

Transcription: Tribal Listening Session, Bloomington, MN

FHWA Staff (F)

Tribal Partners (T)

TONY FURST (F)

I'm Tony Furst, Office of Innovative Program Delivery, FHWA. With me is Victoria Peters, who is the Center Director for the Center for Local Aid Support.

We would like to hear from you as we evaluate the TTAP and decide what the next steps are going to be for this program. I would remind everybody again that this session is being recorded, so when you speak, please let us know your name, your tribal affiliation and the position you hold within your tribe. Also, please be sure to sign in on the sign-in sheet.

Before I turn it over to you and listen to you, I want to give you a brief overview on where we are with the program. In 2017, there were 7 regional TTAP Centers populating the areas you see on the slide. Three of these Centers had reached the end of their 5-year cooperative agreements. So all of the centers had 5 year cooperative agreements, 2 base years and 3 option years. 3 of the Centers had completed their 5th year, and the other 4 had completed their base years and had entered their option years.

So we looked at the agreements. Although they were all at different times, we looked at the coverage of the centers in terms of geography and the number of tribes served by the centers, and started thinking about options that revolved around the regional partners that you see here and national partners. And one of the rationales for looking at national coverage was to look at replacing seven center directors with one center director and taking some of those resources and putting them toward creating more training capacity in the TTAP.

So we reviewed the comments and the performance of the TTAPS, all of the training hours were self-reported by the centers themselves. Each TTAP Center received the same amount of money, \$300,000 dollars, each year. As you can see on the bottom of the slide, the annual training hours delivered by the TTAP Centers varied by Center and also varied by year.

So we looked over a five year period. The average number of training hours delivered by each TTAP Center was 233 hours per year. The Local Technical Assistance Program is run by the state DOTs. Federal Highways provides \$150,000 a year and the states match that amount at a minimum. So a number of the LTAP Centers had the same exact funding as the TTAP Centers, \$300,000 dollars a year. Both of these centers have exactly the same platform, to provide training and technical assistance to their constituency. Some of the LTAP Centers received a match that put them over the \$300,000 dollars a year, but we only looked at those LTAP Centers that had 300,000 dollars a year in funding, so we could compare. The average for those centers was 576 hours per year of training hours delivered. After the review we conducted, and to

ensure we were relying on congressional intent, we started on the program objectives that you see here on this slide.

So in the first half of 2017, we started looking at and discussing options with tribal organizations. As you can see on the slide, we held multiple meetings with tribal transportation committees and at different venues. We held national webinars to discuss the program, options and ????. We clearly failed the tribal community – this did not constitute tribal consultation. Clearly, our outreach, our methods and our committees did not meet your expectations, which is why we are holding these consultation sessions now. When we put out the RFP in August of 2017, it was done with tribal input into that RFP. It was not done in a vacuum, and it was not done????.

The two-year fixed price contract for the pilot of a national model was awarded in December 2017 and expires this December. The annual funding of that contract is exactly the same funding that the 7 TTAP Centers combined received on an annual basis. The curriculum focuses on core foundational elements of the transportation program. It focuses on procurement, safety, project delivery, maintenance and operations and data and asset management. It took the Center about 2 and a half months to pull all of the pieces together, and they began delivering the program in March of 2018.

So here is where we are. These are the training hours. The training hours of the former structure you've seen before. For a year to year comparison, year one you see on the pilot, is from mid March of 2018 to mid March of 2019. For year two, it's mid March of 2019 through mid-May of 2019. The column that is the most significant is the blue column. The delivered column, as it matches best with delivered hours for the former TTAP Centers. And here is a comparison of training locations over a comparable period. The black dots show where the tribes are located, and the red dots show where pilot training was delivered. If the map included the trainings offered, not just the training delivered, then you would see ----???? red dots. We wanted to keep the comparison consistent, so we only used the training hours that were actually delivered. The green dots are where training was delivered by the former TTAP Centers.

Shifting from a national to a regional view, on the left is the TTAP center from before the pilot, with the best 5 year training average, and the topics of the courses that they delivered. On the right is the same region, with the topics and the training hours delivered, under the current pilot. This is the dashboard that is available on the TTAP website that has numbers for the program. It has a lag time of about 2 months. I'll also point out that there is an online capacity for tribes that is part of the pilot. We realize that not every tribe has access to that online capacity, but a great many tribes do. And it does reflect the face to face instruction that is provided in a lot of the training. Additionally, FHWA has negotiated and paid for access to AASHTO's TC3 online training and we are negotiating access to the National Highway Institute's online training for all tribal members and for all local public agencies served by the LTAP Centers. We know that the numbers alone do not tell the complete story. We've been receiving feedback from the tribal community since the pilot began. We've attended every TTPPC meeting, with the exception of the one that was scheduled in concert with LTAP's national meeting, and multiple tribal events and conferences. While this is not all-inclusive, it does give you the broad brush strokes of what we've heard from the tribal community regarding performance of this exact pilot. In addition to everything we hear today with the comments

submitted through July 19. Again, this session is being recorded and if you have comments, please make sure you state your name, your tribal affiliation and the position you hold within the tribe. I'd like to start with tribal leaders and then open the floor to other individuals who have comments. So at this point we are here to listen to your observations, to your concerns regarding TTAP. Andrea has a microphone, so if you need to speak she'll bring it over to you.

Any comments, concerns, observations? We can go back to any of the slides I have shown, the slides are available on the website, actually the CLAS website for download. We'll also have transcripts from all of the consultation sessions up on the website.

DAVID KELLY (T)

My name's David Kelly, I'm the Director of Transportation for the Ogalala Sioux Tribe. I'd like to see the slide that had the two pie graphs on it.

VICTORIA PETERS (F)

This one?

DAVID KELLY (T)

Yes. In sitting here looking at this very, very brief slide show, you guys ran through it so fast, that I'm not really getting the gist of what's being put up there. And so, I do know we at the Great Plains have asked on a couple of occasions for sign-in sheets of individuals that have attended said trainings. And to date, I don't think we've ever received any because we have kind of a tight-knit group within the Great Plains, and we talk to each other on a regular basis. We have quarterly meetings, monthly meetings. And we would still like to see that. I do have a couple of things I would like to talk about based on your federal register notice here and the TTAP Pilot. Number one, that you consolidated the administrative function of the program. By consolidating that administrative function, you know you failed to consult with the tribes prior to assuming these functions, which means we don't have a record of it. And when you guys closed our Northern Plains TTAP, as a matter of fact, I got a call from Cliff Eberhardt, who was in the process of doing some safety audits for his program up there. But when you closed the doors on Northern Plains TTAP, there was no follow-up. And his question with me today was can you ask is there a chance that these guys are ever going to finish? But when you closed our TTAP up here in North Dakota, you know you hurt some of the local folks and their families by taking the positions from them. A lot of times we called them folks and made arrangements throughout the years to have their trainings delivered per our request.

What we're getting now is an email with a schedule laid out for us, and I'll give you an example. We had a training in Mitchell, South Dakota. I'm from Pine Ridge, the western half of the state. And for that to happen, it's probably about a 5 hour drive. And then if I want to take any of my workers, I have to compensate them on travel. And for the training that was being offered, it was geared toward maintenance personnel. First of all, many of our tribes in the Great Plains are 638 contract tribes, and they have a budget. And their budget is really, really small. About 10-15 years ago, when I was a maintenance foreman, I went ahead and did a maintenance backlog. And at that time we were roughly 4-5 million dollars in maintenance backlog. So for these folks to have to travel this distance on a budget that they don't have, doesn't seem

feasible. So once again we're looking at the new Pilot Project TTAP not consulting with the tribes, not asking for their opinions.

Number two, you're only focusing on training on core functions for building, operating and maintaining a highway transportation network. I think you failed to address the core needs, you know, did you call the tribes and ask? It sounds like you kinda want to take credit for the programs we have built because we have been operating the highway transportation network for some time and we have done it successfully. So I don't know where you're going or what you're looking for, at this informal consultation meeting, because Chairman Fraser called me very, very early this morning, along with my chairman, Mr. Chevront. And here we are, regardless of whether I sign the paper or not, they don't feel that it's consultation per se. And as a matter of fact, they're having their tribal chairman's meeting as we speak. And one of the things they're probably going to bring forward is the understanding that the Great Plains Tribal Chairman's Board are meeting to bring forth the resolution to place the tribal TTAP program under the FHWA Tribal Transportation Program, which I see as a beneficial move. We mingle amongst ourselves as tribes, and we understand one another, whereas you have a pilot project set up in Virginia which probably encompasses two local tribes there that have direct access. It doesn't benefit anybody else.

Number three, it's been the geographical availability and quality of types of training and technical assistance that TTAP offers. I'm getting to that too – you know, you guys have failed. You have absolutely failed. There was a scheduled training in Shad... Nebraska, which is roughly about an hour, an hour and a half away from where I work. And if Victoria's online, I'd like to see the sign-in sheet of the individuals that went to that training. If that's possible.

TONY FURST (F)

We'll see what we can do about making some of those sign-in sheets available.

DAVID KELLY (T)

There are other reports that I get from the Great Plains that nobody even attended any of the trainings, and for that you know, that's kind of a waste of funding. Movin' on, I'm good with that. You know the old Northern Plains TTAP made every effort to bring the trainings to their clients. Whether they were willing to adjust their schedules to meet ours, they would call all of the tribes and find out what their immediate needs of the programs were, with flexibility. That says a lot. You know I'm not defending Dennis and ... who were the former North Dakota TTAP Personnel for the Great Plains, but I commend the effort Dennis made every winter. If he couldn't physically come and visit, he made the call, he made the email, "Dave, what are your immediate needs?" "Give me a week, Dennis, I'll get back to you." I'd go visit my construction foreman, my road maintenance foreman, my motor fuels foreman, transit, (and ask) what are your needs? And they would send me back something in writing that I would be able to answer this question. And he (Dennis) built his schedule. They turned around and contacted the Yankton Sioux Tribe. We've got a small project but we're gonna need more trucks. Call Cheyenne River, call Standing Rock, call Ogalala, call Rosebud, see if they could donate a couple of pieces of equipment so we could combine a training effort. We killed two birds with one stone that time. We graveled somebody's road and we also installed a water line adjacent to it.

And both were of the training nature. They did that kind of work for us, which we split the expense on things like that. So yeah, if you guys think you failed on Number 3. You know when I'm at my office I read this. Diversified training options, augmented personal training by online, on demand training, ready access to subject matter experts, shortened problem resolution times and that was it. You know I truly blanked. What exactly does that mean? I still don't have a clue. You know, even though I jotted down a few notes. Clearly you don't understand how the tribes work. So you know, I'm at a loss to answer some of these, because what you guys think you've done for us, is far from us. Ya know, moving on to Number 5, increase the frequency and range of technology and practice innovations that are introduced to, and promoted with the tribes. I can't really answer that other than your training methods are being used on guinea pigs? I don't see basically what has been accomplished by the new TTAP other than creating a massive class scheduling that none of us could attend. Up in the Great Plains, we're not wealthy, wealthy tribes and we used to have our trainings in our maintenance bay, if we had a casino that had a little availability we would use that, and most of the time it was done at individual's tribe's expense so they could absorb that cost so we could have these trainings. But you know if I gotta travel to another reservation to help their economy, I can make those arrangements. A lot of times they gave us a discount but were also trying to do something economical. But when we have trainings that don't benefit us in any way, it would just be rude for me to think what you guys are thinking in developing this when first you never really sat down with us and asked for our input. So it's tough. I really can't support if you're going to rebuild or come at it from a different angle, with possibly another two years of your pilot project, there's no way Great Plains is gonna support that. I do have a letter from Rosebud that would like to read for the record.

Correspondence from Rosebud Sioux: Transcribe Rosebud letter here.

A. History and Legislation: The Tribal Technical Assistance Program (TTAP) was created in 1991 to provide technical assistance to Tribal governments in the administration of their transportation programs. The authority to administer TTAP is found in 23 U.S.C 504(b). Of the 573 federally recognized Tribes only 135 have Tribal Transportation Funds and the TTAP was beneficial to the Tribes because it fell in line with the Indian Reorganization Act (IRA) of 1934 and the Indian Self Determination and Education Assistance Act (ISDEA) of 1975. - Two very powerful pieces of legislation in which one, the IRA is to decrease federal government control over Native American affairs. The other, ISDEA allows various federal agencies to enter into contracts and/or grants with the federally recognized Tribes which created greater authority for the Tribes to administer the funding.

With an annual budget of \$2.33M, the TTAP staff across Indian Country were flexible with the services they provided to Indian Country.

- Training was scheduled based on a **Tribe's need and request**

-- Cost effective for the Tribes: TTAP staff would travel to the TECRO/TERO location of the requesting Tribe.

--- They provided the requested training which stabilized our tribal construction work force for the construction season and for tribal programs such as Road Maintenance, Sand and Gravel or other like programs across Indian Country.

-- Every meeting held for the Great Plains Region (GPR) Tribal Transportation included TT AP breakout Training sessions for the Road Maintenance staff in attendance, again making the TT AP training flexible and economic for the Tribes.

-- There was a great working relationship with the TTAP staff which created a good Tribal Transportation community environment, this no longer exist.

B. TTAP pilot program and the negative effect on Indian Country.

With short notice in the fall 2017, the TT AP was restructured without proper consultation with the Tribes. A \$4.66M two-phase contract was let for bid with the University of Virginia being awarded the bid. Managed by the Center for Local Aid Support under the direction of Victoria Peters within FHWA's Office of Innovative Program Delivery it is not flexible or user friendly for the Tribes.

The TTAP pilot program came with five Virtual Centers of Excellence: project delivery, maintenance and operations, safety, planning and procurement, and asset and data management. It also had previously determined training sites, dates and a certification program called the Road Scholar with 2 levels of certification. To date there is poor attendance from all the Tribes due to training schedule conflicts with construction season, poor location, Tribal ceremonies, Pow-wow season and most importantly it is **not cost effective** for the Road Maintenance and Tribal Transportation Programs to send staff to the pre-determined courses and locations.

Elements of training the pilot program has taken away from the Tribes is the commercial driver's license (CDL) training course. This in particular has caused an economic impact on Tribal members across Indian Country who are seasonal road construction workers on BIA Routes/Bridge or Tribal road projects, seasonal Road Maintenance employees or other like Tribal Transportation Programs. Tribal members are either not working or taking a lower paying position such as a "flagger".

Notably, last spring Dave Kelly, the Oglala Sioux Tribe, Road Maintenance Director asked for assistance from Victoria Peters via email to coordinate a CDL training course for approx. 20 Tribal TERO employees. Victoria Peters replied that the pilot TTAP does not support CDL training and sent him a link to Western Dakota Tech in Rapid City, SD that they could possibly partner with to submit a grant to for CDL training assistance that was due in 2 weeks! That is 100% unacceptable, we all know the work that is put into a grant! There most certainly was not enough time to gather the data, information and all the required grant elements. It was not a sure deal that Western Dakota Tech would even partner with the Oglala Sioux Tribe. In the end all those Tribal workers went without a job or had to take a lower paying position. Also many Tribal Transportation Planners were set to take Planner courses through the Northwest TTAP but due to TT AP being stripped away from the Tribes none of us were able to complete the training. This venture of training was coordinated between the GPR TTAP and the Northwest Region TTAP proving cross utilization of TTAPs and resources. We recognize that there are other Transportation Planner courses available however the course cost are too high for Tribal Transportation Programs, again tying our hands in our steady progression forward.

C. Fraud, Waste and Abuse. There are issues with the pilot program TTAP instructors showing up to training locations when no attendees have signed up! In the GPR an instructor showed up

in Pierre SD and when no attendees showed up she went to the South Dakota State Tribal Liaison office asking for the phone numbers and locations of the GPR Tribes! It is curious that she did not have the phone numbers to our Tribal Headquarters and a map of where our reservations are located. She was then attempting to drive and see all the GPR Tribes but did not have a government credit card to rent a car to do so. It is even more disturbing because anyone who is experienced working with the Tribes has geographical knowledge of our locations in which the majority are vast and remote. Also, she was there to instruct, why would she attempt to drive to the GPR Reservations? I am quite sure that a list of attendees is available before training is confirmed. Most training organizations have a minimum student/trainee/attendee limit that must be met before the training is confirmed, it appears to not be a minimum student/trainee/attended limit established that would aid in determining whether it is feasible or not to send an instructor to the pre-determined training location. She ended up staying the week!

With the TTAP pilot program in its second year, it is questionable as to why consultation is being proposed? Many Tribes believe the training statistics that are posted on the Federal Highway Administration website are fraudulent. During a July 2018 Tribal Transportation Coordinating Committee Meeting held in Rapid City, SD many of the other Tribes attested that the instructors are not knowledgeable on the various Tribal policies and procedures, the training was taught from a Federal Highway perspective and the training environments were not conducive to learning as in no air conditioning, no restrooms, no places to eat and remote locations to name a few.

The Tribal Transportation Coordinating Committee has repeatedly asked for the training sign-in sheets and to date have received nothing. It appears there is no transparency within the TT AP pilot program. This raises another issue of why the TT AP pilot program will not utilize Tribal Government facilities or businesses? At a training location in the South West region the Tribe made it known that their casino-hotel could accommodate the training as they have conference rooms, adequate available rooms with the government rate and eateries with economical prices. The department director Victoria Peters objected to this stating that it was Federal Highway policy to not hold or attend any meeting, conference, training at a casino.

- All the tribes see this as being prejudice to Tribal business.

- On the TTAP pilot program contract, the Buy Indian Act (25 USC 47) has not been included in overarching government directives to regulate the contract.

D. TT AP Technical Assistance not a Training Organization. While we recognize any program can be made better by adding to it or streamlining processes, this did not happen to the **Tribal Technical Assistance Program** it was simply stripped away from the Tribes. This has caused little to no training for Road Maintenance & Tribal Transportation Planners, an economic impact to Tribal road/bridge construction workers and has created a wedge between the Tribes and the FHWA's Office of Innovative Program Delivery. When TT AP was established it was done so with the intent to provide technical assistance such as sharing experience, knowledge, training, brainstorming ideas for better road maintenance product use, force account use, best practices from the tribes however it has been turned into a training organization and provides no technical assistance to the Tribal Transportation Programs.

The TTAP needs to be restored to its original mode of operation and support to the Tribes. As such it would function better within Federal Lands Highway, Tribal Transportation Program. We are all stewards of the federal funding that supports the umbrella of Tribal Transportation and

currently there is a huge question of what \$4.66 million dollars of the pilot Tribal Technical Assistance Program funding was spent on?

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You know I received that just a little while ago, and I didn't know she was going to mention my name in her letter, but it is true. I did ask Ms. Peters for assistance in commercial driver's training. And what Mrs. Stands and Looks Back stated was very much true. When we had Northern Plains TTAP Center, Dennis had a commercial driver simulator brought down to our facility. You know I flipped the bill on meals and a few other things, and we set up classroom training within our maintenance facility, because at that time I didn't have a conference room in my facility. But we started out with 40 and ended up hiring 15 by the time Dennis was done. And that is something to be proud of. And now to turn around and tell me that commercial driving is not related to construction? Your most important guys on a construction project are your truck drivers. Who brings the materials? Who brings the supplies? Who brings your oils? Truckdrivers. And you guys didn't even consider that. But yet referred me out to (45:28) West Dakota Tech?? and said Dave you're pretty successful at writing grants,.... But it doesn't work like that. So I'll reserve some time. Anybody else?

MIC ISHAM (T)

Mic Isham, GLIFWC Executive Officer, Former Chairman Lac Courte'Oreilles: I guess I'll jump in here. I'm the Natural Resource Guy for the last 25 years or so. By the way, my name is Mic Isham from Lac Courte d'Oreilles. I was an executive leader for 22 years. I'm no longer the Chariman of my tribe. I was here for two other meetings in town, and when I saw Andrea yesterday, who was with Fish and Wildlife Service back in the day, and they did some of the best consultations that I remember of any federal agency back then, so when she told me about this meeting, I am now the Executive Administrator of Great Lakes Indian Fish and Wildlife Commission, again natural resources, but I contacted my new Chairman, who was , and asked if anyone from Lac Courte d'Oreilles was here, and with his concurrence I cam here just to see if there's any possible way I can make a comment or two that may help my tribe or affect some pilicy that can help our tribes. GLIFWC has eleven member tribes. Now, because I am a natural resource guy, I have a couple of questions. I may be way off here, so, do you only do the trainings from the DOT perspective or do you give dollars to tribes to do these trainings, like tribal colleges, do you give capacity dollars to tribes so that they could do it for themselves? Because I hear all these comments over here that you guys are doing it and they're not liking it, so to speak. It's always best if the tribes can do it themselves, so that's kinda the comments I make with the EPA, the USDA, all of the federal agencies that I personally deal with. Rusty Barbour, as some of you guys may know, he is our transportation guy and a chairman for a long time. He's the expert on of this stuff. I'm not, but I was. That's my first question, do you do the capacity dollars for tribes or do you guys handle it all yourself?

TONY FURST (F)

Tony F. : The funds are given through either cooperative agreements or contracts. ...And now the way it's unfolded, it's a contract with UVA. So the funds weren't given directly to the tribes.

MIC ISHAM (T)

Well that would be my first comment, is that I think the DOTs should do capacity grants. With EPA, there were all of these issues, just like I'm hearing, but on the environmental side. But then they started a program which initially was called ----, but now it's called GAP, and they provide capacity dollars and I don't think there's ever been a better program on those deliverables that were not being delivered by EPA and are now being delivered by the tribes themselves through the T GAP. You said it's through UVA. Now are tribal colleges available for something like this? I know Rusty had some kind of DOT program with our local LCO community college.

TONY FURST (F)

Our contracts are awarded in open competition and anyone could apply. Anybody could compete.

MIC ISHAM (T)

Anybody or any tribe?

TONY FURST (F)

Any organization, but they had to fit the criteria we were looking for to compete. There was open competition.

MIC ISHAM (T)

And UVA got it?

TONY FURST (F)

UVA got it.

MIC ISHAM (T)

It's just one?

TONY FURST (F)

It's one national center with 5 virtual centers. There are two individuals per virtual center. They're not located at UVA, they're located all around the country. They're subject matter experts.

MIC ISHAM (T)

Sorry about that with my question, sir.

TONY FURST (F)

Don't worry about it.

MIC ISHAM (T)

And then so, maybe one of these guys can help me, like my friend Mr. Murdoch here. I remember GLIFWC, which is my organization, I don't know if you guys do consultations with just tribes or if you include tribal organizations, like GLIFWC. For example, there was a bridge project over Fish Creek Slough. DO you remember that?

FEDERAL LANDS (T)

No, I don't. Was that part of the emergency relief?

MIC ISHAM (T)

No, this was I wanna say ten years ago. And there was another bridge project too. There was an effect on wild rice. So therefore, consultations were happening with tribes. And the tribes delegate those authorities. I have eleven member tribes in Wisconsin and Minnesota, and they'll give the authority to GLIFWC. So we got involved because of the wild rice, and in the end, we "quote, unquote" signed off on the project with the understanding that they were going to give us some capacity dollars to handle the invasive species. Like for example, the Fish Creek Slough, the purple loosestrife that was there, which was even a bigger threat to the wild rice than the actual bridge and the culverts and all of those types of things. So we were involved. I'm not sure if that was federal DOT or state DOT. I'm underwater here. So I guess my comment would be that especially in ceded territories, treaty ceded territory, the areas where tribes have hunting, fishing and gathering rights by court order, that the federal DOT consult just as much as the state DOT. Don't forget us off-reservation as well.

EMERSON YOUNG (T)

Good afternoon, everyone. I'm Emerson Young. I'm with Fort Peck Assiniboine and Sioux Tribes in Montana, northeastern Montana. I work for the TTP program, the tribes, and our program, we took it over, but we're a 638. My concerns were, well first Connie Thompson was at another meeting, and she is part of the Tribal Transportation Program Coordinating Committee. She is on there. And I noticed what she said to me, they did send a letter to you guys on Sept. 13, 2018. I was wondering if you guys looked at it and have any feedback, or anything on it yet?

TONY FURST (F)

I don't recall that. I'm sure that we received every letter the TTPCC sent us. I don't recall the details from the Sept. 13 letter.

EMERSON YOUNG (T)

As the program goes, with the TTAP, can you guys put out trainings that the state gets, but they don't communicate with our tribes, so you know, we don't know what the training is, or where it's gonna be. We're basically lacking communication. The funding for TTAP shouldn't be a waste for a spending program that doesn't benefit the TTP program. So as I can see it, I got some other comments on this other page, but I didn't go over them yet because I received it this morning. But mainly what I see is a lack of communication, and trying to get together. So if there's a way you guys can, because they said they go to the website and there's nothing there. It will show the trainings, but, it doesn't have nothing if they try to get ahold of it, what is this. We just need to hit that communication better. That's all the comments I have. Thank you for your time.

TONY FURST (F)

Thank you.

MIKE MOILANEN (T)

Mike Moilanen, Director of Projects and Planning for the Mille Lacs Band of Ojibwe, and also a member of the Coordinating Committee. Just to give you guys an opinion on some of the comments that I have heard, I go back to the first meeting we had, if you could go back to the slides, it was one of the multiple committee meetings that you had. It was very evident at that first meeting that we got off on the wrong foot, and there's not a whole lot of trust I would say between the coordinating committee and the program at this point. The first presentation we got we were presented a bunch of pie graphs, charts listing hours of training, a breakdown of stuff. We requested follow-up information about the region it would pertain to, we were told we could not be provided with that information. We were also told that you know we were thinking about maybe the program needed to change that the training hours weren't up to snuff. We did not disagree with that, matter of fact we were all for the fact that if there's a way to provide additional training hours, we were on board with that. By the end of that first presentation, it was very evident that the change was gonna happen, that it was already in the works. We were told the RFP was almost out the door. So the lack of trust I would say at that first meeting was shattered, it really was. It wasn't giving meaningful back and forth, it was a lot of us being told kinda what was going to happen. We were listed in future letters, you know that consultation had taken place with us, which we were very adamant that we did not consider that consultation, and it should not substitute for consultation yet it was listed in some letters. So I think that that whole trust factor and kinda Dave's comments that once TTAP staff walks out the door from those centers, those relationships were gone, those staff people are gone. You're not gonna get that back. And that's one thing, I think the focus has been on training, but the true value of the centers were the relationships they developed with the tribes, and like Dave said, the custom stuff they did for tribes. Right now it's all cookie cutter training, and those relationships are gone. I'll just comment I guess on my experience with the training. And actually I was seated in this room. I decided to attend the training, I wanted to go with an open mind. I had heard stories from different constituents around the region about goods and bads of the training, so myself and our road supervisor signed up for training. We went upstairs to the BIA to check in and they knew nothing about the training. I came down here and found the training, got through the training, it was a four day training, Procurement Based and Planning I believe were the sessions. We were the only two attendants for those four days, which I thought was pretty sad myself. The training itself, the trainer was nice enough, she was personable, a nice enough person, but it was very evident she had no understanding of the tribal transportation program. We did more training of her than she did of us, I would say. Like I said, and I've heard kinda that story a little bit, with comments we've heard, that these trainers have no background in the tribal transportation program. So, if we're gonna continue down this line, I think we gotta get trainers that do know the program. You know we talk about subject matter experts, I don't believe they are on the tribal side at this point. Like I said, that relationship with the transportation committee I mean I think it can be salvaged, and we can come together to try to. At the end of the day we want this program to be successful. It's our dollars for these training

opportunities. And something needs to change in the way it's allocated, and I don't think we're being heard at this point. That's my comments for now, thank you.

TONY FURST (F)

Any other comments? These have all been good comments and we appreciate it.

DAVID KELLY (T)

Transportation Director for the Ogalala Sioux Tribe. You know, I also sit on the coordinating committee, along with Mike here. And I do remember that first meeting, when Ms. Peters came and attended. And yeah, you know looking back at it and thinking, it was kind of a mess. And I also remember there have been several times where she's attended the meetings and become quite defensive at times. But without going any further into it, them harsh details like that, you know in the Great Plains I do know that we've looked at a different avenue for training. And I just had one other comment, I think the Chairman, the former Chairman there on the end brought it up. We've also asked at one point to have the money just sent directly to the tribes, and we'd be able to develop it ourselves. I do think we have the capabilities, the resources, through our bureaus and whatnot, to do customized needs that would fit for us as tribes. There's always gonna be gossip from an offensive standpoint, among the tribes whenever we try to do something new. And forgive me, for a long time I was a BIA basher. But we did finally come to a formal understanding of just let me do my job and don't interfere, and things will still get done without very much heartache. But in the Great Plains we've become a little more dependent on our South Dakota LTAP as a resource. And I wanna say that I get more information via email, and sometimes it's junk – no offense, I've got other things that are of greater importance and I kinda just flag them and push them off to the side until I can get to them. But yeah, they have been a lot more responsive and stepping up their game to try to get the information out to not only the non-native client, but also the Indian client. And they're doing a good job because their schedules are set well in advance. We're invited months ahead of time in most cases so that we can schedule accordingly. Their chore is pretty much the same chore as the TTAP should be doing. But right now, looking at it from the two year perspective, you guys have gotten whupped up on. And it doesn't make you look good. I'm glad Greg's here. You know he gave me a call and asked basically for permission to come and attend as a listener. That shows a little respect. You know, he's got his job, I've got my job, but for him to call me up and say, can I come, that shows a little respect. Whereas, you know your program at this point is missing. And looking back as a coordinating committee member, I'll put that hat on now, I do remember there have been several letters. A minimum of three that were sent directly to you or your staff, and it was an invite to come and speak on behalf of the TTAPs. But yet you failed to show. You know, I'm not a harsh guy, but you know within my department, and I'm only speaking on my department, when I need records, let's say it's a level of service that needs to be done by the 638 contract, like the BIA. I got no ties to the BIA other than that 638 contract. But when they're missing something, I try to follow up, and give them the information that they need, because I know that it affects their funding and it could possibly help the 638 program, if they get the stuff in in time. So you're hearing a lot of things, and I don't know what you heard from the other per se consultations, but you gotta remember you're the man. You're hearing a lot of things that aren't good. So let's sit down with the tribes and work it out. We can tell you

our needs. When I go to DC, I usually don't mess around. I prefer to go to Senator Keane's office, Senator Johnson's office, Senator Brown's office. For my constituents from South Dakota, I'll stop by Tester's office. And I really hate to play that game, and I think it behooves you to open your ears and listen to what we are trying to say. Most of us, and I can tell you Great Plains, really is not happy. Hence their resolution. But you know looking through your consultation outline, I agree with Mike. I don't think you've ever really had a consultation and there's absolutely no way you're gonna get it going with a twenty minute presentation. So, like I said in the beginning, you know I'm not giving Dennis credit, I'm not giving the Northern TTAPs credit for what they did, but I want to give credit to those folks at some of the other TTAPs, that have stepped forward and built that relationship with the tribes to get things the tribes needed accomplished. What you guys did, you stepped in, you looked at some records and said, this one is failing, this one isn't. These guys have done some reports, they're ok. These guys have done some reports, they're ok. You penalized the whole program for one or two that didn't have the necessary documents. I don't think that was fair. We asked at that meeting, well, which ones have failed? I can't give you names, I can't give you regions. Well why not just fix them two and let the rest continue on? They're doing alright. By then, the contract was already let. What bums me out the most is you know, is our Northern Plains TTAP was helping Bismarck. It was facilitated right there at the tribal college. That opened the doors to many individuals, whether they wanted to walk over there and find out what it was about or not. It was the opportunity to see first hand how tribal transportation worked. That won't benefit us when it's way down in Virginia. Do you have any natives working in your staff? Are any of your trainers native?

TONY FURST (F)

They were all acquired by UVA via the contract.

DAVID KELLY (T)

So the subject matter experts. I agree with Mike. I hear some of the horror stories that we're a little bit more knowledgeable than they are. Let's sit down. We need to talk this stuff out. I am from the Great Plains to have this program set under the Tribal Transportation Program, where technically I believe it should be, I think we can do a lot better job.

MIC ISHAM (T)

I have some more comments here, that he did touch on. So thank you for that. One was, you hit the nail on the head I think, because a lot of times, when consultations happen it's not always, I mean a lot of the times we beat the heck out of the person that's here, and they're not always the decision maker, we beat up on the messenger. And I don't know if that's the case or not, if you're the decider or who, or if it's Congress, or whoever it may be. But, when you talk about meeting with Tester and all those guys, in all the years that I've done this stuff, I think that's what we've been working on lately was this 638. Right now I think only the BIA, and maybe IHS can do it, don't know if ???can do it, right they can't? DOT, I hope that they can, can they?

UNKNOWN SPEAKER (T)

They're in the process.

MIC ISHAM (T)

That's where it's at. When we met with the Senate Indian Affairs Committee, and Senator tester was on there, he's on the Minority side. That's where we gotta get the DOT. USDA 's the one we're working on. But really, I think reauthorizing 630A so that we can get these programs back home, that's the best way to do it. My other comment is, on behalf of who I represent, my chairman gave me the authority to be here, on behalf of LCO, not just GLIFWC. Hiring tribal members is a big thing. Back when we started way back in the day, I was always arguing with our local Ashland BIA guys. You know, I remember my first fight ever with them was they actually denied me using my own Forestry dollars for a Wisconsin Conservation Corps Crew, because they said it was supposed to be for Forest Management. And my project had fish trips in it, so they denied it. Well anybody who knows, everything's connected. You know, that's the way the tribes see things anyway. Everything's connected. Fine you know, if you want the trees to fall in the water, and then we won't need fish trips, it's connected. Well we pushed, and now the BIA, especially in Ashland, and in Minneapolis here, they have so many tribal members working for them now. It's like night and day. They understand where we're at, and if it's a no on something, they'll say they understand, how do we get to a yes, rather than it's no. And he touched on this.

TONY FURST (F)

Any other comments?

MIC ISHAM (T)

And don't use chemicals on the roads, coz that's where we shoot our deer.

CANDACE SKENANDORE (T)

Thank you. I'm Candace Skenandore. I'm the Self-Governance Coordinator for the Oneida Nation. Just to briefly answer your questions, the FAST Act , it's moving self-governance into the DOT. So the first agencies were IHS and BIA, the issues are similar to what the coordinating committee has had. There's a negotiated rule-making team and there were some issues with the DOT working with the self-governance tribes on that, so I'm ...I don't really have comments, just a couple of questions that I'm hoping you can help me answer. First, there's a slide that shows the original national on how many trainings were held compared to this one. My first question is do you have any statistics on how many people participated in most trainings? It's great that the trainings increased, but if the participation has decreased, or the same people are attending those trainings, we're not really reaching everyone in Indian Country, that's a concern. The other question I have is, where did the funding come from? My understanding was that this was funded through a reduction of tribal shares. So I just wanted to get an idea of where this program was funded out of.

TONY FURST (F)

A portion of it comes from Training and education dollars, under 504. A portion of it, one portion of it, is from TTP.

CANDACE SKENANDORE (T)

And then my last question is do you have a timeline? I know the comments are due a week from next Friday. Can you explain what's going to happen after that kind of a process and how you collect and review the comments and then what's gonna go on from there?

TONY FURST (F)

We'll give some time after July 19 to accept late submissions. Then we'll sit down, and take a look at the comments that are sent in to us, and all of those we have from these consultation sessions. And all of the information we have from prior meetings with the tribal community, and everything we've heard before. Then we need to sit down and think about what models could potentially meet all of the concerns that the tribes have communicated to us. There's any number of ways those models could be deployed, but we have to sit down and think through what they are. And then we'll need to come back out and have further consultations throughout the community about what other options could be pursued.

CANDACE SKENANDORE (T)

Alright, so there will be further consultations?

TONY FURST (F)

After we sit down and take a look at what we've heard, we'll come up with a number of good models and consult with the tribes on how the TTAP could be structured. We'll be having more conversations.

CANDACE SKENANDORE (T)

Thank you.

TONY FURST (F)

If you want, we can go around and have everyone introduce themselves.

UNKNOWN SPEAKER (T)

Tribal Planning Coordinator for the Shakopee Mdewankanton Sioux.

EMERSON YOUNG (T)

Emerson Young, Fort Peck Tribe TTP. I'm the Super Civil Engineer. I'm up in ---- Montana, Northeastern.

GREG VAVRA (T)

Program Manager for South Dakota Transportation Workforce Assistance Program.

DALE HEGLUND (T)

Dale Heglund, with Upper Great Plains Transportation Institute, part of NDSU. I also manage the North Dakota LTAP Program and I appreciate the opportunity to be here to listen and to understand. Our LTAP is always wanting to do more and our director, Denver Tolliver, of our group, wants to increase our tribal coverage. We have a Tribal Liaison, and I will allow her to

introduce herself. Hiring her was a directive that came out of our university. Our research center wants to grow and create a better transportation network in the state of North Dakota.

JOY (T)

Hi I'm Joy. I'm the Tribal Liaison with the Great Plains and I am looking forward to working with all of the tribes.

MIC ISHAM (T)

Mic Isham. I'm currently the Executive Administrator of the Great Lakes Indian Fish and Wildlife Commission.

MIKE MOILANEN (T)

Again, I'm Mike Moilanen. Planning and Program Manager for the Mille Lacs Band of Ojibwe.

TODD KENNEDY (T)

I'm Todd Kennedy. I'm the regional road engineering crew leader here for the Midwest Region.

BRENDA REDWING (T)

BIA Great Plains, Regional Road Transportation Engineer.

DAVID KELLY (T)

Hi, I'm David Kelly. I'm the Director of Transportation for the Ogalala Sioux Tribe.

CANDACE SKENANDORE (T)

Candace Skenandore, Self-Governance Coordinator, Oneida Nation.

VIVIEN PHILBIN (F)

Good afternoon. Vivien Philbin, Assistant Chief Counsel, Federal Lands, Federal Highway Administration.

TONY SACREMIN (T)

Hello everyone. Tony Sacremin, BIA Midwest Region Engineer.

GREG (F)

Hello I'm Greg. Federal Highways, Office of Tribal Transportation.

TOM (T)

BIA, Civil Engineer

JEFF DONNELL (T)

Jeff Donnell, Red Lake Nation, Construction Manager.

DAVID KELLY (T)

Can I ask a question? When we were given this information several years ago there was a training facility that was established in Oklahoma City, how come none of that data is up there?

TONY FURST (F)

The Road Scholars facility in Oklahoma is not a training facility. It is a certification facility. So when people want to get certified on different types of equipment, they take a pre-test, and then if they pass, come to get certified. That is what the Oklahoma facility is for. It's not a training facility by itself. And it's taken a while to get that up and running. It took a while to locate the facility and to get it set up so that we could start holding certification classes. So there is very little data on the Road Scholars facility.

DAVID KELLY (T)

So, how much money had been spent on that facility?

TONY FURST (F)

I don't happen to know off the top of my head.

DAVID KELLY (T)

And you've got no supporting data.

TONY FURST (F)

Well no, we can pull the data on how many people have taken the pre-tests, and how many people have attended to become certified. And if you want that information, we can get it to you.

DAVID KELLY (T)

You know, you kinda threw me for a loop when now you're requiring Road Scholar certification to become a heavy equipment operator.

TONY FURST (F)

This is entirely up to the individuals who want the certification. We are providing certification for them.

DAVID KELLY (T)

How does that benefit the individual?

TONY FURST (F)

When they get the certification that can show it as part of their resume.

DAVID KELLY (T)

Apparently, you don't work construction at all do you?

TONY FURST (F)

Not since I was in high school, no.

DAVID KELLY (T)

Jeff, can I ask you a question. When you're out there on the project do you ask for a diploma in heavy equipment or anything of that nature, like a Roads Scholars certification if you're gonna hire a scraper operator?

JEFF DONNELL (T)

Never. You mount them up.

DAVID KELLY (T)

That's basically how my force account works. I don't have time to have them sit down, most of the time these guys, if they're working, they're not in college. There's a reason they're working and no offense to them, you know, that's a skill in itself. A skill not everybody can do. I've got heavy equipment operators, I put 'em in a truck even though they have a CDL, I'll jerk 'em outta the truck and say, stay in the equipment, stay outta the truck, you're doing more damage. But I also got truck drivers, who when they need to get on the loaders and scrapers and road graders, within five minutes of watchin 'em, I'm jerking them the equipment and saying, just stay in the truck, man. You know? So, I don't see, at least I do think it's kinda a waste, to have a Roads Scholarship when we have more and more urgent needs out there. You know, I do my force account within my department, and from year to year we range from 5 people all the way up to 25 people, depending on what kind of work we're doing. Whether we're laying concrete for a path, or we're building 5 miles of road. And when I sit down with my foreman and we go through the compete collect for the summer, I don't ask him, do you have a Roads Scholar Certificate? It don't do him any good. Because what we need are the basics: Can you learn how to read a grade stake. Do you know how to cut and fill. Can you read a sinpole set of plans if we put them out there and this is the only thing you've gotta do. Do you know what backslope is, do you know what foreslope is?

So is there any way we can pull that money and put it into something that's a little more beneficial to tribes?

TONY FURST (F)

Again, the purpose of these consultations is to get your feedback on the evaluation of the TTAP Program. If you would like to see more focus elsewhere, and not on Roads Scholar, then that's feedback I'll take back and factor into whatever model we decide to take a look at and then bring it back out to the tribes. So what I'm hearing from you is you don't think you want or need a Roads Scholar certification program within the TTAP. Fair enough.

DAVID KELLY (T)

Yeah, again, I think that would be --- you had two years on it and you didn't even put out any of the data in your per se consultation to show how much benefit it has to the tribes. I don't think personally, looking at it and working from where I'm at now in the construction field how it benefits anybody other than the local folks right there in Oklahoma. You know it costs for me to send two guys from my department down to Oklahoma City for, how long is the training?

TONY FURST (F)

It's not training, it's certification.

DAVID KELLY (T)

Well, to become certified on the heavy equipment.

TONY FURST (F)

I'm not sure how long the certification takes. Victoria?

VICTORIA PETERS (F)

Depending on the person, anywhere from a day to a day and a half, for just the heavy equipment.

TONY FURST (F)

People use training dollars to get trained before they come down and get certified. It's not a training program.

DAVID KELLY (T)

Well see gain, that don't make any sense, because if they already operate, why would I send them?

TONY FURST (F)

Because there's a commonality and a consistency on whether the individual who's certified can operate this piece of equipment. And it's known across the entire tribal community that this person has a certificate on this piece of equipment and these are skillsets that belong to that individual. And that individual can work anywhere their skills are needed. So, it's not unique to any one tribe, this individual now has a certificate that quantifies their skills under the certificate. And that's a certificate they can take with them.

DAVID KELLY (T)

I don't see it.

TONY FURST (F)

Okay.

DAVID KELLY (T)

The reason I asked Jeff is because I know Jeff works dirt, and he started where we all start at the ground level, and you know him working dirt, and me working dirt in the past, and sitting where I'm at today, working with my force account crew foreman, and my road maintenance and motor fuel people, we don't ask them that, you know, do you have a road certification scholarship certificate. We'll know the difference. We've been doing it 20-25 – going on 30 years now, we can tell if a person can operate. Because there's a difference. If Brenda can tell me if she can operate a front-end loader, I'll hire her. Well, if she can jump in and start it up and move

it from here to there, that should be enough to clean out them culverts, without tearing it up worse than it is to start with. Am I going to have to come back and fix what she did and rip it apart. So there's a difference between an operator and someone that can operate. Right, Jeff?

JEFF DONNELL (T)

Yep. I mean why would you take and send your staff to go down there and get that certification when all they're gonna do is put it on their resume? And then they'll look for another job somewhere. We have people. You?

EMERSON YOUNG (T)

Some of them can have that certification and not know how to operate at all.

DAVID KELLY (T)

There you go. I've got a few of them too. They must have got their training from the South Dakota LTAP. (chuckles). Just teasing, Greg, just teasing. Where do you see this program going? You know you've been through, this is the fourth consultation now, and you know, you're the man behind Mrs. Peters, there. I don't know what you heard at the other ones, but I'm assuming it's almost the same case scenario as where we're at today.

TONY FURST (F)

We've included the slides on what we've heard. This is what we've been hearing across the tribal community. A lot of this has been reinforced in the consultation sessions that we've been too so far. And the objective would be to fashion a number of different models on how TTAP could be delivered, which meets the needs that have been expressed to us. A lot of what I've heard today is a reinforcement of what we've heard. And this has come from TTPCC members and conversations with other members of tribes. So now we put together different models, that can meet all of the requests of the tribes and the needs of the tribes going forward. And there are any number of different ways we could do that. And we are starting with a blank sheet of paper about what this model could look like going forward.

EMERSON YOUNG (T)

Who will make that decision?

TONY FURST (F)

We will put together a number of models and then we're going to come back out and have conversations with the tribes.

DAVID KELLY (T)

Would you be open to moving it under the TTP, so we have more hands-on from tribal members themselves?

TONY FURST (F)

If that's part of the model, sure. That's an internal FHWA conversation, though of where within Federal Highways this program exists. If that's a decision that the agency wants to make, that's a decision the agency makes.

DAVID KELLY (T)

Ok. Should we take 5 minutes and regroup you guys?

TODD KENNEDY (T)

Good afternoon, Tony. When is the end of the pilot?

TONY FURST (F)

December 2019.

TODD KENNEDY (T)

Perfect, thank you.

TONY FURST (F)

Any other questions or comments? No? Let's go ahead and take 5 minutes.

5 MINUTE BREAK

TONY FURST (F)

Time's up. Any comments, concerns, observations? Anything? A number of people have told me that they're not staying. I think we have some individuals still out in the hall.

G. MILLER (T)

May I speak?

TONY FURST (F)

Sure, go ahead.

G. MILLER (T)

I can only speak for the South Dakota tribes, for the most part, but when it comes to training, is there a cultural element there where tribes are more comfortable when the training is on their ground?

M. MORGAN (T)

I mean it comes into play a little bit, but a lot more of it's timing I think, like we heard in the comments. We don't have the staff if you let a couple of people go, especially if it's this time of year, if it's training this time of year you're not going to get anybody there. So consideration

needs to be made of location and time. Those I think are bigger things. The culture's part of it, but I don't think it's the driving factor.

BRENDA REDWING (T)

It depends on the tribe.

G. MILLER (T)

Speaking from my experience with the tribes, in South Dakota, if we allow them to host a tribal training, which we can do for them, they all show up. If you look back to Pierer, South Dakota for example, and we invite the Cheyenne, and the Rosebud and the Ogalala, and the Yankton to a centralized location, we're not very successful.

BRENDA REDWING (T)

And that's because of the cost. I mean, like Dave had mentioned earlier, it's the additional cost for all of them to travel somewhere, and then the lodging and the expense and the approvals through the office. I mean, so if we're I think culturally, and correct me if I'm wrong Dave, some tribes would rather have a tribe sponsor it. And then they go to that location and rotate it, and then they're supporting the economic development in the culture and everything around it. And so that really drives it home to them. And in Indian Country there's just so much cultural stuff across the country, the timing is so crucial, and if you time it right, or piggyback it on some of their events, there will even be a bigger turnout. That's the win-win for Indian Country, and the government, but sometimes we're not on the same page with that.

PAT KENNEDY (T)

This is Pat Kennedy, Midwest Division. This comes back to a summation of some of the things that were said earlier today, is knowing the climate and expecting the climate. And that's where it's gotta start. And it sounds like taking some major steps, North Dakota and South Dakota LTAP Centers have done that.

BRENDA REDWING (T)

This is Brenda Redwing, Great Plains Region, BIA Regional Transportation Engineer. I would just like to add, if there's anything that my region can do, or that I can do as the regional transportation engineer, to assist in trying to find that middle ground in my region and with the higher up people, because we need to partner together and figure out what's gonna be best for Indian Country and what's going to help Indian Country, I'm on board with that.

JOYCE (T)

Upper Great Plains. I think one of the problems is also the tribal buy-in to the programs. If you're education, if you're Indian Child Welfare, if you're trying to have to do some type of general ??? they're apt to save up for trainings. Transportation isn't high on that list. You have to go into the tribes, the tribal councils, and advocate for this type of training. They send people to education conferences across the country. They send them up to Alaska, they send them all over the place. So, depending on the buy-in of your tribes, but also how many people can actually go to these trainings. You need to look at where the trainings are, advance notice of where the

trainings are, and it does help if it's easier for them to get there, so if you can hold it on reservations or someplace close, then that tribal buy-in is a necessity.

TONY FURST (F)

Anyone else?

DAVE KELLY (T)

Hi Dave Kelly, Director, Ogalala Sioux Tribe. You know when we have our monthly conference calls, that occurred prior to our new regional engineer, we did have lengthy discussions about the Project Delivery Modules within your TTAP, you know? And I just pulled the one out want for Getting Your Project Started. You're probably not getting the involvement from the transportation planners, directors, coordinators, whatever they're called within our region, because you're you know, let's look at the first one, Getting Your Project started, I'm pretty sure everybody within my region is well beyond this training module. Your Introduction to Highway Construction Inspections? I'm gonna use my guy who's my Force Account Foreman. He has to put a bid in there just like any other contractor. This inspections, I mean, he's way more advanced than the module itself. So it doesn't make any sense for me to send him to that. Project Management? We're already doing all of this stuff. Emergency Relief Projects? Are we talking ERFL? You know that ERFL's just a little bit different monster than what your two hours can teach us here. I don't know if you've ever had to put together a project manual for one of these things, from start to finish, from the initial onsite, actually we're going through it right now. It's a different monster. Quality assurance, quality control. We're doing pretty much everything here. Environmental permits like in these classes. We've come a long way in twenty years, and so, I really hate to waste my guys' time sending them to the training because they're so far advanced because we're to the point where we're developing the TIPS, we do everything, because we've got guidance from the Federal Highways on all of this as outlined in the Federal Register. There's you know, checklists, that we have to use, Federal Highways checklists, BIA has a checklist on environmental stuff. So, we've got most of this basic stuff already covered. And so I don't you know, this is a real heavy topic of discussion, and I think we hammered on it for about a year, when this Pilot Project took over. And since it's good that you have it, because the young lady maybe she'll be the new construction manager for the tribe. It would behoove her to go to some of these classes and learn the basics. But what I find, and I'm gonna use my slip-lining project as an example. We had a section of the road where the culvert had failed and a portion of the road had caved in. And we looked at all of the options, and they just don't have the money to go in there and put that section of the road out, and the maintenance crew didn't have the money to open it up, expose it, install a new culvert, well why can't we slip line the thing? We go up, we look through the culvert itself, you know it dropped about two inches off that inside diameter, but we get can get the fill that we're going to need and we put in the pipe to surround it. So we tried it, and that road is still holding up successfully, so we turn around and we share with any other tribe that wants to know how we got that done. And it was probably one quarter of what it would have cost us to expose it, reroute traffic, put in traffic markers, come back, pave it. And so we share these ideas. And we go as far as this is the density average if you want a copy, we'll email it to you. Or we'll create a link where you can download this information from the email. A lot of the stuff that you have listed for training in the Great Plains

is not a benefit to us. And that's where you know the initial consultation, should have seen, right up front, what are your needs? But again, sitting in DC, saying I think this is what you're gonna need, big difference. You know, we have a major disaster up there right now in Standing Rock. I've been through that already on our Buffalo Gap Project. And those sorts of things, those occurrences that happen, you get so much rain, it's bound to happen eventually. Because when that pipe was installed, forty years ago, there was probably not a hydrological study done on any of that. But now we're at the point where we're doing way, way more work, and trying to stretch that dollar a lot farther than it has to go, without cutting corners. And as Native people, we share those experiences. So, I do think it's time, if you want our input, sit down with us. We know the challenges, we can tell you where it is. That way we can have a transportation program with this program.

TONY FURST (F)

Anybody else? Comments? Observations?

DAVE KELLY (T)

Can I give you another example? Dave Kelly, Ogalala Sioux Tribe, Transportation Director. You know, this past year, I wanna give to the LTAP over there, kudos, because we were invited to the Asphalt Conference this year. And you know, a few years ago, we bought a little paver for my low maintenance program so we could go out and do a little patching here and there on our bowing out areas of the road. And there's only three of us that actually work on a paving crew at one time or another, and got an idea of how this little paver works. Myself, Butch, and the Road Maintenance Foreman, Rod. But I lacked the experience onto oils, you know you can go online and we read, and we read, and we read, what do we use that you can go with temporary that's cost-effective for us without having a distributor? Well in my program, I paid for this and told my guys let's go here for three days to the Asphalt Conference. And we got to mingle with a lot of the guys there and ask them a lot of questions, and there were a lot of DOT folks there, and we've got a really good relationship with the South Dakota DOT. And it's not like that for every tribe, nationwide, and when we were there we told them that we were going to meet to do some patching on our reservation, but we also saw a neat little presentation on baseline. One of the presenters had baseline and we had this subject road down on Pine Ridge called Wolf Creek Road, it's a 3.2 mile stretch of road and we've got every school bus, van, SUV travels that road with school children. And we had it diagrammed correct where I'd worked for a while. But, you know, not as long as we had thought. And this year I'm putting on a chip seal project trying to salvage my roads, so that I can prolong the life just a few more years out of them, and I got talking with the engineers, well maybe find out what we can do with this baseline, we've had some problems at the Three Affiliated Tribes. And talking with the folks up north, they use it and they swear by it because of the vast amount of truck traffic that they have up there. So we sat down and talked with the guy that sells this stuff, and who developed it, if I understand right. And he's gonna come down on one of our projects and we're gonna work with him directly, and we're going to do this particular route and see what kind of a test route it's going to be. But if it works out for us, I'm going to share that same information with the tribes. And that's the kind of information that the TTAP needs to be putting out there. There's a lot more resources available to us, to stretch that dollar a little bit further, and it's probably one third of the cost of me going

out and doing a construction project with six engineers. So if there's a way I can get some folks to lay surface down there, I'm gonna do it. Of course now that I put this together, those guys at Federal Highways, they gotta give it the thumbs up, and everything else, but they've done everything in their power to work with us. So that's the type of scenarios that you guys need to be going, or working with us on, different ways to stretch that dollar a little bit further. Painting? I know South Dakota gets almost every road on their inventory every year. I can't do that, not with my budget. So I have to do it bi-annually. But maybe the TTAP could do a little bit more research on the paint. Those are the kind of things I used to throw at Dennis West, you know, we were friends, to a certain point, but when I asked him to get something done, he didn't balk, he didn't push it off saying well that's not the sort of training we're trying to get done through the TTAP, Dave, let me find out what you can do. Let me find out and I'll get you the information. Understanding that I'm not an engineer by trade, that should be where the focus is of your program.

PAT KENNEDY (T)

Pat Kennedy, Midwest Region, BIA. I know this is a tribal listening session, I just wanted to make the recommendation based on some things I've heard, and some things Dave just mentioned. It's called the tribal technical assistance program, not the tribal training program. And this data that we were shown earlier compared with the old TTAPs, on training hours and training attendees, but what is not understood I think by the individuals that are involved in this new TTAP, is what was provided by those pre-existing TTAPS to the tribes outside trainings. An example is some of the facilitation and the coordination, getting tribes information outside of set training curriculums. Those things were probably what benefitted tribes probably more than classroom courses that were offered by the TTAPS. Being part of conferences. We had those national conferences, bringing tribes to those events and helping them network with people who were familiar with their issues and could help them with their issues and give them some guidance. So it comes back to, I know this current pilot ends, I think you said in December? My fear is that you don't have time between now and December to learn what you really need to learn about the needs of tribes across the country. Because, unfortunately, one size is not gonna fit all, so. Thank you.

TONY FURST (F)

Anyone else?

GREG VAVRA (T)

South Dakota LTAP. I personally want to thank Victoria for allowing us to come here. I did make that phone call with BIA and the tribal folks in South Dakota to make sure it was okay with them that we attend. This doesn't work in South Dakota. I'm not putting our LTAP on a pedestal right now, but we are doing what we can to equip them with our trainings right now. We've got a good relationship with them, and I look forward to extending that relationship with them, but I think these are good to get some of the information out. It's unfortunate a little from my standpoint, I looked at a lot of the classes out there, and one of them falls more into the Planning and development side, things like that. These guys really need the hands-on, maintenance aspect of training. And that's something that we can't deliver in a classroom. And

moving forward I would like to see a component of at least to get with them. You know, you mentioned technical assistance through the TTAP. That's our big key in South Dakota. Last year we had almost 450 technical visits out to our local customers. That's not training. Those were technical visits. We need help with a culvert, can you show us how to patch, can you explain where the signs need to be here. Those types of things are what our maintenance workers need terribly. And as far as an LTAP, we have a never-ending job. There's turnover at that level of maintenance worker is so great, that we can go back to those same areas every three years and train a whole new level of people. So if there is one component, going forward, I would hope that we can bring some of that more localized training, even if it's through an LTAP Center. Bring some more localized training to the tribes. Thank you.

DALE HEGLUND (T)

Almost everything that Greg said, I very much understand. I'm with Upper Great Plains and the North Dakota LTAP. The LTAPS are well-poised if you want to tap into us at any time. Please, please do. Our customer base, our tribal base, we want a homogenous roadway network to exist in the state. We deliver components that we know well, officially, we do mix classroom and field with everything. We are open to help bridge this transitional period and we have scholarships for our asphalt conference. We have scholarships for tribal members. All of our trainings are open, but there needs to be more. And if you want to tap into us a little, we might need some assistance, but we are very well-positioned for that. And I would agree with you Greg, as long as we all understand, what are we really trying to do? For our LTAP the Federal Highway has been really good in allowing flexibility in what we deliver. In other words, we should understand our customers, which are going to be different from Greg's, which are going to be very different from Minnesota's, different from Kansas and across the nation. We understand our customers. We help them become good employees, engaged employees, and build a better roadway network. And we do that by recognizing where the needs are. As funny as it sounds, across 52 counties, the biggest training you're going to have is Motor Grader Operator training. People get on a blade and they don't understand how to run it. They get an hour of training or a half hour. But you know what one major item that will change the world in our 60,000 miles of gravel roadway in the county system? Just 4 percent. Just understanding that they're 4 percent. Because before we started training people in the field, and sitting in the blade and helping them understand it, checking, and showing them safety and simple tools, none of them had it. We did a whole year's training only at one road, one county road, for 4%. If you don't get 4, too shallow no high point. Too steep, your equipment goes off the roadway, you tip vehicles. That's not a complicated process, but it's so, so very important to have when they're sitting in their seats in the blade and you're helping them. It's not complicated. So the thing that we want to identify, is that the area that you want or is it child safety seats. What do you really want to hand off and help people learn? And yeah, it does take sitting around the table, understanding the need. Discussions like this are perfect. You need to recognize the needs, for Upper Great Plains, LTAP in North Dakota, or anywhere.

DAVE KELLY (T)

I'd like to add. You know, you really make a good point there. It is just basic maintenance. And there are a lot of individuals out there that just don't have it. But hey, I know Vivian's been

around a long, long time, even before my time, but the TTAPS when they first started, there used to be what we called Circuit Riders. Trainers that, I don't know if they were hired under the TTAPS, or if they were contracted through FHWA or the BIA at that time, you know most of them are retired. And you know they were experts in their field because that's what they did most of their life. And at one point we did have Motor Grader training, a portion of the people we had trained at that time are no longer with us. But maybe that would be an option to bring back also rather than having the Heavy Equipment certification on one location in Oklahoma. It would behoove you to find some finish blade operators that are retired, and bring them guys in, a core crew, get them all on the same page, send them out to you know, your regions. If we have advance notice, I'd be willing. I'd force my guys to set some time aside for a project training. And I do know that Greg does it also, because his motor grader training, which he had two months ago, and you know the effort he's making by combining the native worker and the non-native worker, is, we're two different worlds, but we're doing the exact same job. And the underlying factor of everything is safety. You know when individuals travel my road and for some unseen reason, like thirty-four days ago we had a vast amount of water come through what we call XU Hill. There's a reason why it's called XU Hill. If you look at it, the X that marks where a person has passed, and the culverts couldn't keep up. Actually it's one of our ERFL projects. And we oversized the culvert this time around, and it still couldn't keep up. There was a young lady, she was a senior at the high school, come down the hill, with that vast amount of water and ended up flipping her vehicle. Got thrown into the creek, climbed out of her vehicle and it flooded her car. But the underlying factor of everything is safety. We want to build a road that's safe for everybody, whether it's native or non-native. Tourist, non-tourist, it doesn't matter to us. But in order to do that, we need proper training. So if you want to set us behind a computer, I'm probably not going to do it, because I sit on a computer 5-6 hours a day myself. I do like to get out on the projects. But for being a heavy equipment operator, a truck driver, they don't want anything to do with a computer other than check their messages, or whatnot. So, maybe a circuit rider. Other than your subject matter experts, make sure they're experts in heavy equipment.

DAVE KELLY (T)

(to Vivien Philbin) You remember circuit riders, right?

VIVIEN PHILBIN (F)

That has been discussed actually.

TONY FURST (F)

Anyone else? Any other comments? Observations?

DAVE KELLY (T)

Do you have anything to add?

TONY FURST (F)

I'm here to listen.

DAVE KELLY (T)

Just that? Just listen? No ideas, nothing from yourself? You've been to all four of the meetings now. I mean first of all what do you think?

TONY FURST (F)

I think it's very important, that's why we are out here having these conversations. The important part is understanding what you want the program to be. There are any number of different models that could meet the needs that the tribes have expressed to us. We're not dependent on any one model. Like we said earlier, it's a blank sheet of paper, everything is on the table, and with all of the feedback we've received, we'll sit down and think through the options. Then we'll sit back down with the tribes and figure out which options could be useful?

DAVE KELLY (T)

How soon will you sit down? Will you let the next contract go before you sit down with us?

TONY FURST (F)

No. We don't even have a contract. We don't even have a model right now.

DAVE KELLY (T)

May I ask exactly how many tribes have been represented so far out of the 573?

TONY FURST (F)

I would have to go back and look at the sign in sheets, I don't have that exact number.

JOYCE (T)

Joyce, Upper Great Plains Tribal Liaison: If you would go back to that screen that you had up there, and what you have heard from tribal people. If you could give a breakdown not only by tribes and reservations and regions, but actual ideas of what was said, the needs would be good to be listed, because you know, none of the things that Dave brought up, you don't really, you put it up there but it doesn't tell me in their words. You need to list them a little bit more explicit instead of being so generic. I think it would be a lot more helpful when you're starting to look at different things, that you start breaking them out by reservations, because their needs are so different. Even though we are all natives, we don't always have the same needs. So it needs to be broken down that way. You need to list what some of those needs are. What some of the ideas actually are instead of being so abrupt.

BRENDA REDWING (T)

Hi, this is Brenda Redwing, Great Plains Region, Regional Transportation Engineer. On behalf of BIA Great Plains Region, and the tribes from the Great Plains region, I would like to request that FHWA send somebody to attend one of our Chairmen's Meetings. We need to coordinate. And as strong as Great Plains Region tribes are, and the chairmen that have been partnered with numerous times, they will only really see this as tribal consultation if somebody comes and talks

to the chairmen. And I will be more than happy to coordinate that, and work with FHWA to address the chairmen.

DAVE KELLY (T)

I would be willing to get with the Chairman of the Tribal Chairman's Board, Tom Frasier, and schedule a date and time and location.

TONY FURST (F)

I want to thank everyone that has spoken today. We will take your comments back and consider them going forward. I thank you all for coming. I appreciate it.