

2011 CENTENNIAL ACCORD

AGENCY HIGHLIGHTS



OFFICE OF THE GOVERNOR
GOVERNOR'S OFFICE OF INDIAN AFFAIRS

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Greetings,

On behalf of the state of Washington, the Governor's Office of Indian Affairs is proud to present the "2011 Centennial Accord Agency Highlights." This report summarizes the great work that state agencies have made this past year to strengthen the government-to-government relationships with tribes. There are also many examples of successful collaboration which have led to positive benefits for all communities. While this report showcases the past year's efforts, there are still work and future successes to be achieved.

Thank you for your interest,

A handwritten signature in black ink that reads "Craig A. Bill".

Craig A. Bill
Executive Director
Governor's Office of Indian Affairs

DEPARTMENT OF AGRICULTURE

EXECUTIVE SUMMARY

The Washington State Department of Agriculture (WSDA) serves all the people of Washington by supporting the agricultural community and promoting consumer and environmental protection. The agency accomplishes its mandate through programs that ensure the safety of the state's food supply, operate food assistance programs, regulate the use of farm chemicals, halt the spread of plant and animal pests and diseases, verify the quality of agricultural products and expand markets for Washington foods, both here and overseas.

The agency's main interactions with tribes fall into five categories:

- ◆ Management of food safety, animal health and pesticide regulatory programs within and across tribal reservation boundaries.
- ◆ Assistance to small and medium-sized agricultural businesses to develop domestic and international markets for farm products.
- ◆ Support of sustainable rural communities, agriculture and natural resources through a variety of outreach, education and technical assistance tools and projects.
- ◆ Food assistance programs that assist local and tribal organizations in providing emergency food to low-income and vulnerable individuals.
- ◆ Cooperative efforts to manage and eliminate invasive species that threaten environmental quality, native species and economic productivity.

HIGHLIGHTS

- ◆ The Pest Program provided technical assistance and funding for invasive knotweed control to the Yakama Nation and to regional associations that comprise 12 other tribes. The agency also partnered to control other invasive weed species with the Confederated Tribes of the Colville Reservation, Makah Tribe, Shoalwater Bay Tribe, Suquamish Tribe, Swinomish Tribe, Tulalip Tribe and Yakama Nation. WSDA and the Puyallup Tribe continued their partnership on an invasive snail survey.
- ◆ The Dairy Nutrient Management Program (DNMP), which regulates waste from dairies and other animal operations, reports to the tribes on water quality issues, including discharges to surface water that could impact fish habitat and shellfish harvests. DNMP staff participates in watershed-based discussions on water quality issues that include the Nooksack Tribe, Lummi Nation, Samish Indian Nation, Tulalip Tribe and Muckleshoot Tribe. Currently, DNMP and WSDA's Natural Resource Assessment Section are working with the Yakama Nation and other governmental agencies to develop long-term strategies for reducing groundwater nitrates in the Yakima Valley.
- ◆ The Pesticide Management Program routinely provides the Yakama Nation with updates on requests for emergency exemptions for the use of pesticides on tribal lands, copies of emergency exemptions and approved labels granted by the Environmental Protection Agency, and special local need registrations.
- ◆ The Surface Water Monitoring Program continues to coordinate with the Yakama Nation on environmental sampling activities on the Marion Drain.

- ◆ The Food Safety Program inspects, licenses and provides technical assistance to food processing businesses, including seafood handling facilities. These include tribal-owned businesses and businesses operated on tribal land.
- ◆ The Animal Identification Program attended the Yakama Nation's annual continuing education for agriculture and presented on animal disease traceability. The presentation explained the Washington's current activity and the U.S. Department of Agriculture's (USDA) preliminary implementation plan, and where USDA and the state are headed in animal disease traceability.
- ◆ The Food Assistance Program provided tribes with funding to distribute food and food vouchers to low-income families. In state fiscal year 2010, tribes distributed 284,000 pounds of food to 1,100 families through their food banks, and provided 3,500 families with food vouchers that they exchanged for food at local grocery stores with Emergency Food Assistance Program funds. Of the \$388,993 tribes received, only 6 percent was spent on administrative costs, with the balance going to services. Many tribes also distribute federal food received through USDA commodities program for low-income families.

STAFF CONTACT

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DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

EXECUTIVE SUMMARY

The Department of Archaeology and Historic Preservation (DAHP) is the state's sole agency with the mission to preserve and protect Washington state's cultural resources. The agency has project review authority under federal law and archaeological permitting authority under state law. Under state law, the agency is required to solicit comments from affected tribes prior to making a decision on archaeological and Native American burial excavation permits. Under federal law, it is the responsibility of the federal agency to consult with tribes, but DAHP considers it a state responsibility to ensure federal consultation occurs and is conducted in a meaningful way.

HIGHLIGHTS

- ◆ Hosted a tribal summit for the west side tribes in May.
- ◆ There are now 307 active data-sharing users on the archaeological and architectural website. All archaeological users have signed confidentiality agreements. Twenty six data-sharing partners are tribal governments.
- ◆ Fifty-five permits were issued in 2010. Ninety-eight percent were issued within the 60-day time frame.
- ◆ DAHP has 72 open human remains cases and closed 77. Eighty percent of the cases were determined to be Native American. The remainder were returned as forensic, or determined to be either non-human or non-Indian.
 - Eighty eight of the cases were from Washington. The remainder were from other states or other countries.
 - The majority of human remains cases have been in Whatcom and King counties.
- ◆ House Bill 1177, signed into law, clarified the definition of archaeological work on private lands and defined a professional archaeological survey.

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DEPARTMENT OF COMMERCE

EXECUTIVE SUMMARY

The mission of the Department of Commerce is to grow and improve jobs in Washington. The agency works with tribes in government-to-government relationships on a broad range of programs and services, including economic development, community development, social services and housing, energy and infrastructure. One area of focus for 2010 has been to increase communication and collaboration.

HIGHLIGHTS

- ◆ Two tribal members now serve on the Advisory Committee to the Washington State Energy Strategy: Rep. John McCoy and Steve Rigdon, Yakama Power.
- ◆ The South Puget Intertribal Planning Agency and the Spokane Indian Housing Authority contracted with Commerce to provide weatherization services for \$150,000 and \$125,000, respectively.
- ◆ Four innovative weatherization projects provided services to 45 Native American households, maintaining eight jobs on reservations.
- ◆ Commerce weatherization programs also funded home-based energy conservation education for 200 Native American households, and provided energy conservation education workshops in coordination with housing fairs for eight tribal communities.
- ◆ The Office of Crime Victims Advocacy has contracts totaling \$403,665 with nine tribes for sexual assault services and prevention grants.
- ◆ The Lummi Nation received \$28,000 through the federal Violence Against Women Program to improve the criminal justice system's response to violence against women.
- ◆ Shoalwater Bay received \$35,000 to support services for victims of crime.
- ◆ The Puyallup Tribal Health Authority is managing a \$20,000 contract to provide housing for people with mental illnesses.
- ◆ Four tribal police departments collaborated with regional law enforcement groups to dismantle drug trafficking organizations in 2010. The Yakima Tribal Police Department is part of the Yakima Drug Task Force. The Quad Cities Drug Task Force includes the Nez Pierce Tribal Police Department. The Puyallup Tribal Police is a member of the Pierce Task Force. And the Colville Tribal Police Department is part of the Okanogan Drug Task Force.
- ◆ Four familiarization tours were conducted to offer international journalists and others a firsthand look at tribal resources, cultural assets, resorts and other features.
- ◆ In May 2011, the Tourism Office published and distributed 300,000 copies of the first Washington State Scenic Byways Travel Planner. Included in the publication are the Cape Flattery Tribal Scenic Byway (featuring the Makah Tribe), the Pacific Coast Scenic Byway (managed by Northwest Tribal Tourism, a 10-tribe consortium) and the Yakama Scenic Byway (featuring the Yakama Nation).
- ◆ The Yakama Nation and Squaxin Island Tribe were highlighted in "2 Savor Washington" itineraries developed by Washington State Tourism and the Washington State Department of Agriculture to promote authentic culinary and farm experiences in the state.

- ◆ Leslie Johnson represented the Squaxin Island Tribe and the Northwest Tribal Tourism group at the U.S. Travel International Pow Wow Marketplace shows in May 2010 (Orlando) and May 2011 (San Francisco). Suquamish Clearwater Casino Resort and Tulalip Resort Casino represented tribal tourism and Washington state at the ITB, Berlin Travel Marketplace in March 2011.
- ◆ Marsha Massey, Washington's tourism director, was a guest panelist at the 12th Annual American Indian Tourism Conference held in September 2010 at the Tulalip Resort Casino. In conjunction with the national conference, a separate meeting was held between interested Washington tribal representatives and the state's tourism staff to discuss marketing programs and initiatives which could provide opportunities for tribal tourism promotion.

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DEPARTMENT OF CORRECTIONS

EXECUTIVE SUMMARY

Since becoming Secretary of the Department of Corrections (DOC), Eldon Vail has made an effort to enhance the department's relationship with the local tribes and the Native American offenders who are subject to its jurisdiction. Secretary Vail has moved these initiatives forward on many levels, beginning with the department's executive leadership team attending the government-to-government training offered by the Governor's Office of Indian Affairs. Several initiatives were pursued during the past fiscal year.

HIGHLIGHTS

Tribal Member Designation Initiative

- ◆ DOC considers family reunification and family connections to be key factors in offenders releasing from incarceration as productive members of their communities.
- ◆ DOC took steps to address an overriding concern from tribes that Native American offenders lose contact with their immediate and cultural family members and with their culture and tradition while incarcerated.
- ◆ In 2010, notices were posted in DOC facilities requesting Native Americans designate their tribal affiliation for purposes of linking them to their community and assisting in transition. This information is shared with tribal communities.

Increased Communication

- ◆ The 2010 Tribal and Corrections Summit, hosted by the Squaxin Island Tribe, was attended by representatives from more than 20 tribes, several tribal elders, and top leaders and managers from DOC.
- ◆ Growing out of this summit was a commitment by DOC and the attending tribes to maintain open lines of communication and work collaboratively to resolve issues of mutual interest.
- ◆ From 2009 to 2010, a delegation of DOC leaders visited with tribal leaders and elders from the Lummi Nation, Squaxin Island Tribe, Yakama Nation and Quinault Nation to better understand each tribe's culture.

Increased Collaboration and Policy Changes

- ◆ The Native American community is now included as stakeholders on policies that address offender opportunities to practice cultural and religious traditions.
- ◆ A memorandum of understanding was established to allow Native American offenders to have death bed visits or attend memorial services in Indian Country.
- ◆ A contract was established with the United Indians of All Tribes Foundation to provide services in the incarcerated community at all DOC facilities. The foundation will help offenders with their transition needs as they complete their sentences and prepare for release to the community.

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DEPARTMENT OF EARLY LEARNING

EXECUTIVE SUMMARY

The Department of Early Learning (DEL) was created July 2006 by Governor Gregoire as the first Cabinet-level agency of its kind in the nation. DEL is charged with helping ensure all children and families in Washington have access to high-quality, early learning opportunities that support school readiness.

DEL's responsibilities include:

- ◆ Establishing policy for child care subsidies.
- ◆ Oversight of licensed child care facilities.
- ◆ Operation of the state-funded Early Childhood Education and Assistance Program.
- ◆ Oversight of the Early Support for Infants and Toddlers program.
- ◆ Housing the state Head Start Collaboration Office.
- ◆ Supporting home visiting efforts.
- ◆ Coordinating professional development opportunities for early learning professionals.
- ◆ Providing information and resources for parents and families.

In addition, DEL partners closely with the K-12 system (through the Office of Superintendent of Public Instruction) and our private partner, Thrive by Five Washington, to establish a high-quality, birth-through-grade 3, seamless system for all children.

DEL Director Bette Hyde serves as the agency's Tribal Liaison. Dr. Hyde is committed to building partnerships and enhancing communications between DEL and the tribal nations. What follows are the highlights of the work we have done together.

HIGHLIGHTS

Program Support

- ◆ In our state's Early Childhood Education and Assistance Program, or ECEAP, preschool programs, 6.2 percent of enrolled children are identified as American Indian/Alaska Natives. Four of 40 (10 percent) of the ECEAP contractors are operated by tribal organizations as subcontractors.
- ◆ Seventeen tribal organizations, serving children at 23 sites, are Head Start grantees.
- ◆ Fifty-two tribal sites statewide are certified for subsidy payment and/or certified for child care licensure by DEL.

Partnership Building

Tribal representatives have been active members of several planning committees involved in DEL's State Early Learning Plan initiatives. Tribal representatives were members in the recently completed Early Learning Plan for Washington. Tribal representatives also served on the advisory team for the Washington Kindergarten Inventory of Developing Skills (WaKIDS), our state's kindergarten readiness process piloted during the 2010–11 school year. WaKIDS is predicated on the idea of having kindergarten teachers, family members and early learning providers join as equal partners to prepare children as they enter kindergarten.

Tribal representatives also serve on an ongoing effort to deconstruct and reconstruct the Washington State Early Learning and Development Benchmarks. Tribal representatives attended DEL's Infant and Toddler Planning Committee as it begins to implement a five-year federal grant to enhance home visiting services. Importantly, DEL and the tribal nations have recently signed both the Communication and Consultation protocols that DEL will use in its communications with the tribal nations.

Dr. Hyde has attended meetings this past year engaging with tribal nations:

- ◆ April 2010 Inner Tribal Meeting, Suquamish
- ◆ April 2010 Annual Tribal Conference, Tacoma
- ◆ April 2010 Tribal Liaison Meeting, Olympia
- ◆ July 2010 IPAC Meeting, Olympia
- ◆ August 2010 Protocol/Co-Governance Tribal Meeting Council Meeting, Mill Bay
- ◆ August 2010 TLC/FPLC Head Start Policy Council, Mill Bay
- ◆ September 2010 Tribal Communication/Consultation Protocol Signing, Airway Heights
- ◆ September 2010 Wellpinit Visit – Tim Ames, Spokane
- ◆ January 2011 Meeting, Olympia

STAFF CONTACT

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DEPARTMENT OF ECOLOGY

EXECUTIVE SUMMARY

The Department of Ecology is Washington's principal environmental protection agency. Ecology works with tribes in partnerships to protect, preserve and enhance Washington's environment, and promote the wise management of our air, land and water for the benefit of current and future generations. Ecology and tribes consult and coordinate frequently on projects throughout the state on water quality permits, water cleanup plans, water right actions and toxic cleanup. Each reservation is effectively a neighboring state under federal environmental laws, and Ecology works with tribes and the Environmental Protection Agency to coordinate on cross-border flows, consistent with our respective authorities.

The Ecology – Tribal Environmental Council, established under the Centennial Accord in 2005, provides a quarterly forum for dialogue on emerging statewide issues, including water quality standards, forests and fish agreement, Puget Sound restoration, and water resource and legislative issues. The council is composed of policy representatives of tribes and Ecology. It is co-chaired by Stillaguamish Tribe Chairman Shawn Yanity and Ecology Director Ted Sturdevant.

HIGHLIGHTS

- ◆ Ecology's Toxics Cleanup Program and tribes cooperated to clean up and restore Puget Sound under the Puget Sound Initiative Priority Bay cleanup process. Ecology funds a tribal liaison position through the Northwest Indian Fisheries Commission to help the department identify and engage with tribes. Meetings for early review and feedback on cleanup sites with affected tribes have included the Tulalip Tribe and the Suquamish Tribe in Port Gardner Bay, the Samish Indian Nation and the Swinomish Tribe in Fidalgo and Padilla Bays, and the Port Gamble S'Klallam Tribe in Port Gamble Bay.
- ◆ Ecology's Toxic Cleanup Program is working closely with the Lower Elwha Klallam Tribe on the cleanup of the Port Angeles Rayonier Mill site, and on a larger investigation of contamination in Port Angeles Harbor where there was a village site of great significance to the three Klallam tribes, as well as other tribes of the region.
- ◆ Ecology and the Confederated Tribes of the Colville Reservation continue to pursue litigation against Teck Cominco in British Columbia to address cleanup and damages to the Columbia River. The agency also works closely with the Confederated Tribes of the Colville Reservation and the Spokane Tribe to address natural resource damages through the Upper Columbia River/Lake Roosevelt Natural Resource Trustee Council.
- ◆ Ecology, the Confederated Tribes of the Colville Reservation and the Bureau of Reclamation have signed a cooperative agreement on appraisal studies, funded through Ecology's Office of Columbia River, to evaluate the viability of two storage projects on the Colville Indian Reservation. If the study finds the sites to be viable and the parties agree, a more comprehensive study and environmental review will be conducted.
- ◆ Ecology continues to work cooperatively with the Yakama Nation on many programmatic fronts: Yakima River Basin Water Enhance Project – Integrated Water Resource Management Plan; Cle Elum Fish Passage – an investigation of the feasibility of providing fish passage at the five large storage dams of the Yakima project; a comprehensive Yakima Valley groundwater protection program to address high levels of nitrate in groundwater;

Domestic Water Reserve Program in upper Kittitas County to aid in the implementation of Ecology Upper Kittitas County Groundwater rule; Columbia River Gorge Regional Haze Reduction Plan and related plans; and updating and implementing local shoreline management plans, including increased attention to shoreline sites with archaeological and cultural significance.

- ◆ Ecology aided the Yakama Nation response to the White Swan fire with support from Spill and Hazardous Waste and Reduction staff and our Washington Conservation Crew to help the community with debris removal and cleanup.
- ◆ Ecology continues to work closely with the Confederated Tribes of the Umatilla Indian Reservation and other partners to fund and participate in the Walla Walla Water Management Initiative to increase flows for fish.
- ◆ With support from the Jamestown S’Klallam Tribe, Ecology established a unique basin partnership for protecting future water supply and streamflow restoration in the Dungeness River watershed.
- ◆ Ecology’s Oil Spill Prevention, Preparedness and Response Program has worked extensively with tribes to maintain partnerships to address the threat of oil spills and strengthen relationships between the state and tribes, including updating the Northwest Area Plan to address tribal concerns during oil spills; consulting with tribes on the Columbia River to address impacts to cultural resources from the Davy Crockett vessel response; conducting hazardous materials training for outer coast tribes; conducting response equipment cache training for five tribes; supporting federal law that improves the oil spill safety net and ensures a stronger role for tribes; strengthening the Tribal Fishing Vessel of Opportunity Program; addressing U.S.-Canadian transboundary oil spill issues; and passing state legislation requiring industry to fund and permanently station a year-round, high-capability, ocean-going response tug at Neah Bay.
- ◆ Thirty-three tribal representatives attended the 11th Annual HazMat Training Workshop sponsored by Ecology and the State Emergency Response Commission. Ecology also co-sponsored and organized the annual Local Emergency Planning-Tribal Conference to promote partnerships among tribal and local managers before an incident occurs.

STAFF CONTACT

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DEPARTMENT OF FISH AND WILDLIFE

EXECUTIVE SUMMARY

The mission of the Washington Department of Fish and Wildlife (WDFW) is to protect, restore and enhance fish and wildlife and their habitats while providing sustainable fish and wildlife-related recreational and commercial opportunities.

WDFW implements this mission by managing fishing and hunting activities in concert with the Northwest region Indian tribes through a cooperative, government-to-government relationship. Federal case law (*U.S. v Washington* and *U.S. v Oregon*) and executive orders provide the foundation for this relationship and the products of consultations or negotiations that may take the form of long-term management plans, annual agreements or less formal and short-term understandings.

WDFW and the tribes consult and negotiate through a variety of routine forums involving a large number of WDFW staff. Director Phil Anderson holds the primary responsibility for sustaining these forums and WDFW's role in successful state-tribal, government-to-government relationships. Director Anderson formally delegates authority to appropriate senior staff to represent him in certain tribal co-management forums. WDFW does not have any single tribal liaison or contact point. In essence, each member of WDFW's staff is a "tribal liaison" representing his or her specific area of expertise.

HIGHLIGHTS

The staff of WDFW worked with tribes on numerous management plans or agreements in the areas of fish, shellfish and hunting. WDFW also collaborated with tribes in intergovernmental forums on shellfish aquaculture, Pacific Coast ecosystem management, Columbia River management, salmon recovery planning, forest practices rules, environmental permitting, hydro license agreements, enforcement and Puget Sound recovery.

Achievements from 2010 include:

- ◆ WDFW and the Tulalip Tribes worked together to collect broodstock when early indications of returning fish appeared to be too low to reach the Snohomish River system's Chinook production goals.
- ◆ WDFW and the Umatilla¹ and Warm Springs tribes negotiated a memorandum of understanding (MOU) authorizing salmon fishing by their members extending several miles downstream of Bonneville Dam, similar to the 2009 MOU with the Yakama Nation. These MOUs marked the first time that provisions of the *U.S. v Oregon* agreement on treaty tribal fisheries downstream of Bonneville Dam have been invoked for these tribes.
- ◆ WDFW, the Confederated Tribes of the Colville Reservation, the Yakama Nation and federal agencies completed a series of meetings to share information and update the management framework for the summer Chinook populations of the upper Columbia.
- ◆ WDFW worked with 24 treaty tribes in successfully developing salmon fishing seasons and management measures for the Columbia River, ocean, Washington Coast and Puget Sound.

¹ The Umatilla Tribes are a party to the Out of State Accord, signed in 2004.

- ◆ WDFW reached agreement with the Northwest treaty tribes through the North of Falcon co-management process to advance the scope of mark-selective Chinook fisheries in Puget Sound and the ocean, consistent with agreed conservation and allocation objectives.
- ◆ WDFW and the Puget Sound Indian tribes developed an update of the Puget Sound Chinook Harvest Management Plan. The plan will provide Endangered Species Act coverage for treaty and non-treaty Puget Sound salmon fisheries through April 2014.
- ◆ In 2008, WDFW and the nine tribes signatory to the Treaty of Point Elliott developed a landmark regional hunting agreement from eastern Puget Sound to the crest of the Cascades. The agreement specified provisions for harvest sharing and reporting, and established permit levels for the North Cascade elk herd. This plan was renewed for the 2010–11 hunting seasons, and will be updated for the 2011–12 hunting season.
- ◆ The Yakama Nation and WDFW jointly developed funding and implementation agreements in 2010 with three public utility districts in the mid-Columbia to establish a white sturgeon mitigation and enhancement program.
- ◆ WDFW coordinated and collaborated with the four coastal treaty tribes through the Intergovernmental Policy Council, submitting comments as co-managers on regional and national initiatives such as the National Oceanic and Atmospheric Administration's (NOAA) coral research program, national ocean policy and coastal marine spatial planning.
- ◆ WDFW and the coastal treaty tribes submitted comments as co-managers to the International Pacific Halibut Commission and successfully convinced it to expand its annual halibut survey to cover the north coastal area off Cape Flattery and add stations in the Strait of Juan de Fuca and Puget Sound beginning in 2011.
- ◆ WDFW and the Northwest Indian Fisheries Commission jointly submitted a research proposal for yelloweye rockfish for a NOAA grant for fiscal year 2011.
- ◆ WDFW, the state Department of Ecology, local, federal and tribal government representatives, as well as representatives of agricultural and environmental communities, have been working together to implement Ecology's Columbia River Water Program.
- ◆ WDFW coordinated the Fish Flow Releases Advisory Group of agency and tribal representatives to develop a schedule for releasing flows intended to benefit in-stream resources in the Columbia River mainstem.
- ◆ WDFW, the Lower Elwha Klallam Tribe, the state Department of Ecology, NOAA Fisheries Science Center and Weyerhaeuser Company are testing the effectiveness of salmon restoration projects across the Pacific Northwest. This cooperative project is one of the first of its kind to determine whether fish populations are responding to combinations of restoration actions at a watershed scale. Initiated in 2004, this long-term study will help inform WDFW and the other entities if salmon recovery can be achieved given current funding levels.
- ◆ WDFW worked with Puget Sound tribes on Puget Sound recovery through WDFW's Estuary and Salmon Restoration Program, which provides grant funds for nearshore acquisition and restoration projects in Puget Sound, and has partnered on a number of projects on tribal lands or in partnership with local tribes.
- ◆ WDFW sponsored the Puget Sound Nearshore Ecosystem Restoration Project with the U.S. Corps of Engineers and other federal government organizations, tribes, industries and environmental organizations to identify actions that can be implemented to help restore Puget Sound nearshore environments.

- ◆ WDFW worked with the Northwest Indian Fisheries Commission to coordinate activities as lead organizations for distributing the Environmental Protection Agency's Puget Sound National Estuary Program funds.
- ◆ The Confederated Tribes of the Colville Reservation and the Yakama Nation entered into separate contractual agreements with WDFW to provide biological and engineering services to both tribes on tribal salmon, steelhead and bull trout habitat restoration projects on the Upper Columbia River system and its tributaries.
- ◆ The Yakama Nation, WDFW, U.S. Bureau of Reclamation, conservation districts and local irrigation districts continued work through the Yakima Tributary Access and Habitat Program to restore anadromous, salmonid fish runs that were historically present in the Yakima River Basin. The program works directly with voluntary private landowners to remove barriers inhibiting fish passage, screen irrigation diversions, and implement in-stream and riparian habitat.
- ◆ The WDFW – Tribal Hydraulic Project Approval Program Forum, formed in 2008 to promote communication and create a venue for policy-level dialogue, was expanded to include all pertinent habitat issues of interest to WDFW and tribes.
- ◆ WDFW completed a one-year pilot project with seven tribes to test a new online tool to allow tribal access to WDFW's database, the Hydraulic Permit Management System.

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GAMBLING COMMISSION

EXECUTIVE SUMMARY

Of the 29 federally recognized tribes in Washington, 28 have compacts for Class III gaming and 22 operate 28 casinos for most of the year. In 2010, the tribes had more than \$1.7 billion in net receipts, the amount wagered less prizes paid.

This section highlights activities and changes that the Gambling Commission has implemented to enhance the co-regulatory relationship between the state and tribal gaming agencies and to support our agency's mission to protect the public by ensuring gambling is legal and honest.

HIGHLIGHTS

Improving Communication and Relationships

In 2010, the agency revised and updated the Tribal Relations Policy. Changes focused on improving communication with all levels of tribal government and increasing training for agency staff who work with tribes. All staff members who work with tribes attended at least two tribal culture, protocol and government-to-government communication trainings.

While observing the approach of “you speak, we listen,” our agency was fortunate to receive training and engage in open dialogue with several nationally recognized tribal leaders, including Billy Frank Jr., Chairman Ron Allen, Mel Tonasket and Hank Adams. Management and supervisory staff also met with Commissioner Michael Reichert to discuss improving tribal relations. Each speaker provided a unique opportunity for staff to ask questions, learn history and receive ideas on how to improve tribal-state relationships.

The commissioners also asked several tribal leaders to join them in work sessions to strengthen the commission's understanding of tribes and government-to-government relationships. To date, the commissioners have listened to and learned from Jamestown Chairman Ron Allen, Quinault President Fawn Sharp, Squaxin Island Chairman David Lopeman, Chehalis Chairman David Burnett, Yakama Councilman Donald Isadore and Spokane vice-chairman Mike Spencer. The commissioners got to know the tribal leaders, who helped broaden the commissioners' understanding as they consider compacts and amendments. Through our work we see the value of expanding future dialogue with tribal governments and hope to find more opportunities for our commissioners to join in these conversations.

The agency also began compiling a central listing of tribal contact information to improve communication between the agency and tribal officials.

Co-Regulatory Roles

Agency staff worked with the tribal gaming agencies as co-regulators to improve communication through discussion on a variety of topics, including regulatory program cooperation, billing, surveillance and training.

The agency's Tribal Gaming Unit revised its regulatory program to include a risk-based approach. Agency staff worked with each tribe's tribal gaming agency staff to set review parameters based on an assessment of risk individual to each tribe. In addition, the tribal gaming

agency had the option to have its staff work with our staff to improve reviews through better communication and increased efficiency.

Tribal Certification/Eligibility

Since 2007, we have progressed from a single certification process and fee for tribes operating casinos under compact to a different certification process and fee for each tribe. These processes and fees are based on the amount of information provided by the tribe during the application process. We continue to explore processes for efficiencies and are now implementing online renewal.

In addition, we have worked proactively with the tribes as new equipment and vendors come into the industry. We share vendor information directly with the tribes to ensure timely and consistent communication.

Other improvements made in consultation with tribal regulatory agencies include the provision of updates and training for two tribal gaming agency and state gaming agency licensing meetings for 44 attendees who represented at least 11 tribes; posting information on our website on “federally regulated commercial lending institutions” as it relates to certification requirements of gaming financiers in some compacts; simplifying certification/eligibility status information of Class III gaming employees our website; automating a notification process for Class III gaming employees who return to work during the certification year; and establishing a process for verifying and communicating vendor certification expiration.

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DEPARTMENT OF GENERAL ADMINISTRATION

EXECUTIVE SUMMARY

The Department of General Administration (GA) is a key central services agency dedicated to supporting government's ability to deliver services efficiently and effectively on behalf of all state residents. It embraces the values of leadership, inclusion, accountability, foresight and stewardship.

GA is committed to the principles of the Centennial Accord and achievement of the following goals: (1) Improve services that are provided to the tribes. Identify and seek remedies for barriers to accessing these services; (2) Recognize and respect the tribes as sovereign governments, with distinct cultures, governmental structures and statutory federal guidelines; (3) Be alert in identifying matters of mutual concern between GA and the tribes; and (4) Solicit early consultation of the tribes to address matters of mutual concern.

HIGHLIGHTS

- ◆ **Washington State Purchasing Cooperative.** The Cooperative provides members an opportunity to save time and money and to comply with federal grant requirements by using competitively awarded contracts. Tribes participating in the current cooperative membership period (January 2010 to December 2011) are the Chehalis Confederated Tribes, Lummi Nation, Port Gamble S'Klallam Tribe, Quinalt Nation, Stillaguamish Tribe, Suquamish Tribe and Swinomish Tribe. In addition, the cooperative gives tribal members access to the Washington Electronic Business Solution— or WEBS — an Internet solution for registering vendors and notifying them of opportunities to bid for business. The Makah, Skokomish, and Tulalip tribes have registered. GA and the Governor's Office of Indian Affairs are working together to clarify tribal eligibility requirements and membership fees with the goal of developing a tribal inter-local Agreement. In addition, GA continues its commitment to expanding supplier diversity in developing statewide contracts as well as its own purchasing activity.
- ◆ **Capitol Campus Story Pole.** The Story Pole located across from the GA Building on the State Capitol Campus was removed in November 2010 due to extensive decay. Carved by Chief William Shelton and installed in 1940, the Story Pole stood for 70 years as a symbol of peace among nations and a presence of native cultures on the Capitol grounds. Removal was carefully coordinated with the help of the Tulalip Tribe. The sections are in storage in the Capitol Campus Conservatory, which is now closed to the public. Discussions are under way about options and opportunities for preservation or display of the original pole, and eventual replacement.
- ◆ **Capitol Lake.** In 1997, GA organized the intergovernmental Capitol Lake Adaptive Management Plan Steering Committee to address issues related to water quality, sediment, fish and wildlife, and long-term management. In 2009, following the completion of more than two dozen scientific analyses, the Committee submitted its recommendations for long-term management of the lake. As part of that process, the Squaxin Tribe contributed the following: (1) \$40,000 to help finance the Capitol Lake Estuary Feasibility Study; (2) Participation in a study of cultural and spiritual values associated with alternatives for the lake's basin; and (3) Submittal of the Deschutes River Sediment Study to GA and the Department of Ecology. GA will continue to work with the Squaxin Tribe on issues relating to Capitol Lake.

- ◆ **Station Camp Park Development.** Located in Pacific County along the Columbia River, this interpretive area is one of the sites visited by the explorers Lewis and Clark. As the lead agency for development of this project, the Washington State Historical Society contracted with GA as the construction agent for the park component. Also working in a consultation role are the Department of Archaeology and Historic Preservation and the Chinook Tribe, along with other interested parties.
- ◆ **Interagency Initiative.** GA Information Systems supports the Governor's Office of Indian Affairs technology and computers, including webpage development, as part of the small agency IT initiative.

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DEPARTMENT OF HEALTH

EXECUTIVE SUMMARY

The Department of Health works with its tribal partners to develop programs and services to help prevent illness and injury, promote healthy places to live and work, and ensure our state is prepared for emergencies. As federal support for services to American Indian and Alaska Native (AI/AN) citizens erodes, state, tribal and local governments are collaborating to fill this gap. The department works with the American Indian Health Commission (AIHC), Northwest Portland Area Indian Health Board (NPAIHB) and Northwest Tribal Emergency Preparedness Council (NWTEMC) in these efforts.

HIGHLIGHTS

2010 Department of Health – Tribal Public Health Preparedness and Response Conference

The conference brought together tribal health, emergency management, and state and federal representatives from the Northwest to discuss the importance of collaboration in tribal emergency preparedness. Tribal and state leaders also met with British Columbia counterparts to initiate discussions on cross-border issues.

Tribal Leaders Health Summit

Top public health priority issues identified in this biennial meeting include tribal maternal-infant health improvements, tribal engagement in addressing public health threats and opportunities, and collaboration on public health systems efforts.

Tribal Maternal and Infant Health Disparities

Developed with the department's help, the AIHC's Maternal-Infant Health Strategic Plan was a priority focus of the 2010 Tribal Health Summit. It assesses issues, risk factors and efforts that affect AI/AN pregnant women and their children's health.

- ◆ Thanks to a Centers for Disease Control and Prevention grant, a pregnancy risk assessment management system tribal flu project will work with tribes to identify the percentage of women with flu and their immunization experience.
- ◆ The department and AIHC began talks about holding a tribal maternal and infant health best practices conference later this year.
- ◆ The WIC nutrition program is working with AIHC to identify barriers to participation and develop strategies to enhance services in response to high infant mortality and morbidity experienced in tribal communities.

Asthma Home Visits Program

The department awarded a four-year grant to the Port Gamble S'Klallam Tribe for a home visit project for people with asthma, aiming to reduce asthma health disparities in tribal communities. The agency offers advice to other tribes that would like to develop a program.

Tobacco Prevention and Control Program

The department's Tobacco Prevention and Control Program contracted with 22 tribes on reducing tobacco use and secondhand smoke exposure in their communities. Due to state budget cuts, the Legislature discontinued county health department funding starting January

2011. State tribal tobacco funding will end June 30, 2011. Two tribal policy trainings taught tribal tobacco coordinators how to advocate for policy, systems and environmental changes in their communities. Discussions are under way with AIHC to design a healthy communities model for tribal communities in Washington.

Public Health Threats and Opportunities

The department’s Public Health Emergency Preparedness and Response program provided AIHC with funding to support talks with tribes on issues identified in our H1N1 (flu) after-action and Tribal Health Summit discussions. Issues include distributing vaccine, communicating improvements, improving understanding of tribal sovereignty and recognizing American Indians as a priority population.

Public Health Collaboration

The department increased collaboration on improving public health systems efforts, such as working on infrastructure grants and the department’s “Reshaping Public Health” efforts, and improving tribal-local health relationships.

2009–11 Tribal Funding

2009–10 public health emergency preparedness and response	\$2,251,140
2009–11 community and family health funding	\$2,501,385
Biennial health systems quality assurance	\$ 100,000

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HEALTH CARE AUTHORITY

EXECUTIVE SUMMARY

In an April 1, 2010, executive order, Governor Gregoire outlined her vision of a new health purchasing team that would combine the state's two major health care purchasers — Medicaid Purchasing Administration (MPA) and the Health Care Authority (HCA) — and create a new Health Care Cabinet with a focus on access, quality of care and affordability. The Governor named Doug Porter to head both agencies as they grew together over the next year, and she made it clear she expects this new structure to lead the state's health care industry into national health care reform.

The signing into law of House Bill 1738 makes the HCA/MPA union a reality. The bill designates the Health Care Authority as the single state agency in charge of operating the Medicaid program. The legislation also transfers all the medical services programs in the Department of Social and Health Services to the Health Care Authority effective July 1, 2011.

HIGHLIGHTS

Leadership, Communication and Consultation Policy and Protocols

To ensure ongoing, meaningful tribal engagement, an amended tribal consultation policy is necessary to reflect the merger of the administrations. HCA and MPA are coordinating this development through the American Indian Health Commission to produce the policy and protocols to become effective July 1, 2011, to coincide with the date of the official agency merger. Until then, the current plan remains in force.

Preparing for Health Care Reform

Washington has already implemented some of the reforms called for by the federal Affordable Care Act. For instance, health plans, including those offered to public employees and Basic Health Plan enrollees, are now required to provide coverage to dependents up to age 26.

The Washington State Health Benefit Exchange bill was signed by Governor Gregoire May 11. The law creates an exchange board and a public-private partnership to facilitate the purchase of individual insurance and small employer group insurance to increase access to affordable health coverage. In recognition of the importance of the government-to-government relationship between federally recognized tribes and the state of Washington, the legislation directs the exchange board to consult with the American Indian Health Commission (AIHC). The bill becomes effective July 22.

- ◆ HCA recently applied for a federal grant, which includes a \$30,000 contract with the AIHC, to prepare an impact analysis on the effects of the exchange on Washington tribes and the Indian care health system.
- ◆ HCA is committed to ongoing communication with the AIHC and formal consultation with tribal leaders to ensure meaningful tribal engagement. This will help define actions needed to ensure the tribes and American Indian/Alaska Natives have easy access to the exchange.

Basic Health

As of May 2011, 863 tribal members are enrolled through 11 Basic Health sponsor tribes. Under the 1115 Medicaid demonstration waiver, American Indian/Alaska Native Basic Health members will have no cost sharing for their Basic Health coverage, including premiums, co-payments, co-insurance and a deductible. This change was effective January 1, 2011. HCA is in the process of modifying its billing and accounting system and revising its contracts with the managed health care systems to reflect this change, and will work to ensure that any tribal-sponsored member who has received services since the beginning of the year will receive these benefits without charge.

One tribe has recently contracted as a sponsor for the Washington Health Plan, the nonsubsidized Basic Health product. The cost-sharing provisions under the waiver do not apply to the Washington Health Plan.

Community Health Services

Through community health care collaborative grant funding and its two-to-one match, the Port Gamble S'Klallam Tribe's collaborative designed and implemented an evidence-based medical home for intensive care coordination for chronic diseases. The project focused on the establishment of evidence-based standards of care and treatment protocols, intensive coordination of multi-specialty care, self-management support and work flow system integration. The model focused on chronic conditions most affecting their patient population, including cardiovascular disease, hypertension, diabetes, asthma and breast, prostate and colon cancer. Clinical outcome measures were developed for each condition using data from the National Institute of Health, Agency for Healthcare Quality and Research, and the Centers for Disease Control and Prevention. The grant ends June 30, 2011, but the impact of this quality-of-care project will continue to make a difference on patient health outcomes.

STAFF CONTACT

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OFFICE OF THE INSURANCE COMMISSIONER

EXECUTIVE SUMMARY

The Insurance Commissioner is a separately elected official. Under the direction of the Insurance Commissioner, agency staff members regulate the insurance business in Washington under authority granted by the state's insurance laws. Our mission is to protect consumers, the public interest and our state's economy through fair and efficient regulation of the insurance industry.

Office of the Insurance Commissioner (OIC) services, including our Insurance Consumer Hotline and Statewide Health Insurance Benefits Advisors (SHIBA) program, provide free, unbiased information about health care coverage and access to help improve the lives of all Washington state residents. We cultivate community commitment through partnership, service and volunteerism. SHIBA's trained volunteers are located statewide and counsel people of all ages about their choices and options with private health insurance, public health care programs, prescription drugs, fraud and abuse, and more.

By working in partnership with Washington tribes, we hope to better understand and respect the rights and interests of tribal members and create long-term relationships. We are working with American Indians and Alaska Natives through state-tribal partnerships to reduce health care disparities and make high-quality health care more accessible.

We are also exploring new opportunities to work with Washington tribes in all areas of insurance. Our Consumer Advocacy program offers experienced insurance counselors who advocate on behalf of Washington consumers on many types of insurance, including health, auto and homeowner coverage. They investigate consumer complaints against insurance companies and make sure they comply with Washington state laws. They also provide counseling and insurance education to consumers via our Hotline, on the Web, through email or in person at our Tumwater office.

These services are available through our Insurance Consumer Hotline at 1-800-562-6900 and our website at www.insurance.wa.gov.

HIGHLIGHTS

Partnering

Consumer Advocacy (CA) offered its services to the Yakama Nation for help with the White Swan fires in Eastern Washington. CA staff answered questions related to insurance and the fires via the agency's hotline, the ASK Mike email inbox and U.S. Mail. CA staff also offered to help take paper or online complaints about claim problems tribal members might have encountered related to the fire.

SHIBA partnered with the following agencies to provide public presentations, professional staff trainings and cultural event staffing for Washington tribal communities: American Indian Health Commission; Area Agency on Aging; Indian Health Services; Northwest Justice Project; Northwest Portland Area Indian Health Board; Parenthelp 123; Seattle Indian Health Board; Social Security Administration; South Puget Intertribal Planning Agency; Washington State Dept. of Health; Washington State Dept. of Veteran Affairs; Washington State Health Care

Authority; U.S. Centers for Medicare and Medicaid Services, Region X; U.S. Dept. of Labor; and U.S. Dept. of Health and Human Services.

Tribal Health Fairs and Pow Wows

SHIBA staffed booths and provided informational publications about Medicare benefits and subsidies, income and asset levels for American Indians and Alaskan Natives, fraud education, long-term care, Apple Health for Kids, free legal services and the SHIBA program at the following events: Chehalis Confederated Tribes men's & women's health fairs and Breast Cancer Walk; Confederated Tribes of the Colville Reservation Health Benefits Fair; Cowlitz Tribe's Diabetes/Wellness Walk; Makah Tribe Women's Health Fair; Muckleshoot Elders Luncheon; Nisqually Tribe Health Fair; Quileute Tribe Health Fair; Quinault Nation Health Fair; Shoalwater Bay health information booth; Snoqualmie Tribe Health Resource Fair; and Tribal Canoe Journey hosted by the Makah Tribe.

Tribal Community Public Presentations

SHIBA gave public presentations on fraud education, long-term care, subsidies for Medicare Part D, medical saving programs and children's health access to the following tribes and tribal programs: American Indian Health Commission; Chehalis Confederated Tribes elders and staff; Confederated Tribes of the Colville Reservation; Cowlitz Indian Tribe elders; Kalispel Tribe staff; Muckleshoot Tribe staff; Nisqually Tribe elders; Northwest Portland Area Indian Health Board; Puyallup Tribe elders; Quinault Tribe elders; Samish Indian Nation staff; Shoalwater Bay Tribe staff; Skokomish Tribe Staff and Elders Program; South Puget Sound Intertribal Planning Agency; Spokane Tribe; Suquamish Tribe staff; Upper Skagit Tribe elders; and Yakama Nation.

Tribal Community Trainings

SHIBA provided staff training on health care access resources and the Centers for Medicare and Medicaid Services' website tools for the following tribes: Chehalis Confederated Tribes; Confederated Tribes of the Colville Reservation; Cowlitz Tribe; Muckleshoot Tribe; Nisqually Tribe; Puyallup Tribe; Quinault Tribe; Samish Indian Nation; Shoalwater Bay Tribe; Skokomish Tribe; Snoqualmie Tribe; Spokane Tribe; Suquamish Tribe; Tulalip Tribe; and Upper Skagit Tribe.

Tribal Issue Collaboration Meetings

SHIBA staff attended the following meetings to identify American Indian concerns and issues: American Indian Health Commission meetings; 2010 Tribal Health Leaders Summit; Medicare Region X Tribal Roundtable Conference; Medicare Region X Indian Health/Medicare Part D Forum; State-Tribal Urban Indian Health Collaborative meeting; Washington State tribal liaison meetings; Washington State Dept. of Health's Oral Health Outreach meeting; and Washington State Dept. of Health's Ethnic Minority Disparities Community Outreach Roundtable.

Signed Memoranda of Agreements

OIC signed memoranda with the following partners and tribes:

Partners: Clark County Human Services Council; Cowlitz County Lower Columbia Coastal Action Program; Klickitat Retired & Senior Volunteer Program of Yakima County; and Southwest Washington Area Agency on Aging.

Tribes: Confederated Tribes of the Colville Reservation, Spokane Tribe and Kalispel Tribe.

SHIBA HelpLine Program Demographics Served – American Indian or Alaska Native

	2006	2007	2008	2009	2010
Percent of client contact reports marked as American Indian/Alaska Native*	0.91%	1.08%	1.20%	1.30%	1.60%
Percent of state population American Indian/Alaska Native**	1.60%	1.60%	1.70%	1.70%	1.50%

* Data taken from SHIBA HelpLine Client Activity Tracking System

** Data taken from U.S Census

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DEPARTMENT OF LICENSING

EXECUTIVE SUMMARY

From highway safety and vehicle and driver license integrity to the licensing of multiple professions, public safety and consumer protection are the cornerstones of our mission at the Department of Licensing (DOL). In addition, we ensure the fair and efficient collection of state revenue.

We have approximately 1,300 employees working hard every day to serve customers at our headquarters and 56 license services offices located throughout Washington. On a daily basis, we:

- ♦ Test and license new drivers to go on the road.
- ♦ Answer inquiries for vehicle and driver record information.
- ♦ Register vehicles and issue vehicle titles.
- ♦ Provide law enforcement with access to databases containing information about drivers, vehicles and firearms registrations.
- ♦ Process records on traffic accidents to enable law enforcement to follow up on safety violations.
- ♦ Protect consumers through regular business inspections and investigations of consumer complaints against licensed professionals.
- ♦ Respond to inquiries for business, driver and vehicle licensing via telephone, Internet and in person.
- ♦ Process professional license, registration, and certification applications and renewals.

HIGHLIGHTS

Tribal Liaison

In 2010, the tribal liaison met with 16 of the 29 tribal chairs and/or tribal councils and with staff members from each of the tribes. The tribal liaison attended the Affiliated Tribes of Northwest Indians Conference in Spokane and provided briefings to the Tribal Transportation Planning Organization on the fuel tax agreements.

Fuel Tax

DOL has entered into 22 tribal fuel tax agreements or consent decrees. Sixteen are post-2007 legislation agreements. Annual tribal fuel tax refunds from all tribal fuel agreements for the period of Nov. 1, 2009, through Dec. 31, 2010, are approximately \$32 million. The fuel tax for revenue retained by Washington for fuel purchases by the tribes, with 75 percent refund/25 percent state tax agreements during the same period, is approximately \$7.7 million.

Professional Athletics

During the 2011 legislative session, DOL worked on legislation that would:

- ♦ Increase safety for the participants of boxing, martial arts and wrestling, and
- ♦ Strengthen and create a uniform set of safety standards for professional and amateur, mixed martial arts events.

STAFF CONTACT

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LIQUOR CONTROL BOARD

EXECUTIVE SUMMARY

The Washington State Liquor Control Board (LCB) serves the public by preventing the misuse of alcohol through education, enforcement and controlled distribution. LCB also enforces laws relating to youth access to tobacco and the taxation of tobacco products.

LCB supports the principles of the Centennial Accord and seeks to improve its working relationships with tribes as we deal with alcohol and tobacco regulation. LCB is committed to implementing better communication between the agency and tribal governments and expanding on opportunities to identify mutual concerns and develop mutual solutions.

LCB interacts with tribal governments in several ways. It has signed contracts with 12 tribes for the sale of liquor in tribal liquor stores. Tribal governments and tribal members also hold retail liquor licenses to sell alcohol in restaurants, casinos and grocery stores. LCB shares enforcement responsibility with tribal governments to ensure compliance with our state's liquor laws and rules. LCB works with the Department of Revenue to monitor and implement state/tribal tobacco cigarette agreements.

HIGHLIGHTS

- ◆ The Tribal Advisory Council (TAC) was created and meets twice a year. It is co-chaired by a LCB member and a tribal chairperson. TAC is designed to increase communication and provide a setting to discuss tribal-specific topics as they relate to LCB's business and regulatory responsibilities.
- ◆ A tribal representative was added to LCB's Business Advisory Council. The council meets quarterly and to discuss issues of mutual interest concerning our state's alcohol laws and regulations.
- ◆ The Government-to-Government Consultation Policy, adopted in 2009, creates a pre-notification process whenever the state or a tribe is interested in establishing a liquor store in or near Indian Country. This new process allows the state and tribes to work collaboratively to determine liquor store siting needs of both governments. A recent example of this collaboration led to the opening of the new Puyallup liquor store in Fife.
- ◆ As a result of completing the expansion and upgrade at the Distribution Center, service levels have significantly improved and stabilized. At a recent TAC meeting, tribes said they have seen improved fill rates but need to better understand the re-order process. Business Enterprise staff will assist tribes by clarifying the process for re-order needs.
- ◆ A memorandum of agreement (MOA) for the cooperative regulation of liquor sales and service on tribal land is being negotiated with the Kalispel Tribe. Several meetings were conducted over the past year between LCB Enforcement, licensing staff, and Northern Quest Resort and Casino management and staff. The MOA is expected to be signed in early June 2011.

Future Collaboration Topics

- ◆ Tribal Interest: Tribal governments want to explore eligibility to receive a proportionate distribution of liquor revenue by recognizing tribes as a government entity and providing the ability for them to share revenue, similar to the process followed for cities and counties.

Tribal governments also want to explore federal preemption issues under existing liquor tax statutes.

- ◆ LCB Interest: LCB and tribes have identified significant issues faced by tribes in using the Master Licensing Service for the issuance of liquor licenses to tribally owned facilities. As a means of addressing this and other issues, LCB and tribes have developed a template MOA in lieu of licensure. The current MOA is being handled through manual processes. If more than a couple of tribes wish to negotiate an MOA for their location, LCB will need additional funding to modernize its technology systems.

STAFF CONTACT

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MILITARY DEPARTMENT

EXECUTIVE SUMMARY

The Military Department's mission is to minimize the impact of emergencies and disasters on people, property, environment and the economy of Washington and the region; provide trained and ready forces for state and federal missions; and provide at-risk youth the values, self discipline, education and life skills training necessary to succeed as productive citizens.

HIGHLIGHTS

Emergency Management

The Emergency Management Division (EMD) offers tribes assistance and services to mitigate, prepare for, respond to, and recover from emergencies and disasters. It also provides access to federal and state grant programs to aid communities in preparing for and recovering from emergencies. This includes classes, technical assistance and workshops on disaster preparedness.

Emergency Operations

EMD operates a 24-hour Alert and Warning System as part of the State Emergency Operations Center (EOC) at Camp Murray. As the state warning point, the Alert and Warning Center provides timely notifications to tribes affected by natural or manmade emergencies and incidents. Alert and Warning Center staff participated in state/local tsunami operation, testing and activation of All-Hazard Alert Broadcast tsunami warning signals for at-risk tribal communities. On March 11, 2011, following the 9.0 magnitude earthquake in Japan, the EOC alerted all coastal tribes. Throughout the night and early morning hours, the EOC provided updated information on the potential for a tsunami reaching Washington coastal communities.

Hazmat Program

Tribal members attended the Hazardous Materials Workshops conducted March 31 through April 3, 2011. This workshop provided 28 tribal members with exposure to hazardous materials situations that occur daily on a national basis and received training on hazardous materials operations, on-scene incident command, railcar incident response and other issues.

Hazardous Materials Emergency Preparedness Grant

One tribe applied for the Hazardous Materials Emergency Preparedness Grant in federal fiscal year 2010 and two tribes have applied for the Hazardous Materials Emergency Preparedness Grant this fiscal year. Projects funded include developing tribal shelter in-place programs, mapping extremely hazardous materials substance manufacturing, expanding regional response team capabilities and updating tribal hazard inventory and vulnerability analysis.

Homeland Security and Emergency Management Performance Grant Program

The Homeland Security Section continued to pass through federal homeland security funding to our state's tribal partners. Funds have been instrumental in building collaboration in all-hazards emergency management across communities. New funding (\$407,013) was passed through to 14 tribes for emergency management, homeland security equipment, communications and border security. In addition to daily interaction, 17 site visits occurred and a grants management workshop was conducted.

Seismic Program

The EMD Earthquake/Volcano/Tsunami Program continues to work with native sovereign nations whose tribal reservations are located in tsunami hazard areas. The program's focus has been on installation of tsunami warning signals and development of standard operating procedures for operation in at-risk tribal communities. The Shoalwater Bay, Makah, Lower Elwha Klallam, Hoh, Makah and Quileute tribes have all received AHAB signals.

A pilot project developed in cooperation with outer coastal tribes places disaster supply caches and materials at an assembly area for use during a tsunami evacuation. The NOAA Weather Radio Program, which helps low-income families to receive tsunami warning messages, was provided by EMD to the Quinault, Makah, Quileute and Lower Elwha Klallam tribes.

A meeting was held with the Makah and Hoh tribes to discuss the guidelines for and benefits of achieving the TsunamiReady designation. A presentation at the Quileute Tribe's Ocean Side resort provided training for management and staff on various natural hazards. An EMD representative attended the Northwest Tribal Emergency Management Council monthly meetings as the ex-officio board member.

Disaster Programs during Events

On March 25, 2011, Washington received a federal disaster declaration in response to January's severe winter storms. The declaration allowed EMD to offer assistance to local and tribal governments. There have been numerous contacts by the Public Assistance Program teams with tribal governments and tribal members. All 29 federally recognized tribes were contacted about disaster damages. In addition, in response to the tragic fire at White Swan on the Yakama Nation reservation, EMD leadership, along with Individual Assistance Program and Public Assistance Program staff members, assessed damages. Outreach teams provided support and disaster relief information to tribal communities.

Mitigation Grants

EMD is providing financial assistance through FEMA grants to tribes for mitigation planning initiatives or projects. In addition, Mitigation Section staff is providing technical assistance to these tribes as they implement grant-funded projects: Hoh, Nooksack, Lower Elwha Klallam, Jamestown S'Klallam, Makah, Port Gamble S'Klallam, Quinault and Snoqualmie. The Chehalis Confederated Tribes are implementing a combination property acquisition/structural elevation project.

Washington Youth Academy

The Washington Youth Academy has conducted presentations with a number of tribes and tribal organizations over the past two years to familiarize them with the academy and to recruit Native American students. Since it conducted its first class in January 2009, 45 youth who have enrolled, or 6.3 percent, have identified themselves as Native American. Twenty-two Native American youth have successfully completed the 22-week residential phase of the program, and six more appear ready to graduate. The 2010 U.S. Census found that less than 2 percent of the state's population is Native American; by comparison, the academy has a population of about 5 percent Native American cadets who have graduated or will graduate in the first five classes (555 total cadets/28 Native American cadets).

STAFF CONTACT

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OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

EXECUTIVE SUMMARY

The mission of the Office of Minority and Women's Business Enterprises (OMWBE) is to improve the contributions of certified minority, women, and socially and economically disadvantaged small businesses to the Washington state economy through their increased use in public contracting and procurement. OMWBE is the central resource for certification of eligible small businesses for Washington's state program and the U.S. Department of Transportation Disadvantaged Business Enterprise Program. OMWBE's economic development services build capacity and assist certified firms to qualify and compete for, obtain and perform on public and private sector contracts. Certified firms are also eligible to enroll their business loans in the Linked Deposit Program.

HIGHLIGHTS

During fiscal year 2010, 175 Native American-owned small businesses were certified with OMWBE. State agencies reported expenditures of more than \$10.5 million with 34 of these firms, an increase both in the number of businesses and dollar amount of expenditures from the previous fiscal year. Four Native American certified firms enrolled loans totaling more than \$1.1 million in the Linked Deposit Program.

STAFF CONTACT

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STATE PARKS AND RECREATION COMMISSION

EXECUTIVE SUMMARY

The Commission is strongly supportive of forging mutually beneficial partnerships and agreements with tribes throughout the state which support the agency's mission and the Centennial 2013 Vision. In 2010, the Commission and tribes continued to find partnership opportunities.

HIGHLIGHTS

- ◆ **Land Transactions.** As land managers, the Commission has a good history of working with the tribes. The year 2010 was no exception, when the Commission:
 - Formed a unique partnership with the Swinomish Indian Tribal Community to co-own and co-manage Kukulali Preserve (Kiket Island), a unit of Deception Pass State Park. To the best of both parties' knowledge, this is a first-of-a-kind agreement between a tribe and a state government in the United States.
 - Approved the transfer of Huckleberry Island to the Samish Indian Nation.
 - Approved the transfer of Fort Okanogan State Park to the Confederated Tribes of the Colville Reservation.
 - Approved a perpetual easement for the Skokomish Tribe that allowed an alternative road to the tribe's housing development.
- ◆ **Planning Processes.** As part of the Centennial 2013 Plan, long-term planning processes called Classification and Management Planning, or CAMP, have been completed for many state parks. The tribes are coveted partners in those planning processes. The following plans were completed in 2010 with significant tribal involvement:
 - Steamboat Rock State Park
 - Klickitat Trail
 - Sacagawea State Park
- ◆ **Policy Development.** As policy is being developed, coordination with the tribes is mandatory. In 2010, there was significant outreach to the tribes for coordination of the following policies:
 - Cultural Resources Management Policy
 - Natural Resource Policy – Wetland Mitigation
 - Interpretive Policy

STAFF CONTACT

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RECREATION AND CONSERVATION OFFICE

EXECUTIVE SUMMARY

The state's Recreation and Conservation Office (RCO) manages grant programs that help create outdoor recreation opportunities, protect the best of the state's wildlife habitat and farmland, and return salmon from near extinction.

HIGHLIGHTS

- ◆ **Outreach:** Our office regularly conducts workshops to tell people about our grant programs. In the spring of 2010, about 360 people attended our workshops in Moses Lake and Tacoma. Last fall, people once again gathered to learn about the types of projects we assist, eligibility and the application process.
- ◆ **Grants:** In fiscal year 2010, RCO administered more than \$9.4 million to 11 tribes for 29 projects to assist with estuary and salmon restoration, fish passage improvement, a youth skateboard park and critical habitat restoration.

Since 1972, when the agency first assisted a tribal project with \$70,000 for the Wellpinit Playfield near Spokane, RCO has administered 262 projects to Washington's Indian tribes. Totalling more than \$54.6 million, these projects have assisted with:

- Aquatic lands enhancement
 - Boating facilities
 - Salmon restoration
 - Recreational trails
 - Critical habitats
 - Local parks
- ◆ **Communications:** RCO routinely and actively seeks comment from tribal governments about the grant requests it receives. Recently, we streamlined this process so that a single point of contact — the agency's tribal liaison — now distributes information on all projects in the grants cycle to each of the state's federally recognized tribes.
 - ◆ **Looking Forward:** In the coming year, the RCO plans to continue communicating with the tribes in a timely and direct way while ensuring compliance with treaties, federal law and tribal agreements.

STAFF CONTACT

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DEPARTMENT OF REVENUE

EXECUTIVE SUMMARY

The Department of Revenue (DOR) is Washington's primary tax agency. DOR's vision is to create an open and collaborative environment that responds to the changing needs of taxpayers, achieves the highest levels of compliance and maximizes service delivery. This requires a commitment to work with all sectors of the public, including tribes, tribal citizens and entities that do business in Indian Country. The Centennial Accord's principles present a written establishment of the government-to-government relationship and codify DOR's commitment to work with tribes.

DOR pledges to work on a day-to-day basis to foster the government-to-government relationship with each tribe. The complex jurisdictional framework for Indian country and the inherent sovereignty of each tribe require a commitment to a genuine working relationship with tribes. In this vein, DOR's full-time tribal liaison works with DOR's executive team and a talented tribal team from across the agency to develop and implement its tribal strategic plan, which includes resolving tribal-related issues, proactively developing educational outreach materials for the public and providing training as requested. It is in this spirit that DOR presents its 2011 Centennial Accord highlights.

Current Department Priorities

DOR's priorities are laid out below. While the department is committed to hearing from tribes on its priorities, we recognize that the state does not have jurisdiction to regulate tribes as a general matter. These competing concerns must be balanced when determining whether to include tribes in the development of DOR's rules and policies. DOR continues to develop a list of tribal contacts that it can notify for rule and policy development. DOR sincerely welcomes the tribes' thoughts on any of the following priorities:

- ◆ tax simplification
- ◆ transfer of the Master Licensing System to DOR
- ◆ modernizing our tax system
- ◆ data migration
- ◆ service delivery including facilities
- ◆ implementation of 2011 tax legislation
- ◆ reducing the underground economy
- ◆ improving our communication with taxpayers

Tribal Constituent Services

Part of DOR's open and collaborative effort is centered on the department being available to respond to questions or issues that have tribal components. These questions come to the tribal team by phone, email, fax, letter or via the website at <http://dor.wa.gov/Content/Home/Default.aspx>.

Again this year, the tribal team has responded to more than 200 tribal-related inquiries. Most questions involved sales and use tax in Indian Country and the treaty fishing exemption. The majority of the tribal team's time is spent responding to inquiries and requests. However, with

efficient use of DOR resources, the tribal team also works to develop informational material, conduct targeted outreach and make team members available to speak at events.

Education and Outreach

One of the tribal program's objectives is to make sure all taxpayers understand their tax liability and comply with reporting responsibilities when interacting with tribes and their citizens. These efforts include making retailers aware of the forms that document tax-exempt purchases. These forms are not used to track tribal purchases, but to protect the retailer in the event of an audit. These forms can be found on the DOR website or requested from Shana Barehand.

This year, to simplify treaty fishing purchases, we have modified the forms so that only one form per person per retailer need be filed, rather than requiring the filing of a new form each time a purchase is made. Several forms are available on DOR's website to assist tribes, tribal citizens and tax payers in documenting the exemption. We will continue our efforts to assist tribal citizens and taxpayers in complying with the law.

Finally, DOR is the only state to have a tax guide for Indian tribes that helps people understand state law: <http://dor.wa.gov/docs/pubs/industspecific/indiantaxguide.pdf>.

Property Tax Exemption Administration

In 2004, the Legislature amended property tax statutes to exempt property owned in fee by federally recognized tribes if that property is used for essential government services. DOR has a dedicated staff member in the Property Tax Division to work on these determinations; she presented at the 20th Annual Indian Land Consolidation Symposium.

- ◆ Records indicate 2,382 tribally owned parcels are currently exempt under RCW 84.36.010-Essential Government Services. This number fluctuates as tribes acquire and use properties or move property into trust status.
- ◆ To assist in managing the exemption, DOR provides the tribes and assessors an annual listing of tribal property exempt under RCW 84.36.010, stating the essential government service for which the property is used.

Cigarette Compacts and their Administration

In 2001, the Legislature provided authority to the Governor to enter into compacts with tribes for cigarette taxation. These compacts eliminate the disputes over cigarette taxes on the reservation. Today there are 23 cigarette compacts in place. Two were executed this year.

STAFF CONTACT

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES

EXECUTIVE SUMMARY

The Department of Social and Health Services' Framework for the Future guides us as we strategically position the agency for the future. Building the capacity of communities, working with our many partners to leverage knowledge and resources, and focusing on integrating our case management services for greater results for those we serve are foundational goals upon which our strategic plan is built. Our vision is for safe and healthy individuals, families and communities, with a mission to improve that safety and health by providing leadership, as well as establishing and participating in partnerships. To meet these objectives we are committed to working with tribal governments on a government-to-government level. Since my first Centennial Accord meeting, I have had the pleasure of visiting 21 tribes and am scheduling meetings with the remaining eight. We also work in close collaboration with the Recognized American Indian Organizations (RAIO).

HIGHLIGHTS

The Department of Social and Health Services (DSHS) continues to support the Indian Policy Advisory Committee (IPAC). We feel very fortunate to have this forum to meet with the tribes and RAIO's on a quarterly basis. These meetings continue to provide the opportunity for meaningful dialogue with the delegates from the tribes and RAIO's on areas of common interest and concern. To address issues across DSHS, the IPAC subcommittees meet monthly or quarterly. I find this level of participation appropriate to continue to identify issues, determine solutions and move forward. Below are a few of our accomplishments from the past year.

Consultation

We held a consultation prior to the budget reduction as it related to tribes and agency programs.

Improving Outcomes for Children and Families

Congratulations to the tribes for the successful passage of Senate Bill 5656, the Washington State Indian Child Welfare Act, signed into law May 10, 2011, by Governor Gregoire. Children's Administration supports these efforts on behalf of its membership and all Indian children in the state.

Data Access

In partnership with tribes whose tribal government functions can benefit from our data systems, DSHS has entered into data share agreements. Systems include SEMS (Support Enforcement Management System) for child support operations; FAMLINK; SACWIS (Statewide Automated Child Welfare Information Systems) for Children's Services operations; and ACES (Automated Client Eligibility System) for tribal TANF (Temporary Assistance to Needy Families) operations.

Conferences and Training

We remain committed to offering training opportunities to the tribes that are also provided to state employees and contractors. A new area of required training will be for the Children's Administration supervisors related to the Indian Child Welfare Act (ICWA). All Children's Administration's supervisors received training on the ICWA case review and lessons learned from Indian children's fatality reviews to identify the role of supervisors in implementing the ICWA.

Certified facilitator training in aggression replacement training was provided to interested tribes in 2010. Two tribes currently facilitate the evidence-based program in their communities with tribal Community Juvenile Accountability Act funds.

Aging and Disabilities Services Administration co-sponsored the 2011 Caregiver Conference at Great Wolf Lodge for Native American tribal caregivers and leaders. The conference, attended by more than 200 individuals from tribes across Washington and Oregon, included 15 workshop sessions with such topics as nutrition, CPR, traumatic brain injury resources, elder abuse prevention and caregiver fatigue/burnout.

Cross Administration Agreements

Economic Services Administration's Division of Child Support (DCS) negotiated agreements with seven tribes to intercept Internal Revenue Service refunds on cases at the request of a Tribal Child Support program. See the DCS Tribal Relations Team website at www.dshs.wa.gov/dcs/tribal for copies of the agreements and information on state-tribal child support efforts.

The Division of Vocational Rehabilitation, the Department of Services for the Blind and Washington tribal vocational rehabilitation programs met Oct. 27, 2010, to update our Statewide Government-to-Government Agreement. Updates have been made for each of the administrations within DSHS.

STAFF CONTACT

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AGING AND DISABILITY SERVICES ADMINISTRATION

EXECUTIVE SUMMARY

The Aging and Disability Services Administration (ADSA) continues to work with tribes to promote and provide high-quality services to elders and members with disabilities. ADSA administers a variety of programs and services to tribal elders and members with disabilities to assist in meeting their individual care needs. Developing strong working relationships between the tribes and field staff continues to be a primary goal.

HIGHLIGHTS

- ◆ DSHS was awarded a five-year "Money Follows the Person" grant from the Federal Centers for Medicare and Medicaid Services for the "Roads to Community Living" demonstration project, whose purpose is to examine how best to successfully help people with complex, long-term care needs to transition from institutional to community settings. By March 2011, 56 individuals who identified themselves as tribal members have become enrolled; 28 were from Washington tribes. Forty-one individuals aged 15 to 83 have transitioned back to the community. Seventeen were seniors.
- ◆ Mental Health Block grant funds were made available to all Washington tribes and recognized American Indian organizations. Approximately \$100,000 was allocated for tribal

programs and was divided evenly among applicants. Twenty-one tribes and RAIIO's received \$5,263 each to support culturally relevant programs that enhance the overall well being of the tribal communities.

- ◆ Indian Nation Alcohol and Drug Addiction Treatment and Support Act (ADATSA) program agreements provide funding for tribal treatment programs and living stipends. The Division of Behavioral Health and Recovery, in collaboration with the tribes, developed a new funding formula that provides for a 50/50 split of the funds: half to be divided among the 13 ADATSA-certified tribal programs and half placed in a pool for tribes who have over-extended their contracts to bill against without having to go through a long contract amendment process.
- ◆ Division of Development Disabilities is working to improve and make supports more culturally relevant to Native Americans with developmental disabilities and their families. Activities include involvement in community activities and improved communication about available resources.

STAFF CONTACT

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CHILDREN'S ADMINISTRATION

EXECUTIVE SUMMARY

Children's Administration (CA) recognizes a government-to-government relationship between Washington and federally recognized Indian tribes in accordance with the Washington State Centennial Accord, Washington State Tribal State Agreement, Department of Social and Health Services 7.01 Policy and local tribal-state agreements.

CA is committed to compliance with all requirements of the federal Indian Child Welfare Act and improving practice and outcomes for Indian children and families in Washington.

HIGHLIGHTS

- ◆ CA is transforming service delivery process to children and families through performance-based contracting as a requirement under House Bill 2106. Tribes have been involved in this process through the Indian Policy Advisory Committee (IPAC) and the IPAC Indian Child Welfare sub-committee by drafting requirements for the request for proposals and the RFP reviewer process.
- ◆ CA has been working closely with tribes to identify tribal service delivery plans for services to their membership to ensure that the government-to-government process is respected. These plans will assist in ensuring that all tribal children and their families served by tribal systems in Washington have the same access to state services as those under state care.
- ◆ CA now has independent living contracts with 24 tribes to assist youth in developing the life skills necessary to be successful in adulthood.
- ◆ Effective Oct. 1, 2010, the National Youth in Transition Database (NYTD) requirement went into effect. This is a new federal requirement in which each state that receives Chafee funds is required to submit a report every six months indicating all NYTD services

provided to youth in our state. In October 2010, tribes with independent living contracts were provided input capability to the independent living page, the education page and the person identification pages of FAMLINK. Five training opportunities were provided at locations across the state on this feature.

- ◆ Work continues on addressing the disproportionate representation of Indian children in the state child welfare system. House Bill 1472 established that racial disproportionality exists in the child welfare system and that Indian children are the most disproportionately represented in referrals, entrance to the system and length of stay.
- ◆ Among other initiatives, the Secretary's recommendations to eliminate racial disproportionality call for full compliance with the ICWA and continuation of the Indian Child Welfare quality assurance case review.
- ◆ Monthly Indian Child Welfare tribal/state meetings address tribal/state program and policy issues, federal fostering connections legislation on direct access to IV-E (federal entitlement for foster care and related services to state) services, improved identification of Indian children for ICWA purposes, disproportionality and other related issues.
- ◆ Work continues with tribal governments to update or develop local agreements using the template agreed to at the 2007 Tribal/State Consultation. Outreach continues to tribes to provide technical assistance to review and develop agreements.
- ◆ The Indian Policy Advisory Committee designated the Children's sub-committee to act as a citizen review panel. This subcommittee is one of three required under Federal Child Abuse Prevention and Treatment Act. Monitoring progress on a State Indian Child Welfare Act by tribal and RAIO representatives continues.

STAFF CONTACT

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ECONOMIC SERVICES ADMINISTRATION

EXECUTIVE SUMMARY

Through the Economic Services Administration (ESA), the Department provides public assistance cash, medical and food assistance to low-income individuals and families, and ensures parents provide financial and medical support for their children through child support enforcement services. Forming strong collaborative relationships with tribes and providing culturally appropriate services to tribal members continue to be a major goal for ESA, which works with tribes on a government-to-government basis to provide services in ways that best meet the needs of Native Americans.

HIGHLIGHTS

- ◆ ESA is committed to working in partnership with tribes and improving access to services by tribal members. Consistent with this commitment, in January 2010, Washington became the first state in the nation to attain federal approval for a tribe to conduct eligibility determinations for basic food and Medicaid services for children, families and pregnant women. We hope the success of this pilot with the Port Gamble S'Klallam Tribe will provide opportunities for other tribes to conduct eligibility determinations for these programs.

- ◆ In collaboration with partners from the private and public sectors, including representatives from tribes, ESA implemented the secure, web-based benefit portal Washington Connection that makes it easier for low-income families and individuals to learn about and apply for a variety of services and benefits online. Through Washington Connection, people can apply for cash, food and medical assistance; child care subsidies; long-term care services; and drug and alcohol treatment services.

For other services that require different application processes, including the WIC Nutrition Program, housing assistance, tribal TANF and child support services, the portal provides contact information and links. We are reaching out to tribes and American Indian organizations by sharing marketing materials.

With funding and support from the Bill & Melinda Gates Foundation and the federal government, we purchased two Mobile Community Services Offices to deliver services and outreach to remote, underserved communities and disaster areas. Since their debut in June 2010, the Mobile Community Services Offices have participated in more than 160 community events throughout the state.

- ◆ The Governor directed the WorkFirst Subcabinet to examine evidence-based best practices and develop a sustainable redesign plan for the state's TANF program. The WorkFirst re-examination process began in July 2010 and included monthly "One Table" meetings with legislators, tribal representatives and key stakeholders. In September 2010, DSHS invited representatives from tribes to a meeting to seek their input on ways the state could improve WorkFirst services provided to tribal members and to learn from successful practices the tribal TANF programs have in place.

More information about the WorkFirst re-examination and the Subcabinet's final report to the Governor are available at: <http://www.workfirst.wa.gov/reexam/default.asp>.

- ◆ With the assistance of the DSHS Office of Indian Policy, ESA completed a review in July 2010 of the Intergovernmental TANF Agreement (IGA) negotiation process. The review resulted in new streamlined guidelines and an IGA template consistent with other DSHS contracts. The IGA's set the amount and conditions for a tribe operating a TANF program to receive state maintenance-of-effort funding. Using the new process, IGA's were completed with nine of Washington's 11 tribal TANF programs, with the remaining three expected to be completed by July 2011.
- ◆ ESA negotiated data-sharing agreements with 13 tribes to provide tribal TANF and child support programs with access to case management systems (ACES, SEMS and Employment Security Department earnings information). ESA partners with the Suquamish Tribe's Child Support Program, launched in January 2011, to provide technical assistance and coordinate services.
- ◆ At the request of the Confederated Tribes of the Colville Reservation, arrangements were made for program staff from the Colville Tribal Child Support program to temporarily (three to four months) move into vacant space at the Spokane DCS Field Office until its permanent location is available in its Tribal TANF Office.

STAFF CONTACT

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MEDICAID PURCHASING ADMINISTRATION (formerly HEALTH AND RECOVERY SERVICES ADMINISTRATION)

EXECUTIVE SUMMARY

The goal of the Department of Social and Health Service's Medicaid Purchasing Administration (MPA) is to partner with tribes and urban tribal clinics to increase access to state-financed health care coverage, address the health equity issues in Indian Country and increase health resources for the tribes. A primary objective has been to facilitate increased participation of the tribes with all state-financed, low-income health programs.

As part of her initiatives to improve the efficiency and effectiveness of our state's health care system, the Governor proposed legislation that would combine MPA with the Health Care Authority (HCA) and move the Medicaid single state agency responsibilities to HCA. The Division of Behavioral Health and Recovery (DBHR) that had been part of MPA will remain with DSHS.

The greatest priorities this year have been to ensure that tribal programs were successfully transferred to the new ProviderOne payment system, continue to work with tribes on accessing Medicaid programs, work with the American Indian Health Commission (AIHC) on tribal mental health reforms, and keep tribes aware of legislative and budget changes to the Medicaid and state health services, such as the Disability Lifeline-Medical Care Services program. In addition, for each program change needing a state plan amendment, tribal chairs and tribal health programs on the Indian Health Service facility list were sent letters identifying the program changes and possible impacts to their health programs, in accordance with federal policy.

MPA programs are engaged with tribes on an ongoing basis. MPA has regular communications and meetings with DSHS' Indian Policy Advisory Committee (IPAC) to sustain a dialogue on health issues. MPA also partners with the AIHC to extend outreach beyond its 7.01 Policy responsibilities, and communicate on a regular basis with tribal clinic directors and program managers. Below is a summary of this year's major activities.

HIGHLIGHTS

- ♦ **MPA Tribal Consultation on the Waiver Bridge Funding for Basic Health and Disability Lifeline.** Met with tribes on the transitional bridge waiver to fund the Basic Health Program and medical care services, which provide health coverage to 1,900 American Indians and Alaska Natives. MPA is working with AIHC on implementing waiver provisions affecting AI/AN enrollees, including cost-sharing exemptions.
- ♦ **ProviderOne Training.** Conducted two webinars that were tribal specific to assist tribes with billing challenges. These were in addition to six hands-on trainings conducted at tribal facilities.
- ♦ **Tribal Medicaid Administrative Match.** Facilitated discussions with the Centers for Medicare & Medicaid Services (CMS) and the tribes on a cost allocation plan, which has been submitted to CMS for approval.
- ♦ **Tribal Behavioral Health Redesign.** Contracted with Northwest Portland Area Indian Health Board (NPAIHB) to assist tribes in developing an inventory and identify service gaps of tribal Basic Health services in tribal health programs. Working with AIHC and

DBHR on developing process to meet Medicaid program requirements for mental health programs.

- ◆ **Exemption of Medicaid Program Reductions.** Worked with NPAIHB, state of Oregon and CMS' central office to investigate a tribal exemption to Medicaid program cuts.

STAFF CONTACT

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JUVENILE REHABILITATION ADMINISTRATION

EXECUTIVE SUMMARY

The Juvenile Rehabilitation Administration (JRA) has fostered relationships with local tribes which have benefited the facility programs, communities and tribal youth. JRA values the relationships with tribes and will continue to partner with them to examine how we can work together to enhance opportunities for youth in the juvenile justice system.

HIGHLIGHTS

- ◆ JRA continues to honor three intergovernmental agreements with the Confederated Tribes of the Colville Reservation, Quinault Nation and Skokomish Tribe that allow the tribes to access residential programming for tribal youth in JRA facilities.
- ◆ Through the Community Juvenile Accountability Act, 21 tribes and three Recognized American Indian Organizations receive grants that assist them with providing culturally relevant, evidence-based programs and promising practices to court-involved tribal youth.
- ◆ JRA and the University of Washington have proposed a partnership with tribes to support implementation and sustainability of evidence-based programs in tribal communities. A gathering will be held in the fall of 2011 to further discuss the idea.
- ◆ JRA continues to identify youth upon entry to JRA services through use of the Indian Heritage Questionnaire and Notice to an Indian Tribe, Nation, or Band of Youth Committed to JRA form. This form was revised in early 2009 and has been effective in more accurately identifying tribal-affiliated youth in JRA to better link those youth with tribal services and communities.
- ◆ JRA continues to offer activities and celebrations across facilities to include cultural groups meeting under local tribal leadership, participation in local tribal events in the community and heritage celebrations.

STAFF CONTACT

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OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION

EXECUTIVE SUMMARY

In collaboration with educators, students, families, local communities, business leaders, labor, tribes and government, the Office of Superintendent of Public Instruction (OSPI) leads, supports and oversees K-12 education, ensuring the success of all learners.

The OSPI Indian Education Office (IEO) was established in the mid-1960s and continues to serve as a liaison among OSPI, tribal schools, school districts, tribal governments, native communities, parents/guardians of Indian children and other groups/individuals. A primary goal of the IEO is to assist American Indian/Alaska Native students in achieving their basic education goals as well as meet the state's performance standards. Additional duties include providing technical assistance and professional development opportunities to educators, counselors and parents; providing information on effective methods used in working successfully with native students, parents and tribal communities; and developing and disseminating Indian education materials and curriculum materials (both in house and through collaboration with others) as well as serving as a clearinghouse for information relative to Indian education issues to public schools, tribal schools, postsecondary institutions, organizations, etc. Doing all we can to support the educational success of native people and meet their unique educational needs continues to be our daily mission.

HIGHLIGHTS

- ◆ Since Time Immemorial (STI) Tribal Sovereignty in Washington State Curriculum Project: In response to House Bill 1495 (the tribal history and culture bill passed in 2005) recommending the inclusion of Indian tribal history and culture in all common schools in the state and the memorandum of understanding among the Tribal Leaders Congress, Washington State School Directors' Association, Washington State Board of Education and our agency, OSPI has developed a model online curriculum for elementary, middle and high school based on historical documentation for infusion in curriculum resources most commonly used in school districts. The intent is to imbed the history of sovereignty and the inter-governmental responsibilities that all citizens possess into our state's classrooms. We received a Gates Foundation grant to (1) continue pilot testing/implementation of the STI curriculum in three school districts and one tribal school; (2) conduct two "training of trainers" workshop sessions to prepare a cadre of up to 50 educators who will be available to introduce and explain the STI goals, implementation and expected student outcomes to other interested school personnel; and (3) align the STI curriculum with the Common Core State Standards. OSPI staff and trainers have conducted numerous workshops and trainings to introduce the curriculum and provide information for implementation. The STI curriculum is available online at www.indian-ed.org.
- ◆ Tribal School/Bureau of Indian Education/OSPI Meetings: As part of our responsibilities in the memorandum of understanding between OSPI and the Bureau of Indian Education (BIE), our agency continues to meet regularly with the seven tribal school superintendents (Lummi, Paschal Sherman, Yakama, Wa He Lut, Quileute, Muckleshoot and Chief Leschi) and staff as well as BIE representatives on issues relating to native student academic achievement/ assessment, accessing funding for tribal schools, connecting tribal schools to the K-20 statewide video-conferencing system and special education, among others.

- ◆ Passage of House Bill 1829: Although the Indian Education Office in OSPI has operated continually since the mid-1960s, there was no law backing up the continuation of this office. Legislation was passed during the 2011 legislative session to establish an Indian education division in OSPI to be known as the Office of Native Education.

STAFF CONTACT

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WASHINGTON TRAFFIC SAFETY COMMISSION

EXECUTIVE SUMMARY

The Washington Traffic Safety Commission (WTSC) Centennial Accord mission is to work proactively with tribal governments statewide to reduce deaths and serious injuries resulting from traffic crashes on tribal lands. Traffic crashes remain a leading cause of death and serious injury for Native Americans, especially the younger generation. Therefore, WTSC remains focused on this important public safety and health issue.

HIGHLIGHTS

During the 2010 Centennial Accord meeting, five issues/action items were identified for work in the coming year by WTSC. These issues were identified as priority areas where WTSC and tribal governments can work cooperatively to improve traffic safety on reservation roads in support of Washington's Strategic Highway Safety Plan, Target Zero.

Issue 1: Consult with and support tribal leaders in the use of the 2010 Target Zero update in traffic safety planning.

WTSC and the Target Zero Leadership Team worked in partnership with tribal leaders and their staffs to update Target Zero. This cooperative work resulted in the following:

- ◆ The 2010 version of Target Zero was expanded to include a new section addressing tribal traffic safety data and issues. In addition, the front cover of the 2010 Target Zero plan prominently displays a Tulalip billboard with a powerful impaired-driving message.
- ◆ Thirteen tribes participated in putting the 2010 Target Zero plan together as members of the Target Zero Steering Committee and the Target Zero Partners group. This level of participation is a significant increase from the 2007 Target Zero update. The Northwest Association of Tribal Enforcement Officers (NATEO) and the Northwest Tribal Transportation Planning Organization (NWTTPO) also participated in the process.
- ◆ The Target Zero update was distributed to all tribal government chairs and tribal police chiefs for their use in traffic safety planning. The WTSC staff also offered to meet with tribal leaders to review the update and provide technical assistance.

Issue 2: Continue to develop and use the Tribal Traffic Safety Advisory Board to refine and improve Target Zero and its use in tribal communities.

Based on the focus, guidance and results generated by the Centennial Accord and excellent support from the tribes in the Target Zero update, convening the Tribal Traffic Safety Advisory Board was not necessary in the past year. However, this important leadership element remains in place should the need arise.

Issue 3: Continue to develop and use the Tribal Law Enforcement Block Grant to support traffic safety initiatives and the implementation of Target Zero.

NATEO received its sixth annual \$50,000 law enforcement traffic safety equipment grant from WTSC to purchase equipment to assist with patrols aimed at reducing fatal and serious injury crashes on reservation roads. The following additional financial support was provided to tribal law enforcement agencies:

- ◆ WTSC secured funding from Mothers Against Drunk Driving to increase blood alcohol content testing of drivers involved in fatal crashes. Law enforcement training videos,

handouts and additional roadside breath-testing devices were provided to tribal and other law enforcement.

- ◆ WTSC provided DUI prosecution training to the Quileute, Kalispel, Swinomish, Quinault and Tulalip tribes through Washington's Traffic Safety Resource Prosecutor's Program.
- ◆ Police Chief Ralph Wyman from the Chehalis Tribal Police represented Washington tribal law enforcement on WTSC's Technical Advisory Committee to assist in its annual traffic safety grant approval process.
- ◆ The Swinomish and Tulalip tribes participated in Washington's first statewide Slow Down or Pay Up campaign to reduce speeding-related fatal and serious injuries on tribal lands.
- ◆ The Colville Tribal Police Department participates in all sponsored WTSC patrols.

Issue 4: Continue to develop and implement the Colville Traffic Safety Task Force demonstration project and evaluate this model for use in other tribal governments.

- ◆ The Confederated Tribes of the Colville Reservation and WTSC continue to implement the third phase of a three-year grant, funded by WTSC, to improve traffic safety on the Colville Reservation.
- ◆ The Confederated Tribes of the Colville Reservation employ a Target Zero Traffic Safety Program manager, funded by WTSC, to coordinate traffic safety initiatives. This initiative included the equipping of the police department's patrol vehicles with laptop computers, associated hardware and software for the electronic creation and submission of collision reports, and electronic tickets. This equipment allows the Colville Tribal Police Department to submit electronic collision reports in their entirety directly to Washington State Department of Transportation, which aids in the collection and analysis of traffic crash data on reservation roadways.

Issue 5: Continue to identify additional financial resources to promote traffic safety planning in tribal communities in support of the tribe's safety goals and Target Zero.

- ◆ WTSC supported six, grant-funded "Click It And Ticket" projects at White Swan High School and White Swan Junior High. Four additional "Click It And Ticket" events were conducted in greater Yakima County. Additional events are planned for the coming school year.
- ◆ Colville tribal members were the focus of two types of child passenger safety classes taught by the WTSC grant funded by the Safety Restraint Coalition (SRC). The Colville Reservation now has four, new, certified CPS technicians. The SRC also taught an interactive version of the National Highway Traffic Safety Administration's Safe Native American Passengers curriculum to 19 Colville tribal members. SRC staff members continue to mentor tribal members involved in child passenger safety programs.
- ◆ SRC staff provided professional consultation and car seats to the U.S. Public Health Service for the Lummi Nation.

Washington Tribal Traffic Safety Summit 2009 Follow-up

In April 2011, WSDOT and WTSC hosted a follow-up mini summit for the Washington Tribal Traffic Safety Summit. Data collection on impaired driving and engineering initiatives were identified as critical issue areas. WTSC will work closely with WSDOT, NATEO, NWTTPO and individual tribes to continue efforts to improve traffic safety in the identified areas.

WSDOT Tribal Transportation Conference

WTSC provided \$5,000 in grant funds and participated in planning and workshop presentations.

Other WTSC/Tribal Partnerships

- ◆ NATEO is represented on the recently formed Washington Impaired Driving Advisory Council by Chief Mike Lasnier of the Suquamish Tribe.
- ◆ WTSC staff was selected by the National Academies of Science, Transportation Research Board to participate in a tribal traffic safety research project (NCHRP – 17-49). This project will collect successful tribal traffic safety case studies for distribution throughout Indian Country for consideration by other tribal governments.

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DEPARTMENT OF TRANSPORTATION

EXECUTIVE SUMMARY

The Washington State Department of Transportation (WSDOT) is the steward of a large and robust transportation system, and is responsible for ensuring that people and goods move safely and efficiently. In addition to building, maintaining and operating the state highway system, WSDOT is responsible for the state ferry system, and works in partnership with others to maintain and improve tribal and local roads, railroads, airports and multi-modal alternatives to driving.

WSDOT collaborates with tribes on a variety of transportation issues, including project development and administration, safety, planning and work force development. Consultation with tribes on the effects of WSDOT projects on natural and cultural resources and other tribal interests is a key element of this work.

HIGHLIGHTS

- ◆ During the 2010 Centennial Accord meeting, Secretary Hammond invited tribes to collaborate with WSDOT on the development of communication and consultation protocols for statewide and policy issues. Nineteen tribes identified delegates and alternates to work with WSDOT. The committee of tribal delegates, known as the Washington Indian Transportation Policy Advisory Committee, met four times over the year to develop these protocols to help bring consistency to WSDOT's consultation process and ensure tribes are involved in statewide policy issues.
- ◆ The Quinault Nation, WSDOT and the Federal Highway Administration entered into a memorandum of agreement to document the avoidance, minimization and mitigation of impacts of the State Route 520 pontoon construction projects on the Quinault Nation's treaty rights and interests. Quinault President Fawn Sharp spoke at the project's groundbreaking ceremony, as did Governor Gregoire and Secretary Hammond.
- ◆ WSDOT and the Tulalip Tribe co-hosted the Tribal/State Transportation Conference in October 2011. During breakout sessions on transportation planning, cultural resources and work force development, tribal, state and federal transportation officials identified items for continued collaboration over the next two years.
- ◆ WSDOT's Highway and Local Programs Office worked with the Lummi Nation on the tribe's Haxton Way pedestrian path by finding funding, processing permits and completing the federal requirements process. This 9,500-foot-long path through the reservation addresses a critical safety problem that had contributed to the deaths of several tribal members.
- ◆ WSDOT solicited tribal projects that are on or intersect state highways for inclusion on the State Highway Systems Plan, the agency's 20-year plan for the state highway system. The plan is updated every two years and used for obtaining funding.
- ◆ WSDOT sought tribal representation on two committees to prioritize projects for several federal discretionary funding programs.
- ◆ WSDOT worked with the Lummi Nation to provide the state's cost-to-construct data to the Bureau of Indian Affairs for inclusion in all Washington tribes' Indian reservation roads inventories. This critical data comprises nearly half of the funding formula for this program.

- ◆ The Makah Tribe and WSDOT partnered to clear a mudslide on State Route 112 in January. Their joint efforts allowed the road to be opened to alternating traffic with little time spent in complete closure. WSDOT is grateful to have a good neighbor helping it keep this important and challenging roadway open.
- ◆ WSDOT partnered with the Confederated Tribes of the Colville Reservation to coordinate funding to replace the 63-year-old Martha S., a WSDOT-owned ferry that operates between the shores of the Colville Reservation and Lincoln County. The Confederated Tribes of the Colville Reservation contributed \$2 million for the project, with the Legislature authorizing the remaining \$12 million.
- ◆ Washington State Ferries hosted the christening ceremony of the M/V Chetzamoka in Port Townsend. The Jamestown S’Klallam Tribe provided a ceremonial blessing onboard the vessel, and its drum and singing group performed. The vessel is named after S’Klallam Chief Chetzamoka.
- ◆ WSDOT assisted the Confederated Tribes of the Colville Reservation, Washington Department of Fish and Wildlife and Okanogan County Conservation District on the environmental restoration of Bonaparte Creek along State Route 20. This project, which realigned the creek away from SR 20 to eliminate chronic highway shoulder washouts, will restore natural stream functions and habitat in the new stream channel.
- ◆ WSDOT and tribes have resumed “TERO Team” meetings on a regular basis. The goal of these meetings is to increase communication between WSDOT and the tribes, and discuss tribal barriers and challenges to obtaining WSDOT employment and/or contracting opportunities.

STAFF CONTACT

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DEPARTMENT OF VETERANS AFFAIRS

EXECUTIVE SUMMARY

The Washington Department of Veterans Affairs (WDVA) and the tribal veterans representatives attended the first-quarter meeting of the Joint American Indian Veterans Advisory Council. These meetings are intended to enhance communication between the Veterans Affairs Puget Sound Health Care System (VAPSHCS) and tribal leaders; promote, educate and increase awareness of VAPSHCS medical center staff to traditional cultural needs (spiritual, medical and dietary) of Indian veterans patients and provide appropriate access to those resources; and encourage VAPSHCS and Indian Health Services sharing agreements. This meeting took place Feb. 2, 2011, at the VA Regional Office in Seattle, and is summarized below.

HIGHLIGHTS

- ◆ The Nooksack tribal veterans representative announced that Post 83 American Legion will host a Memorial Day celebration honoring deceased native veterans and non-tribal veterans May 29, 2011.
- ◆ Rob Hard, minority outreach/external affairs coordinator, Veterans Affairs Regional Office, Seattle, provided updates on claims processing, which are now being routed to VARO-Pension Management Center in St. Paul, Minnesota.
- ◆ Kazumi Cornell, minority veterans health coordinator, shared information on an online personal health record that offers veterans anywhere, anytime Internet access to Veterans Affairs health care.
- ◆ Dr. Sara Smucker Barnwell, Veterans Affairs Puget Sound Health Care System, shared information on Telemental Health for Indian Health Service clinics via the Mobile Medical Unit.
- ◆ Cathy Davidson, minority veterans program coordinator, [Puget Sound Health Care System](#), briefed on the next Joint American Indian Veterans Advisory Council to take place May 26, 2011, in the Lummi Nation Community Center.

STAFF CONTACT

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WASHINGTON STATE PATROL

EXECUTIVE SUMMARY

The Washington State Patrol (WSP) has a long history of providing world-class law enforcement services to the citizens of Washington. This success is a result of the enforcement and education efforts by a law enforcement agency composed of dedicated professionals who work hard to improve the quality of life of our citizens and prevent the unnecessary loss of life on a daily basis. This is done through successful partnerships with other law enforcement and local, state, tribal and federal agencies.

The goals of WSP are to make our Washington roadways and ferries safe for the efficient transit of people and goods, reduce our citizens' vulnerability to fire, crime, terrorism and natural hazards, and meet the growing need for law enforcement, forensic, investigative and other public safety services statewide. WSP is composed of several bureaus: Field Operations, Fire Protection, Forensic Laboratory Services, Investigative Services, Technical Services and the Office of the Chief. WSP is a fully accredited law enforcement agency with the Commission on Accreditation for Law Enforcement Agencies.

HIGHLIGHTS

Yakama Nation Outreach Project

WSP partnered with Yakama tribal law enforcement to help reduce fatality collisions involving tribal members. WSP was presented with the International Association of Chiefs of Police/Motorola Webber Seavey Award for its efforts.

Programs and services that WSP makes available to the tribes:

- ◆ Traffic law enforcement on highways designated as state routes.
- ◆ Investigative Services Bureau – investigative services upon request.
- ◆ Officer assistance – backup to tribal police officers upon request.
- ◆ Forensic Laboratory Services Bureau – toxicology, drug and other criminal case analysis, crime scene response and breath testing.
- ◆ ACCESS/WACIC – terminals, training and audits.
- ◆ Training division – emergency vehicle operation training instruction and collision investigation training at the WSP Academy through the Criminal Justice Training Commission.
- ◆ Fire Protection Bureau – Fire investigation, fire and life-safety code consultation, fire prevention and public education, firefighter 1 training, live-fire training and hazardous materials training upon request.
- ◆ SWAT response – SWAT team response and methamphetamine lab response upon request.
- ◆ Bomb Unit – Disables and renders safe explosive devices upon request.
- ◆ Funding – WSP does not charge tribes if its services are requested on tribal lands.

STAFF CONTACT

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