

# **2010 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 "2010 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

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## EXECUTIVE SUMMARY

The Washington State Department of Agriculture (WSDA) serves all of 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, 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 four 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
- Cooperative efforts to manage and eliminate invasive species that threaten environmental quality, native species and economic productivity

## HIGHLIGHTS

In 2009, WSDA's Pest Program provided technical assistance and funding for invasive knotweed control to the Yakama Nation and to regional associations composed of 12 other tribes. The agency also partnered to control other invasive weed species with the Yakama Nation, Colville Confederated Tribes, Makah Tribe, Swinomish Tribe, Tulalip Tribes and Suquamish Tribe. The WSDA and the Puyallup Tribe continued their partnership in 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 affect fish habitat and shellfish harvests. The DNMP staff participates in watershed-based discussions on water quality issues that involve 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 Pesticide Farm Worker Education Program partners with the tribes to provide pesticide use and application training to improve worker safety.

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 Health Program made a presentation at the Tulalip Tribe's Emergency Preparedness Conference on the agency's role in responding to a zoonotic disease outbreak.

The Avian Health Program sent a letter and educational materials to tribes located in counties where H5 or H7 low path avian influenza has been found in wild waterfowl. The following tribes received the informational correspondence:

- Yakama Nation
- Lummi Nation
- Nooksack Tribe
- Swinomish Tribe
- Colville Confederated Tribes
- Upper Skagit Tribe
- Samish Nation

As a result of the mailing, the program was contacted by the Samish, Nooksack and Colville tribes. A follow-up meeting was held with Nooksack tribal leaders to discuss coordination of a high-risk flock surveillance program between the tribe and the agency.

## **STAFF CONTACT**

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# DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

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## 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

Organized and co-hosted the Eastside Government to-Government Summit on Human Remains in Olympia. The meeting was attended by representatives from the Yakama Nation, Kalispel Tribe, Confederated Tribes of the Umatilla Reservation and the Confederated Tribes of the Colville and Wanapum.

Established a secure online Web portal, WISAARD, with DAHP's data for tribal and archaeologists use. Signed up 36 tribal cultural resource personnel to use WISAARD.

Hired an additional transportation archaeologist.

Finished entering data for 39 counties in the statewide cemetery/burial database. Presently, 2,417 cemeteries are recorded.

Provided instruction at the Department of Natural Resources cultural resource training on the west side.

Organized and provided instruction at the weeklong cultural resource training in Wenatchee.

Hired the State Physical Anthropologist, Dr. Guy Tasa. Three tribes were represented on the hiring committee.

Established a secure transfer station for human remains at DAHP.

Opened and investigated 125 human remains cases.

Notified affected tribes of 97 non-forensic human remains cases.

Notified affected tribes of the state physical anthropologist's determination of ethnicity of 88 human skeletal remains cases.

Have repatriated or are temporarily holding for repatriation 46 human skeletal remains cases. Remaining cases are either non-Indian or still in notification process.

Presented 10 presentations on human remains issues for medical examiners, the Legislature, coroners and anthropological audiences.

Completed the “2009 Biennial Report to the Legislature Concerning Activities Performed under the New Human Remains Legislation.”

Completed and implemented the statewide archaeological predictive model.

Completed update of the State Historic Preservation Plan for 2009 to 2010. Planning process included meetings with tribal representatives and a tribal representative on the plan steering committee. The new plan includes “Goal V: Improve the Identification and Protection of Archaeological Sites and Cultural Resources.” Tribes are identified as a participant in helping to implement this goal and supporting objectives.

Participated in consultation with federal agencies and tribes on development of a programmatic agreement for the Columbia River system.

Participated in the investigations of 13 archaeological disturbances statewide.

Conducted training on Section 106 and Governor’s Executive Order 05-05 at the Infrastructure Assistance Coordinating Council conference.

Issued 28 archaeological permits; nine are in progress.

Participated in two curation summits.

Created a DAHP repository list of repositories, which meets the Secretary of the Interior’s standards for curation of artifacts. Tulalip’s Hibulb Cultural Center and Preserve is the first tribal repository on the list.

DAHP’s “Power of Place” Archaeology Month poster, featuring Snoqualmie Falls traditional cultural property, won the poster contest at the Society for American Archaeology annual poster contest and meetings in St. Louis.

## **STAFF CONTACT**

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# DEPARTMENT OF COMMERCE

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## EXECUTIVE SUMMARY

The mission of the Department of Commerce is to grow and improve jobs in Washington. The department is statutorily directed to implement a broad range of programs and services, and invests nearly \$1.74 billion each biennium in communities throughout the state. These investments fall into three major categories: social investments, physical and environmental investments, and economic investments.

## HIGHLIGHTS

Ernie Clark from the Colville Confederated Tribes has agreed to serve as a member of the State Energy Strategy Advisory Committee through 2011.

Three tribal projects were funded through Commerce's Capital Programs unit:

- Repurposing Daybreak Star - \$87,500
- Daybreak Star in Discovery Park - \$300,000
- Lummi Gateway Center - \$150,000

The Community Economic Development Board (CERB) awarded the Lummi Indian Business Council a \$50,000 grant for a feasibility study to evaluate the Lummi shellfish hatchery operation, including the rehabilitation of the existing shellfish hatchery and the sea pond, and construction of a geoduck seed hatchery.

The Yakama Nation received a \$10,000 CERB grant for a feasibility study for the purchase of a log merchandiser for the Yakama forest products sawmill.

The Jamestown S'Klallam Tribe was awarded a \$25,000 tourism grant to establish a Northwest Tribal Tourism Integrated Regional Marketing program.

The Washington State Tourism Website features 37 "points of interest" that use interactive mapping, photography and copy specific to tribal tourism.

Tribes were featured prominently in the National Geographic Central Cascades Mapguide released in January 2010. Squaxin Island Museum, In the Spirit: Northwest Native Arts Market & Festival, and the Yakama Nation Museum and Cultural Center are on the map. All tribal reservations in the region are featured on the map, which was inserted in the May/June 2010 issue of National Geographic Traveler, which reaches 126,000 subscribers.

The Tourism Office conducted a tour operator familiarization tour around the Olympic Peninsula with Jake Hauptert, owner of Evergreen Escapes. The tour was an opportunity for the participating tribes to learn what tour operators and their clients are looking to experience and the amenities necessary to capture this important tourism market segment.

The Community Services and Housing Division conducted a request for proposal process for innovative tribal weatherization projects, and provided funding for four successful applicants. The following results are expected: 25 more Native American weatherized units could be added to last

year's 54 units, 100 households will receive home-based energy conservation education and tribal communities will receive energy conservation education workshops in coordination with housing fairs.

Housing's Capital Programs awarded \$296,250 to United Indians of All Tribes Foundation for Daybreak Star in Discovery Park in 2009.

The Housing Trust Fund awarded \$2.4 million in the spring 2009 funding round to the Port Gamble S'Klallam Tribe Housing Authority to construct 10 units of multi-family rental housing on tribal land near Kingston.

In 2009, 32 tribes participated in the Emergency Food Assistance Program, receiving \$327,572 in funding. Five tribes provided food bank services, distributing food to 1,350 people who averaged more than 12 visits for the year. Thirty-one tribes issued vouchers to 8,222 people who averaged two visits per year. Forty percent were children and 12 percent were seniors.

The Office of Crime Victims Advocacy has contracts with the following, for a total investment of \$431,482:

Lummi Nation	\$118,600
Swinomish Tribal Community	23,850
United Indians of All Tribes Foundation	80,000
Port Gamble S'Klallam Tribe	32,473
Upper Skagit Indian Tribe	10,000
Cowlitz Indian Tribe	61,059
Sauk-Suiattle Indian Tribe	35,000
Suquamish Tribe	10,000
Lower Elwha Indian Tribe	25,500
Shoalwater Bay Tribe	35,000

The Washington State Tourism Office is working with Northwest Tribal Tourism to plan the 2011 Pacific Coast Scenic Byway/Tribal Tourism Workshop and garnering support from non-tribal stakeholders around the Pacific Coast Scenic Byway.

## **STAFF CONTACTS**

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# DEPARTMENT OF CORRECTIONS

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## EXECUTIVE SUMMARY

The Department strives to work hand-in-hand with Washington tribes to assure that offenders' cultural needs are met while incarcerated and there is seamless communication and cooperation to assure their assimilation upon release.

## HIGHLIGHTS

### **2009 Tribal/Department of Corrections Summit**

In November 2009, the Nisqually Tribe and the Department of Corrections sponsored the first Tribal/Department of Corrections Summit. The purpose of the summit was to set the foundation for the tribes and Department to work together to better address the cultural, historic and religious needs of Indian offenders during their incarceration as well as discuss ways to improve offenders' successful re-entry to the community. The Summit brought together Tribal Council and Department leaders, prison superintendents, heads of tribal and state probation and parole, heads of tribal social agencies, tribal law enforcement, tribal court judges and Department re-entry experts.

### **Tribal Agreements**

One suggestion brought forward during the Summit was for the Department to enter into agreements with other tribes, as we did with the Colville Confederated Tribes, about attendance at family funerals by offenders. The agreement with the Colville Confederated Tribes authorizes escorted leave for incarcerated tribal members to attend funerals or visit dying family members as well as grants furloughs to offenders who meet certain criteria. The Department hopes to reach agreement with every tribe interested in entering into an escort agreement and be prepared to sign them at the 2010 Centennial Accord.

### **Offender Tribal Affiliation**

It is important for the Department to work closely with an offender's cultural and family support base. To enhance collaboration between the Department and tribes, we are implementing a process to record offender tribal affiliation during prison intake. We are also in the process of identifying the tribal affiliation of offenders who are already incarcerated. By identifying tribal affiliation, we will ensure offender needs are met during incarceration, which will ultimately help with successful reintegration to the community upon release.

## STAFF CONTACT

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# DEPARTMENT OF EARLY LEARNING

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## EXECUTIVE SUMMARY

At the Department of Early Learning (DEL), we work every day to help Washington's children get ready for school and life. Created by Gov. Gregoire in July 2006, DEL is the first Cabinet-level agency of its kind in the nation. Our work focuses on children's earliest years of life, offering information and resources for children's first and most important teachers — parents. With almost half a million children in Washington ages birth to 6, we have a tremendous opportunity to prepare all our youngest citizens for success.

DEL's Tribal Liaison, Director Bette Hyde, is building partnerships and enhancing communication between DEL and tribal nations. Over the next year, DEL will continue to work with tribal nations to finalize a Centennial Accord plan that supports the communication and consultation efforts between each tribal nation and DEL. We look forward to building a plan that supports tribes in their early learning efforts.

## HIGHLIGHTS

### Program Support

Three Early Childhood Education and Assistance Program (ECEAP) contractors currently have sites operated by tribal organizations. During the 2008–09 program year, 5.4 percent of the children enrolled in ECEAP were American Indian and five of the 277 sites were operated by tribal organizations.

The DEL provides a tribal certification process specific to child care licensing for family homes and centers.

The DEL provides Department of Social and Health Services client data to several American Indian Head Start programs on an annual basis to aid in recruitment efforts.

### Partnership Building

The DEL sponsored the April 2010 Tribal Early Care and Education Conference, which was attended by approximately 180 participants who represented 22 of the federally recognized tribes. Additional support was provided by the Colville Confederated Tribes, which sponsored breakfast; and the Chehalis Confederated Tribe, Colville Tribe, Lummi Tribe, Port Gamble S'Kallam Tribe, Suquamish Tribe and Tulalip Tribe, which generously participated in the workgroup that planned this successful conference.

A tribal representative serves on the Advisory Team for the Washington Kindergarten Inventory of Developing Skills, our state's kindergarten readiness assessment process to be piloted during school year 2010–11.

The DEL director conducts meetings with tribes to gather input on the review of the Washington State early learning and development benchmarks.

The statewide DEL Parent Advisory Group includes tribal representation.

Tribal representatives participated on the DEL Drafting Team that developed the Recommendations to the Governor for the Statewide Early Learning Plan (August – December 2009).

Tribal representatives attended an event sponsored by DEL, Thrive by Five and the Infant Toddler Early Intervention Program to help prioritize how DEL spends funds from federal sources, including the Recovery Act.

Tribal representatives attended DEL's Infant and Toddler Outcome-Based Planning work session to draft a Theory of Change (February 2010).

Key meetings conducted in 2009 by Director Hyde:

- June 3: met with Chairman Forsman.
- Aug. 20: with staff from the Eastern Service Area, met with the Spokane Tribe of Indians to discuss and assist the Spokane Tribe with child care programming needs.
- Sept. 9: attended a meeting with tribes on kindergarten assessments.

### **Infrastructure Development**

The DEL director attended the 2009 Governor's Centennial Accord meeting and pre-meeting with tribal nations.

The DEL attends the Governor's Office of Indian Affairs (GOIA) monthly tribal liaison meetings.

The DEL staff members continue to work with Department of Social and Health Services, Director of Indian Policy and Support Services to discuss DSHS 7.01 plans, and plan for DEL to continue to operate under the DSHS Administrative Policy 7.01. DEL formed an internal workgroup to explore ways to support Washington tribal nations through programs and activities at the service area and local levels.

The DEL participates in the Washington Tribal Child Care conference calls sponsored by the Region X Child Care Bureau.

The DEL has developed a page on the DEL Website focused on tribal relations and resources.

### **STAFF CONTACT**

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# DEPARTMENT OF ECOLOGY

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## EXECUTIVE SUMMARY

The Department of Ecology is Washington's principal environmental protection agency. Ecology works with tribes in government-to-government 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. The unique legal status of tribes and tribal reservations, and the presence of tribally reserved rights and cultural interests throughout the state, have created a special relationship between tribes and Ecology. In recognition of this, soon after Gov. Gregoire took office, tribes and the state created the Ecology – Tribal Environmental Council (E-TEC) under the Centennial Accord. The E-TEC is composed of policy representatives of tribes and Ecology, co-chaired by Stillaguamish Tribe Councilman Shawn Yanity and Ecology Director Ted Sturdevant. The E-TEC serves to augment and reinforce the individual government-to-government relationships between tribes and the state by providing a quarterly forum for discussing statewide policy issues.

## HIGHLIGHTS

Government-to-Government Cooperation and Consultation: Ecology is engaged with many tribal governments on projects throughout the state on an ongoing basis. Consultation and coordination happens frequently in connection with water quality permits, water cleanup plans, water right actions and toxic cleanup. A number of tribes have federally approved tribal water quality standards under the Clean Water Act authority and have taken on responsibilities under the Clean Air Act. Tribes with federally approved water quality standards are the Spokane Tribe, Puyallup Tribe, Port Gamble S'Klallam Tribe, Makah Nation, Lummi Nation, Kalispel Tribe, Colville Confederated Tribes and the Chehalis Confederated Tribes. Tribes authorized for "Treatment in the Same Manner as a State" for sections of the Clean Air Act are the Tulalip Tribes, Colville Confederated Tribes, Puyallup Tribe, Swinomish Tribe, Quinault Nation and Makah Nation. Each reservation is effectively a neighboring state under these laws. Ecology works with tribes and the Environmental Protection Agency to coordinate on cross-border flows, consistent with our respective authorities.

The E-TEC collaboration has continued with quarterly meetings, which provide a reliable forum for sharing perspectives and analysis of emerging issues, including water quality standards implementation, forests and fish agreement Clean Water Act assurances, Puget Sound restoration and wetland mitigation, and water resource and legislative issues. All tribes are welcome to join the E-TEC. Ecology will be working with the council to implement provisions of Chapter 285, Laws of 2010, and the Governor's directives on state-tribal communication and coordination of water rights processing.

The Lake Roosevelt Columbia Water Partnership Agreements with the Colville Confederated Tribes and the Spokane Tribe were funded by the Legislature and are providing funds to enhance fisheries, protect the environment, and preserve the tribes' cultural and archaeological resources.

Ecology and the Colville Confederated Tribes are working with Teck Cominco to clean up a slag-impacted beach on Lake Roosevelt. Ecology and the Colville Confederated Tribes are also working closely together to address cleanup and damages to the Columbia River which resulted from Teck Cominco operations in British Columbia. Funding in the budget signed into law this year provides the state's share of litigation costs.

The Spokane Tribe – Ecology Washington State Joint Task Force on water rights called for under the Spokane Lake Roosevelt Agreement has been established and has held several meetings on the Spokane basin water rights adjudication in Idaho and the potential for a correlated water rights adjudication in Washington.

Ecology has funded a cultural resource management plan to establish guidelines for the treatment and management of cultural resources affected by Columbia River Program activities. The plan will address cross-program activities throughout Eastern Washington, comply with the cultural resource laws and national policies of environmental stewardship, and fulfill the requirements of Washington State Executive Order 05-05.

The Lummi Nation and Ecology are implementing the Lummi Reservation Groundwater Settlement, which resolved water conflicts on the Lummi Peninsula portion of the reservation. The settlement provides for ongoing cooperative water management, which includes close monitoring of groundwater chlorides and well reports.

Ecology has been negotiating with the Nooksack Tribe and the Lummi Nation over the settlement of treaty-based instream flow rights in the Nooksack River over the past year. The goal of these negotiations is to secure agreement on meeting the instream flows necessary to maintain the tribal treaty fisheries right. The parties hope to have an agreement in principle to take to the next step of the settlement process by the end of summer.

Ecology continues to work closely with the Confederated Tribes of the Umatilla Reservation and other partners of the Walla Walla Water Management Initiative, a pilot water management program in the Walla Walla watershed, including a major project funded by Ecology's Columbia River Program to increase Walla Walla River flows for fish.

Ecology's Toxics Clean-up Program continues its focus on effective coordination and consultation with tribes on the cleanup of contaminated land. In the past year this has involved work with the Lower Elwha Klallam Tribe, Port Gamble S'Klallam Tribe, Tulalip Tribes, Swinomish Tribe, Upper Skagit Tribe, Samish Nation, Suquamish Tribe, Skokomish Tribe, Colville Confederated Tribes, Spokane Tribe, Jamestown S'Klallam Tribe, Chehalis Confederated Tribes, Lummi Nation, Cowlitz Tribe and the Nisqually Tribe. Ecology's program contracts for tribal liaison assistance from the Northwest Indian Fisheries Commission to increase capacity for early and effective consultation and outreach to tribal governments on Puget Sound restoration and cleanup priority actions.

Ecology is working with interested tribes on the state's efforts to plan for and adapt to climate change impacts, under the Governor's Executive Order 09-05 and Chapter 519, Laws of 2009, providing for the creation of a statewide "integrated climate change response strategy." A meeting between state and tribal governments was held to discuss the new law and executive order as well as implementation and tribal engagement. In addition, tribal involvement has been sought on subject-area working groups formed to develop state strategies in the areas of ecosystems, species and habitats; built environment, infrastructure and communities; natural resources (working lands and waters); and human health and security.

## **STAFF CONTACT**

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# DEPARTMENT OF FISH AND WILDLIFE

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## EXECUTIVE SUMMARY

The mission of the Washington Department of Fish and Wildlife (WDFW) is to preserve, protect and perpetuate the state's fish and wildlife resources. Using science as the foundation, WDFW serves the people of Washington by conserving, protecting, restoring and enhancing fish and wildlife and their habitats while providing sustainable fish- and wildlife-related recreational and commercial opportunities.

Procedures for implementing government-to-government policy implementation between WDFW and the Northwest region Indian tribes related to the management of fisheries and hunting activities are well established through federal court decisions and by state-tribal understandings, agreements and management plans.

The WDFW and the tribes consult through a variety of co-management forums. Because these types of contacts are routine and involve a large number of WDFW staff, WDFW does not have any single tribal liaison or contact point. In essence, each member of WDFW's staff is a 'tribal liaison' on his or her area of expertise. The WDFW's Director Phil Anderson and Pat Pattillo (special assistant to the director) hold primary responsibility for state-tribal co-management relationships, and for topics that touch on multiple agency interests or involve multi-agency, multi-state or international forums.

## HIGHLIGHTS

The staff of WDFW worked with tribes on at least 79 management agreements in the areas of fish, shellfish and hunting (see below), and continue to resolve issues and implement state-tribal agreements. The 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, enforcement and Puget Sound recovery.

Achievements from 2009 include:

- The WDFW, Lummi Nation and Nooksack Tribe are implementing a recovery/rescue program for South Fork Nooksack spring Chinook. The tribes are catching juveniles, which are then raised by WDFW for a captive brood program. Adults are spawned and progeny released from a tribal facility. This process has required close cooperation and good communication.
- The WDFW, Colville Confederated Tribes, 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. Attempts to recover these summer Chinook populations began in the 1960s with the closure of fisheries, and continued through subsequent decades with negotiated improvements to the main-stem Columbia hydroelectric operations to improve survival of the out-migrating smolts and returning adults, and development of hatchery programs designed to supplement the remaining natural spawners. These efforts showed success in 2000, with the first fisheries in 40 years. After collecting data from two successful return cycles (2000–08), state and tribal managers initiated the summer Chinook summits to refine the management framework. The WDFW is currently reviewing the recommendations, and plans to implement the new framework before the 2011 season.

- The WDFW and the Yakama Nation negotiated a memorandum of understanding (MOU) authorizing salmon fishing by Yakama Nation members on the Washington shoreline extending several miles downstream of Bonneville Dam. This MOU marked the first time that provisions of the U.S. v Oregon agreement on treaty tribal fisheries downstream of Bonneville Dam have been invoked. Based on the MOU, the Yakama Nation enacted regulations, which opened the area for spring, summer and fall fisheries.
- The WDFW worked with 24 treaty tribes in successfully developing salmon seasons and management measures for the Columbia River, ocean and Puget Sound salmon fisheries. This co-management approach to establishing agreed-to conservation goals and harvest management regimes, termed the North of Falcon process, included coordination with the National Marine Fisheries Service, Pacific Fishery Management Council, Oregon Department of Fish and Wildlife, Northwest Indian Fisheries Commission (NWIFC) and a variety of recreational and commercial constituents.
- During the North of Falcon process, WDFW reached agreement with the Northwest treaty tribes to advance the scope of mark-selective Chinook fisheries in Puget Sound, consistent with co-manager conservation and allocation objectives. The WDFW staff worked collaboratively with NWIFC staff and tribal representatives to develop comprehensive sampling and monitoring plans that provide the basis for technical evaluations of the performance of these fisheries. Reports documenting results of mark-selective Chinook fishery evaluations in Puget Sound are posted on the WDFW Website at [http://wdfw.wa.gov/fish/salmon/suggested\\_reading.htm#tech\\_lit](http://wdfw.wa.gov/fish/salmon/suggested_reading.htm#tech_lit).
- During 2009, co-managers participated in numerous meetings and wrote the second draft of the Puget Sound Steelhead Harvest Management Plan for coverage under the Endangered Species Act (ESA). The Puget Sound Steelhead Distinct Population Segment was listed as threatened under the ESA in 2007. The plan was required under the 4(d) rule of the ESA to cover the incidental take of steelhead and to conserve the abundance, productivity, diversity and spatial distribution of Puget Sound steelhead populations.
- The WDFW, Puget Sound tribes and the NWIFC developed an update of the Puget Sound Chinook Harvest Management Plan. The revised plan was submitted to the National Oceanic and Atmospheric Administration in November for approval under Limit 6 of the salmon 4(d) rule, which identifies criteria for exemption of joint state/tribal resource management plans from the prohibition of ‘take’ of listed species. Among those criteria are the requirements that harvest does not impede the recovery of populations whose abundance exceeds their critical threshold, and that populations with critically low abundance are guarded against further decline. When approved, the revised plan will provide ESA coverage for treaty and non-treaty Puget Sound salmon fisheries from May 2010 through April 2015.
- The WDFW briefed the treaty tribes on the 21 Century Salmon & Steelhead Initiative. Core elements of the initiative include the following state/tribal benchmarks:
  - ◆ Key WDFW leadership positions, including individuals from the Director’s Office and the Fish Program, have strong policy relationships with individual tribal governments.
  - ◆ The WDFW has strong technical and enforcement coordination and cooperation with each individual tribal government.
  - ◆ The WDFW key staff and leadership understand treaty rights and the parameters within which they work with the tribes in the co-manager relationships.
- In 2008, WDFW and the nine signatory tribes 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 2009–10 hunting season and is being updated for the 2010–11 hunting season.

- In 2009, the Colville Confederated Tribes and WDFW entered into an MOU for the North Half to promote communication on enforcement issues, coordinate rules and regulations to provide for safe and sustainable hunting opportunities, and ensure hunting violations are investigated and referred to the appropriate jurisdiction. The MOU called for sharing regulations and disposition of cases, using joint patrols and exchanging enforcement protocols for how enforcement officers will manage contacts with hunters in the North Half. The Colville Confederated Tribes also will require members in their hunting regulations to show tribal identification upon request by WDFW enforcement officers.
- The WDFW’s director and other staff met with representatives from more than a dozen Washington tribes, NWIFC and others to continue dialogue on the Washington Department of Fish and Wildlife – Tribal Hydraulic Project Approval Forum in January 2010.
- The WDFW has been working with representatives from seven tribes on a pilot project to test an online tool to allow tribal access to WDFW’s Hydraulic Project Approval database (the Hydraulic Permit Management System, or HPMS). Initiated in June 2009, the pilot project will assess the effectiveness of the tool as a means of sharing information with tribes. Through the pilot, WDFW hopes to solicit key information from tribal and department participants to develop a protocol for further effective communication. The tribes and groups participating with WDFW on the pilot project are:
  - ◆ Colville Confederated Tribes
  - ◆ Cowlitz Indian Tribe
  - ◆ Makah Tribe
  - ◆ Port Gamble S’Klallam Tribe
  - ◆ Skagit River System Cooperative
  - ◆ Spokane Tribe
  - ◆ Upper Skagit Indian Tribe

## 2009–10 State Tribal Resource and Species Harvest Agreements

### Shellfish

Management Plan	Expiration Date	Status *	Affected Parties
Crab CMR 1 (North Sound)	05/31/09	Renewal in progress	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Crab CMR 2E (Everett, Skagit)	03/31/10	Renewal in progress	WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Suquamish
Crab CMR 2W (Admiralty Inlet, Port Townsend)	05/31/10	In effect	WDFW, Lummi, Swinomish, Upper Skagit, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Crab CMR 3 (Strait of Juan de Fuca)	05/31/10	In effect	WDFW, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish

Crab CMR 4 (S. Central Sound)	05/31/10	In effect	WDFW, Muckleshoot, Tulalip, Suquamish
Crab CMR 5 (Hood Canal)	05/31/10	In effect	WDFW, Skokomish, Port Gamble, Jamestown, Lower Elwha, Suquamish
Crab CMR 6 (South Sound)	05/31/10	In effect	WDFW, Nisqually, Puyallup, Squaxin
Shrimp CMR 1 (North Sound)	01/31/11	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Shrimp CMR 2 East (North-Central Sound)	01/31/11	In effect	WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Shrimp CMR 2 West (N. Central)	01/31/11	In effect	WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Shrimp CMR 3 (Strait)	01/31/11	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish
Shrimp CMR 4 and 6 (S. Central)	01/31/11	In effect	WDFW, Muckleshoot, Tulalip, Nisqually, Puyallup, Squaxin Island, Suquamish
Shrimp CMR 5 (Hood Canal)	03/31/11	In effect	WDFW, Port Gamble, Jamestown, Lower Elwha, Suquamish, Skokomish
Geoduck (North Sound)	Work in progress	Section 4.6 No objection	WDFW, DNR, Upper Skagit, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Coastal Spot Shrimp	02/28/10	In effect	WDFW, Makah
Geoduck (Central Sound)	03/31/11	In effect	WDFW, DNR, Lummi, Muckleshoot, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Geoduck (South Sound)	03/31/11	In effect	WDFW, DNR, Puyallup, Nisqually, Squaxin
Geoduck (Eastern Strait)	03/31/11	In effect	WDFW, DNR, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Geoduck (Hood Canal)	03/31/11	In effect	WDFW, DNR, Port Gamble, Jamestown, Lower Elwha, Suquamish, Skokomish
Horse Clam (Eastern Strait)	03/31/11	In effect	WDFW, DNR, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Horse Clam (Hood Canal)	Work in progress	In effect	WDFW, DNR, Port Gamble, Jamestown, Lower Elwha, Skokomish, Suquamish
Horse Clam (South Sound)	NA	Section 4.6 No objection	WDFW, DNR, Puyallup, Nisqually, Squaxin
Bivalve Region 1 (Strait)	12/31/10	In effect	WDFW, DNR, Lummi, Swinomish, Tulalip, Makah, Port Gamble, Jamestown, Lower Elwha, Suquamish

Bivalve Region 3 (North Sound)	12/31/10	In effect	WDFW, DNR, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Bivalve Region 4 (N. Central Sound)	12/31/10	In effect	WDFW, DNR, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Bivalve Region 5 (Admiralty Inlet)	12/31/10	In effect	WDFW, DNR, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Bivalve Region 6 (S. Central Sound)	12/31/10	In effect	WDFW, DNR, Tulalip, Suquamish
Bivalve Region 7 (South Sound)	10/31/10	In effect	WDFW, DNR, Puyallup, Nisqually, Squaxin
Bivalve Region 8 (Hood Canal)	12/31/10	In effect	WDFW, DNR, Skokomish, Port Gamble, Jamestown, Lower Elwha, Suquamish
Sea Cucumbers (Puget Sound excluding Central)	04/30/10	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
Sea Cucumber (Central Sound)	04/30/10	In effect	WDFW, Lummi, Swinomish, Muckleshoot, Tulalip, Suquamish
Sea Urchins (Puget Sound)	08/31/10	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish, Skokomish, Puyallup, Nisqually, Squaxin
Squid (Puget Sound)	12/31/10	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish, Skokomish, Puyallup, Nisqually, Squaxin
Razor Clams (Copalis and Mocrocks)	08/31/09	In effect	WDFW, Quinault
Razor Clams (Kalaloch Beach)	08/31/09	In effect	WDFW, Quinault, Hoh
Coastal Crab (North)	10/31/09	In effect	WDFW, Makah
Coastal Crab (North/Central)	10/16/11	In effect	WDFW, Quileute
Coastal Crab (Central)	09/15/09	In effect	WDFW, Quinault

\* 4.6 status refers to Paragraph 4.6 of the U.S. District Court Order Re: Implementation of the Shellfish Proviso, which allows for a state or tribal shellfishery opening without agreement between the parties with specific unique requirements applied to the opening.

## Salmon, Steelhead and Sturgeon

Management Plan	Expiration Date	Status	Affected Parties
List of Agreed-to Fisheries: Chinook, coho, chum, pink, sockeye	04/30/10	In effect	WDFW, Washington treaty tribes
Fisheries Harvest and Conservation Agreement	None	In effect	WDFW, Colville
Skagit MOU	Annual	In effect	WDFW, Upper Skagit, Swinomish, Sauk-Suiattle
Management Framework Plan and Salmon Run Status for Hood Canal Region	Annual	In effect	WDFW, Hood Canal tribes
Management Framework Plan and Salmon Run Status for Stillaguamish and Snohomish Region	Annual	In effect	WDFW, Tulalip, Stillaguamish
Management Framework Plan and Salmon Run Status for Strait of Juan de Fuca	Annual	In effect	WDFW, Hood Canal and Strait of Juan de Fuca tribes
Fraser River Panel Management Plan	Annual	In effect	WDFW, tribes, Canadian Dept. of Fisheries and Oceans, Pacific Salmon Commission
Summer Chum Salmon Conservation Initiative	Multi-year	In effect	WDFW, Hood Canal and Strait of Juan de Fuca tribes
Puget Sound Steelhead Resource Management Plan	Multi-year	Pending	WDFW, Puget Sound tribes
2008–17 U.S. v Oregon Management Agreement	Multi-year	In effect	State of Washington, State of Oregon, State of Idaho, United States, Shoshone Bannock, Warm Springs, Umatilla, Nez Perce, Yakama
Joint Staff Report: Stock Status and Fisheries for spring Chinook, summer Chinook, sockeye, steelhead and Other Species, and Miscellaneous Regulations	Annual	In effect	WDFW, Oregon Department of Fish and Wildlife, Columbia River tribes
Joint Staff Report: Stock Status and Fisheries for fall Chinook, coho, chum, summer steelhead and white sturgeon	Annual	In effect	WDFW, ODFW, Columbia River tribes
Puyallup River Chum Harvest Management Plan	Annual	In effect	WDFW, Puyallup

Comprehensive Management Plan for Puget Sound Chinook: Harvest Management Component	4/30/15	Pending	WDFW, Puget Sound Treaty tribes, National Marine Fisheries Service
Skagit River - steelhead	11/30/10	In effect	WDFW, Swinomish, Sauk-Suiattle, Upper Skagit
Green River - steelhead	4/30/10	In effect	WDFW, Muckleshoot, Suquamish
Nooksack River - steelhead	2009/10	In effect	WDFW, Lummi, Nooksack
Stillaguamish Snohomish - steelhead	10/31/10	In effect	WDFW, Stillaguamish, Tulalip
Samish River - steelhead	2009–10	In effect	WDFW, Swinomish, Upper Skagit, Lummi, Nooksack
Nisqually River - steelhead, chum	04/30/11	In effect	WDFW, Nisqually
Puyallup River - steelhead, chum	04/30/10	In effect	WDFW, Puyallup
Hoh River - steelhead	4/30/10	In effect	WDFW, Hoh
Chehalis River - steelhead	2009–10	Pending	WDFW, Quinault
Quinault River - steelhead	2009–10	In effect	WDFW, Quinault
Queets River - steelhead	04/30/10	In effect	WDFW, Quinault
Humptulips River - steelhead	2009–10	Pending	WDFW, Quinault
Moclips/Copalis - steelhead	04/30/10	In effect	WDFW, Quinault
Quillayute River - steelhead	10/31/10	In effect	WDFW, Quileute
Dungeness River - steelhead	4/30/10	In effect	WDFW, Point-No-Point, Lower Elwha, Port Gamble, Jamestown S'Klallam
Hood Canal - steelhead	4/30/10	In effect	WDFW, Point-No-Point, Lower Elwha, Port Gamble, Jamestown S'Klallam, Skokomish
Upper Columbia/Snake - spring, summer, fall Chinook, steelhead, coho, sockeye and white sturgeon	12/31/17	In effect	WDFW, ODFW, Warm Springs, Umatilla, Nez Perce, Yakama
Upper Columbia - spring and summer Chinook, sockeye and steelhead	None	In effect	WDFW, Colville

## Wildlife

Management Plan	Expiration Date	Status	Affected Parties
Regional Hunting Management Agreement for 2010–11	NA	Pending	WDFW, Lummi, Muckleshoot, Nooksack, Sauk-Suiattle, Upper Skagit, Stillaguamish, Suquamish, Swinomish, Tulalip
Medicine Creek Agreement re: Southern Boundary of Ceded Area	None	In effect	WDFW, Muckleshoot, Puyallup, Nisqually, Squaxin Island

Colville Hunting Area Agreement	None	In effect	WDFW, Colville
WDFW/CCT North Half Enforcement MOU	None	In effect	WDFW, Colville

**Other**

<b>Management Plan</b>	<b>Expiration Date</b>	<b>Status</b>	<b>Affected Parties</b>
Cowlitz Tribe MOA	None	In effect	WDFW, Cowlitz
Nez Perce MOA	None	In effect	WDFW, Nez Perce
Rufus Woods Lake Fishing Agreement	12/17/12	In effect	WDFW, Colville
Spokane River Arm of Lake Roosevelt Agreement	None	In effect	WDFW, Spokane
On-Reservation Consultation MOA	NA	Pending	WDFW, Quinault

**STAFF CONTACT**

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# WASHINGTON STATE GAMBLING COMMISSION

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## EXECUTIVE SUMMARY

Our mission is to protect the public by ensuring that gambling is legal and honest. Of the 29 federally recognized tribes in Washington state, 28 have compacts for Class III gaming, and 22 of the tribes operate 28 casinos for most of the year. In 2009, the tribes had more than \$1.5 billion in net receipts, or the amount wagered less prizes paid.

## HIGHLIGHTS

### Tribal Certification Improvements

These were made in consultation with our tribal regulatory partners in 2009 and include:

- Using one memorandum of understanding that allows potentially qualified gaming employees to begin work prior to receiving state certification. We made all administrative actions available for review online;
- Processing administrative cases for revocation of state certification based on the tribe's gaming license revocation without cost to the tribes;
- Organizing and leading two tribal gaming agency and state gaming agency licensing meetings for 64 people that included training presentations from the Department of Homeland Security; and
- Developing a reference book for each tribe on its process for state certification or eligibility determinations.

### Compact Submissions and Modifications

We received, reviewed and approved 477 submissions from 22 tribes, including Appendix X2 revisions or similar modifications, changes to internal controls and games rules.

### Communication with Tribes

During 2009, staff worked with the tribal gaming agencies as regulatory partners to improve communication through consultation on a variety of topics, including improving regulatory program cooperation, billing, surveillance and training. We also agreed to a communication protocol agreement with a tribe to clarify and enhance our co-regulatory relationship.

### Co-Regulatory Partners

Agency staff completed an audit of 14 tribal casinos (12 tribes) and indentified 132 compact and internal control violations. In partnership with tribal gaming agencies, we ensured the violations were corrected. We worked with the tribes to respond to 82 complaints and 258 inquiries from the public about tribal gaming casinos.

### Updated New Agent Training

A group of tribal gaming agency directors and our agency staff continued to improve training provided to new tribal and state agents. In 2009, the rating improved to an average overall class rating of 4.4 out of a possible 5. Classes are team-taught by our agency and tribal gaming agency staff. During the year, 144 individuals attended the classes. The training is attended by tribal and state regulators from across the nation.

## STAFF CONTACT

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# DEPARTMENT OF GENERAL ADMINISTRATION

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## EXECUTIVE SUMMARY

The Department of General Administration (GA) is a high-performing central services agency, delivering excellence in strengthening government's ability to achieve results efficiently and effectively. It is the agency's mission to help its customers succeed by embracing the values of leadership, collaboration, accountability, foresight and stewardship. We are committed to the principles of the Centennial Accord and achievement of the following goals: (1) Improve services that are provided to the tribes, and identify and seek remedies for barriers to accessing these services; (2) Recognize and respect the tribes as sovereign governments, each 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**

Current tribal members are the Chehalis Confederated Tribes, Lummi Indian Nation and Quinalt Nation, all of which have used the cooperative's contracts in 2010 and 2011. The cooperative provides members an opportunity to pool their purchases through state contracts, thus saving millions of dollars. The GA and Governor's Office of Indian Affairs (GOIA) are working together to clarify tribal eligibility requirements and membership fees with the goal of developing a tribal inter-local agreement for this program. In addition, GA continues its commitment to expanding supplier diversity in developing statewide contracts as well as its own purchasing activity.

### **Management of the Heritage Center/Executive Office Building Construction Project on the State Capitol Campus**

The GA routinely consults with tribal archeologists on capital projects that may have cultural or scientific significance. Due to the recession, the Legislature placed a hold on the Heritage Center/Executive Office Building construction project and directed a revised pre-design. However, prior to this action and based on the project's original design, GA contacted GOIA, Chehalis Confederated Tribes, Cowlitz Indian Tribe and Squaxin Island Tribe about the initial scope of the project, including the potential need to remove or relocate the Story Pole on the Capitol Campus and the planned hillside excavation adjacent to Capitol Lake. Both the Squaxin Island Tribe and Chehalis Confederated Tribes indicated interest, and discussions will continue as issues evolve.

### **Capitol Campus Story Pole**

Based upon assessments, there is concern over the life cycle of the Story Pole. The GA is monitoring deterioration and conducting a technical analysis to better understand the Story Pole's condition. The GA will work with the Tulalip Tribe to develop a treatment plan.

### **Capitol Lake**

In 1997, GA organized the intergovernmental Capitol Lake Adaptive Management Plan Steering Committee to address challenging issues related to water quality, sediment, fish and wildlife, and long-term management. The committee has completed its work and submitted its recommendation for a plan to manage the lake. As part of that process, the Squaxin Tribe contributed the following: (1) The sum of \$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. Moving forward, GA will continue to work with the Squaxin Tribe on these issues.

### **Station Camp Middle Village**

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 development of the park component. Also working in a consultative role are the Department of Archaeology and Historic Preservation and the Chinook Tribe, along with other interested parties.

### **Interagency Initiative**

The GA Information Systems division has supported GOIA technology and computers for several years as part of the Small Agency IT Initiative.

### **STAFF CONTACT**

Sharon Case, Government Relations Director and Tribal Liaison, 360-902-7208, [scase@ga.wa.gov](mailto:scase@ga.wa.gov)

# DEPARTMENT OF HEALTH

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## EXECUTIVE SUMMARY

Federal support to provide health services to Native American and Alaska Native citizens has steadily eroded. It has fallen on state, tribal and local governments to fill this gap. Outside tribal governments, there's a lack of understanding about this need. Few effective systems are in place to coordinate public health and health care services delivery on tribal lands or to native populations. The state Department of Health (DOH) and other health-related state agencies have depended on the American Indian Health Commission to provide advice, coordinate services and facilitate communication.

## HIGHLIGHTS

### **Cross-Agency Coordination – The State-Tribal-Urban Indian Health Collaborative**

The DOH participates on a collaborative effort with other state agencies convened by the Health Care Authority and the American Indian Health Commission. Four priority initiatives were identified:

- **Maternal-infant health disparities:** A maternal and infant health subcommittee focuses on recommending best practices and providing WIC (Women, Infants' & Children's) First Steps program services to American Indian populations.
- **Raising Awareness of Urban Indian Issues:** The Seattle Indian Health Board is a Tobacco Prevention and Control Network contractor and will increase access to cessation services for urban Indians.
- **Indian Health Information Technology Workgroup:** The DOH will provide funding for tribal equipment for video conferencing access.
- **Certification of Tribal Home Care Programs:** The DOH, in collaboration with the Department of Social and Health Services, Centers for Medicare Services, American Indian Health Commission and Port Gamble S'Klallam Tribe, have worked to develop and initiate a pilot certification process for the tribal home care program.

### **Public Health Emergency Preparedness and Response Program**

- The partnership of Washington tribes and DOH continues to enhance capacity to protect the public's health. The DOH has allocated \$1.5 million for tribal activities focused on public health emergency preparedness and response.
- In conjunction with the American Indian Health Commission, Indian Health Service and Northwest Portland Area Indian Health Board, DOH addressed identified needs to maximize use of available funding:
  - ◆ Supplies were ordered for each tribal health clinic using Indian Health Service population data (provided by tribes to Indian Health Service). Supplies were shipped directly to each clinic to help meet increased patient care needs during the H1N1 flu event.
  - ◆ A tribal H1N1 video, featuring Swinomish Tribal Chair Brian Cladoosby, was recorded at the Tulalip Health Clinic and mailed to tribal health directors and emergency managers at each tribe. These videos continue to be used in clinic waiting rooms, at elders meetings, and on tribal TV stations and Webcasts.
  - ◆ Personal protective equipment needs were addressed through a contract with the Northwest Portland Area Indian Health Board, which expedited identification of individual tribal equipment requests through contact with each tribe. This approach maximized use of available funding as bulk purchases of equipment were identified. A process was developed to ensure all tribes equal opportunity to needed equipment.

### **Mutual Aid Agreements**

A historic tribal-public health agreement was recently signed between local health authorities and tribal leadership. The Olympic Regional Tribal-Public Health Collaboration and Mutual Aid Agreement — the first of its kind in the nation — took effect in November 2010. The Port Gamble S’Klallam Tribe, the Suquamish Tribe and the Kitsap County Health District were the first to sign. The agreement includes the Lower Elwha Klallam Tribe, Makah Tribe, Jamestown S’Klallam Tribe, Quileute Tribe and Hoh Tribe, as well as local health agencies in Clallam and Jefferson counties.

### **Community Wellness and Prevention**

In 2009, “Healthy Communities Washington” was launched to improve the health of people at the community level. The Lummi Nation is one of the funded projects.

### **Tobacco Prevention and Control Program**

The DOH Tobacco Prevention and Control Program contracted with 27 of 29 federally recognized tribes. (Only the Hoh Tribe and Muckleshoot Tribe were not under contract in state fiscal year 2010). All tribes are working on tribal policies and/or continuing their outreach efforts to reduce tobacco use and secondhand smoke exposure in their communities.

### **American Indian Health Commission**

The tobacco program is working with the American Indian Health Commission to focus on improving contracts with tribal communities, and increasing communication and collaboration among programs working with tribes.

### **Cancer Prevention and Control**

The Washington Breast, Cervical and Colon Health Program serves Native Americans through seven prime contractors. These contractors have formal agreements with tribal organizations to assure that qualifying women receive mammograms and Pap tests, and that qualifying women and men receive colon cancer screening.

### **Shellfish Program**

In 2009, we opened four new shellfish harvest areas in Puget Sound at the request of the tribes in King, Island and Jefferson counties. We worked with tribes to restore water quality in several shellfish growing areas. We also worked with tribes to restore water quality in several shellfish growing areas. Sections of two tribal harvest areas were reopened as a result of pollution problem corrections. We also worked closely with the Point No Point Treaty Council to address a seasonal closure of shellfish harvesting in Mystery Bay in Jefferson County due to excessive boat moorage and anchorage.

### **Washington State Board of Health**

Mel Tonasket of the Colville Confederated Tribes serves as the tribal health member.

### **STAFF CONTACT**

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# HEALTH CARE AUTHORITY

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## EXECUTIVE SUMMARY

The Washington State Health Care Authority's (HCA) goals in state-tribal relations are to make affordable, high-quality health care more accessible and decrease health disparities of American Indians and Alaska Natives through state-tribal partnerships. The HCA acknowledges the importance of state-tribal, government-to-government relations and has increasingly made agency programs and systems accessible to tribal governments through its Centennial Accord Plan and Tribal Consultation Policy.

## HIGHLIGHTS

### HCA Leadership Change

Doug Porter, the new HCA administrator, will continue to serve as the state Medicaid director. The Governor appointed Doug to prepare the state for health care reform by bringing together the Medicaid program and the major health purchasing authorities. He will assume primary responsibility for building and operating a unified purchasing system for publicly funded health services for Washington state. Former HCA Administrator Steve Hill will continue to serve on the Governor's Cabinet as the director of the Department of Retirement Services.

### American Indian Health Commission Meetings

In April 2010, a resolution was passed at the joint meeting of the Department of Social and Health Services' Indian Policy Advisory Committee and the American Indian Health Commission (AIHC) that Doug Porter provide regular updates with an open invitation to attend meetings of the Indian Policy Advisory Committee when he's available.

### 2011–13 Centennial Accord Plan and Consultation Policy

The HCA will begin work to update its Centennial Accord Plan and Consultation Policy. It will also develop consultation and communication protocols to better engage tribes and develop internal efficiencies.

### State-Tribal-Urban Indian Health Collaborative

This group was established by the AIHC and the HCA in response to tribal interest to participate in the state's health care quality and efficiency plans and initiatives. The focus of collaborative is to identify strategies to improve health care access and decrease health disparities of American Indian and Alaska Natives in alignment with the Governor's health care priorities.

In addition to HCA and AIHC, participants include tribal representatives, urban Indian representation, the Governor's health policy advisor, Governor's Office of Indian Affairs, Department of Social and Health Services (DSHS), DSHS Indian Policy Advisory Committee, DSHS Health Recovery Services Administration, Department of Health and the Office of the Insurance Commissioner. The collaborative has established:

- Commitment to find health disparity solutions at the policy level.
- Strategies for collaborative work as follows:
  - ◆ Provide education across systems.
  - ◆ Integrate with AIHC's Health Care Delivery Plan.
  - ◆ Work across systems to make changes that shape policy.
  - ◆ Align work with current state, national and tribal health reform.

- ◆ Partner to leverage federal dollars.
- Four priority initiatives:
  - ◆ Maternal-infant health disparities
  - ◆ Raising awareness of urban Indian issues
  - ◆ Indian health information technology
  - ◆ Certification of tribal home care pilot
- An award of \$20,000 to AIHC for the 2010–11 biennium.

**Next Steps**

- Planning meeting with Marilyn Scott and Doug Porter.
- Establish an avenue to engage tribal leaders in health care reform implementation.

**STAFF CONTACT**

Jan Ward Olmstead, Tribal Liaison, 360-923-2803, [jan.olmstead@hca.wa.gov](mailto:jan.olmstead@hca.wa.gov)

# OFFICE OF THE INSURANCE COMMISSIONER

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## 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 state 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 volunteering.

By working in partnership with Washington state 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 to them.

We are also exploring new opportunities to work with Washington state tribes in all areas of insurance. Our consumer advocacy program offers experienced insurance counselors who advocate on behalf of Washington state 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 e-mail or in person at our Tumwater office.

These services are available through our Insurance Consumer Hotline at 1-800-562-6900 and [www.insurance.wa.gov](http://www.insurance.wa.gov).

## HIGHLIGHTS

### Partnerships

SHIBA partnered with the following agencies to provide public presentations, professional staff trainings and cultural event staffing for Washington state tribal communities:

- American Indian Health Commission
- Area Agency on Aging
- Northwest Justice Project
- Parenthelp123
- Social Security Administration
- U.S. Centers for Medicare and Medicaid Services, Region X
- U.S. Department of Labor
- U.S. Department of Health and Human Services
- Washington State Department of Health
- Washington State Health for Kids Program

### **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:

- Colville Confederated Tribes well child and meal site events
- Covington Middle School (Vancouver, Washington) Intertribal Pow Wow
- Cowlitz Indian Tribe Diabetes/Wellness Walk
- Cowlitz Indian Tribe Vancouver Clinic grand opening
- Muckleshoot Tribe Elders Luncheon
- Nisqually Tribe Health Fair
- Shoalwater Bay Tribe Alzheimer Conference

### **Tribal Community Public Presentations**

SHIBA gave public presentations on fraud education, long-term care, subsidies for Medicare Part D, medical saving programs and kids' health access to the following:

- American Indian Health Commission
- Confederated Chehalis Tribes Elders
- Colville Confederated Tribes
- Cowlitz Indian Tribe Elders
- Lummi Nation
- Muckleshoot Tribe staff
- Nisqually Tribe Elders
- Quinault Nation Elders
- Samish Tribal Council
- Shoalwater Bay Tribe staff
- Skokomish Tribe staff and Elders Program
- South Puget Sound Intertribal Planning Agency
- Spokane Tribe
- Squaxin Island Tribal Elders
- Swinomish Tribal Council
- Yakama Nation

### **Tribal Community Trainings**

SHIBA provided staff training about health care access resources and the Centers for Medicare and Medicaid Services' Website tools for the following:

- Chehalis Confederated Tribes
- Colville Confederated Tribes
- Cowlitz Indian Tribe
- Muckleshoot Tribe
- Nisqually Indian Tribe Health Department
- Nooksack Tribe
- Shoalwater Bay Tribe
- Skokomish Tribe
- Suquamish Tribe
- Tulalip Tribes
- Yakama Nation

### **Tribal Issue Collaboration Meetings**

SHIBA staff attended the following meetings to identify American Indian concerns and issues:

- American Indian Health Commission meetings
- Health Care Authority Conference on Indian Health Technology
- The Medicare Region X Indian Health/Medicare Part D forum
- State-Tribal Urban Indian Health collaborative meeting
- Washington State tribal liaison meetings

### Signed Memoranda of Agreements

The OIC signed memoranda of agreements with the following:

**Partners:** The following partners provide American Indian outreach per the Medicare Improvement for Patients and Providers Act:

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

### Tribes:

- Colville Confederated Tribes
- Spokane Tribe

### SHIBA Program Demographics Served – American Indian or Alaska Native

	2006	2007	2008	2009
Percent of Client Contact Reports marked as American Indian/Alaska Native*	0.91%	1.08%	1.20%	1.30%
Percent of State Population American Indian/Alaska Native**	1.60%	1.60%	1.70%	1.70%

\* Data taken from SHIBA Client Activity Tracking System

\*\* Data taken from U.S Census

### STAFF CONTACT

John Hamje, Tribal Liaison, 360-725-7262, [johnha@oic.wa.gov](mailto:johnha@oic.wa.gov)

# DEPARTMENT OF LICENSING

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## EXECUTIVE SUMMARY

From highway safety and vehicle and driver fraud, to business licensing and the regulation of more than 30 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. 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.
- Process records on traffic accidents to enable law enforcement to follow up on safety violations.
- Provide one-stop business licensing and registration for more than 74 licenses and registrations.
- Register business trade names.
- Respond to information inquiries for business, driver and vehicle licensing via telephone, Internet and in person.
- Process Master Business Applications.
- Issue professional licenses and certifications.
- Process corporate and business license renewals.

## HIGHLIGHTS

**Tribal Liaison:** The DOL created a full-time tribal liaison who is the point of contact for the tribes with the agency. The position will strengthen government-to-government communications, which allows us to work together more effectively.

**Fuel Tax:** Fuel tax legislation passed in 2007 provided the framework to improve communication and cooperation between DOL and tribes about the taxation of fuel delivered onto tribal land. The director of DOL (by authority delegated by the Governor) may enter into motor vehicle fuel tax compact agreements with any federally recognized tribe. These agreements are limited to motor vehicle fuel and special fuel taxes included in the price of fuel delivered to tribally licensed and owned retail stations on reservation or trust property. The agreements include language requiring tribes to expend revenue received from fuel tax refunds on transportation-related purposes, which include road maintenance, police services and transportation planning.

The DOL has entered into 21 tribal fuel tax agreements or consent decrees. Fifteen are post-legislation agreements. The annual tribal fuel tax refund for Jan. 1 through Oct. 31, 2009, was approximately \$18.6 million. The fuel tax revenue retained by Washington state for fuel purchased by the tribes with 75 percent refund/25 percent state tax agreements was approximately \$4.6 million during the same period.

The DOL has entered into discussions for a fuel tax agreement with one tribe in 2010. Tribes have completed the required audits under the agreements, and spent the tax refunds on a variety of transportation-related projects.

The DOL will be requesting a new prorate and fuel tax system during the 2011 legislative session. If approved, it will improve the processing, tracking and reporting of fuel tax information.

**Professional Athletics:** The federal Professional Boxing Safety Act (15 USC Chapter 89) states that a tribe may regulate professional boxing matches held on tribal land. The tribe must meet or exceed the

state's standards for licensing and health and safety, or enter into a contract with a boxing commission of that state to carry out the regulations. During the past 12 months, two tribes have held professional boxing events in Washington at which DOL provided oversight. The Puyallup Tribe has invited DOL to assist in the administration of safety standards for professional mixed martial arts events held on their tribal land.

The Professional Boxing Safety Act does not allow for the state to assist in administering safety standards over professional or amateur mixed martial arts events held on tribal land. The DOL is currently working with industry experts to create a uniform set of safety standards for professional and amateur mixed martial arts events.

### **STAFF CONTACT**

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# LIQUOR CONTROL BOARD

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## EXECUTIVE SUMMARY

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

The LCB interacts with tribal governments in several ways. It participates in agreements with eight tribes for the sale of liquor in tribal liquor stores. Tribal governments and tribal members hold retail liquor licenses to sell alcohol in restaurants, casinos and grocery stores. The LCB shares enforcement responsibility with tribal governments for liquor laws and rules. It works with the Department of Revenue to monitor and implement state/tribal tobacco cigarette agreements.

## HIGHLIGHTS

Tribal/LCB workgroups were formed in April 2008 to address licensing and business enterprise issues. An outcome was a list of eight recommendations focused on improving communication and building trust between LCB and tribes. The majority of the recommendations have already been completed.

- The tribal workgroup created a Government-to-Government Consultation Policy (Board Policy #11-2009), which provides the framework for how the tribes and LCB will work collaboratively on licensing, enforcement and taxation issues in a manner which respects the sovereignty of each party.
- LCB's Store Siting Policy was revised to include steps to notify tribes of potential store locations. Tribes were sent a letter to ask them to identify prospective tribal areas of interest (by zip code) for future stores. This list enables LCB to notify interested tribes about a possible store in their area.
- The Licensing Workgroup developed a template memorandum of agreement that provides a general framework for government-to-government cooperation and coordination on the sale and service of liquor by the tribes in Indian Country.
- A tribal representative has been added to LCB's Business Advisory Council. The Council meets quarterly and is a partnership to advise board members and their staff on broad issues and concerns affecting the agency's business and regulatory activities.

The innovative approach to using a memorandum of agreement for the cooperative regulation of liquor sales and service on tribal land will require LCB to modify licensing processes and technology systems. The necessary changes will be identified after the first agreement is negotiated.

A Tribal Advisory Council was established to increase communication and provide a setting to discuss tribal-specific topics as they relate to LCB's business and regulatory activities.

## STAFF CONTACT

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# MILITARY DEPARTMENT

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## 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 state and the region; provide trained and ready forces for state and federal missions; and intervene in and reclaim the potential of 16- to 18-year-old high school youth who have or are at risk of dropping out.

## HIGHLIGHTS

### Emergency Management

The Emergency Management Division (EMD) offers assistance and services to tribes to mitigate, prepare for, respond to, and recover from emergencies and disasters, and 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.** Alert and Warning Center staff participated in state/local tsunami workgroup meetings for the operation, testing and activation of all-hazard alert broadcast tsunami warning signals for at-risk tribal communities.

**Hazmat Program.** Tribal members attended two no-cost conferences or workshops during the past year. The HAMMER Workshop in April 2009 provided 34 tribal members with first-class training about hazardous materials situations that occur daily, crime scene management, hazmat safety officer protocol, dangerous pesticides, intermodal hazmat transportation, the changing face of terrorism, as well as mitigation, preparedness and response to such events.

The Local Emergency Preparedness Council/Tribal Conference in Chelan in April 2009 provided tribal leaders and emergency management representatives with pertinent planning information about local hazmat incidents that could affect them. Tribal representatives participated in regularly scheduled State Emergency Response Commission meetings in 2009.

**Homeland Security and Emergency Management Performance Grant Program.** Through the Emergency Management Performance Grant and Interoperable Emergency Communications Grant Program, eight contracts with tribal governments or tribal interest organizations were open in 2009. These were with the Nooksack Tribe, Shoalwater Bay Tribe, Snoqualmie Tribe, Squaxin Island Tribe, Swinomish Tribe, Tulalip Tribes, Hoh Tribe and the Northwest Tribal Emergency Management Council. In April and July 2009, staff met with the Lower Elwha Klallam Tribe, Shoalwater Bay Tribe and Lummi Nation to assist and provide guidance on the Emergency Management Performance Grant Program application process and reimbursement procedures.

**Seismic Program.** The Earthquake/Volcano/Tsunami Program continues to work with Native sovereign nations whose 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 Tribe, Makah Tribe, Lower Elwha Klallam Tribe, Hoh Tribe, Makah Tribe and Quileute Tribe have received assistance to install additional all-hazard alert broadcast signals.

A successful two-day tsunami response and recovery exercise was conducted in October 2009. The exercise, based on a simulated tsunami event off the Northwest Washington coast, was conducted by the Federal Emergency Management Agency's Emergency Management Institute. Exercise participants were the Hoh Tribe, Lower Elwha Klallam Tribe, Makah Tribe, Quileute Tribe, Shoalwater Bay Tribe and Quinault Nation. Other participants included Clallam, Jefferson, Grays Harbor and Pacific counties and 18 state and federal agencies.

All coastal tribes and counties participated in state/local tsunami workgroup meetings in 2009. Participation is expected to continue beyond 2010. These roundtable meetings typically occur on a quarterly basis to discuss current topics and issues facing tsunami at-risk communities.

**Disaster Programs during Events.** On Jan. 30, 2009, and March 2, 2009, Washington received federal disaster declarations in response to severe winter storms. The declarations allowed EMD to offer assistance to residents, businesses, local and tribal governments. There have been numerous contacts by the community relations/tribal affairs outreach teams with tribal governments and tribal members in the state. All 29 federally recognized tribes were individually contacted and involved in face-to-face meetings on tribal government disaster damages and individual tribal member disaster losses. Numerous tribes experienced losses in the disasters. Outreach teams provided support and disaster relief information to the tribal communities. By engaging in face-to-face contact with tribal communities, EMD is working to assure full and complete disaster relief access to tribal communities and tribal members.

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

### **Washington National Guard**

In April 2010, the Washington National Guard presented certificates of appreciation to the Squaxin Island Tribe for supplying gift baskets for the 81<sup>st</sup> Brigade 2<sup>nd</sup> Battalion 146 Field Artillery unit, as well as for a luncheon for Washington State Guard volunteers. For the 10th consecutive year, the Washington National Guard attended the Nez Perce Tribe memorial ceremony at Vancouver Barracks.

### **Washington Youth Academy**

The Washington Youth Academy (WYA) has networked and/or conducted presentations with a number of tribes and tribal organizations over the past year to familiarize them with WYA and to recruit Native American students. Recruiters from WYA have met with the Chehalis Confederated Tribes, Colville Confederated Tribes, Muckleshoot Tribe, Nisqually Tribe, Quileute Tribe, Port Gamble S'Klallam Tribe, Tulalip Tribes and Yakama Nation. Tribal organizations include Indian Child Welfare, the Office of Superintendent of Public Instruction's Indian Education Supervisor and the Western Washington Native American Education Consortium. Since WYA conducted its first class in January 2009, 10 Native American youth have successfully completed the 22-week residential phase of the program, and six more appear ready to graduate.

The Washington State Office of Financial Management estimated in 2008 that less than 2 percent of the state's population is Native American; by comparison, the WYA has a population of almost 5 percent Native American cadets who have or will graduate in the first three classes (323 total cadets/16 Native American cadets).

**STAFF CONTACT**

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## **OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

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### **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. The 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. The 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 2009, 158 Native American-owned small businesses were certified with OMWBE. State agencies reported expenditures of more than \$7.5 million with 26 of these firms.

In January 2010, OMWBE was a sponsor of Heritage College's forum "Collaborative Solutions to Inclusive and Sustainable Community Economic Development in the Yakima Valley."

### **STAFF CONTACT**

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# STATE PARKS AND RECREATION COMMISSION

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## EXECUTIVE SUMMARY

The Washington State Parks and Recreation Commission (Commission), a seven-member, volunteer citizen commission appointed by the Governor and confirmed by the Senate, oversees a state agency that is part of the Governor's Executive Cabinet. The agency consists of nearly 625 employees (including about 250 rangers), who operate a system of 121 state parks that are divided among three administrative regions.

The Commission acquires, operates, enhances and protects a diverse system of recreational, cultural, historical and natural sites. It fosters outdoor recreation and education statewide to provide enjoyment and enrichment for all and to impart a valued legacy to future generations.

## HIGHLIGHTS

### Land Transactions

Working with the tribes on land transfers is not new. Some of the Commission's accomplishments were the transfer of Old Man House State Park to the Suquamish Tribe, a land trade with the Skokomish Tribe at Potlatch State Park and assistance with a land transfer that benefitted the Colville Confederated Tribes at Bridgeport State Park.

- **Kiket Island:** The island property is approximately 84 acres on Kiket and Flagstaff islands, plus 12 acres on the Fidalgo Island mainland in Skagit County. It is within the Swinomish Indian Reservation boundary and now in private ownership. The Commission and the tribe have been working in good faith to secure the property and exploring options for co-ownership and co-management. If this effort is successful, it will be precedent-setting for Washington state.
- **Osoyoos State Park:** The 47-acre park is located in Okanogan County, four miles south of the Canadian-U.S. border on State Highway 97, near the city of Oroville. Because of budget reductions, the Commission was interested in transfer of the state park to another government that would operate the property as a public park. Oroville and the Colville Confederated Tribes were interested in owning and operating the park. Staff recommended that both governments should share ownership and operation of the park. That recommendation was not agreeable to either, and the Commission decided to give the park to the City of Oroville.

### Planning Projects

In 2009, the Commission adopted guidelines that describe how agency staff should coordinate with the tribes on planning projects. Guidelines recognize that tribal governments are important stakeholders in park agency outreach and coveted potential partners.

- **Nisqually-Mashel property:** The Commission has been working closely with the Nisqually Tribe throughout the master planning process and the recent naming of Nisqually State Park. At the meeting where the Commission approved the plan, several members of the Nisqually Tribe, including Chair Cynthia Iyall, voiced support of the plan and an interest in developing a partnership with the Commission on park acquisition, development and management. The tribe performed an honor song for the Commission. The tribe also paid for our parks to become Forest Stewardship Council certified.

- **Steamboat Rock State Park:** Northrup Canyon and the actual Steamboat Rock are both culturally sensitive parts of the park and popular places for recreation. State Parks is working with the Colville Confederated Tribes to find the right balance.
- **Sacajawea State Park:** The park is a sensitive cultural resource area. The Commission is working with the Umatilla Tribe as management and development options are considered in the planning process.
- **Klickitat Trail:** Formal government-to-government talks were held. The Commission has formed a cooperative group to work on fisheries issues on the Klickitat Trail with the Yakama Nation.
- **Wetland mitigation policy:** Commission staff received and implemented comments from tribes about its wetland mitigation policy.

### **Programs and Events**

- Featuring the cultural diversity of the Pacific Northwest, the Commission annually produces cultural events in Washington state parks. On June 19 at Deception Pass State Park, the Salish Sea Native American Culture Day will be co-sponsored with the Samish Nation, Samish Canoe Family, Swinomish Tribal Community and Swinomish Canoe Family.
- Staging areas are used for annual paddle events.

### **Capital Development Projects**

Most capital development projects require government-to-government consultation with interested tribes via applicable regulatory processes (usually Section 106 of the National Historic Preservation Act of 1966 or the Governor's Executive Order 05-05 on Cultural Resources). This consultation seeks to identify tribal interests and concerns about cultural resources that potentially could be affected by parks developments. Additionally, the capital development program provides archaeology staff to respond to unanticipated discoveries (such as Native American burials, unrecorded archaeological sites or incidents of vandalism). Consultation with interested tribes occurs upon all unanticipated discoveries.

- **Fort Simcoe State Park:** In anticipation of a stabilization effort to protect the historic Officer Quarters' buildings, the Commission is working with the Yakama Nation to avoid disturbance to underlying archaeological deposits.
- **Steamboat Rock State Park** (leased from the Bureau of Reclamation): A proposed campground development is proceeding after consultation with the Colville Confederated Tribes. A treatment plan was developed to evaluate and protect an important archaeological site in the pool of Banks Lake.
- **Confluence Project** (Sacagawea State Park): Significant archaeological deposits were identified near the proposed installation site of Maya Lin's "Story Circles." Consultation with interested tribes occurred to avoid any direct impacts to buried archaeological deposits.
- **Birch Bay State Park:** The Commission is working with the Lummi Tribe and the Nooksack Tribe to coordinate a number of park developments proposed near a major archaeological site.
- **Marine Parks:** The Commission assisted the Bureau of Land Management and the Lummi Tribe in responding to the reported vandalism of a Native American burial on an unnamed island near the San Juans. The burial has been recovered and park staff members are monitoring the site.

- **Cultural Resource Training:** Since 1996, the Commission, together with the Department of Archaeology and Historic Preservation and the Department of Transportation, has been a sponsoring agency of cultural resource training. This biannual training, conducted at Columbia Hills State Park, provides training on cultural resource management issues. Due to budget constraints, the Commission is unable to support training, but two state parks, Olmstead Place and Ginkgo-Wanapum, are being used for training field trips.

### **Ongoing and Emerging Issues**

The Commission anticipates the following emerging issues:

- **Cama Beach State Park:** Proposed development project.
- **Huckleberry Island:** Possible land transfer to the Samish Nation or the Swinomish Tribe.
- **Brooks Memorial State Park:** Potential transfer of the park to the Yakama Nation is under consideration.
- **Fort Simcoe State Park:** Historic preservation and habitat restoration projects.
- **Fort Okanogan State Park:** Potential transfer for the park to the Colville Confederated Tribes is under consideration.
- **Fish passage blockages:** Removal.
- **Shellfish management:** The Commission is represented by the Department of Fish and Wildlife during shellfish management in accordance with an interagency agreement.

### **STAFF CONTACT**

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# RECREATION AND CONSERVATION OFFICE

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## EXECUTIVE SUMMARY

The Recreation and Conservation Office (RCO), a state agency, 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

### Communication Process Streamlined

While RCO routinely and actively seeks comment from tribal governments about the grant requests it receives, in early 2010 it streamlined this process. Today, the agency's tribal liaison distributes information on all projects in the grants cycle to each of the state's federally recognized tribes. Previously, this task was accomplished by RCO's individual grants specialists, who separately contacted the tribes.

### Government-to-Government Communications

In the past year, RCO has made several small changes to its "Procedures for Implementing [Executive Order 05-05](#)." The document lists the grant programs to which the procedures apply, types of projects that are exempt and the process for seeking an exemption, and the steps in the tribal collaboration process. In summary, the process involves:

1. **Initial contact:** Each tribe is provided with information on projects that may receive grants in the current cycle. They are asked if there is interest in formal consultation for the project.
2. **Tribal response:** In most cases, tribal representatives respond by indicating: (a) there is concern; (b) there is no interest; or (c) more information is needed.
3. **Cultural resources are identified:** If there are concerns about pending impacts, a meeting is arranged in which agreement is sought on how to proceed to avoid, minimize or mitigate the effects.

## STAFF CONTACT

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# DEPARTMENT OF REVENUE

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## EXECUTIVE SUMMARY

The Department of Revenue (DOR) is the state of 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. The vision necessitates 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 provide for the written establishment of the government-to-government relationship and solidify DOR's commitment.

The DOR, with about 1,000 employees, has the privilege to work cooperatively with the 29 tribes located in the state. The DOR believes that the Centennial Accord is ongoing, and pledges to work on a day-to-day basis to foster the government-to-government relationship with each tribe. The complex jurisdictional framework of Indian Country and the inherent sovereignty of tribes require a commitment to a genuine working relationship with tribes. In this vein, DOR has hired a full-time tribal liaison who works with DOR's executive team and a talented tribal team from across the agency to develop and implement its tribal plan, which includes resolving issues between tribes and taxpayers, proactively developing educational outreach materials for the public and providing the staff training program "Working Effectively with Tribal Governments."

## HIGHLIGHTS

### Tribal Constituent Services

Part of DOR's open and collaborative effort is centered on DOR being available to respond to questions or issues that have tribal components. These questions come to the DOR via phone, e-mail, fax, letter or via the DOR Website at <http://dor.wa.gov/Content/Home/Default.aspx>. Shana Barehand, DOR's tribal liaison, coordinates all responses, which ensures consistency and a central point of contact for all tribal-related questions. This year, the tribal team has responded to more 200 tribal-related inquiries, mostly about sales tax in Indian country. 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 develops outreach material, conducts targeted outreach and makes itself available to speak at events. Below is an illustration of some of the work of the DOR tribal team.

### Internal Working Effectively with Tribal Government Workshops

One of DOR's objectives is to remain current on the law so that tribes, the state and their constituents have an increased level of certainty about the application of the laws that govern tribal business transactions and that taxes are not imposed on activities preempted under federal law. These quarterly workshops cover:

- The historical relationship between the federal government and the tribes, which is the basis for the unique sovereign status of tribes today;
- Basic principles of law that were established for tribes and their citizens; and
- Specifics on how DOR works with tribes and within the parameters of this ever-changing body of law.

### **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, which are “services such as tribal administration, public facilities, fire, police, public health, education, sewer, water, environmental and land use, transportation, and utility services.” The DOR has a dedicated staff member in the Property Tax Division to work on these determinations.

- Records indicate 2,321 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 that states 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 on cigarette taxation. The DOR negotiates the compacts on behalf of the Governor. Today 21 cigarette compacts are in place. The DOR and the Liquor Control Board work together with tribes on implementation of the compacts. In accordance with each compact, the DOR tribal compact team conducts annual visits with each tribe for which there is a compact. This year’s work included:

- Assessing the status of the compacts;
- Discussing audit and enforcement issues;
- Sharing information;
- Signing of a compact between the Shoalwater Bay Tribe and the Governor; and
- Continuing compact discussions between the Lower Elwha Klallam Tribe and the DOR.

### **Presentations**

- February 2010: panelist, “Tribal Tax Planning and Partnership” workshop
- March 2010: panelist, “Nuts and Bolts of Representing Non-profit Organizations and Non-Profit Law in Indian Country”
- May 2010: keynote speaker at the Northwest Indian College Job Fair

### **STAFF CONTACT**

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# DEPARTMENT OF SOCIAL AND HEALTH SERVICES

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## EXECUTIVE SUMMARY

The Department of Social and Health Services' (DSHS) framework identifies "One Department, One Vision, One Mission and One Core Set of Values." Our vision is for safe and healthy individuals, families and communities, with a mission to improve safety and health by providing leadership, as well as establishing and participating in partnerships. To meet these objectives, DSHS is committed to working with tribal governments on a government-to-government level. Since her first Centennial Accord meeting, Secretary Susan Dreyfus has had the pleasure of visiting 21 tribes and is scheduling meetings with the remaining eight. The DSHS is also working in close collaboration with the Recognized American Indian Organizations (RAIOs).

## HIGHLIGHTS

The DSHS continues to support the Indian Policy Advisory Committee. We feel very fortunate to have this forum to meet with the tribes and RAIOs on a quarterly basis. These meetings continue to provide the opportunity for meaningful dialogue on areas of common interest and concern. To address issues across DSHS, the Indian Policy Advisory Committee subcommittees meet monthly or quarterly. We find this level of participation appropriate to continue to identify issues, determine solutions and move forward.

### **Eligibility Determination Pilot**

In January 2010, the Eligibility Determination Pilot project with the Port Gamble S'Klallam Tribe began to see clients. This pilot allows a tribe, for the first time in the United States, to determine the eligibility for both medical and basic food services. We anticipate the success of this project will allow for additional TANF (Temporary Assistance for Needy Families) tribes to also enter into similar agreements.

### **Reintegration of Mental Health into Tribes' Health Services**

We have submitted a waiver to the Centers for Medicaid/Medicare Services for mental health as it relates to tribes. We held a consultation with the tribes and RAIOs in December 2009. One outcome was to begin work with tribal representatives to develop a plan that will reintegrate mental health into tribal health services. This process will look at how DSHS can work directly with the tribes to provide mental health services in tribal and urban Indian communities.

### **Improving Outcomes for Children and Families**

Second Substitute House Bill 2106 on performance-based contracting identified four seats for tribal representation. The Indian Policy Advisory Committee (IPAC) appointed as representatives Liz Mueller, vice chair of the Jamestown S'Klallam Tribe; Henry Cagey, chair of the Lummi Nation; Carleen Anderson, councilmember of the Colville Confederated Tribes; and Jerry Meninick, member of the Yakama Nation. These representatives or their alternates have participated throughout the past year in the meetings of the Site Selection, Finance, and Outcomes and Legal/Practice sub-committees. During the May 12, 2010, consultation, tribal leaders clearly articulated their concerns with legislation. We are committed to working with the tribes as we implement this legislation to protect tribal children.

## **Benefits Portal**

This project will work to develop the Community Services Office of the future. We intend to include easy access for clients to many programs and services, not limited to those DSHS provides. There will also be the ability to tailor the information to the portals' locations. This will allow tribal-specific services to be included for tribal locations. The IPAC appointed Jennifer LaPointe, Puyallup Tribal Health Authority, and Joe Ruiz, the Samish Nation, to work on this project.

## **Burial Funds**

Changes to the Medicaid burial funds policy have been proposed and outlined in a letter sent to all tribal leaders in March 2010. Based on Washington Administrative Code 388-475-0500, tribal elders will be able to save funds over the Medicaid limit of \$1,500 if the money is in an irrevocable account set up solely for burial purposes and related expenses.

## **Child Support**

At the request of a Tribal Child Support program, the Division of Child Support has negotiated agreements to intercept Internal Revenue Service refunds to apply to their cases. Five agreements are now in place.

## **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 for Child Support operations, FAMLINK for Children's Services operations and ACES for tribal TANF operations.

## **Consultations**

Since the 2009 Centennial Accord, DSHS has conducted four consultations with the tribes. These included waiver submissions to the Centers for Medicaid and Medicare Services, tribal TANF and improving outcomes for children and families.

## **Training**

We are committed to offering training opportunities to the tribes that are provided to state employees and contractors. A new area of required training will be for the Children Administration supervisors related to the Indian Child Welfare Act (ICWA). Additionally, all Children's Administration supervisors have reviewed the role they have to the Act in their work.

Our regions comprise the following tribes: Region 1: Colville Confederated Tribes, Kalispel Tribe, Spokane Tribe of Indians; Region 2: Yakama Nation; Region 3: Lummi Nation, Nooksack Tribe, Samish Nation, Sauk-Suiattle Tribe, Stillaguamish Tribe, Swinomish Tribe, Tulalip Tribes, Upper Skagit Tribe; Region 4: Muckleshoot Tribe, Snoqualmie Tribe; Region 5: Port Gamble S'Klallam Tribe, Puyallup Tribe, Suquamish Tribe; Region 6: Chehalis Confederated Tribes, Cowlitz Indian Tribe, Hoh Indian Tribe, Jamestown S'Klallam Tribe, Lower Elwha Klallam Tribe, Makah Tribe, Nisqually Tribe, Quileute Tribe, Quinault Nation, Shoalwater Bay Tribe, Skokomish Tribe, Squaxin Island Tribe, Suquamish Tribe.

## **STAFF CONTACT**

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## **AGING AND DISABILITY SERVICES ADMINISTRATION**

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### **EXECUTIVE SUMMARY**

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

### **HIGHLIGHTS FOR HOME AND COMMUNITY SERVICES, AREA AGENCIES ON AGING**

The ADSA, in collaboration with the Department of Health, administers a National Council on Aging challenge grant for the Stanford University Chronic Disease Self-Management Program. The target population for this grant is ethnically diverse, underserved older adult populations. A summary of the grant is available at <http://livingwell.doh.wa.gov>. Workshops were provided to the Shoalwater Bay Tribe, Nooksack Tribe, Swinomish Tribe, Makah Tribe, Quinault Nation and Lummi Tribe. The grant will be completed by June 30, 2010.

The ADSA provided \$50,000 to help sponsor the 2010 Caregiver Conference at Quinault Beach Resort for Native American tribal leaders and caregivers of tribal family members. The conference included 15 workshop sessions on such topics as nutrition, CPR, kinship care, traumatic brain injury resources, elder abuse prevention, caregiver fatigue/burnout and traditional medicine.

Seattle Aging and Disability Services is assuming responsibility for all referrals for core services from Muckleshoot tribal and community members and for providing case management.

Aging & Long-Term Care of Eastern Washington Area Agencies on Aging is conducting outreach to the Native Health of Spokane/N.A.T.I.V.E. Project to assist with establishing a Program to Encourage Active Rewarding Lives for Seniors (PEARLS), serving non-Medicaid seniors. PEARLS is an evidence-based program for the treatment of depression.

Conversations continue on senior nutrition and transportation. In January 2010, a working agreement was formalized between the Suquamish Tribe and Home and Community Services.

The Olympic Area Agency on Aging, Senior Farmers Market Nutrition program is active at Hoh Tribe, Jamestown S'Klallam Tribe, Lower Elwha Klallam Tribe, Makah Tribe, Quileute Tribe and Shoalwater Bay Tribe. Coordination between Title III and VI (Senior Nutrition) is happening at Jamestown S'Klallam Tribe, Lower Elwha Klallam Tribe, Quileute Tribe, Hoh Tribe and Quinault Nation. Services provided include congregate and home-delivered meals.

On Jan. 25, 2010, there was an informal signing of the working agreement between the Suquamish Tribe and DSHS/Home and Community Services/Adult Protective Services. Members of the Tribal Council, tribal directors, tribal attorneys and representatives of Home and Community Services (HCS) attended the signing.

Tribal representatives are participating in the Abuse/Neglect Vulnerable Adults Study Group that ADSA established in April 2010. This group will recommend improvements in protective service systems to the DSHS secretary by September 2010.

Changes to the Medicaid burial funds policy were proposed and outlined in a letter sent to all tribal leaders in March 2010. Based on Washington Administrative Code 388-475-0500, elders will be able to save funds over the Medicaid limit of \$1,500 if the money is in an irrevocable account set up for this purpose. The letters included an explanation of the types of funds tribes can use to address this issue, along with draft forms and a request for feedback.

Native Health of Spokane/N.A.T.I.V.E. Project became host agency for the Title V – Senior Community Service Employment Program managed by Aging & Long Term Care of Eastern Washington.

Kinship Navigator services have expanded into tribal communities in Whatcom County.

### **HIGHLIGHTS FOR RESIDENTIAL CARE SERVICES**

Region 1: Residential Care Services works with the Colville Confederated Tribes and the Convalescent Center on a regular basis. The quality assurance nurses use protocols to gather information and provide feedback to facility staff on such topics as skin integrity, restorative nursing, discharge planning, quality of life and injury prevention.

Region 3: On March 12, 2009, the Northwest Regional Council, HCS and Residential Care Services presented information to tribal members on the adult family home model. Region 3 Residential Care Services staff answered questions about the adult family home rules and offered communication and support for tribal members who want to develop an adult family home for other tribal members.

### **HIGHLIGHTS FOR THE DIVISION OF DEVELOPMENTAL DISABILITIES**

Region 2 has continued to support the Yakama Nation's Annual Hope and Healing Conference with financial and staff participation. The conference increases involvement and communications to improve living situations and community activities.

The Region 3 Division of Developmental Disabilities (DDD) regional administrator served as co-chair for the Region 3 DSHS Agencies and Tribal Government Council. The council promotes effective communication, disseminates information and identifies barriers to service delivery.

The Region 3 DDD regional administrator and staff developed information and training on eligibility as a path to DDD services. Represented tribes were the Lummi Nation, Nooksack Tribe, Upper Skagit Tribe, Sauk-Suiattle Tribe, Samish Nation, Stillaguamish Tribe, Tulalip Tribes and Swinomish Tribe.

Region 5 has increased the number of Native American providers who deliver services in the region.

### **HIGHLIGHTS FOR THE DIVISION OF BEHAVIORAL HEALTH AND RECOVERY**

Technical assistance was provided to the tribes on the State Plan Behavioral Health modalities and how to incorporate them in tribal programs.

A tribal behavioral health redesign workgroup was initiated to evaluate current systems for services, access and capacity, especially in the face of national health care reform and the known health disparities for American Indians and Alaska Natives.

## **STAFF CONTACT**

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## **CHILDREN'S ADMINISTRATION**

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### **EXECUTIVE SUMMARY**

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

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

### **HIGHLIGHTS**

Second Substitute House Bill 2106, on improving outcomes for children and families served by Children's Administration through savings and reinvestment of services, established a legislatively appointed committee to implement the legislation. Four seats were identified for tribal representation. These are filled by Liz Mueller, vice chair of the Jamestown S'Klallam Tribe; Henry Cagey, chair of the Lummi Nation; Carleen Anderson, councilmember of the Colville Confederated Tribes; and Jerry Meninick, councilmember of the Yakama Nation.

At the May 12, 2010, consultation, DSHS and the tribes discussed Phase I of the legislation to develop performance-based contracts to be implemented by July 2011, and the impact on tribal services. Currently, the tribal Indian child welfare (ICW) and independent living contracts will not be affected. Phase II, identifying and developing two demonstration pilot sites to contract case management services, will be implemented in 2012. Discussion and consultation will continue throughout the process.

The second ICW case review was conducted in fall 2009. Through this review, CA has a quantitative and qualitative view of regional and statewide compliance with the Act. A statewide meeting with tribes and RAIOS is scheduled in late June 2010 to develop remediation plans to improve compliance and maintain improvements from the 2009 review.

As a result of the initial ICW case review, the curriculum for the CA social worker post academy training was rewritten to address needs identified in the review and to incorporate solution-based casework. This three-day training is mandatory for all CA social workers.

Tribes will have view access to FAMLINK, the state automated case worker information system, by June 2010. This fulfills a commitment from CA to provide tribal access to the system.

Curriculum and training was developed for all CA supervisors based on the ICW case review and lessons learned from Indian children's fatality reviews to identify the role of supervisors in implementing the Indian Child Welfare Act. Mandatory training for all supervisors is scheduled to be completed in spring 2010.

The DVD “All My Relations” was produced and is available online to enhance foster parent and caregiver training. The DVD focuses on the development of the Indian Child Welfare Act, importance of cultural sensitivity and identification of resources for non-Indian caregivers of Indian children. It has been widely viewed and used nationally to support the work of Indian child welfare.

## **WORK IN PROGRESS**

A committee was established in 2007 by the Legislature to study and present remediation plans to eliminate racial disproportionality in the state’s child welfare system. Substitute House Bill 1472, on racial disproportionality in the Washington state child welfare system, established that racial disproportionality exists in the child welfare system, and that Indian children are the most disproportionately represented in referrals, entrance in the system and length of stay.

Among other initiatives, the Secretary’s recommendations to eliminate racial disproportionality call for full compliance with the Indian Child Welfare Act and continuation of the ICW quality assurance case review.

Monthly ICW tribal/state meetings address tribal and state program and policy issues; the new case management system — FAMLINK; federal fostering connections legislation on direct access to Title IV-E services; improved identification of Indian children for Indian Child Welfare Act purposes; disproportionality; and other related issues.

The CA continues to work 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 CA’s sub-committee to act as a Citizen Review Panel. This subcommittee is one of three panels required under Federal Child Abuse Prevention and Treatment Act. The panel identified disproportionality as a focus area during the first year.

The CA continues to monitor progress on the State Indian Child Welfare Act with tribal and RAIO representatives.

## **STAFF CONTACT**

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## **ECONOMIC SERVICES ADMINISTRATION**

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### **EXECUTIVE SUMMARY**

Through the Economic Services Administration (ESA), DSHS provides public assistance, such as 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.

A primary goal for ESA has been to build and nurture strong partnerships with tribes to reduce poverty and hunger and provide culturally appropriate services to tribal members. The ESA is committed to working with tribes on a government-to-government basis, consistent with the principles of consultation and cooperation set forth in the Centennial Accord and DSHS Policy 7.01.

## HIGHLIGHTS

The ESA is committed to partnering with tribes and local communities to improve access to anti-poverty and anti-hunger programs. Washington is the first state in the nation to secure federal approval for a tribe to determine eligibility for basic food and Medicaid services for children, families and pregnant women. In January 2010, the Port Gamble S'Klallam Tribe began accepting applications and conducting eligibility determinations under a federally approved five-year project.

Another key initiative will help households receiving basic food services to make healthy, nutritious food choices within a limited budget. The ESA contracts with Washington State University and the Department of Health to provide nutrition education services. The university and the Department of Health work with 10 tribes to provide these important services to members.

The DSHS and a broad-based group of partners from the private and public sectors are planning to develop a Web-based universal application/benefit portal that makes it easier for low-income families and individuals to apply for and access a variety of services and benefits. The vision of the Washington State Benefit Portal Partnership Project is a system that people can access at home or through a network of community groups, including libraries, non-profit organizations and local, state and tribal government agencies. Representatives from the Puyallup Tribe and the Samish Tribe serve on the steering committee for the project, along with representatives from local and state government, philanthropic organizations and community-based organizations.

The ESA assistant secretary and Region 5 administrator met with the Puyallup Tribe to discuss the benefit portal project and review the tribe's comprehensive benefit kiosk, which provides access to the DSHS online application and other programs. We continue to look for ways to coordinate our benefit portal and the Puyallup Tribe's kiosk functionality to enhance services to tribal members.

In late June 2010, ESA will begin offering mobile services through two customized vehicles financed by a grant from the Bill and Melinda Gates Foundation and funds from the state's basic food high-performance bonus award. The vehicles will have all the capabilities of a local Community Services Office and provide direct services and outreach to underserved communities across the state. The ESA will work with tribes to identify locations for mobile Community Services Office events.

The Chehalis Confederated Tribe, Muckleshoot Tribe and Shoalwater Bay Tribe have expressed intent to operate their own tribal TANF programs in the upcoming year.

The ESA is working with TANF tribes to address issues related to the distribution of state maintenance of effort funding for their programs. Three roundtable meetings have been conducted in 2010, and we continue working with tribal leadership for guidance.

The ESA's initiative to develop Washington Administration Code regulations for tribal TANF programs is nearing completion. Draft regulations have been developed, and DSHS is in the process of scheduling consultation.

The ESA assistant secretary and key management staff visited five tribes in 2009: Lower Elwha Klallam Tribe, Jamestown S'Klallam Tribe, Upper Skagit Tribe, Swinomish Tribe and Nooksack Tribe. The assistant secretary plans to visit seven more tribes in 2010. They are the Spokane Tribe, Kalispel Tribe, Cowlitz Indian Tribe, Quinault Nation, Hoh Tribe, Samish Tribe and Nez Perce Tribe.

The ESA has entered into data sharing agreements with 10 tribes to provide tribal TANF and child support programs with access to our case management systems (ACES, SEMS and Employment Security Department earnings information).

The Division of Child Support has negotiated agreements to intercept IRS refunds on cases at the request of a tribal child support program. The Division of Child Support has IRS agreements with five tribes. Agreements and information on state tribal child support efforts are available at [www.dshs.wa.gov/dcs/tribal](http://www.dshs.wa.gov/dcs/tribal).

## **STAFF CONTACT**

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## **HEALTH AND RECOVERY SERVICES ADMINISTRATION**

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### **EXECUTIVE SUMMARY**

The goal of the Department of Social and Health Service's (DSHS) Health and Recovery Services Administration (HRSA) 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 HRSA programs. The administration has worked in collaboration with other health agencies to keep tribes aware of budget impacts to state health programs. Across the divisions of HRSA, programs work with tribes on projects throughout the state. The administration has regular communications and meetings in collaboration with DSHS' Indian Policy Support Services to sustain a continual dialogue on health issues. The HRSA also partners with the American Indian Health Commission to extend outreach beyond its DSHS 7.01 responsibilities, and to communicate more closely with tribal clinic directors and program managers.

### **HIGHLIGHTS**

#### **DSHS/Health and Recovery Services Administration**

HRSA tribal consultation on the Regional Support Network waiver (December 2009): Met with tribes as required by federal Centers for Medicare & Medicaid Services (CMS) policy on CMS waivers. Consultation included commitment to develop new tribal-centric behavioral health system.

Initial tribal-centric mental health system development meeting (January 2010): Met with tribal leaders and tribal representatives to discuss the process and goals for the workgroup to direct an analysis and make recommendations for improving behavioral health services to American Indians and Alaska Natives in Washington.

HRSA tribal consultation on the waiver bridge funding for Basic Health (March 2010): Met with tribes about the Governor's request to CMS for funding assistance for the Basic Health Program.

HRSA/tribal monthly workgroup meetings are convened to address tribally identified issues in HRSA health programs. Meetings were moved to a quarterly, all-day workgroup meeting at the request of tribal representatives. Meetings are targeted to problem solve operation, access and policy issues.

Provided technical assistance to the tribes on the State Behavioral Health Plan modalities and how to incorporate into tribal programs.

Developed HRSA administrative policy to integrate DSHS 7.01 policy in the organizational structure of HRSA.

Conducted six ProviderOne trainings in tribal communities across the state. Successfully transitioned 140 tribal programs into the new ProviderOne payment system.

Provided focused technical assistance in preparing tribes for use of the new MMIS system.

Facilitated discussions with CMS and the tribes on a Tribal Medicaid Administrative Match Cost Allocation Plan.

Provided technical assistance for several tribes in their application for Children's Health Insurance Program Reauthorization Act outreach grants.

Held two tribal roundtable discussions to provide Medicaid policy clarification for tribal programs and to align tribal mental health programs with the Washington state plan.

Developed a Native American specialty curriculum to reflect the needs of mental health professionals working with Native American populations. Training of 100 hours will credential individuals to become Native American specialists who can provide consultation to community mental health agencies on counseling to Native Americans. The first training will be offered July 2010.

Submitted proviso to the Legislature proposing a carve-out for American Indians and Alaska Natives from the Regional Support Network system.

Initiated a tribal behavioral health redesign workgroup to evaluate the systems for services, access and capacity, especially in the face of national health care reform and the known health disparities for American Indians and Alaska Natives.

### **Collaborative Projects**

In collaboration with Economic Services Administration (ESA), initiated a pilot for the Port Gamble S'Klallam Tribe for Medicaid eligibility determination. The HRSA submitted and received approval from CMS for the state plan amendment.

In collaboration with ESA, the administration has implemented clarifying policy and administrative training for exemption of tribal income. The goal is to increase knowledge and develop consistency across the State and Community Service Office financial workers to clarify eligibility criteria for tribal members.

In collaboration with the Department of Health (DOH), developed a draft memorandum of agreement with the Port Gamble S'Klallam Tribe for the tribe to be certified by DOH to meet Medicare requirements to be a home health agency.

In collaboration with the AIHC and the Department of Health, HRSA participated in a maternal child health workgroup. As a result of the data analysis of the at-risk population, American Indian and Alaska Native has been identified as a risk factor for eligibility and incorporated into the eligibility criteria for First Steps services.

In collaboration with the Northwest Indian Portland Area Health Board, we are working to develop a tribal consultation contract to assist tribes in developing an inventory of their behavioral health program capacity and key attributes for the new tribal centric behavioral health system.

## **STAFF CONTACT**

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## **JUVENILE REHABILITATION SERVICES**

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### **EXECUTIVE SUMMARY**

The Juvenile Rehabilitation Administration (JRA) will continue to partner with the tribes of Washington state to examine how we can work together to enhance opportunities for youth in the juvenile justice system. The JRA values its relationships with tribes, and is committed to developing and maintaining strong partnerships to provide high-quality services to youth.

### **HIGHLIGHTS**

The JRA continues to honor three intergovernmental agreements with the Colville Confederated Tribes, 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 (CJAA), 21 tribes and three RAIOS receive grants that help provide culturally relevant, evidence-based programs and promising practices to court-involved tribal youth. This is two more contracts than in the previous year.

The JRA continues to identify entering youth 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 youth with tribal affiliations.

Certified facilitator training in aggression replacement training was provided to interested tribes in 2009. Three tribes have since begun facilitating the evidence-based program in their communities with tribal CJAA funds, including the Nisqually Tribe, which is conducting an aggression replacement therapy group in partnership with JRA Region 6 Community Programs. The JRA is also using CJAA funding to ensure that the required quality assurance is being provided.

JRA Region 6 Community Programs hired a community outreach specialist to conduct outreach with tribes in the region.

Green Hill School sponsored a pow wow celebration in May 2009. It included participants from the Chehalis Confederated Tribes and Cowlitz Tribe, and the cultural groups from other JRA institutions. The event hosted more than 200 youth, staff and visitors.

Maple Lane School has made an agreement with the spiritual leader of the Cowlitz Tribe to educate interested staff and youth on the medicine wheel concept, sweat lodges, drumming, Indian education and history.

The JRA sponsored a Native gathering at Naselle Youth Camp in November 2009. Tribal elders from the Shoalwater Bay Tribe attended. Tribal representatives also provided presentations, storytelling and a smudging ceremony.

Maple Lane School hosted its third annual “Gathering of Nations” celebration in November 2009. The event included storytelling from the spiritual leader of the Cowlitz Tribe.

The Colville Confederated Tribes visited two JRA facilities and assisted staff and youth in erecting sweat lodges on the premises. Staff and identified Native American youth were able to learn about this ceremony and other cultural practices from tribal elders and members.

### **STAFF CONTACT**

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# OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION

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## 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 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 Indian Education Office is to assist American Indian and Alaska Native students achieve 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; developing and disseminating Indian education materials and curriculum materials (both in house and through collaboration with others); and serving as a clearinghouse for information relative to Indian education issues to public schools, tribal schools, post-secondary 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 - Tribal Sovereignty Curriculum Project**

In response to House Bill 1495 (the tribal history and culture bill passed in 2005) 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 drafted three model curriculum documents for elementary, middle and high school. The intent is to imbed the history surrounding sovereignty and the inter-governmental responsibilities that all citizens possess into our state's classrooms. We are currently pilot testing the Since Time Immemorial curriculum materials in 15 schools in 11 school districts, and three tribal schools. The curriculum will be finalized and available online by the end of August 2010. Several in-service training sessions will take place across the state in August and September 2010.

### **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, 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 Bureau of Indian Education representatives on issues relating to Native student academic achievement and assessment, accessing funding for tribal schools, connecting tribal schools to the K-20 statewide video-conferencing system, and serving Native students in special education, career-technical education and other areas.

## STAFF CONTACTS

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# WASHINGTON TRAFFIC SAFETY COMMISSION

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## 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, the WTSC remains focused on this important public safety and health issue.

## HIGHLIGHTS

During the past year, the Washington Traffic Safety Commission and the Washington State Department of Transportation (WSDOT) worked cooperatively to complete the action items developed as a result of the 2009 Centennial Accord meeting. This includes:

### **Issue #2: Develop a Briefing Paper on Bureau of Indian Affairs Traffic Safety Grant Program Issues**

This information was provided to tribal governments to use when working with the U.S. Department of Transportation and Bureau of Indian Affairs to improve the distribution of tribal traffic safety grant funding. The WTSC's Director, Lowell Porter, continues to work directly with the National Highway Traffic Safety Administration to support program improvements. We have extended offers of assistance with traffic safety planning to all tribal governments.

### **Issue #4 : Tribal Involvement in the Update of Washington State's Strategic Highway Safety Plan, Target Zero, which includes:**

- Tribal recommendations made during the 2009 Tribal Traffic Safety Summit.
- Participation by tribal representatives on the Target Zero Steering Committee and the Target Zero Partners group.
- Eleven tribes, a significant increase from 2007.
- Participation by the Northwest Association of Tribal Enforcement Officers and the Tribal Transportation Planning Organization.
- Distribution of the Target Zero draft update for review and comment by tribal governments.
- Facilitation of a government-to-government review of the Target Zero draft.
- Inclusion of a section that addresses tribal traffic safety issues.
- Development of a Target Zero cover that prominently features a traffic safety message from the Tulalip Tribe.

### **Issue #6 : Continue to Hold Tribal Traffic Safety Advisory Board Meetings**

The Tribal Traffic Safety Advisory Board, supported by WTSC and WSDOT staff, completed its third year of support to the WTSC and will continue to do so. Members of the board are Shoalwater Bay Tribal Chair Charlene Nelson; Jim Longley of the Nisqually Tribe, who represents the Tribal Transportation Planning Organization; and Assistant Public Safety Chief Bill Peterson from the Kalispel Tribe, who represents tribal law enforcement and emergency medical services on the board.

### **Issue #7 : Continue to Work with the Tribal Law Enforcement Group to Invest the WTSC Block Grant**

The Northwest Association of Tribal Enforcement Officers received its fifth annual \$50,000 equipment

block grant from WTSC. This grant enables tribal police departments to purchase enforcement equipment to assist with more enforcement patrols to reduce fatal and serious injury crashes.

### **The WTSC Facilitated these Initiatives**

The Colville Confederated Tribes, National Highway Traffic Safety Administration, Bureau of Indian Affairs and WTSC continue to implement the second phase of a three-year traffic safety grant to improve traffic safety on the Colville Confederated Tribes reservation. This project is based on the priorities and strategies outlined in Target Zero.

The Colville Confederated Tribes now employ a Target Zero traffic safety program manager who coordinates initiatives on the reservation. These initiatives include the outfitting of many of the police department's patrol vehicles with laptop computers, and associated hardware and software for the electronic creation and submission of collision reports and electronic tickets. The Colville Tribal Police Department is the only tribal agency in the nation that submits electronic collision reports in their entirety. This allows for a much broader collection and analysis of traffic crash data on reservation roadways.

The WTSC provided additional financial support for the following tribal efforts:

- The WSDOT Tribal Transportation Conference.
- Purchase of child car seats, booster seats, bicycle helmets and other traffic safety items for distribution in tribal communities to enhance the safety of younger tribal members.
- School zone safety equipment for law enforcement and school zone flashing lights to the Yakama Nation.

Other WTSC/tribal partnerships include the following:

- The Yakama Nation participated in four "Click It and Ticket" seat belt promotional projects. Two were conducted at White Swan High School and two at White Swan Junior High School on the Yakama Nation Reservation. Another "Click It and Ticket" event is planned as part of this year's Treaty Days event.
- Seventeen individuals from the Colville Confederated Tribes attended a two-day child passenger safety educational workshop organized by the Safety Restraint Coalition with assistance from Bernadine Phillips from the Colville Tribal Health Program.
- The Northwest Association of Tribal Enforcement Officers is represented on the recently formed Washington Impaired Driving Advisory Council by Chief Mike Lasnier of the Suquamish Tribe.
- The Swinomish Tribe and the Tulalip Tribes have indicated they would participate in Washington's first statewide "Slow Down or Pay Up" campaign to reduce fatality and serious injuries as a result of speeding on tribal lands.
- Police chiefs from the Chehalis Confederated Tribes and the Swinomish Tribe will represent Washington tribal law enforcement on WTSC's Technical Advisory Committee to assist in the annual traffic safety grant approval process.

### **STAFF CONTACTS**

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## **DEPARTMENT OF TRANSPORTATION**

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### **EXECUTIVE SUMMARY**

The Washington Department of Transportation's (WSDOT) government-to-government relationships with tribes are enhanced through collaboration on many issues, including transportation safety, planning and work force development. Consultation with tribes about the effects of projects on natural and cultural resources is a key element of this work. As we all struggle in a difficult economy, cultivating strong partnerships with the tribes to facilitate increased transportation investments will be even more essential.

The WSDOT has invited tribal leaders to collaborate in the development of consultation and communication protocols for policy and statewide issues. We hope to develop these over the next year.

### **HIGHLIGHTS**

Provided the state's "Cost to Construct Data" to the Bureau of Indian Affairs for inclusion in Tribes' Indian Reservation Roads Inventories. This is critical data that comprises nearly 50 percent of the funding formula for the Indian Reservation Roads program.

Partnered with tribes, Washington Traffic Safety Commission, Federal Highway Administration and Bureau of Indian Affairs to host a Tribal Traffic Safety Summit at Squaxin Island in May 2009. The WSDOT and Washington Traffic Safety Commission incorporated strategies from the summit, the 2008 Tribal/State Transportation Conference and the Strategic Highway Safety Plan for Indian Lands into Washington's Strategic Highway Safety Plan: Target Zero. The draft plan was circulated for tribal consultation April and May 2010.

Provided tribal planners and other interested staff with a weekly update on federal transportation issues, including reauthorization of SAFETEA-LU and transportation funding opportunities.

Working closely with tribal staff volunteers to plan the 2010 Tribal/State Transportation Conference, which will take place October 12–14 at the Tulalip Resort. It will bring together tribal, state, federal and local transportation officials to discuss how we can collaborate in the areas of safety, planning, transit, cultural and environmental resources and work force development. We are working hard to manage costs to ensure good attendance and a productive conference.

Contracted with the Stillaguamish Tribe to provide mitigation for unavoidable impacts from the SR 532 corridor improvement project. The mitigation project is designed to restore historic wetlands and improve salmon habitat on tribal property along Pilchuck Creek.

In September 2009, WSDOT completed the SR 164 Corridor Planning Study. A significant portion of this highway traverses the Muckleshoot Indian Reservation. The WSDOT worked closely with the Muckleshoot Tribe in developing recommendations to address current and future transportation issues, such as safety and mobility, along this corridor.

Signed a memorandum of agreement for Section 106 with the Puyallup Tribe for the Tacoma Pierce County HOV project covering two cultural resource sites.

The Jamestown S’Klallam Tribe worked with the Olympic Region to develop an Interchange Justification Report for U.S. 101 near the tribe’s administrative facilities. The study recommends changes to improve safety.

Negotiated agreements with the Skokomish Tribe that will allow the construction of left turns lanes on U.S. 101 at Potlatch State Park in Mason County. The left turn lanes will accommodate both the state park and a newly constructed tribal road to the west that will serve future tribal housing out of the flood plain. The project is primarily funded by Recovery Act funds, through WSDOT Highways and Local Programs.

Negotiated an agreement with the Suquamish Tribe that will lengthen a left turn lane on SR 305 to reconfigure access to the tribe’s Masi Shop (gas station/convenience store).

Worked with the Spokane Tribe to name the NSC bike/pedestrian trail the “Children of the Sun.” The name was reviewed by the Elders & Culture Committee and the Tribal Council, and was adopted by the Washington Transportation Commission.

The WSDOT Planning Office continues to provide funding, staffing and technical support for the Tribal Transportation Planning Organization’s quarterly meetings.

#### **STAFF CONTACT**

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## **DEPARTMENT OF VETERANS AFFAIRS**

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### **EXECUTIVE SUMMARY**

The Washington State Department of Veterans Affairs (WDVA), in conjunction with the tribal veterans representatives, provides an annual training session to enhance skills, knowledge and abilities in claims preparation; federal Department of Veterans Affairs (VA) health care eligibility and enrollment; training and employment for homeless veterans in their communities; and updates on tribal issues, activities and events locally and nationally. It is an honor to provide assistance and support to tribal veterans representatives who offer the opportunity for tribal members to provide assistance to fellow tribal members who served our country with honor. In 2010, this conference took place April 13 – 15.

### **HIGHLIGHTS**

The conference began with a two-hour training focused on claims preparation from the VA regional office. This session included information on changes to federal law and the VA rating process, which has an effect on the information that must be included for a claim to be granted.

At the opening session, WDVA leadership and Leonard Forsman, chairman of the Squamish Tribe, welcomed participating tribes. Information was provided to better assist tribal veterans with their claims to the VA. An overview of the VA's claims process was provided, which included claim development, compensation, pension physical exams, claim adjudication and the appeals process. Representatives from the VA medical centers provided information on their fee basis policy and health care eligibility and enrollment.

The Department of Social and Health Service, Office of the Indian Policy and Support Services offered information on how the office coordinates with Recognized American Indian Organizations to provide high-quality, comprehensive program service delivery to all American Indians and Alaska Natives in Washington.

Employment issues, including unemployment insurance, were discussed by representative from the Washington Employment Security Department. The federal Department of Labor, Veterans Employment and Training Services Office was also represented and offered information on veterans' preference in hiring, education and training resources, and new special hiring rules established by President Obama through the Veterans Employment Initiative.

The conference closed with an update from each tribal veterans representative on upcoming events, activities and veterans issues, and the opportunity for open discussion among the participants.

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# WASHINGTON STATE PATROL

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## EXECUTIVE SUMMARY

The primary goal of the Washington state Patrol (WSP) is to make Washington roadways safe for the efficient transit of people and goods. This goal is linked locally to the Yakima district's objective of reducing fatality and injury collisions on interstate and state routes by 4 percent.

The WSP's Yakima detachments are responsible for traffic law enforcement and traffic safety on the state highways within the reservation. In addition, through an agreement, WSP is responsible for investigating all fatality and serious injury collisions on the public roads within the reservation.

Since 2004, there has been an increase in the number of fatal vehicle collisions occurring on the Yakama Reservation. The number of fatality collisions on the reservation rose from six in 2004 to 17 in 2007. Fifty-three percent of those were alcohol related.

Between October 2007 and September 2008, there were 16 fatality collisions on the Yakama Reservation; 13, or 81 percent, involved a tribal member. More than 50 percent of the fatality collisions occurring on the reservation are alcohol related, compared to about 35 percent nationally. In about 60 percent of the fatality collisions, the victim was not wearing a seatbelt.

## HIGHLIGHTS

The concept for the Yakama Nation Outreach Project came about through a presentation to tribal members in August 2008 at the tribe's annual Treaty Days celebration. The WSP display included a large map indicating the location of all fatality collisions in Yakima County, including the Yakama Nation Reservation, over the previous five years. This led to the WSP being invited to make a presentation to the full Tribal Council.

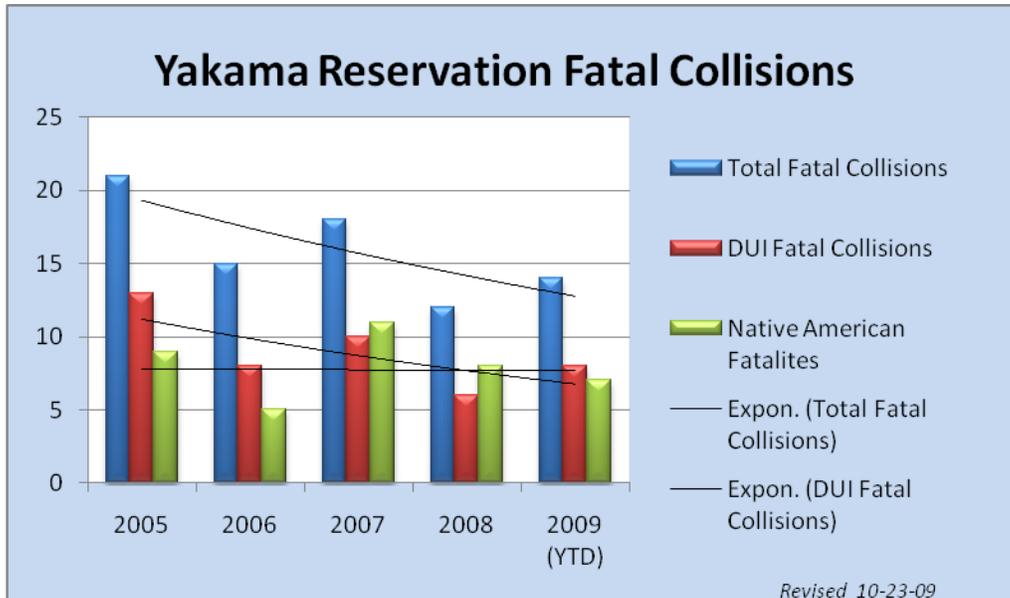
On Nov. 4, 2008, WSP District Three Command Staff and Washington Traffic Safety Commission Director Lowell Porter made a presentation to the Yakama Tribal Council which gave an overview of the traffic safety issues on the reservation. This presentation fostered a positive partnership between the WSP and the Yakama Nation.

A three-pronged approach was developed, and a Problem-Oriented Public Safety project was initiated. The project included a multi-faceted media campaign, enhanced traffic law enforcement, and education through public outreach and presentation efforts. A 12-month data baseline was developed from October 2007 through September 2008.

In 2008, a grant request was funded by the WTSC to support the Yakama Nation Outreach Project.

From October 2008 through September 2009, there were 28 fatality collisions in Yakima County. Fifteen were on the Yakama Reservation. Of those, five, or 33 percent, involved a tribal member. Ten of the 15, or 66 percent, involved driving while under the influence. As compared to the 12-month project baseline, the number of Yakama Nation tribal members killed in fatality collisions dropped from 81 percent to 33 percent. We are encouraged by the results of the project and look forward to extending its successes.

With the sharp rise of tribal members involved in fatal collisions in 2007, it was encouraging to see a positive trend develop in 2008, and continue into 2009. This indicated a reduction in the number of tribal members being killed in motor vehicle collisions on the reservation.



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