficient resources are needed for safety improvements, such as: warning and speed signage, pavement marking improvements, roadside vegetation removal for clear zones, effective cattle guards, maintained fencing, nighttime retro reflectivity inspections, scheduled traffic counts, roadway preservation and pothole filling. In Arizona, adequate maintenance resources to complete low cost safety improvements are key to the success of the road safety audits and eliminating roadway and roadside hazards on tribal lands.

  Not all BIA regions and agencies or tribal governments that have contracted or compacted maintenance responsibilities are utilizing a standardized maintenance management system. The BIA needs funds to advance the use of this technology and to make it a requirement of the maintenance program.

  Tribal governments and the BIA Division of Transportation (BIADOT) prepared with data could document and justify the need for additional staff, equipment, fuel and materials to the Departments of Interior and Transportation and the Office of Management and Budget. To collect maintenance data in the WR, the BIADOT has completed two equipment studies and initiated a maintenance management system. However, full participation by all agencies and tribal governments responsible for road maintenance is not occurring. Limited data hampers not only the maintenance program, but also diminishes support for transportation safety decisions, such as quantifying issues, determining priorities, and targeting resources.

Safety Management System (SMS) for the IRR program

- **Develop and implement a SMS for the IRR program.**

  Tribal governments need data assistance from BIADOT and the Federal Lands Highway Office to reduce the number of fatalities, injuries and property damage related to MVC on tribal lands. A systematic approach, in conjunction with adequate resources, would greatly improve 1) the coordination and safety related activities of education, enforcement, engineering, emergency medical services (EMS) and injury surveillance; 2) the collection, maintenance and analyses of traffic records; 3) the examination and prioritization of issues or emphasis areas; and 4) the implementation and evaluation of countermeasures.

  As states advance improvements to their safety plans, traffic records, and safety programs, the tribal governments, who face the greatest challenges, also need sufficient resources and the program flexibility to protect the public. BIADOT

needs to proceed to implement this safety management tool and the rules published in February 27, 2004.

BIA Management of Transportation Safety

- **Streamline a process between the BIADOT, BIAHSO and BIA Law Enforcement to manage transportation safety.**

  Nationally, MVC are one of the leading causes of fatalities and injuries for American Indians. The causation of MVC involving American Indians can be linked to a backlog of unsafe roads, as well as driver and passenger behavior.

  In Arizona, many MVC occurring on tribal lands involve single vehicles leaving the roadway, rolling over and smashing into fixed objects along the roadside. Skewed intersections and unattended roadside vegetation limit sight distance for the drivers. Wild and domestic animals on the roadway, lack of retro reflectivity from the signage and pave markings, and inconsistent or non-existent signage are factors contributing to crashes on two-lane rural roads.

  Opportunities to establish or broaden tribal safety projects and programs exist thru the Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA), agencies of the US Department of Transportation. The BIADOT receives funds thru the FHWA and NHTSA funds the BIAHSO. However, critical leadership from and coordination between these two BIA offices needs to occur. BIA Law Enforcement and Indian Health Service also play major roles in transportation safety and coordination with these two agencies is essential.

  Many programs and funding opportunities are not being promoted to the tribal governments, departments and safety coalitions, including work with EMS, courts, law enforcement, injury surveillance, transportation, education, and substance abuse services. Administratively, BIA is contributing to this public health disparity. Transportation safety needs to be a priority for the BIA.

C. INFRASTRUCTURE MAINTENANCE

- **Increase the funding level of the BIA Road Maintenance Program to meet the safety needs and to protect the IRR investments.**

  Maintenance funding levels continue to decrease. The tribal transportation and BIA agency staff in the WR have been informed that performance results are not being demonstrated by the BIA, so funding levels have been cut. However, staff are not familiar with the processes being used by the Federal government to assess and improve agency performance and how this process determines the maintenance funding.

According to the 2004 Program Assessment Rating Tool (PART), the BIA operation and maintenance of roads rating was decided on:

1) States, counties and local governments constructed over 38,000 miles of roads on reservations, but many refused to use their Highway Trust Funds to reconstruct these roads and bridges or provide adequate maintenance; and
2) The program lacks adequate information on the conditions of the reservation roads and bridges.

The Government Performance and Results Act of 1993 (GPRA) Strategic Plan of the Department of the Interior for fiscal years (FY) 2007-2012 includes a goal to advance quality communities for Tribes and Alaska Natives. Public safety was incorporated. The two transportation indicators were acceptable levels (according to the Service Level Index) of (17%) roads and (51%) bridges in 2012.

The operation of BIA roads was evaluated almost 4 years ago. Assessing road and bridge conditions, encouraging states and local governments to meet their road responsibilities and scheduling independent program evaluations does not appear to offer immediate outcomes for the remediation of the maintenance needs or result in sufficient funding levels to address these serious issues.

In FY 2006, the Department of Interior appropriated $4.135 million to the BIA WR to maintain 5,405 miles of BIA roads and 215 BIA bridges. The WR expended $4,178,722 and still didn't have sufficient funds to address all areas of maintenance.

According to BIADOT, the default value for optimum road maintenance is $14,000 per mile. The WR is spending less then $700 per mile. In 2006, maintenance per mile costs averaged $636 for paved roads; $510 for gravel roads; and $65 for improved earth roads. Unimproved earth roads are not maintained.

The IRR bridges within the WR were last inspected in 2005. The inspection identified approximately $3,674,150 of urgent (safety) bridge maintenance needs and another $1,415,299 of non-urgent (routine) bridge maintenance needs. Few bridge needs have been addressed.

Much of the tribal lands within the WR are expansive and the IRR are isolated. Staff travel expenses, including fuel and non-productive time, to and from the work sites are expensive. $256,239 was spent, in 2006, to get employees to and back from the job sites.

According to a 2005 assessment and inventory of WR equipment, one-third is non-functional; one-third is in fair condition; and one-third is operable, but aging equipment. Much of the maintenance equipment is 20-30 years old, parts are difficult to acquire or non-existent, and the operating costs per hour are escalating. In FY 2006, $455,067 was expended by the WR on equipment operations, but no procurement of new equipment.

Signage installation per sign has been averaging $250 to $350, depending on the grade. Raised reflective pavement markers average $6.50 to $7.50 each. To be effective, markers are needed at 30-foot intervals, especially in unlit areas. Signs and raised pavement markers are only being placed or replaced during a construction project.
On average, staff salaries have accounted for 62-66% of the total WR maintenance budget. In FY 2006, 1.2% of the budget was expended on staff training.

2003 WRO Road Maintenance Equipment Inventory

Example of Condition Codes "Scrap" and "Salvage". Property has some value, but repair or rehabilitation is impracticable. Provided courtesy of the BIA Western Regional Office (WRO).

Example of Condition Codes "Repairable" and "Fair". Property requires overhaul and repairs are estimated to range from 16-40% of the original acquisition cost. Provided courtesy of the BIA WRO.

Example of Condition Codes "Priority issue" and "Used poor". Property has less than 3 months shelf life remaining and major repairs will soon be required. Provided courtesy of the BIA WRO.

Example of Condition Codes "Issueable with qualifications" and "Used poor". Property is considerably deteriorated with a 3 to 6 month remaining shelf life. Provided courtesy of the BIA WRO.

There are 13 agencies within the WR. Seven have full time BIA maintenance operations and the remaining six have BIA and/or tribal maintenance operations. All agencies experience severe funding issues and cannot maintain their responsibilities. Following is a description of one of the agencies, as an example of what all WR agencies are encountering.

Fort Apache Agency Road Maintenance Program

The agency is concerned about the level of service being provided to the tribal government, especially in case of snow removals and fire or flood emergencies. Over 50 road maintenance activities are the Agency's responsibilities and are in jeopardy of not being accomplished with the current operating budget. Examples include:

- Equipment will not be repaired, leading to further deterioration.
- Fuel for equipment operations cannot be purchased.
- Safety road signs will not be replaced.
- Road striping will not be done.
- No after-hour emergency response or assistance will be available.
- No road patching material will be available.
- Customer service will be inadequate.
- No coverage for other needs (Salt River Canyon, etc.) will be available.
- Due to a lack of maintenance, reconstruction of roads will accelerate.
- Snow and ice removal response will only take place during regular hours.

In FY 2007, the road maintenance program was funded $475,539 compared to the FY 2006 funding level of $514,035. The program had been operating on an annual average budget of $800,000 in the 1980s.

In 2006, the agency researched the resources available to an ADOT maintenance program located on the reservation. The comparison is charted in the following table.

Topics	BIA	ADOT
Miles of roads to maintain	885.3	128.9
Percentage of total public roads, 1014.2 miles	87%	13%
Annual snow removal expenditures	$42,000	$325,000
Equipment	2-snow plows	5-snow plows
	0-loaders	2-loaders
	1-grader	1-grader
	0-snow plow equipped truck	1-snow plow equipped truck
	0-de-icing truck	1-de-icing truck
	0-snow blower	1-snow blower
	1 backhoe	0-backhoe
Equipment purchase pool: rotation off the inventory when it reaches its service life.	NO	YES
Separately funded striping program	NO	YES
Separately funded signage program	NO	YES
Separately funded bridge maintenance program	NO	YES

Fort Apache Reservation. Example of debris, mud and water on a roadway that resulted from a normal 2004 monsoon. Provided courtesy of BIA Fort Apache Agency.

Fort Apache Reservation. Example of routine snow removal in 2004. Provided courtesy of BIA Fort Apache Agency.

Fort Apache Reservation. Example of a reconstructed street due to lack of routine maintenance. Provided courtesy of BIA Fort Apache Agency.

Fort Apache Reservation. Example of a striping project. Provided courtesy of BIA Fort Apache Agency

D. CONGESTION AND HYPER-GROWTH

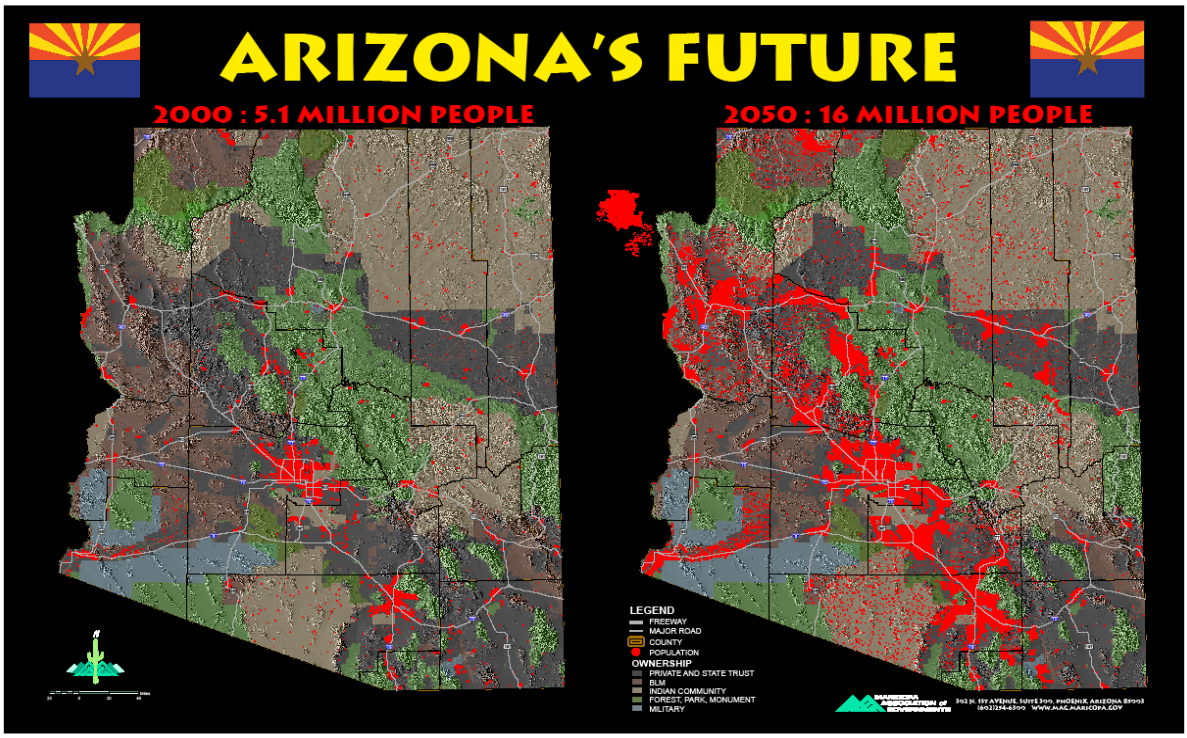
- **Require any federally funded transportation project on tribal lands to be included in the Tribal Transportation Improvement Program.**

Arizona is one of the fastest growing states in the nation. Due to an influx of population in concentrated areas of the state and travel demands, tribal governments located in traditionally rural agricultural and forest areas are being impacted by residential, commercial and retail development, as much as the local and State governments.

To alleviate congestion on the arterial access routes, developers, adjacent communities and the state desire to spread the traffic over all the transportation networks. As a result of the expanded growth, the tribal governments are subject to encroachment, unwanted traffic, road widening and safety issues. The external circumstances are affecting tribal resources. The Tribes' IRR program funds are stretched to address numerous demands beyond building BIA-owned roads. Tribal governments are dealing with numerous external meetings, land use plans, economic development, noise, air quality and archaeological resources encroachment.

In an effort to squeeze more homes into residential master planned areas, developers are requesting waivers on buffer zone requirements. Some developers are encroaching upon existing rights of way for roadways, as well as reservation boundaries. One example involves 7,500 homes to be constructed on 2,179 acres adjacent to the tribal lands and the tribal headquarters. Travel demands, under build-out conditions, are expected to exceed the current two-lane road capacity, so the nearby city has proposed a six-lane arterial roadway in their transportation study.

The map below, provided by the MPO, Maricopa Association of Governments, depicts the Arizona population density for the year 2000 compared to the estimated density for year 2050. The red areas represent population growth and the light grey areas signify the Indian reservations.



E. TRIBAL CONSULTATION

- **Expand the tribal consultation requirements for the States and Metropolitan Planning Organizations (MPO) to include consultation on all federally funded projects, in addition to statewide planning and programming, and the Long Range Transportation Plan.**

  The traditional Federal approach to achieving a national surface transportation system has been the operation, maintenance and preservation of roads. This has largely been accomplished by fostering the Federal-State relationships and dedicating the majority of resources toward States. The hierarchical system is arranged so States are responsible for working with the tribal and local governments on the statewide transportation programming and planning.

  Planning is a major transportation function. However, the typical planning process is expanding beyond the preparation of road projects to transportation management and decision-making for areas, such as air quality, congestion, and the management of safety, access, incidents, vegetation, data, etc.

  Involvement from both tribal and local governments is crucial for the development of these types of activities. However, at these levels, the transportation functions and responsibilities vary by jurisdiction, depending on available resources, size, transportation priorities, state constitutional arrangements, and responsiveness to the political agendas. The States need to appreciate these differences and consider the resource limitations, as the consultation processes are developed.

  Largely to engage the local governments, the ADOT has structured working and financial arrangements with the MPO and regional councils of governments (COG) to conduct regional planning functions. Tribal government in Arizona may not be paid member of these associations. A small number of tribal staff participate on MPO and COG transportation technical committees. Tribal reasons for not joining the associations vary - the association priorities may not align with the tribal priorities, tribal votes don't impact the majority voting outcome, tribal lands may be located in several association areas, etc.

  In 2006, ADOT established a tribal government-to-government consultation policy. Since the policy is new, the consultation process is being addressed case-by-case. This has been problematic because tribal governments are either not being consulted or being consulted late in the process. ADOT outsources many activities and the contracts need to be explicit about the tribal consultation process.

  Neither sufficient time nor monies have been designated in the projects' budgets to ensure input for 22 tribal governments. Therefore, the recommendation is being made to expand the current State and MPO consultation and cooperative requirements to include tribal consultation on all projects that are federally funded to ensure that States and MPO follow thru with the consultation requirements.

III. PROJECT COLLABORATION TO IMPROVE TRIBAL TRANSPORTATION SAFETY

Beginning in 2001, the Inter Tribal Council of Arizona, Inc. (ITCA) has persistently pursued resources from various agencies in Arizona to reduce MVC on tribal lands. Due to limited funding, all of the demonstration projects have been supplemented with ITCA and tribal monies. The projects have been useful for all involved and have served to initiate tribal activities.

However, tribal governments are in need of more than sporadically funded projects. They are in need of ongoing, sustainable programs.

If tribal governments are to comprehensively address the significant loss of lives, they need resources to build capacity. This program approach requires multi-year funding and ongoing technical assistance.

Hualapai Tribe Occupant Protection Goals

A Hualapai Traffic Safety Committee was established to work with ITCA staff to analyze the crash data collected by the tribal police. The analysis helped the Committee to determine four emphasis areas to reduce MVC injuries and fatalities. A work plan was created to structure the goals, objectives and activities for occupant protection, priority one.

No one tribal department administered a traffic safety program, so tribal, federal and state in-kind services were combined to initiate the occupant protection goals. A FY 2007 grant was awarded by the BIAHSO to employ an officer to coordinate the occupant protection implementation tasks.

White Mountain Apache Tribe (WMAT) and San Carlos Apache Tribe (SCAT) Seatbelt Focus Groups with Young Men

The WMAT and SCAT staff collaborated with ITCA to convene four meetings with young American Indian men, ages of 15 to 25 years. The meeting discussions focused on the young men's perceptions of seatbelt usage and non-usage.

Since young American Indian men are most vulnerable to being injured or killed in MVC, the project concentrated on acquiring their advice to improve seatbelt usage. The project was funded by the ADHS and overseen by a multi-disciplinary advisory committee, including BIA and IHS. The outcome assisted the tribal government staff to develop two different seatbelt approaches to reach their community members.

WMAT and SCAT Seatbelt Campaigns

The WMAT and SCAT, with assistance from ITCA, each established diverse safety coalitions to create seatbelt promotional campaigns appropriate to their tribal

membership. Members were recruited from police, fire, EMS, health, housing, transportation, Indian Health Service and the BIA Fort Apache Agency. Each coalition cooperated to design the logos, select appropriate promotional materials and to complete the following activities.

Activities included combined seatbelt and sobriety checkpoints, seatbelt surveys, a community safety night, mock crashes at the high schools, distribution of child restraint systems, newspaper articles and advertisements, radio public service announcements, observational seatbelt studies, citation monitoring and the design and distribution of promotional materials. The roads program at the BIA Fort Apache Agency designed and installed "Buckle-Up signage on the Fort Apache Reservation.

Tohono O'odham Nation (TON) Road Safety Audit (RSA)

The TON with ITCA's assistance utilized the RSA methodology to identify hazardous roadway issues and to increase interaction with a MPO, Pima Association of Governments (PAG), to reconstruct a safer intersection. The TON RSA project was the first ADOT-sponsored RSA project to be conducted.

The BIADOT Western Region, the BIA Papago Agency, and ADOT Tucson District, assumed responsibilities for the low-cost roadway improvements - pavement markings, signage, vegetation removal, slope reduction, and a cattle guard replacement. TON will be responsible for the enforcement of parking and speeding near the intersection and paying the utility charges for a new street light. To address sight distance, shoulders and turn lanes, the ADOT, BIA, PAG and the TON will work toward a $2 million reconstruction project.

Skewed intersection at IRR Route 15 and State Route 86. Source of the aerial photo is Google Earth.

IRR Route 15 looking southbound. Photo taken by ITCA. Provided courtesy of the TON.

State Route 86 looking eastbound. Photo taken by ITCA. Provided courtesy of TON.

State Route 86 looking east and north. Photo taken by ITCA. Provided courtesy of TON.