

2009 Centennial Accord

Agency Highlights



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Executive Summary

The Washington State Department of Agriculture (WSDA) serves all people of Washington by supporting the agricultural community and promoting consumer and environmental protection. The agency accomplishes its mandate through programs that help to ensure the safety of the state's food supply, regulate pesticides and fertilizers, halt the spread of plant and animal pests and diseases, verify the quality of agricultural products and expand markets for Washington foods, both locally 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 2008, WSDA's Pest Program provided technical assistance and funding for invasive knotweed control to the Yakama Nation and to regional associations that include 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. WSDA and the Puyallup Tribe continued their partnership in an invasive snail survey.

The Livestock Nutrient Management Program regulates manure and process waste water from dairies and works with other animal feeding operations. Program staff report to the tribes on water quality issues, including discharges to surface water that could impact shellfish harvests. The program participates in discussions on water quality issues with the Nooksack Tribe, Lummi Nation and Muckleshoot Tribe, as well as their local and federal partners, when requested. This program and WSDA's Surface Water Monitoring Program are working jointly with the Yakama Nation and other government agencies to develop long-term strategies to reduce 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 any emergency exemptions and approved labels granted by the Environmental Protection Agency (EPA), and special local need registrations.

Full implementation of the 2007 WSDA—EPA pilot program to allow the use of certain pesticides on all tribal lands under an emergency exemption issued to the state continues to be successful nationally.

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 and licenses food processing businesses, including seafood handling facilities. These include tribal-owned businesses and businesses operated on tribal land.

In 2008, the Animal Health Program and Yakama Nation initiated the process to develop an entry protocol, and possible testing for tuberculosis and brucellosis, to allow pronghorn antelope to enter the state and reservation from Nevada.

The program continued to provide outreach and technical information on the National Animal Identification System (NAIS) and how tribes can coordinate their own NAIS activities that include outreach, education and premises registration using the Tribal Premises Registration System. This communications network will assist state and tribal animal health officials to respond quickly to an animal disease event, reducing the economic hardship caused by the event. WSDA also provides information and education on foreign animal diseases and biosecurity.

Staff Contact

Brad Avy, Tribal Liaison, (360) 902-1818.

DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Executive Summary

The Department of Archaeology and Historic Preservation (DAHP) is the state's sole agency with the mission to preserve and protect Washington state's cultural resources. The agency has project review authority under federal law, and archaeological permitting authority under state law. Under state law, the agency is required to solicit comments from affected tribes prior to making a decision on archaeological and Native American burial excavation permits. The agency also has jurisdiction over human remains that are not a crime scene. 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 hosted the Westside Summit and Permit Roundtable on Cultural Resources at the DAHP; the Department of Ecology invited and attended at multiple tribes' request.
- Hired the new state physical anthropologist per new legislation. Three tribal representatives and the King County Medical Examiner were on the hiring committee.
- The state physical anthropologist has investigated 69 human remains cases representing the remains of at least 86 individuals and notified 34 tribes regarding those cases. DAHP has repatriated or is in the process of repatriating 22 of those cases.
- Added three additional MOUs with tribal governments for GIS Data Sharing. DAHP now has 24 tribal GIS data sharing agreements.
- Nearly complete GIS layer and database of approximately 1800 cemeteries and graves statewide.
- In the process of launching secure GIS web portal to share archaeological data with tribes and professional archaeologists.
- Finished GIS statewide predictive modeling for archaeological site locations.
- Participated in the federal Columbia River System Cultural Resources Conference.
- Participated in cultural resources training for Department of Natural Resources employees at Squaxin Conference Center with the Squaxin Tribe.
- Hired a second transportation archaeologist to review Highways & Local Programs transportation projects for archaeological site protection.
- Currently investigating 11 cases of violations of the Archaeological Sites and Resources Act.
- Provided cultural resource training to the Department of Ecology.
- Organized and participated in cultural resource training for WSDOT and State Parks staff in Wenatchee.

Executive Summary

Effective July 26, 2009, the Washington State Department of Community, Trade and Economic Development will change its name to the Department of Commerce. The mission of the new organization is to retain current and create new jobs. The department's vision is to be widely recognized as a business champion and a respected leader and partner in growing our state's economy.

By statute, the department implements a broad range of programs and services, and invests nearly \$2 billion each biennium in communities throughout the state. These investments fall into three major categories: social investments, physical and environmental investments and economic investments, which are described in the following pages.

Accomplishments

- During the 2009 legislative session, agency request legislation (SB 5649, Sec. 201) made tribal nations eligible sponsors under the state's Energy Matchmaker statute. This change will allow tribal nations to participate in a successful program that makes homes more energy efficient and creates job opportunities for those performing the weatherization services.
- When the Northwest Native Asset Building Coalition formed this past year, it became the first coalition of its kind in the United States. It is part of the Washington Asset Building Coalition, which promotes prosperity through education, advocacy and training. The Northwest Native Asset Building Coalition is online at <http://nativeassets.ning.com/>.

The department co-sponsored the new coalition's first conference. The successful regional event convened more than 100 participants, 20 national and regional speakers and 18 vendors at the Financial Resource Fair. The event also convened the first "Permanent Supportive Housing Summit," with a focus on new resources to develop tribal housing on and off tribal land.

- In 2008, the Emergency Food Assistance Tribal Food Voucher Program provided food vouchers to 7,985 clients and food bank services to 1,011 people. In addition, the Emergency Food Assistance Program contracted with 32 tribes for \$328,000.
- Technical assistance and outreach by the Office of Crime Victims Advocacy tripled the number of tribes and Native American organizations who applied to programs during the last Office of Crime Victim Advocacy funding round.
- During the past year, the Energy Facility Site Evaluation Council (EFSEC) has solicited comments from tribal nations regarding environmental and cultural impacts for the Wild Horse, Desert Claim and Whistling Ridge wind power projects.

Work in Progress

- In the 2007-09 capital budget, \$1.5 million was obligated to support development of housing for low-income or homeless Native Americans.

- Tribes and tribal organizations will receive Community Service Block Grant (CSBG) American Recovery and Reinvestment Act (ARRA) funds as a separate allotment, under the same formula used for grants allocated under the regular annual CSBG appropriations. Tribes and tribal organizations that applied for and received funding in federal fiscal year 2009 will receive a proportion of the \$985 million in CSBG American Recovery and Reinvestment Act funds. ([2009 Allocation table link](#))
- CTED has an active ARRA website that includes a list of federal fund programs coming to Washington, as well as competitive funding programs at the federal level. The website includes contact information and a description of federal stimulus funding programs. The website is updated frequently and be reached at www.cted.wa.gov.

Infrastructure and Business Loans and Grants

Many of Washington’s tribal nations and businesses are eligible for grants and loans through programs administered by the department. Some of this information is described in the division sections that follow but also merits a mention on this page.

Community Economic Revitalization Board (CERB)—Makes low-interest loans and grants to finance publicly owned economic development infrastructure. Examples include: bridges, roads, water and sewer, port facilities, telecommunications and general-purpose industrial buildings. The board meets every two months. Contact: Matt Ojennus, (360) 725-4047.

Housing Trust Fund—Makes low-interest loans and grants for construction, acquisition and rehabilitation of low-income single-family or multi-family housing. Cycles are annual or twice a year (spring and fall). Contact: Lisa Vatske, (360) 725-2915.

Drinking Water State Revolving Fund—Tribes are eligible for this program only after spending all funds directly appropriated to the tribe for projects to meet the Safe Drinking Water Act. Annual application cycle; because of additional federal stimulus funds, applications are due in October this year. Contact: Cecilia Gardener, (360) 725-3159.

Economic Development Grants and Loans for Businesses—The department provides technical and financial assistance to private businesses and non-profit organizations through a variety of federal programs. These include the Child Care Facility Fund, Community Development Float Loans, Forest Products Revolving Loan Fund, Rural Washington Loan Fund, and the Coastal Loan Fund (businesses in Pacific, Clallam, Jefferson, Grays Harbor and Wahkiakum counties). Available year round. Contact: Nick Demerice, (360) 725-4178.

Staff Contact

Rogers Weed, Director, (360) 725-4011.

Marie Sullivan, Intergovernmental Relations Director, (360) 725-4010.

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

Community Services Division

Executive Summary

The mission of the Community Services Division is to strengthen the health, safety, self-reliance and economic vitality of individuals and families by building community partnerships to provide service and advocacy. The division's programs include:

Community Services Block Grant which helps offset the causes and conditions of poverty. The Low-Income Home Energy Assistance Program (LIHEAP) provides money to help low-income households make home heating more affordable and to avoid shutting off utility services during the winter. Both federally funded programs contain a set-aside amount for federally recognized tribes. Tribes may apply directly to federal agencies for these funds or work with CTED's local partner to share in the community allocation.

The **Emergency Food Assistance Program** provides funding, technical assistance and information to community groups and tribes that deliver emergency food services.

Increasing tangible assets is the focus of **Washington asset building coalitions**. The 2008 Washington Asset Building Conference offered workshops and discussions that focused on increasing asset building in tribal communities. Speakers included Iris Friday, U.S. Department of Housing and Urban Development; Joanna Donahoe of Oweesta in Florida and Karen Edwards of KME Consulting and the Center for Social Development.

The **Office of Crime Victims Advocacy (OCVA)** provides advice to local, state and tribal governments on practices and policies that impact crime victims and provides funding, training and consultation to help communities develop programs to serve crime victims. All OCVA direct services are available to, and funding is set aside specifically for, Native American victims. This unit has developed a data collection system called InfoNet, which allows all tribes and tribal organizations to submit data on client services delivered through OCVA contracts.

The **Safe and Drug-Free Communities** Unit works with local communities and federally recognized tribes to reduce substance abuse and violence and their related social impacts. Services include law enforcement assistance, partnership development between non-profit and governments and other services that improve coordination and efficiency.

The department is one of four state agency partners in **Washington WorkFirst** that serves parents on Temporary Assistance to Needy Families (TANF). The purpose of the program is to provide temporary assistance that will lead to employment and economic independence.

Staff Contact

Dan McConnon, Assistant Director, (360) 725-2910.

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

Energy Policy Division

Executive Summary

The Energy Policy Division assists with energy efficiency efforts, and supports the development and growth of clean energy industries through technical assistance to energy companies, economic development entities and international trade staff to promote Washington businesses in the global marketplace. It invests in industry development through market research, incubation services, workshops and forums. The division works with companies and researchers to bring in federal research and grant dollars.

In addition, the division is actively involved in regional planning processes to ensure Washington state has an efficient and diversified energy system. We work with many partners to create a smart energy grid, and to incorporate technologies that will increase the usefulness and reliability of our system. The division helps coordinate the department's climate change initiatives and serves as the biofuels coordinator for the state.

The division directly interacts with tribes based on a 1987 agreement between the Power Washington Committee and the Western Washington Indian Employment and Training Program to distribute funds to Washington's Indian tribes from the Oil Overcharge Settlements. At the time, there were 26 (now 29) federally recognized tribal governments in the state, with tribal members representing 4 percent of Washington's population. Four percent of the funding was allocated to tribes. The maintenance of this agreement was transferred to the Energy Policy Division when the Washington State Energy Office was dissolved in 1996.

When the department receives new Oil Overcharge funds from the U.S. Department of Energy, 4 percent is allocated to tribes for specific projects that are in accordance with rulings by federal judges to govern the Oil Overcharge Settlements. More than \$3 million has been distributed to the Western Washington Indian Employment and Training Program for tribal energy projects. Currently, we have one contract that will close out the Western Washington Indian Employment and Training Program portion of the Oil Overcharge Settlement fund.

Staff Contact

Tony Usibelli, Assistant Director, (360) 725-3110.

Executive Summary

The Washington State Energy Facility Site Evaluation Council (EFSEC) provides a "one-stop" siting process for certain energy facilities in the state of Washington. EFSEC coordinates all evaluation and licensing steps for siting of these energy facilities in Washington. If a project is approved, EFSEC specifies the conditions of construction and operation; issues permits in lieu of any other individual state or local agency authority and manages an environmental and safety oversight program of facility and site operations. EFSEC seeks input from potentially affected tribes to help identify impacts on tribal land and interest areas as part of its energy facility siting reviews. EFSEC continues to consult with affected tribes on issues that may impact tribal land or interests after energy facilities are permitted.

The facilities that come under EFSEC jurisdiction are: thermal energy facilities that are 350 megawatts or greater; alternative energy facilities (wind, solar, waver or tidal, geothermal, landfill gas or biomass) that choose to receive certification under EFSEC and electrical transmission lines and oil or natural gas pipelines of certain length and dimensions.

Staff Contact

Allen Fiksdal, Manager, (360) 956-2152.

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

Housing Division

Executive Summary

The availability of safe and affordable housing and shelter options is essential to the health and well being of people and communities. The Housing Division's purpose is to:

- Create sustainable, affordable housing for low-income households and persons with special needs.
- Preserve and improve existing affordable housing.
- Assist vulnerable families and individuals with services to meet their basic housing needs.

The **Housing Trust Fund (HTF)** provides funding for low-income affordable housing. Federally recognized Indian tribes in the state of Washington are eligible to apply for funding to create or maintain affordable housing. The HTF has funded projects with tribes in the state of Washington, creating or maintaining at least 245 units of housing. In the 2007-09 capital budget, \$1.5 million was appropriated to support development of housing for low-income or homeless Native Americans. CTED worked with tribes, non-profits and tribal housing development organizations to fund projects located in the areas of highest identified need. All of the \$1.5 million is obligated for housing projects.

During the past few years, tribal interest in Washington's **Weatherization Assistance Program** has increased significantly. In 2007, the Housing Division initiated a two-year Tribal Weatherization Project with the goal of improving program outreach and services to Native Americans in the state. The tribal liaison for weatherization meets with tribes and tribal organizations across the state; facilitates the Tribal Weatherization Group to focus on weatherization service delivery to tribes; conducts presentations on the state's Low-Income Weatherization Program and has coordinated weatherization training plans for many tribal weatherization crews. During the 2009 legislative session, agency request legislation (SB 5649, Sec. 201) made tribal nations an eligible sponsor under the state's energy matchmaker statute.

Staff Contact

Will Graham, Assistant Director, (360) 725-2912.

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

International Trade and Economic Development Division

Executive Summary

The purpose of the International Trade and Economic Development Division is to facilitate leadership with and among local leaders to attract, retain and expand economic activity throughout Washington, and to strengthen and diversify the state's economy by promoting the expansion of international business in target markets and industries.

The **Community and Financial Assistance** unit helps communities and businesses finance and implement economic development strategies. Its customers and partners include local governments, businesses, ports, community-based development organizations, economic development councils and tribal governments. They provide financing through multiple programs, including federal loan programs and the state-funded Community Economic Revitalization Board, to create opportunities for business and job growth. In addition, the unit works to assist communities through its downtown revitalization program.

The **Regional Services Unit** collaborates with federal, state, regional and local partners on business recruitment, retention and expansion, with special focus on target clusters. It promotes financial and technical assistance, coordinates with other units and ensures reliable direction for local project development and appropriate technical and financial investments from all state and federal resources.

The **Statewide Services Unit** helps in-state and out-of-state companies establish and grow in Washington. They promote the state as an outstanding place to do business, as well as market the state's business recruitment, retention, expansion and trade services to communities and businesses. The unit provides confidential, no-cost assistance to companies looking to expand or locate in Washington. In addition, the education and training program focuses on how to succeed in a global economy.

The **International Trade Office** helps Washington companies export their products and services or expand market share abroad through expert staff in Seattle and offices abroad. Services include: market development assistance and training; building trade capacity and advocating the importance of international trade.

The **Tourism Office** markets Washington as an exceptional travel destination and influences consumer decisions to travel to and within the state year round. With the Washington Tourism Commission and local partners, they contribute to job growth, tax revenue, sustained economic prosperity and quality of life for residents and businesses.

Staff Contact

Larry Williams, Assistant Director, (206) 256-6129.

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

Local Government Division

Executive Summary

The Local Government Division supports communities as they make decisions about their future; then helps in making their comprehensive plans a reality through strategically funding infrastructure improvements, promoting vital public safety programs and protecting their historic and cultural features so that communities are safe, economically viable and satisfying places to live and work. The following programs are offered:

Growth management services assists and guides local governments, state agencies and others in planning and achieving effective solutions to manage growth and development, consistent with the Growth Management Act. Tribes are directly involved in the protection of natural salmon populations and are particularly interested in the Critical Areas Ordinances being adopted by local jurisdictions.

The **Small Communities Initiative** promotes regulatory flexibility, emphasizes on-going partnerships and recognizes multiple community priorities by establishing working relationships between communities and regulators and promoting compliance with environmental and public health requirements.

Community development block grants provides federally funded grants to small cities with population less than 50,000 and rural counties with population less than 200,000. The program supports locally prioritized community development projects for infrastructure, community facilities, housing rehabilitation and planning.

The **Bond Cap Allocation program** authorizes local governments and development finance authorities to issue tax-exempt private activity bonds to provide lower-cost financing for housing, industrial development, environmental protection, student loans, water and energy facilities and solid waste disposal projects.

Capital Programs provides grants to non-profit organizations and local governments for a variety of capital programs and specified projects. Funding is offered through three competitive grant programs and one legislative grant program: Building for the Arts, Community Services Facilities Program, Youth Recreational Facilities Program and Local/Community Projects.

Staff Contact

Karen J. Larkin, Assistant Director, (360) 725-3003.

Dan Aarthun, Capital Programs Manager, (360) 725-3007.

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

Public Works Board Division

Executive Summary

The Public Works Board supports community and economic vitality by providing financial and technical assistance to local governments for critical public health, safety and environmental infrastructure improvements. While tribes are not eligible for this program, they are regularly consulted on projects. All construction projects funded through the Public Works Board are subject to the Governor's Executive Order 05-05.

The Public Works Board (board) manages two revolving loan funds and a grant fund:

- Public Works Trust Fund (PWTF) loan programs, which includes planning, pre-construction, construction and emergency loans.
- Drinking Water State Revolving Fund (DWSRF) construction loan program.
- Water System Acquisition and Rehabilitation Program.

Historically, an average of \$160 million a year is loaned to cities, counties and special purpose districts to complete projects which improve sanitary sewer, storm water, domestic water, roads/bridges and solid waste/recycling infrastructure systems through the PWTF.

The DWSRF loan program assists cities, counties, special purpose districts, private water systems and tribes in special circumstances to improve their domestic water systems. The DWSRF construction loan program is subject to Section 106 of the National Historic Preservation Act. Tribes are eligible for this program only after spending all funds directly appropriated to them for projects to meet the Safe Drinking Water Act. Annual application cycle; because of additional federal stimulus funds, applications are due in October this year. Contact: Cecilia Gardener, (360) 725-3159.

The Public Works Board, in coordination with the Department of Archaeology and Historic Preservation and the U.S. Environmental Protection Agency, consults with Washington tribes on construction projects funded with PWTF or DWSRF loans that have the potential to impact Native American cultural resources.

The PWTF Pre-Construction Program, which funds projects on a monthly basis, does not include ground disturbance activities. However, the PWB will consult with tribes as appropriate when a project's scope of work includes property or right-of-way acquisitions.

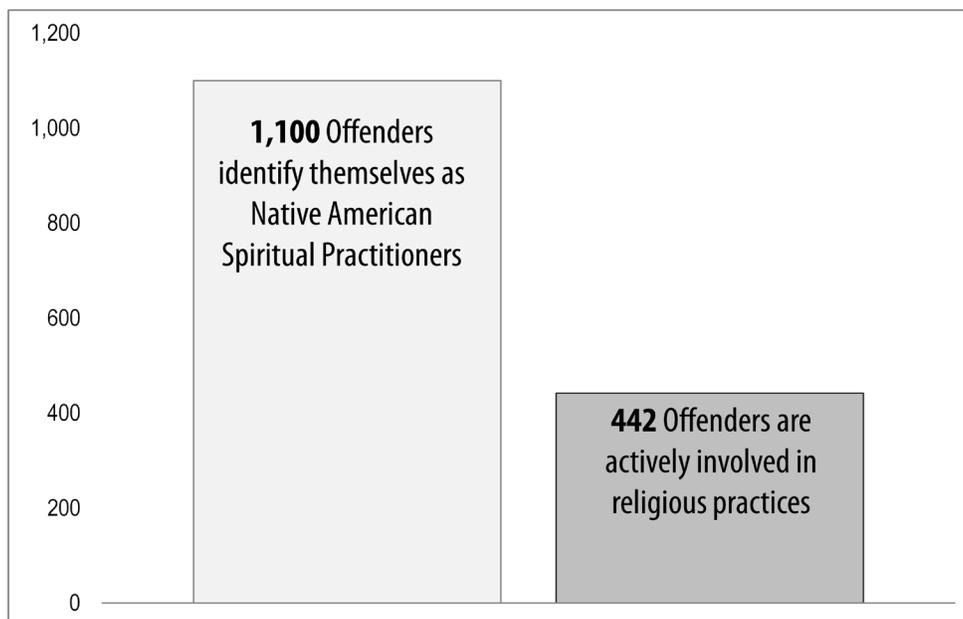
Staff Contact

John LaRocque, Executive Director, (360) 725-2714.

Centennial Accord Mission

To provide for the religious needs of Native American offenders who are incarcerated in Department of Corrections (DOC) facilities in Washington state.

1. Each Native American offender is given the opportunity to identify his or her religious faith and practices.
2. They are given an opportunity to participate in their identified religious practice including: weekly meetings, drumming, sweat ceremonies, Pow Wow's and seasonal fasts.



Tribal agreement first of its kind in Washington. In 2008, DOC reached an agreement with the Colville Tribes that authorizes escorted leave for incarcerated tribal members to attend funerals or visit dying family members.

The furloughs, which are granted for other offenders who meet certain criteria, were not always granted for tribal members because the state does not have jurisdiction on tribal lands. The agreement was the first of its kind with any state tribe.

The agreement takes into consideration that Native American families can be defined differently because of cultural beliefs. It makes provisions for case-by-case review if the request is made for an escort for someone that is not an immediate family member but is very close to the offender.

The department will work with the Governor's Office to inform other tribes about opportunities for the establishment of similar agreements.

Native American inmates participate in Regalia Program at Washington State Penitentiary. Native American offenders at Washington State Penitentiary are learning about their culture and giving back to their communities through their work in the Regalia Program. Offenders purchase supplies to make traditional dance outfits, medicine bags, drums and other regalia for tribal members.

“The only way we can take care of our people from inside prison is to help them with ceremonial giveaways,” said Herbert Rice, an offender who helped create the program. “We can give our youth medicine bags and dance regalia to help get them interested in their culture.”

So far the program has made hundreds of beaded medicine bags for students at the Tulalip Tribes Elementary School. The students receive the bags during their 3rd grade graduations.

The offenders also made drums, beaded medallions, stuffed bears and medicine bags that were auctioned off as a fundraiser for a child in the Colville Tribe who was diagnosed with bone cancer. The proceeds went to the child’s family to help pay medical bills.

“We cannot change our mistakes but we can change our future,” said Rice. “We’re changing our future one bead at a time, one dance at a time, and one song at a time.”

Staff Contact

Gregory L. Garringer, Religious Programs Manager, (360) 725-8890.

DEPARTMENT OF EARLY LEARNING

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 Governor 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 six, we have a tremendous opportunity to prepare all of our youngest citizens for success. DEL has been the lead agency in Washington for the federal Child Care and Development Fund (CCDF) block grant since the beginning of state fiscal year 2008. In federal fiscal year 2008, 27 of the 29 federally recognized tribal nations in Washington received CCDF block grant funds directly from the federal government. Additionally, tribal families in Washington who met the eligibility requirements had access to programs funded by DEL through the state's CCDF block grant.

DEL is building partnerships and enhancing communication with tribal nations. Over the next year, DEL will work with tribal nations to write a Centennial Accord plan that supports the communication and collaboration efforts between each tribal nation and DEL. We will build a plan that supports tribes in their early learning efforts.

Partnerships Highlights

Program Support

- Three Early Childhood Education and Assistance Program (ECEAP) contractors currently have sites operated by tribal organizations. During the 2007-08 program year, 5 percent of the children enrolled in ECEAP were American Indian. In 2008, DEL expanded ECEAP in communities that will increase access for American Indian children, including Lake Quinault, Toppenish and Yakima.
- DEL provides a tribal certification process specific to child care licensing for family homes and centers. A formal letter was sent to tribes in November 2008 with information on the process.
- DEL contracted with educational training partners to provide two, 20-hour STARS trainings to tribal child care providers in spring 2008. Thirty-five staff from five Washington tribes attended the trainings.
- During state fiscal year 2009, DEL is funding the American Indian Community Center in Spokane to provide culturally relevant parent education and support services for urban American Indian families and for foster parents caring for American Indian children.
- DEL funded two culturally relevant parent support and education projects in state fiscal year 2008. The first was with the Kalispel Tribe in northeastern Washington, offering five family activity nights with hands-on, parent-child activities and parent education and family support services. Each evening event reached approximately 75 parents and their children.

The second project, with Peninsula Community College, offered an intensive family literacy program and parent education and support services to 21 parents and children from the Quileute Tribe and the Makah Tribe.

Partnership Building

- DEL sponsored the September 2008 Tribal Early Care and Education Conference. The Tulalip Tribe generously co-hosted the event at their beautiful facility in Marysville. The conference was attended by approximately 200 participants, representing 26 of the federally recognized tribes.
- On September 12, 2008, DEL Director Bosworth and tribal nations' leaders had a government-to-government meeting. The half-day long discussion centered on sharing information around early learning issues and discussed how to best move forward to develop a strong government-to-government relationship under the Centennial Accord.
- DEL and tribal nations had one additional meeting to discuss government-to-government relations and to discuss important themes for a Centennial Accord plan.
- DEL consulted with representatives at an October 2008 Tribal Leaders Congress meeting to discuss preferences and recommendations for a statewide kindergarten assessment process.
- DEL facilitated an on-site parent focus group of 16 parents for the DEL parent needs assessment to gain information about some of the unique interests, preferences and needs of families involved in the Spokane Tribe American Indian Head Start program in eastern Washington.
- DEL conducted a parent focus group with tribal parents to explore opportunities for a parent companion piece to the Washington State Early Learning and Development Benchmarks.
- Through a contract with DEL, Lutheran Community Services NW is working with the Makah Tribe to provide parent education and support services for tribal grandparents and kinship providers of children. Another culturally relevant parent education and support project in Grays Harbor, Lewis, Thurston, Mason and Pacific counties will support the BlockFest project and will reach out to area tribal communities.

Infrastructure Development

- DEL director and senior policy advisor attended the 2008 Governor's Centennial Accord meeting with tribal nations.
- DEL staff attended the Governor's Office of Indian Affairs (GOIA) government-to-government relations training and attended monthly tribal liaison meetings hosted by GOIA.
- DEL staff met with Department of Social and Health Services (DSHS) 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 No.7.01 for 2008-09.
- DEL director attended the 14th National American Indian and Alaska Native Child Care Conference in Portland, Oregon, where she had the opportunity to meet with child care representatives from Washington tribal nations.

- DEL formed an internal workgroup to explore ways to support Washington tribal nations through DEL programs and activities at the service area and local levels.
- DEL participates in the Washington tribal child care conference calls sponsored by the Region X Child Care Bureau.
- DEL is developing a webpage that is focused on tribal relations and resources.

Staff Contact

Sonali Patel MSW, Senior Policy Advisor, (360) 725-4523.

Executive Summary

The Department of Ecology (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 Governor Gregoire took office, tribes and the state created the Ecology-Tribal Environmental Council (E-TEC) under the Centennial Accord. E-TEC is made up of policy representatives of tribes and Ecology, co-chaired by Stillaguamish Tribe Chairman Shawn Yanity and Ecology Director Jay Manning. 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 state-wide policy issues.

Highlights

- **Government-to-Government Cooperation and Consultation.** Ecology is engaged with tribal governments on specific projects throughout the state on an on-going basis. Consultation and coordination happens frequently in connection with water quality permits, water cleanup plans, water right actions and toxic clean-up. A number of tribes have EPA-approved tribal water quality standards under the Clean Water Act authority and have taken on responsibilities under the Clean Air Act. Each reservation is effectively a neighboring state under these laws and Ecology continues to work with tribes and the EPA to coordinate on cross-border flows, consistent with our respective authorities.
- **Ecology-Tribal Environmental Council collaboration** has continued with quarterly meetings providing 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.
- **The Lake Roosevelt Columbia Water Partnership Agreements** with the Confederated Tribes of the Colville Reservation and the Spokane Tribe were funded by the legislature and are on track to enhance fisheries, protect the environment and preserve the tribes' cultural and archaeological resources. The Spokane Tribe-Washington State Joint Task Force on Water Rights called for under the Spokane Lake Roosevelt Agreement is scheduled to hold its first meeting on May 12, 2009.
- **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 on-going cooperative water management which includes close monitoring of groundwater chlorides and well reports. A federal water master has been appointed.

- **Nooksack Tribe and Lummi Nation instream flow negotiations** with the state and water right holders in the Nooksack basin are being mediated in two pilot sub-basins and are expected to conclude this year. The goal of these negotiations is to secure agreement on meeting the instream flows necessary to maintain the tribal treaty fisheries right.
- Governor Gregoire signed into law an act **establishing a pilot water management program in the Walla Walla watershed** which was strongly supported by the Confederated Tribes of the Umatilla Reservation, Ecology and other partners of the Walla Walla Water Management Initiative. (2SHB 1580–Chapter183, Laws of 2009)
- Governor Gregoire signed a bill in March **creating a source of permanent, year-round funding for the rescue tug stationed at Neah Bay** on the Makah Reservation. This bill received strong support from the Makah Tribe. (ESSB 5344–Chapter 11, Laws of 2009)
- Governor Gregoire proposed and the legislature provided **funding for a portion of the cost of cleaning up a slag impacted beach on Lake Roosevelt**. This cleanup is a joint effort with the Colville Confederated Tribes, Ecology and Teck Cominco.
- **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 Nisqually Tribe. The program contracts for specific tribal liaison assistance from the NW Indian Fisheries Commission to increase capacity for early and effective consultation and outreach to tribal governments on Puget Sound restoration and clean-up priority actions.
- **The Port Gamble S’Klallam Tribe**, Ecology, Office of Regulatory Assistance, Olympic Properties, Kitsap County and others have formed an intergovernmental coordination and oversight workgroup to address multi-agency clean-up and restoration issues in Port Gamble Bay.
- **The Tribal Water Right Pathways Project**, a voluntary government-to-government partnership to explore opportunities for cooperative approaches to water management wraps up its work at the end of this fiscal year. Ecology has been working with the Tulalip Tribes, Quinault Nation, Jamestown S’Klallam Tribe and Northwest Indian Fisheries Commission under this project funded by the legislature through FY 2009.

Staff Contact

C. Thomas Laurie, Government Liaison, (360) 407-7017.

Background

The mission of the Washington Department of Fish and Wildlife (WDFW) is to provide sound stewardship of the state's fish and wildlife resources. Using science as the foundation, the department 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.

The procedures for government-to-government policy implementation between WDFW and affected tribes have been established through a number of federal court orders, memoranda of understanding (MOUs and MOAs), and state-tribal management plans related to fish and wildlife population management, commercial fisheries and hunting. Notable examples of federal case law that provide the legal foundation for the cooperative management relationship between WDFW and treaty tribes include *U.S. v Washington* and *U.S. v Oregon*.

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 specific area of expertise. WDFW's Director Phil Anderson, and Intergovernmental Resource Management Lead, Lisa Veneroso, hold primary responsibility for state-tribal harvest 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 over 80 management agreements in the areas of fish, shellfish and hunting (see below), and continues to work to resolve issues and implement state-tribal agreements. 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 and Puget Sound recovery.

Example Achievements from 2008 include:

- A new ten-year agreement guiding salmon harvest and production on the Columbia River was signed and approved by a federal judge in August 2008. The 2008 *U.S. v. Oregon* agreement provides a framework within which the tribes, states, and federal government may exercise their independent sovereign powers in a coordinated and systematic manner in order to protect, rebuild and enhance upper Columbia River fish runs while providing harvests for both treaty Indian and non-treaty fisheries. The 2008 *U.S. v. Oregon* fisheries agreement is the result of several legal decisions by federal courts that determined tribes have a treaty right to harvest a fair share (50 percent) of the harvestable fish destined to reach the tribes' usual and accustomed fishing places and established the tribes as co-managers of the fisheries.

- WDFW, Puget Sound Indian tribes, and the Northwest Indian Fish Commission developed the *Puget Sound Steelhead Management Plan*. The Puget Sound Steelhead Distinct Population Segment (DPS) was listed as threatened under the Endangered Species Act (ESA) in 2007. The plan was required under the 4(d) rule of the ESA in order to cover the incidental take of steelhead and to conserve the abundance, productivity, diversity and spatial distribution of Puget Sound steelhead populations. It was submitted to NMFS in November 2008.
- 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 included coordination with the National Marine Fisheries Service, the Pacific Fishery Management Council, the Oregon Department of Fish and Wildlife, the 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 implement several pilot mark-selective Chinook fisheries in Puget Sound marine areas. WDFW staff worked collaboratively with Northwest Indian Fisheries Commission staff and tribal representatives to develop comprehensive sampling and monitoring plans to enable thorough technical evaluations of the performance of the pilot mark-selective fisheries. In addition, WDFW, tribal, and NWIFC technical staff worked together to develop an agreed-to method for estimating total Chinook encounters in mark-selective Chinook fisheries (e.g., Conrad and McHugh 2008). All reports (including joint WDFW-NWIFC reports) documenting results of mark-selective Chinook fishery evaluations in Puget Sound are posted on the WDFW web site at the following address:
http://wdfw.wa.gov/fish/salmon/suggested_reading.htm#tech_lit.
- The department and Makah Tribe have worked cooperatively through a shared scientific technician or “port sampler” position to provide biological sampling coverage of state and Makah Tribe groundfish fisheries. The port sampler is responsible for collecting biological and catch data from both state and tribal fishers at Neah Bay. When needed, the port sampler also has assisted with at-sea observation of the tribal fleet. By sharing resources, the department and Makah Tribe have successfully developed a unique and cost-effective approach to ensuring critical resource data are available to support management of groundfish by the Pacific Fishery Management Council.
- WDFW and the Yakama Nation agreed to a two-year extension of the lease agreement for the Klickitat Hatchery, a facility that is owned by WDFW and leased/operated by the Yakama Nation under the Yakima-Klickitat Fisheries Project. The initial lease agreement covered the 2005-08 period. This marked the first time that a state-owned and operated hatchery had been transferred to a tribe for operation. During the first three years of the lease period, the Yakama Nation was instrumental in obtaining funds for upgrade and emergency repair, while maintaining agreed-to production levels.

- In 2008, the department and the nine tribes, signatory to the Treaty of Point Elliott, developed a landmark regional hunting agreement from eastern Puget Sound to the crest of the Cascades. The agreement specified provisions for harvest sharing and reporting, and established permit levels for the North Cascade elk herd.

In the mid to late 1990's, the Nooksack elk herd in Skagit and Whatcom counties was depleted to critical levels. A dynamic herd rebuilding effort was launched by a group of WDFW biologists, enforcement officers and the Point Elliot Treaty Tribes. After a decade-long partnership, the herd was rebuilt to a point where both tribal and state hunters could once again resume hunting opportunities. This successful endeavor involved apprehending dozens of illegal elk poachers, successfully addressing numerous elk damage complaints and maintaining the support of stakeholders and elected officials. Most notably and absolutely critical in the success of the herd rebuilding was collaboration and partnership of WDFW staff and Point Elliot co-managers.

- The Lake Rufus Woods pilot project was negotiated by WDFW and the Colville Confederated Tribes in 2007 to resolve ongoing state and tribal jurisdiction issues on Lake Rufus Woods, with the pilot project kicking off in mid 2008. Enforcement officers from WDFW and the Colville Tribe collaborated on the establishment of enforcement and reporting protocols. For 2008, state and tribal officers participated in two joint boat patrols. The patrols were very successful and resulted in numerous arrests and the seizure of one boat. Increased coordination and communication has also resulted in officers addressing other violations, including illegal gillnetting in the Okanogan River and illegal waterfowl guiding activities on the reservation. Individual agency efforts resulted in tribal officers reporting a total of 768 contacts and 7 arrests, and state enforcement officers recording 875 hours and 60 arrests related to violations on boundary waters.
- Representatives from WDFW, over a dozen Washington tribes, Northwest Indian Fisheries Commission, Point No Point Treaty Council and others met for the kick-off meeting of the WDFW—Tribal Hydraulic Project Approval (HPA) Forum on June 30, 2008. WDFW created the WDFW—Tribal HPA Forum to promote communication and create a venue for policy-level dialogue on HPA issues of interest to tribes and the agency.

2008-09 State Tribal Resource and Species Harvest Agreements

Shellfish

| Management Plan | Expiration Date | Current Status * | Affected Parties |
|--|------------------|-----------------------------|--|
| 1. Crab CMR 1 (North Sound) | 05/31/2009 | In effect | WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 2. Crab CMR 2E (No.-Central Sound) | 03/31/2009 | Expired | WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Suquamish |
| 3. Crab CMR 2W (No. Central Sound) | 05/31/2009 | In effect | WDFW, Lummi, Swinomish, Upper Skagit, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 4. Crab CMR 3 (Strait) | 05/31/2009 | In effect | WDFW, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish |
| 5. Crab CMR 4 (S. Central Sound) | 05/31/2009 | In effect | WDFW, Muckleshoot, Tulalip, Suquamish |
| 6. Crab CMR 5 (Hood Canal) | 05/31/2009 | In effect | WDFW, Skokomish, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 7. Crab CMR 6 (South Sound) | 05/31/2009 | In effect | WDFW, Nisqually, Puyallup, Squaxin |
| 8. Shrimp CMR 1 (North Sound) | 01/31/2010 | In effect | WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 9. Shrimp CMR 2 East (North-Central Sound) | 01/31/2010 | In effect | WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 10. Shrimp CMR 2 West (N. Central) | 01/31/2010 | In effect | WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 11. Shrimp CMR 3 (Strait) | 01/31/2010 | In effect | WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish |
| 12. Shrimp CMR 4 and 6 (S. Central) | 01/31/2010 | In effect | WDFW, Muckleshoot, Tulalip, Nisqually, Puyallup, Squaxin Island, Suquamish |
| 13. Shrimp CMR 5 (Hood Canal) | 03/31/2010 | In effect | WDFW, Port Gamble, Jamestown, Lower Elwha, Suquamish, Skokomish |
| 14. Geoduck (North Sound) | Work in progress | Section 4.6 No objection | WDFW, DNR, Upper Skagit, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 15. Coastal Spot Shrimp | 02/28/2010 | In effect | Makah, WDFW |

| Management Plan | Expiration Date | Current Status * | Affected Parties |
|---|------------------|-----------------------------|--|
| 16. Geoduck (Central Sound) | 03/31/2010 | In effect | WDFW, DNR, Lummi, Muckleshoot, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 17. Geoduck (South Sound) | 03/31/2011 | In effect | WDFW, DNR, Puyallup, Nisqually, Squaxin |
| 18. Geoduck (Eastern Strait) | 03/31/2010 | In effect | WDFW, DNR, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 19. Geoduck (Hood Canal) | 03/31/2010 | In effect | WDFW, DNR, Port Gamble, Jamestown, Lower Elwha, Suquamish, Skokomish |
| 20. Horse Clam (Eastern Strait) | 03/31/2010 | In effect | WDFW, DNR, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 21. Horse Clam (Hood Canal) | Work in progress | In effect | WDFW, DNR, Port Gamble, Jamestown, Lower Elwha, Skokomish, Suquamish |
| 22. Horse Clam (South Sound) | Na | Section 4.6 No objection | WDFW, DNR, Puyallup, Nisqually, Squaxin |
| 23. Bivalve Region 1 (Strait) | 12/31/2009 | In effect | WDFW, DNR, Lummi, Swinomish, Tulalip, Makah, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 24. Bivalve Reg. 3 (North Sound) | 12/31/2009 | In effect | WDFW, DNR, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 25. Bivalve Reg. 4 (No. Central Sound) | 12/31/2008 | Expired Work in progress | WDFW, DNR, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 26. Bivalve Reg. 5 (Admiralty Inlet) | 12/31/2009 | In effect | WDFW, DNR, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 27. Bivalve Reg. 6 (So. Central Sound) | 12/31/2009 | In effect | WDFW, DNR, Tulalip, Suquamish |
| 28. Bivalve Reg. 7 (South Sound) | 10/31/2009 | In effect | WDFW, DNR, Puyallup, Nisqually, Squaxin |
| 29. Bivalve Reg. 8 (Hood Canal) | 12/31/2009 | In effect | WDFW, DNR, Skokomish, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 30. Sea Cucumbers (Puget Sound excluding Central) | 04/30/2009 | In effect | WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish |
| 31. Sea Cucumber (Central Sound) | 04/30/2009 | In effect | WDFW, Lummi, Swinomish, Muckleshoot, Tulalip, Suquamish |

| Management Plan | Expiration Date | Current Status * | Affected Parties |
|---|-----------------|------------------|---|
| 32. Sea Urchins (Puget Sound) | 08/31/2009 | In effect | WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish, Skokomish, Puyallup, Nisqually, Squaxin |
| 33. Squid (Puget Sound) | 12/31/2010 | In effect | WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Low.Elwha, Makah, Suquamish, Skokomish, Puyallup, Nisqually, Squaxin |
| 34. Razor Clams (Copalis and Mockrocks) | 08/31/2009 | In effect | WDFW, Quinault |
| 35. Razor Clams (Kalaloch Beach) | 08/31/2009 | In effect | WDFW, Quinault, Hoh |
| 36. Coastal Crab (North) | 10/31/2009 | In effect | WDFW, Makah |
| 37. Coastal Crab (North / Central) | 10/16/2011 | In effect | WDFW, Quileute |
| 38. Coastal Crab (Central) | 09/15/2009 | 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. This paragraph 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 | Current Status | Affected Parties |
|---|-----------------|----------------|---------------------|
| 1. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Lummi |
| 2. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Nooksack |
| 3. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Swinomish |
| 4. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Upper Skagit |
| 5. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Sauk Suiattle |
| 6. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Stillaguamish |
| 7. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Tulalip |
| 8. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Muckleshoot |
| 9. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Puyallup |
| 10. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Suquamish |

| Management Plan | Expiration Date | Current Status | Affected Parties |
|---|------------------------|-----------------------|--|
| 11. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Nisqually |
| 12. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Squaxin |
| 13. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Skokomish |
| 14. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Port Gamble S'Klallam |
| 15. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Jamestown S'Klallam |
| 16. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Lower Elwha |
| 17. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Makah |
| 18. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Quileute |
| 19. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Hoh |
| 20. North of Falcon - Chinook, coho, chum | 04/30/2010 | In effect | WDFW, Quinault |
| 21. Skagit River - steelhead | 11/30/2008 | In effect | WDFW, Swinomish, Sauk Suiattle, Upper Skagit |
| 22. Green River - steelhead | 4/30/2009 | Pending | WDFW, Muckleshoot, Suquamish |
| 23. Nooksack River - steelhead | 2008/2009 | Pending | WDFW, Lummi, Nooksack |
| 24. Stillaguamish Snohomish - steelhead | 10/31/2009 | In effect | WDFW, Stillaguamish, Snohomish |
| 25. Samish River – steelhead | 2008/2009 | Pending | WDFW, Swinomish, Upper Skagit, Lummi, Nooksack |
| 26. Nisqually River - steelhead, chum | 04/30/2010 | In effect | WDFW, Nisqually |
| 27. Puyallup River – steelhead, chum | 04/30/2009 | In effect | WDFW, Puyallup |
| 28. Hoh River - steelhead | 4/30/2009 | In effect | WDFW, Hoh |
| 29. Chehalis River steelhead | 2008/2009 | Pending | WDFW, Quinault |
| 30. Quinault River - steelhead | 2008/2009 | In effect | WDFW, Quinault |
| 31. Queets River - steelhead | 04/30/2009 | In effect | WDFW, Quinault |
| 32. Moclips/Copalis - steelhead | 04/30/2009 | In effect | WDFW, Quinault |

| Management Plan | Expiration Date | Current Status | Affected Parties |
|--|-----------------|----------------|--|
| 33. Quillayute River - steelhead | 10/31/2009 | In effect | WDFW, Quileute |
| 34. Dungeness River-steelhead | 4/30/2009 | Pending | WDFW, Point-No-Point, Lower Elwha, Port Gamble, Jamestown |
| 35. Hood Canal – steelhead | 4/30/2009 | Pending | WDFW, Point-No-Point, Lower Elwha, Port Gamble, Jamestown, Skokomish |
| 36. Upper Columbia/Snake - spring, summer and fall Chinook, steelhead, coho, sockeye and white | 12/31/2017 | In effect | WDFW, ODFW, Warm Springs, Umatilla, Nez Perce, Yakama |
| 37. Upper Columbia - spring and summer Chinook, sockeye and steelhead | None | In effect | WDFW, Colville |

Wildlife

| Management Plan | Expiration Date | Current Status | Affected Parties |
|--|-----------------|----------------|--|
| 1. Regional Hunting Management Agreement for 2009/2010 | NA | Pending | WSFW, Lummi, Muckleshoot, Nooksack, Sauk Suiattle, Upper Seattle, Stillaguamish, Suquamish, Swinomish, Tulalip |
| 2. Medicine Creek Agreement re: southern boundary of | None | In effect | WDFW, Muckleshoot, Puyallup, Nisqually and Squaxin Island Tribes |
| 3. Colville hunting area agreement | None | In effect | WDFW, Colville |

Other

| Management Plan | Expiration Date | Current Status | Affected Parties |
|------------------------------------|-----------------|----------------|---------------------|
| 1. Cowlitz Tribe MOA | None | In effect | WDFW, Cowlitz Tribe |
| 2. Nez Perce MOA | None | In effect | WDFW, Nez Perce |
| 3. Rufus Woods Lake fishing | 12/17/2012 | In effect | WDFW, Colville |
| 4. Spokane River Arm of | None | In effect | WDFW, Spokane Tribe |
| 5. On-Reservation Consultation MOA | NA | Pending | WDFW, Quinault |

Staff Contact

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Executive Summary

Of the 29 federally recognized tribes in Washington state, 28 have compacts for Class III gaming and 22 of the tribes operate 28 casinos. In 2008, tribes had over \$1.4 billion in net receipts, the amount wagered less prizes paid.

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

2008 Highlights

Cost Allocation Review. A cost allocation review was requested by the Washington Indian Gaming Association (WIGA) to determine the fairness and reasonableness of our agency's billing rates. The final report confirmed that Washington State Gambling Commission billing rates for tribal regulation are fair and reasonable. At the same time, the report indicates we must continue to work together to improve communication and transparency. Our agency is committed to continuing to meet with the tribes to improve these areas.

Compacts and Compact Amendments. After 20 years of legal disputes, the Spokane Tribe transitioned their two casinos into compliance with the tribal-state compact in August 2008.

The Snoqualmie Tribe signed a tribal-state compact and an amendment to allow the operation of two facilities, similar to other tribal compacts. The Snoqualmie Tribe's Snoqualmie Casino opened November 2008.

In April 2008, the first approved Appendix X2 tribal lottery system terminals, which allowed for cash-in, were installed in tribal casinos. During the year, 17 Appendix X2 transitions were completed.

The tribes agreed not to request renegotiations concerning the tribal lottery system (electronic gaming machines) until June 30, 2009. This moratorium contains an exception for technical changes and we worked with the Spokane Tribe to draft technical standards to implement necessary operational changes for the Appendix X2 systems, as requested by the tribe.

Tribal Certification. In 2007 and 2008, we have progressed from one certification process and fee for tribes operating casinos under compact to having a different certification process and fee for each tribe. These different processes and fees are based on the amount of information provided by the tribe during the application process.

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

The specific improvements made in consultation with our tribal regulatory partners in 2008 include: one memorandum of understanding (MOU) for reduced fees for tribes that process fingerprints of gaming employees; one MOU allowing potentially qualified gaming employees to begin work prior to receiving state certification; one MOU to document the eligibility determination process and fees for individuals; organized and lead three TGA and SGA licensing meetings for 109 people to include 12 training presentations and provided six vendor training presentations.

Updated New Agent Training. A group of tribal gaming agency directors and our agency staff continue to improve training provided to new tribal and state agents. Classes are team-taught by our agency and tribal gaming agency staff, and we received an average overall class rating in 2008 of 4.3 out of a possible 5. Last year, 525 individuals attended the classes during the year. The training is attended by tribal and state regulators from across the nation.

Cooperative Investigations. In 2008, we began a joint investigation of a roulette cheating scheme with seven tribal gaming agencies, the FBI, King County Sheriff, and U.S. Attorney General's office which resulted in four people being indicted on two counts of theft of funds from a gaming establishment on Indian land. We also worked with tribal gaming agencies to respond to 78 complaints from the public regarding tribal gambling, complete many X2 pre-operational, transitional, or security inspections and concur with tribal gaming on 375 submissions.

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.

GA is committed to the principles of the Centennial Accord and achievement of the following goals:

1. Improve services that are provided to tribes. Identify and seek remedies for barriers to accessing these services.
2. Recognize and respect 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 tribes.
4. Solicit early consultation of tribes to address matters of mutual concern.

Highlights

- **Washington State Purchasing Cooperative.** Members include: Lummi, Spokane, Indian Housing Authority, Squaxin, Stillaguamish, Suquamish, Swinomish and Tulalip, and the following have utilized the cooperative's contracts: Colville, Muckleshoot, Sauk-Suiattle and Shoalwater. The cooperative provides members an opportunity to pool their purchases through state contracts, thus saving millions of dollars. During the summer of 2009, GA and the Governor's Office of Indian Affairs (GOIA) plan to work together to clarify tribal eligibility requirements and membership fees. 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.** GA routinely consults with tribal archeologists on capital projects that may have cultural or scientific significance. Due to the current economic crisis, 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, GA contacted GOIA, Chehalis Confederated Tribes, Cowlitz Indian Tribe and Squaxin Island Tribe regarding the initial scope of the project, including the potential need to remove or relocate the Story Pole on the Capitol Campus and the upcoming hillside excavation adjacent to Capitol Lake. Both the Squaxin Island Tribe and Chehalis Confederated Tribes indicated interest and discussions will continue as the revised pre-design moves forward.
- **Capitol Campus Story Pole.** Based upon past assessments, there is concern regarding the life cycle of the Story Pole located on Capitol Campus. There is no appropriation in the 2009-11 capital budget to replace the pole. However, GA will continue to monitor the deterioration and request funding in the future for replacement.

- **Capitol Lake.** In 1997, GA organized the intergovernmental Capitol Lake Adaptive Management Plan (CLAMP) steering committee to help address challenging issues related to water quality, sediment, fish and wildlife and long-term management. In addition to its active participation as a member of that steering committee, the Squaxin Tribe has contributed the following:
 1. \$40,000 to help finance the Capitol Lake Estuary Feasibility Study;
 2. Participation in a study of cultural and spiritual values associated with future alternatives for the lake's basin; and
 3. Submittal of the Deschutes River Sediment Study to GA and the Department of Ecology.
- **Station Camp Park Development.** Located in Pacific County along the Columbia River, this interpretive area is one of the sites visited by the explorers Lewis and Clark. As the lead agency for development of this project, the Washington State Historical Society contracted with GA as the construction agent for the park component and DOT for road construction. Also working in a consultation role are the Department of Archaeology and Historic Preservation and the Chinook Tribe, along with other interested parties.

Staff Contact

Linda Villegas Bremer, Director, (360) 902-7200.

Sharon Case, Government Relations Director and Tribal Liaison, (360) 902-7208.

Department of Health

Executive Summary

The Department of Health (DOH) works with its federal, state, local and tribal partners to help people in Washington stay healthier and safer. Our programs and services help prevent illness and injury, promote healthy places to live and work, provide education to help people make good health decisions and to ensure our state is prepared for emergencies.

Addressing Health Disparities

During 2008, the department and the American Indian Health Commission submitted a budget decision package to the Governor, aimed at funding priorities identified at the Tribal Leaders Health Summit and supporting the commission's infrastructure needs. Although the decision package was not included in the Governor's budget, the department continued its effort to identify other possible funding options. Initial funding resources from two programs—Women, Infants and Children, and Maternal and Infant Health—were identified to support continued work on the 2008 Tribal Health Summit priorities and as a beginning base of funding to support infrastructure needs.

Addressing health disparities is a priority for DOH and for the American Indian Health Commission. A major priority identified during the 2008 Tribal Health Summit was serious health disparities among pregnant American Indian and Alaska Native women and their children. These disparities have been documented in numerous publications, including the American Indian Health Care Delivery Plan, a joint effort by the American Indian Health Commission and DOH.

Disparities were identified as a priority after data was presented to tribal health leaders at an American Indian Health Commission meeting. Tribal delegates saw an urgency to proactively address these disparities. They decided to include WIC Nutrition Program and First Steps in this work. WIC and First Steps are seen as valuable resources to improve maternal and child health, and to address disparities. An interagency work group then researched and analyzed some of these issues. It developed recommendations identifying next steps. Subsequently, a position paper developed for the 2008 Tribal Leader Health Summit identified this effort as a priority area for tribes to work on for the next two years.

Successful health disparity reduction in Native American pregnant women and their children requires a partnership between Washington State and the American Indian Health Commission. The problem's complexity, and the unique cultural context required to address it, necessitate working closely with a trusted tribal organization supported by participation of the federally recognized tribes and the urban Indian health programs—Seattle Indian Health and the NATIVE project in our state.

Washington state tribes created the American Indian Health Commission to promote state-tribal collaboration to improve the health status of American Indians and Alaska Natives by influencing state health policy and resources allocation. Its members serve by resolution (decision) of their tribes. The commission works to identify health policy issues and strategies to address tribal health and public health concerns. The commission also works to achieve unity and to guide tribal governments' collective needs in providing high-quality, comprehensive health care to American Indians and Alaska Natives. AIHC promotes government-to-government relationships among tribes and state health agencies in accordance with the Centennial Accord.

DOH intends to use the initial contract developed with these funds as a springboard for other agency programs to access the AIHC and to ease better tribal relations. Tribal representatives on the AIHC are a resource for soliciting advice and guidance on public health and health disparities issues affecting tribal communities. They can also assist in developing effective programs, services and efforts for meeting Centennial Accord obligations.

Staff Contact

Maria C. Gardipee, Tribal Liaison, (360) 236-4021.

HEALTH CARE AUTHORITY

Executive Summary

The Washington State Health Care Authority (HCA) seeks to make affordable, quality health care more accessible and decrease health disparities of American Indians and Alaska Natives through state-tribal partnerships. 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 finalized its 2008-10 Centennial Accord Plan.
- HCA revised its program contract/interagency agreement language to reflect state-tribal government-to-government relationships and tribal sovereignty.
- HCA held an on-site state-tribal government-to-government training as part of its ongoing mandatory training for the executive level, mid-management, and supervisors. A group of 23 staff participated in the training in September 2008.
- HCA granted an award of \$15,000 to the American Indian Health Commission (AIHC) to help support the continued efforts of the State-Tribal-Urban Health Care Collaborative for state fiscal year 2009.

Basic Health (BH) (RCW 70.47) provides subsidized health care coverage to low-income Washington residents. This program allows tribes and other financial sponsors to pay for all or part of the cost of their members' coverage.

847 individuals are enrolled in one of ten Basic Health Tribal Sponsorship programs.

- Jamestown S'Klallam Tribe, since 1998
- Port Gamble S'Klallam Tribe, since 1998
- Quinault Indian Nation, since 1998
- Lummi Health Center, since 2002
- Quileute Health and Human Services, since 2004
- Lower Elwha Klallam Tribe, since 2005
- Shoalwater Bay Indian Tribe, since 2006
- Squaxin Island Tribe, since 2007
- Kalispel Tribe, since 2007
- Makah Tribe, since 2008
- Confederated Tribes of Chehalis, new contractor 2009

Effective May 4, Basic Health will officially implement a waiting list for BH enrollment. However, new enrollment from current tribal sponsors is exempt from the waiting list.

Community Health Services (CHS) (RCW 41.05.220) promotes access to quality and affordable health care for the uninsured and underinsured in Washington state. CHS distributes funds to 37 community health clinic contractors to provide access for people at or below 200 percent of federal income guidelines.

20,575 American Indians and Alaska Natives were served by CHS primary care grants in community clinics in 2008.

CHS funds two urban Indian health clinics and four tribal health clinics (current contractors provide medical, dental or both):

- Seattle Indian Health Board, since 1985
- Port Gamble S'Klallam Tribe, since 2004
- Shoalwater Bay Tribe, since 2005
- Spokane N.A.T.I.V.E. Project, since 2005
- Stillaguamish Tribe, since 2007
- Makah Tribe, since 2009

Public Employees Benefits Board (PEBB) (RCW 41.05). Effective January 1, 2009, tribes are able to apply to participate in the state's PEBB programs which includes medical, dental, life and long-term disability coverage through various health insurance plans as a benefit of employment. The law, which became effective January 1, 2009, allows tribes to apply following the same conditions and requirements as counties, municipalities and other political subdivisions.

Two tribal governments are contracting with PEBB:

- Samish Indian Nation, January 2009
- Cowlitz Tribe, April 2009

PEBB staff is available to present information to tribal governments in order to assess the advantages of and provide support in the successful implementation of PEBB participation.

Work in Progress

State-Tribal-Urban Health Care Collaborative was established in 2005 through a partnership between the American Indian Health Commission and the HCA in response to tribal interest to participate in the state's health care quality and efficient plans and initiatives. The purpose of the collaborative is to identify and implement strategies to improve health care access and decrease health disparities for American Indians and Alaska Natives. The group met on March 26, 2009, and realigned its objectives in response to the changing health care environment and the Governor's current health care priorities.

State health care officials and the AIHC executive board met to establish a starting point for their renewed effort. Presentations were geared toward developing a shared understanding of the issues of each system. The group identified key concepts of its framework and scope in the context of the current political environment and budget restrictions.

Through facilitated discussion, four significant areas of opportunity were identified:

- Strategies,
- Quality improvement, evidence-based and electronic medical records,
- Prevention and wellness, and
- Systems.

Potential initiatives were identified for each area of opportunity. A draft action plan is under development with short, mid and long-term goals based upon participant input.

Participants include representation from AIHC, HCA, Office of the Insurance Commissioner, Department of Social and Health Services–Health and Recovery Support Administration, Department of Health, Governor’s Office of Indian Affairs, Governor’s Executive Policy Office and Maria Trevizo, facilitator.

Next steps. Prioritization of initiatives will continue under the leadership of Steve Hill, HCA Administrator and Marilyn Scott, Chair of AIHC.

Staff Contact

Jan Ward Olmstead, Tribal Liaison, (360) 923-2803.

DEPARTMENT OF INFORMATION SERVICES

Executive Summary

The Washington State Department of Information Services (DIS) provides quality and reliable information technology products and services to state agencies, local governments, tribal governments, educational institutions and qualifying non-profit organizations. Numerous tribal governments use DIS technology services, and many tribal education centers use the K-20 Education Network operated by DIS.

Highlights

- Fifteen tribal governments are currently using DIS Technology Services: Chehalis, Colville, Cowlitz, Hoh, Lower Elwha, Muckleshoot, Nisqually, Quinault, Stillaguamish, Suquamish, Swinomish, Tulalip, Upper Skagit, Lummi and Shoalwater Bay. Studies have shown DIS rates averaged 16 percent below comparable service providers. Primary services used by tribal government customers are long-distance telephone services, Internet services and technology brokering services.
- Tribal governments are using the K-20 Education Network provided by DIS. Connections include the Northwest Indian College (NWIC) and its six branch locations: Colville, Makah, Muckleshoot, Port Gamble, Swinomish and Tulalip.
- K-20 Education Network connections also exist through the Office of Superintendent of Public Instruction's (OSPI) sponsorship of the South Puget Intertribal Planning Agency (SPIPA) and its five tribal education centers: Chehalis, Nisqually, Shoalwater, Skokomish and Squaxin.
- Jim Fernando, Chief of Police for the Nooksack Reservation, was appointed to the State Interoperability Executive Committee (SIEC) by the Information Services Board (ISB) in July of 2008. Chief Fernando represents the Northwest Tribal Emergency Management Council (NWTEMC).
- The Northwest Tribal Emergency Management Council received \$143,200 from the Interoperable Emergency Communication Grant Program (IECGP). This grant program is administered by the Military Department and reviewed and overseen by the SIEC. The grant is designed to help the NWTEMC develop interoperable communications implementation plans; inventory assets; standard operating procedures; training and exercise materials; ensure National Incident Management System (NIMS) compliance and deliver training.

Future Projects

DIS received approval to build a new headquarters and State Data Center in Olympia near the Capitol Campus. This state-of-the-art facility will provide an efficient, secure data environment for tribal, local and state government customers. Construction will begin in June 2009, and finish in approximately 24 months (July 2010). Customer transition into the new data center will begin at that time.

Staff Contact

Joanne Todd, Communications Director, (360) 902-3553.

Executive Summary

The Insurance Commissioner is a separately elected official. Under the direction of the Insurance Commissioner, agency staff 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.

An Office of the Insurance Commissioner (OIC) consumer service, the Statewide Health Insurance Benefits Advisors (SHIBA) HelpLine provides 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. Our trained volunteers, who are located statewide, counsel people of all ages about their choices and options with private health insurance, public health care programs, prescription drugs, fraud and abuse and more.

By working in partnership with Washington 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 quality health care more accessible.

We are also exploring new opportunities to work with Washington tribes in all areas of insurance. Our Consumer Advocacy program offers experienced insurance counselors who advocate on behalf of Washington consumers. They provide an empowered voice for dispute resolution to ensure fairness for consumers with regard to insurance companies. Our insurance counselors are also proactive in offering insurance education to communities so all citizens can make an informed choice for their insurance needs.

Highlights

- We are working to establish a Memorandum of Understanding (MOU) and outreach activities with the Muckleshoot Tribe, Confederated Tribes of the Chehalis, Shoalwater Bay Tribe, Skokomish Nation and Squaxin Island Tribe.
- The Confederated Tribes of the Colville Reservation agreed to share their 2008-09 demographic information with the American Indian Health Commission (AIHC). This information is how the SHIBA Helpline "Client Activity Tracking System" can help with the tribes' long-term care and health care access planning for tribal communities.
- We made face-to-face contacts with the following tribal organizations and tribes: American Indian Health Commission, South Puget Intertribal Planning Agency, Northwest Portland Area Indian Health Board, Upper Skagit, Confederated Tribes of the Chehalis, Puyallup, Cowlitz, Skokomish, Squaxin Island, Shoalwater Bay, Confederated Tribes of the Colville Reservation, Spokane, Nisqually, Port Gamble S'Klallam and Makah.

- We provided Medicare program presentations to the following tribes: Yakama, Skokomish, Confederated Tribes of the Chehalis, Confederated Tribes of the Colville Reservation, Shoalwater Bay, Spokane and Cowlitz.
- We made a presentation to the Northwest Portland Area Indian Health Board in January 2009. We provided sample data reports from the Confederated Tribes of the Colville Reservation, and shared contact information for the Idaho and Oregon State Health Insurance Programs and some real-life positive case history outcomes from clients.
- We established a tribal outreach team for the western and eastern regions of Washington State.
- We amended the SHIBA Helpline “Client Contact Report” to document services for tribal members and fraud concerns.
- Our tribal liaison completed government-to-government training through the Department of Personnel to help build collaborative efforts and services to tribal governments.
- Insurance Commissioner Mike Kreidler served as the keynote speaker at the 2008 Tribal Healthcare Leaders Summit. The OIC SHIBA Helpline and Consumer Advocacy programs sponsored an outreach table at the bi-annual summit.
- Insurance Commissioner Mike Kreidler invited tribal representatives from the Skokomish, Puyallup and Upper Skagit tribes to participate in health care reform leadership councils. The representatives provided insight into the need for health care reform from various civic, community, business and health care leaders.
- We provided staff training on Medicare Part D and its Annual Election Period for the Confederated Tribes of the Colville Reservation, Confederated Tribes of the Chehalis, Cowlitz, Skokomish, Squaxin Island and Shoalwater Bay tribes.
- We provided the Confederated Tribes of the Chehalis with contact information from various state and federal agencies and non-profit organizations that would be willing to participate in their November 2008 Tribal Health Fair.
- We explored and shared a Healthy Transitions Initiative grant announcement for young adults with serious mental health conditions with the following tribes and tribal organizations: South Puget Intertribal Planning Agency, Cowlitz Tribe, Confederated Tribes of the Colville Reservation, Skokomish Nation, Nisqually Tribe, Confederated Tribes of the Chehalis and Squaxin Island Tribe. We shared this grant as an opportunity for the tribes to apply and obtain funding to help their tribal members.
- We started work on the tribal outreach project plan to meet Fiscal Year 2009 State Health Insurance Program grant application requirements. As part of the grant, we will target American Indians and Alaska Natives population groups to provide health care access education and program enrollment information. We will also build partnerships with these groups.
- We started work on researching opportunities to educate the tribes about all types of insurance products and how we can help them, such as providing information for inclusion in tribal newsletters and attending outreach events.

- We met with the Shoalwater Bay Tribe clinic and newspaper staff and gave a presentation about the SHIBA Helpline program and how our partnership opportunities (education, advising and staff training) will benefit the Shoalwater Bay community for both native and non-native population groups.
- We provided the Shoalwater Bay Tribe contracts manager with information about the Medicare Savings Program.
- We sent a representative to attend a pre-meeting to prepare for the March 26, 2009 State/Tribal/Urban Indian workgroup. Tribal liaisons from the Department of Social and Health Services, the Department of Health, and the Health Care Authority also attended along with the American Indian Health Commission executive director.
- SHIBA Helpline King County sponsors and SHIBA HelpLine staff made a presentation to the Muckleshoot tribe on March 30, 2009, and accepted an invitation to attend a tribal elder’s luncheon outreach event on April 24, 2009. Thirty-five northwest tribal elder programs attended the April luncheon and received SHIBA HelpLine outreach materials about how we can help them with their health care access questions.
- We provided the Shoalwater Bay Tribe with information about WAC 284-43-410 on “Utilization Review” to address their concerns about timely procedures for insurance carriers to review and authorize care.
- We opened communication with the Spokane Tribe to discuss SHIBA Helpline programs and the Spokane Tribe’s interest in signing a Memorandum of Understanding.
- We held a face-to-face meeting with the director of the Tahoma Indian Center on March 30, 2009, to discuss outreach and urban Indian health care access.
- We attended the State/Tribal/Urban Indian workgroup meeting held on March 26, 2009. The purpose was to collaborate with tribes, urban Indian programs and state agencies to identify and implement strategies to improve health care access and health disparities among American Indian and Alaska natives in tribal and urban communities linked to the Governor’s health care initiatives.

SHIBA HelpLine Program Demographics Served – American Indian or Alaska Native

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

* Data taken from SHIBA HelpLine Client Activity Tracking System

** Data taken from 2006 U.S Census

Staff Contact

John Hamje, Tribal Liaison, (360)725-7262.

LABOR AND INDUSTRIES

Executive Summary

The Department of Labor and Industries works with tribal governments, employers and workers relating to workers' compensation, safety and health, building trades licensing and inspection, and wage and hour issues. These interactions are typically educational in nature and our goal is to inform customers of their rights and responsibilities.

Accomplishments

We continue to have positive and productive interactions with tribes on various issues administered by the department. Given the department's diverse responsibilities, these issues are addressed on a case-by-case basis with the affected parties.

Work in Progress

We continue to have interactions with both in-state and out-of state tribally owned businesses relating to appropriate workers' compensation coverage. The increased interest in this subject is likely due to the expansion of tribal business activities and entities beyond traditional tribal land.

Staff Contact

Josh Swanson, Tribal Liaison (360) 902-6805.

Executive Summary

Fuel Tax—In May 2007, legislation passed providing a new framework to improve communication and cooperation between the Department of Licensing (DOL) and tribes regarding the taxation of fuel delivered onto tribal reservations or trust lands. The director of DOL (by delegated authority from the Governor) may enter into motor vehicle fuel tax compact agreements with any federally recognized Indian tribe. These agreements are limited to motor vehicle fuel (gasoline) and special fuel (diesel) taxes included in the price of the fuel delivered to a tribally licensed retail station entirely owned by a tribe, tribal enterprise or tribal member on reservation or trust property. The agreements include language requiring tribes to expend revenue received from fuel tax refunds on transportation-related purposes. Examples of transportation-related purposes include road maintenance, police services and transportation planning.

Boxing—The federal “Professional Boxing Safety” (15 USC Chapter 89) states that an Indian tribe may regulate professional boxing matches held within the reservation under the jurisdiction of that tribal organization and carry out that regulation or enter into a contract with a boxing commission to carry out that regulation. Currently, three tribes hold professional boxing events each year. All boxing events in 2008 were held on tribal land, with the exception of one event. DOL does not have written agreements with any of those tribes at this time.

Funeral and Cemetery—The department is involved with the Department of Archaeology and Historic Preservation and the Governor's Office on Indian Affairs as a stakeholder and committee participant in an on-going effort to craft laws concerning human remains and procedures to handle the discovery of such remains. This will be an on-going effort over the next few legislative sessions.

Highlights

Accomplishments

Fuel Tax—DOL has a total of 20 fuel tax agreements or consent decrees that consist of either a per capita formula agreement or an agreement to refund 75 percent of the fuel tax to the tribe.

The department has entered into 12 new post-legislation fuel tax agreements. An additional eight tribes are currently cooperating with the state under state/tribal fuel tax agreements or consent decrees that were in place prior to the passage of the new legislation.

Funeral and Cemetery—New legislation in 2007 established notification guidelines, procedures, and mandatory reporting for the inadvertent discovery of skeletal human remains. The legislation included amendments to a coroner's jurisdiction over human remains, the Indian Graves and Records Act and the Abandoned & Historic Cemeteries and Historic Graves Act. A cemeteries and graves data base was established and maintained and a state Physical Anthropologist position was created.

Work in Progress

Fuel Tax—The department continues to work actively with the tribes on fuel tax issues and is currently negotiating new fuel tax agreements with additional tribes. The new fuel tax agreements provide for an audit to be conducted by a third party. The department has developed resource information on the audit requirements and timeframes for each tribe to assist in their preparation and completion of the audit process.

Boxing—In both the 2007 and 2008 legislative sessions, the department initiated legislation that would:

- Increase safety for the participants of boxing, mixed martial arts, and wrestling.
- Remove language charging a 5 percent tax on tickets sold for an event.
- Remove language relating to complimentary tickets.
 - Current language limits the number of complimentary tickets available with no 5 percent tax.
 - Complimentary tickets are often provided to tribal members.

The legislation did not pass in either of those sessions. In the 2009 legislative session, Representative Tammy Green introduced a similar bill, SHB 1348. That legislation did not pass. In addition, SB 6126 was introduced and would require an event fee rather than an event tax as is currently required. While the event fee language would likely make compact negotiations more feasible, passage of this bill would also require that the Professional Athletic program begin collecting fees at a level that will offset the costs of the program. This will require the event fee to be higher than the current event tax. This may be a concern for tribes. Currently, the program is exempt from the sanctions of RCW 43.24.086 that requires programs to be self supporting.

Funeral and Cemetery—The department will assist with the implementation of HB 2624 and enforcement of existing penalties.

Future Projects

Fuel Tax—Future projects include continued negotiations of new fuel tax agreements with additional tribes and continued customer service excellence in the management of current fuel tax agreements. The department is further exploring options regarding a comprehensive fuel tracking system which will allow us to more efficiently account for the distribution and sales of motor vehicle, special and aircraft fuel.

Boxing—If SB 6126 passes, the department will begin the process of meeting with stakeholders, including tribes, to determine the level of fees needed. This will provide an opportunity to discuss the requirement for compacts with tribes who wish to hold boxing events on tribal land. In the event the bill does not pass, the department will assess next steps for this program.

Funeral and Cemetery—Issues for consideration going forward include:

- Refine processes as needed.
- Enhance protections for all cemeteries and graves in Washington.
- Improve the process for consultation with tribes and other stakeholder groups.

LIQUOR CONTROL BOARD

Executive Summary

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

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

LCB interacts with tribal governments in several ways. We participate 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. LCB shares enforcement responsibility with tribal governments for liquor laws and rules. LCB works with the Department of Revenue to monitor and implement state/tribal tobacco cigarette agreements.

Accomplishments

Improving Tribal/Non-Tribal Relationships:

- LCB conducted training sessions for staff on developing government-to-government relations.
- LCB and tribal licensees established enforcement protocols to enhance communication between governments.
- Business development has increased within tribes which resulted in more retail liquor licenses issued to meet the growing demand.
- Tribal representatives are educating LCB licensing staff on tribal governance, local jurisdictional issues, terminology, tribal ordinances related to liquor sales and how business enterprises function in operating establishments that sell liquor.
- LCB and tribal members met in April 2008 to identify key issues for further discussion.

Work in Progress

Tribal/LCB Workgroups Formed:

- Licensing workgroup will review the application process, as well as how tribes should be identified on the application to streamline the process.
- Business Enterprise workgroup will examine how locations for liquor stores are selected. The goal is to clarify how tribes can be involved in the store siting process. The workgroup will also review the pricing model for different types of liquor stores (state, contract, military and tribal).

Tribal contract store agreements are being updated as additional tribes request agreements to sell liquor through a tribal liquor store and existing agreements are renegotiated.

Staff Contact

Rick Garza, Tribal Liaison, (360) 664-1650.

OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

Executive Summary

The mission of the Office of Minority and Women's Business Enterprises (OMWBE) is to improve the contributions of certified minority, women, and socially and economically disadvantaged small businesses to the Washington state economy through their increased utilization in public contracting and procurement. OMWBE is the state's central resource for certification of eligible small businesses for Washington's state program and the U. S. Department of Transportation Disadvantaged Business Enterprise Program (DBE). OMWBE's economic development services build capacity and assist certified firms 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 2008, there were 126 Native American-owned small businesses certified with OMWBE. State agencies reported expenditures with 26 of these firms.
- During fiscal year 2008, over 120 persons attended the six training and outreach events OMWBE conducted for Native American communities, including the Quileute Indian Nation, Makah Tribe and Hoh Tribe.

Staff Contact

Cathy Canorro, Agency Support Manager, (360) 704-1187.

Additional Information: www.omwbe.wa.gov or 1-866-208-1064 (toll free).

MILITARY DEPARTMENT

Executive Summary

The mission of the Emergency Management Division (EMD) is to minimize the impacts of emergencies and disasters on the people, property, environment and the economy of Washington state. The division offers tribes assistance and services to mitigate, prepare for, respond to and recovery from emergencies and disasters and provides access to federal and state grant programs to aid communities in preparing for and recovering from all types of emergencies.

EMD operates a 24-hour Alert and Warning System as part of the State Emergency Operations Center (EOC) at Camp Murray. EMD also provides emergency management planning, exercise, education and training support to all emergency operations centers. As part of the on-going education, EMD staff provides classes, technical assistance and workshops on disaster preparedness.

Highlights

The Earthquake\Volcano\Tsunami Program continues to work with Native Sovereign Nations whose tribal reservations are located in tsunami hazard areas. The program's primary 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, Hoh, Lower Elwha, Makah and Quileute Tribes have received assistance to install additional All-Hazard Alert Broadcast (AHAB) tsunami warning signals. The following tribes will be receiving 2009 Emergency Management Performance Grant Funding: Nooksack, Shoalwater Bay, Snoqualmie, Squaxin, Swinomish, Tulalip and Yakama.

At the Hazmat Workshop, HAMMER Training Facility, Richland, on April 4-5, 2009, 34 tribal members registered for training on subjects that included crime scene management, hazmat safety officer protocol, dangerous pesticides, intermodal hazmat transportation and the changing face of terrorism.

A successful two-day tsunami response and recovery exercise was conducted on October 22-23, 2008. The exercise, based on a simulated tsunami event off the northwest Washington coast, was conducted by the FEMA's Emergency Management Institute (EMI), based at Emmitsburg, Md. Exercise participants included: the Hoh, Lower Elwha Klallam, Makah, Quileute and Shoalwater Bay tribes and the Quinault Nation. Other participants included Clallam, Jefferson, Grays Harbor and Pacific counties, as well as 18 state and federal agencies.

All coastal tribes and coastal counties participated in the state\local Tsunami Workgroup meetings in 2008. Participation is expected to continue through 2009 and beyond. These roundtable meetings typically occur on a quarterly basis to discuss current topics and issues facing tsunami at-risk communities.

At the local Emergency Planning Committee/Tribal Conference in Chelan on April 20-22, tribal members received current national hazmat guidance and information about local hazmat incidents that could similarly impact them.

On January 30, 2009, Washington state received a federal disaster declaration in response to the January severe winter storm. The declaration allowed EMD and the Federal Emergency Management Agency 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 Washington state. All 29 federally recognized tribes were individually contacted and involved in face-to-face meetings concerning tribal government disaster damages and individual tribal member disaster losses. Numerous tribes experienced losses in the disaster events. 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.

Staff Contact

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Website www.emd.wa.gov.

PARKS AND RECREATION COMMISSION

Executive Summary: Agency Centennial Accord Mission

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 over 625 employees (including nearly 250 rangers), who operate a system of 121 state parks divided into four 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.

Accomplishments

Hoko River State Park Classification and Management Planning (CAMP).

At its January 18, 2008 meeting, the commission adopted the Hoko River State Park Classification and Management Planning (CAMP) plan, which continued agency coordination with the Makah and Lower Elwha Klallam Tribes on fisheries restoration and park management planning. The adoption of the CAMP plan incorporates long-term protection of the area's cultural resources and includes a first-time report on the ethnographic and archaeological overview of park lands and nearby vicinity.

Squaxin Island State Park Property. At the April 24, 2008 meeting held at Cama Beach, the commission determined that the Squaxin Island State Park property could not advantageously be used for park purposes and authorized its sale to the Squaxin Island Tribe.

Cama Beach State Park Opened. Within the confines of the state-issued Archeology Permit and with the participation of the Tulalip Tribal Council, Tulalip tribal monitors, and tribal blessings, the commission opened its 121st state park—Cama Beach State Park (Camano Island) in April 2008.

Protection of Pictographs at Indian Rock Paintings State Park. Vandalism and climbing were damaging the pictographs at Indian Rock Paintings State Park (Vantage). The commission did not own the property but had operated the area for about 50 years. Commission staff initiated consultation that involved the Yakama Nation and the state's Department of Archaeology and Historic Preservation. The landowners, Yakima County and Yakima Valley Canal Company, also participated. At the end of the consultation, all parties reached a consensus to protect the pictographs by removing them from public access and transferring management to the landowners. Completed in spring of 2008.

Puyallup Tribal Rights and Saltwater State Park Artificial Reef (Des Moines). In the 2007-09 biennium, the Washington state legislature provided funds to the commission for the complicated task of constructing an artificial reef off Saltwater State Park. The complexity involved a rigorous environmental permit process and issues related to tribal fishing rights.

The commission, with help from the departments of Fish and Wildlife and Natural Resources, conducted consultations with the Puyallup Tribe. The project was completed and a Marine Protected Area, with the Puyallup playing a key role in tidal/fishery stewardship, was established around the reef in December 2008.

Folk and Traditional Arts in the Parks Program. Featuring the cultural diversity of the Pacific Northwest, the commission annually produces cultural events in Washington state parks. The community events have included high quality presentations and performances of indigenous artists. In June 2008, the agency's Folk and Traditional Arts-in-the-Parks Program featured the Salish Sea Native American Culture Day with the Samish and Swinomish Tribes at Bowman Bay Picnic Area, Deception Pass State Park. The event was co-sponsored with the Samish Indian Nation, the Samish Canoe Family, the Swinomish Tribal Community and the Swinomish Canoe Family.

On-going Interactions. Commission staff continue to participate with tribal representatives in multi-agency councils and working groups to address state/local natural resources issues in the following areas:

1. Work with the Nisqually Tribe on forest health and proposed design and development of a state park at Nisqually/Mashel (subject to budget appropriations).
2. Participation with the Chinook Tribe, Governor's Office, Historical Society, Department of Transportation, and Department of Archaeology and Historic Preservation on the Lewis and Clark Station Camp Historical (roadside) Park (Ilwaco).
3. Interaction with the Yakama tribal biologist at Fort Simcoe regarding conserving the Lewis Woodpeckers at Fort Simcoe (Yakama Reservation).
4. Interactions with area tribes on salmon issues (e.g., beaver and salmon issues at Lake Sammamish State Park).

Report on Tribal Government Notification and Coordination. The commission, with its commitment to the Centennial Accord protocols, continued to direct agency staff to report on how the agency approaches notification and coordination with tribal governments regarding planning projects. The report, adopted on April 23, 2009, recognizes that tribal governments are important stakeholders in park agency outreach and coveted potential partners. The report pledges continued joint efforts to protect the state's natural, cultural and historical resources.

Future Projects

Cama Beach State Park Interpretive Center (proposed)
Sacajawea State Park Confluence Project (Maya Lin)

Staff Contact

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DEPARTMENT OF REVENUE

As the state of Washington's primary tax agency, the Department of Revenue (DOR) has many opportunities to consult with tribes throughout the year on issues regarding taxation. In addition, DOR routinely provides information on tax laws to tribal members and to persons doing business in Indian country.

Key Objective of Department's Work

A key objective of this work is to gain a better understanding of the law so that tribes, the state and their constituents have increased certainty regarding the application of law in business transactions, and taxes are not imposed on activities preempted under federal law.

Basic Tenets of Indian Tax Law

The basic tenets of Indian tax law are:

- Federally recognized tribes are sovereign and are distinct political communities, with the inherent authority to tax.
- Tribes and their members are generally not subject to state and local tax in Indian country.
- The state and tribes have concurrent jurisdiction over some of the activities in Indian country.
- While generally non-Indians doing business in Indian country are subject to state and local tax, under the right facts and circumstances state and local tax on non-Indians may be preempted.

DOR's efforts focus on the many questions that arise from this complex backdrop.

Four focus areas over the past year:

- Treaty rights;
- Administering the tribal government property tax exemption;
- Cigarette compacts; and
- Educating businesses on federal preemption of tax on tribes and their members.

Highlights from this work include:

Treaty Rights

The U.S. Supreme Court has said: "A treaty, including one between the United States and an Indian tribe, is essentially a contract between two sovereign nations." Treaty rights go beyond reservation boundaries, and state and local taxes are not applicable to treaty activities.

Treaty Fishery

- DOR continues to educate businesses and tribes on the full extent of the preemption from state tax under the treaty fishery. Based on questions and our own outreach, the department realized tax was being imposed and collected where it was not actually owed. DOR staff sought input from tribal representatives to develop a tax exemption form specifically for treaty fishery rights.
- Department staff developed a newspaper article explaining the treaty fishing exemption. The article was sent to the both the Northwest Indian Fisheries Commission (NWIFC) and the Columbia River Inter-Tribal Fish Commission (CRITFC) to publish in their newsletters. This will allow tribal leaders and members to better understand what items can be purchased without payment of retail sales tax.

Treaty Gathering Right—Firewood in the Cedar River Watershed

- DOR worked with the tribal watershed coordinator of the Seattle Public Utilities (SPU) and the Muckleshoot Tribe on a protocol that allows the state to meet its requirements for monitoring log exports. This was accomplished on a government-to-government basis between the tribe, SPU and the department.
- Approximately 700 cords of firewood will be removed from the watershed by the tribe from SPU-designated locations. All logs will be painted and branded as required, cut and split by the Muckleshoot Tribe Public Works section and distributed to tribal members at no cost. The tribe will use the firewood for residential heating.

Property Tax Exemption Administration

When land is owned by an Indian or Indian tribe under a "fee" patent, the property is subject to state and local property taxes. The 2004 legislature amended property tax statutes to exempt property owned in "fee" by tribes if that property is used for essential government services. This past year:

- Tribes submitted applications concerning 517 separate parcels requesting exemption under RCW 84.36.010—Essential Government Services; approximately six times the amount of applications received in the previous year. Approximately 418 qualified for exemption, the remaining parcels are in the review process or awaiting additional information from the tribe.
- Tribes and assessors received an enhanced annual listing of tribal property exempt under RCW 84.36.010 stating the essential government service and descriptive comments. Additional enhancements to the exemption database are currently underway.
- Tribes and assessors will have the option of receiving the annual listing in an electronic format.

Cigarette Compact Administration

In 2001, the legislature provided authority to the Governor to enter into compacts with tribes regarding cigarette taxation. Today, there are 21 cigarette compacts in place.

The department negotiates the compacts on behalf of the Governor. The department and Liquor Control Board work together with tribes on implementation of the compacts.

This year's work included:

- Consulting with numerous tribes on compact administration issues.
- Annual visits to compact tribes, assessing the status of the compacts, discussing audit and enforcement issues and sharing information.
- Signing of a compact between the Snoqualmie Tribe and the Governor.
- Updating the compact between the Swinomish Tribe and the state to reflect changes in tribal ordinances.
- Start of compact discussions between Shoalwater Bay Tribe and the department.
- Start of compact discussions between Lower Elwha Klallam Tribe and the department.
- Consultation between the Stillaguamish Tribe and the department on compact implementation and transition issues.
- Joint actions by the Quinault Nation, the department, and Liquor Control Board regarding cigarette sales on off-reservation trust land.
- Successful negotiations between Colville Tribes, the department, and Liquor Control Board, including development of written protocols for joint state and tribal enforcement.

Federal Preemption—Sales in Indian Country

Under federal law, preemption of state tax is determined using either the “per se” rule or the balancing test. The per se rule is that generally the state cannot tax Indian tribes and their members in Indian country. The incidence of the tax and the location of the activity are determining factors. Under the balancing test, the combined interests of the tribe and federal governments are weighed against state interests. This analysis can be very fact specific and often involves a great deal of information gathering. In some areas, DOR has established bright lines and presumptions for simplification purposes. The following illustrate work done under both preemption bases.

Telephone Services—Per Se Rule

It has become apparent that a number of tribes and their members are being charged taxes on the telephone services they receive within Indian country. In Washington, sales of telephone services are retail sales and subject to retail sales tax. However, sales to and services for tribes, tribal enterprises, tribal members and member-owned businesses are exempt from retail sales and use tax if the sale takes place in Indian country.

After researching the issue, DOR discovered there is significant confusion in this area by both parties, which is impacting numerous telecommunication companies and several of the 29 federally recognized tribes in Washington state. Rather than handling these situations on a case-by-case basis, the department took a broader approach and decided to host three meetings:

- The first meeting, held October 9, 2008, was with the telecommunication industry to learn more about their processes when providing telephone services to tribal governments, tribal enterprises, and tribal members in Indian country and any barriers they run into with respect to granting the tax exemption.
- This summer, the department will host the next meeting with tribal representatives. This meeting is intended to learn about their specific experiences and share the information gleaned from the first meeting with the telecommunication industry.
 - DOR has already been in contact with many tribal representatives and has begun the work of processing and providing refunds.
- A third meeting is slated to be held this fall to bring representatives of each party together to define a framework and process that will resolve this long-standing issue.

Gasoline and Diesel Products–Balancing Test, Brightline Standard

This past year, a number of non-tribal vendors delivering gasoline and diesel products into Indian country, discovered they have been reporting and paying the business and occupation (B&O) tax in error. A deduction from B&O tax is allowed for sales of tangible personal property, such as gasoline and diesel, to a tribe if the tangible personal property is delivered to the buyer in Indian county AND one of the following conditions is met:

1. The property is located in Indian country at the time of sale, or
2. The seller has a branch office, outlet or place of business in Indian country that is used to receive the order or distribute the property, or
3. The sale of the property is solicited by the seller while the seller is in Indian country.

Department employees have assisted vendors in understanding when the exemption applies and how to obtain a credit for overpaid tax. Instructions have been provided on completing amended returns allowing for a credit of overpaid tax, as well as providing instructions for future returns.

Looking Forward

Over the upcoming year, the department plans to address:

- Preemption of taxes on sales to Indians in Indian country over the internet or through catalog sales.
- Renewal of cigarette compacts, many of which are due to expire at the end of their initial eight-year terms.
- Economic development issues.
- Implementation of and education on recent case law.

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Executive Summary

The Department of Social and Health Services' (DSHS) mission is to improve the quality of life for individuals and families in need. We help people achieve safe, self-sufficient, healthy and secure lives. Our vision is for a healthy, safe and productive Washington. To meet these objectives, my office is committed to working with tribal governments on a government-to-government level. We also work in close collaboration with the Recognized American Indian Organizations (RAIO).

Highlights

DSHS continues to support the Indian Policy Advisory Committee (IPAC). We feel very fortunate to have this forum to meet with tribes and RAIOs on a quarterly basis. Deputy Secretary Blake Chard attends each meeting and each Assistant Secretary attends twice a year. These meetings provide for meaningful dialogue with delegates from tribes and RAIO on areas of common interest and concern. To address issues across DSHS, the IPAC subcommittees meet either monthly or quarterly. This level of participation is necessary in order to continue to identify issues, determine solutions and move forward. Listed are some accomplishments of the Office of the Secretary.

- Provide an opportunity for IPAC to advise my office on budget priorities from tribes and RAIO for the upcoming budget submission.
- Contract consolidation expanded to ten tribes.
- On May 11, 2009, signed the Intergovernmental Agreement for the Eligibility Determination Pilot with Port Gamble S'Klallam Tribe.
- Division of Vocational Rehabilitation (DVR) is developing fee-for-service contracts to enhance service delivery with interested tribes. DVR is discussing how to partner with tribes for federal stimulus funding to provide new work, vocational rehabilitation services and independent living skills. The administration also provided information regarding the federal Ticket to Work Program 2008 rules, which may offer streams of new unrestricted funds to assist people with disabilities find and maintain jobs.
- Office of Deaf and Hard of Hearing director presented an overview of their available services during the April 2009 IPAC meeting

I am happy to also provide an executive summary and highlights for each DSHS administration.

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Aging and Disability Services

Executive Summary

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

Highlights

- ADSA hosted a statewide meeting in September between tribes and Area Agency on Aging (AAA) directors. Topics promoted education, cultural awareness, continued understanding of regulations and issues of interest to tribes. The next scheduled meeting will be held June 5, 2009, hosted by Lummi Nation.
- Tribal elders will have increased access to home-delivered meals, as well as meals provided in congregate settings through America Recovery and Reinvestment Act (ARRA) funding being provided to Older Americans Act (OAA) Senior Nutrition programs (Title III) and Tribal Nutrition Service Programs (Title VI). ARRA funding for 25 tribes through Title VI Tribal Nutrition Service Programs totals \$290,290.
- ADSA, in collaboration with the Department of Health, is administering a National Council on Aging Challenge Grant for the Stanford University Chronic Disease Self-Management Program (CDSMP). The target population for this grant was ethnically diverse, underserved older adult populations. CDSMP workshops were provided to the Shoalwater, Nooksack, and Lummi Tribes. Approximately 70 native elders have participated in six workshops since January 2008. NWRC and O3A are also working with the Swinomish and Chehalis Tribes to provide workshops in the near future. ADSA did a presentation to the IPAC/ADSA subcommittee meeting on April 8, 2009, to promote networking and interest with other tribes, as well as partnering with Oregon state's AoA Grant for an evidence-based program to partner resources for broader dissemination and uptake within tribal populations.
- ADSA is implementing a federally funded traumatic brain injury (TBI) grant and has consulted with the American Indian Health Commission of Washington state about TBI-related projects. Currently, the Washington TBI Strategic Partnership Advisory Council is actively seeking membership to represent tribal concerns related to traumatic brain injury and serve on the Governor-appointed TBI council.
- The Senior Farmers Market Nutrition Program (SFMNP), coordinated through the Area Agencies on Aging (AAA), serves tribal elders from at least 16 tribes, providing fresh produce baskets or vouchers to obtain produce from local growers. SFMNP continues to collaborate with tribal health authorities, tribal centers and food banks to expand access to the greatest degree possible.

- Region 1 Home and Community Services has collaborated with the Colville Confederated Tribes on two items: (1) To add tribal health to the consent form when determining tribal members' eligibility for HCS services. This effort improves the transfer of in-home services cases to the Colville Tribal AAA, enabling them to continue services. (2) HCS has resumed Adult Protective Service investigations at the request of the tribe. This will be transferred back to the tribe once they hire a permanent APS investigator.
- Region 1 Home and Community Services has been working with the Kalispel Tribe by providing an in-service on HCS programs, Medicaid eligibility, APS, Aging & Long Term Care of Eastern Washington (AAA) Information & Referral and Older American Act programs that are available to the tribal members in the communities.
- Region 2 Southeast Aging and Long Term Care works with the Yakama Nation Area Agency on Aging to provide needed services to tribal elders. Areas of collaboration include nutrition programs, caregiver training and information and assistance activities.
- Region 3 Home and Community Services, in coordination with the Area Agencies on Aging and Indian Policy and Support Services staff, developed a "Working with Tribal Elders" training that was delivered by a tribal elder on October 15, 2008, to 40 participants. The same training was duplicated and presented to regional Division of Developmental Disabilities staff.
- Northwest Regional Council continues to work with tribes in Region 3 to develop and build an Adult Family Home specifically for tribal members.
- In Region 3, Snohomish County Long Term Care and Aging promotes an increase in awareness of tribal services and coordination of all services to best meet the needs of Tribal elders. An educational lunch program focusing on diabetes and cancer is being developed for tribal members.
- In Region 5, Home and Community Services Division's Bremerton office has a designated social worker, Andrea Berg, who responds to all referrals for HCS assessments for the Suquamish and Port Gamble S'Klallam Tribes.
- A successful two-day facilitator's training, titled Parenting a Second Time Around, co-sponsored by Region 6 Home and Community Services, took place in La Push at the Quileute Tribal Conference May 28-29, 2008. Fifteen participants who represented tribal elders and staff took part in the training. There was no cost to participants thanks to the generous sponsorship of the following: Quileute Department of Human Services, Makah Tribe, Northwest Indian College, WSU Extension Services and the Olympic Area Agency on Aging. The training topics included child development, grief and loss, problem solving, legal issues, navigating service systems, children with incarcerated parents, addressing high-risk behaviors, Indian Child Welfare Act, available kinship resources and more. ADSA staff developed the training brochure, printed curriculum manuals, provided kinship-related print and media resources, recruited speakers on incarcerated parents and facilitated conference calls of organizers.

Staff Contact

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Children's Administration Services

Executive Summary

Children's Administration (CA), through the Indian Child Welfare (ICW) program, recognizes a government-to-government relationship between the state and Indian tribes by maintenance and support of the Indian Child Welfare Act, the Washington State Centennial Accord, the Washington State Tribal State Agreement and the Washington State Local Tribal State Agreements.

Highlights

- Monthly ICW tribal/state meetings addressing tribal/state program and policy issues, ICW manual and revisions, the new case management system FAMLINK, and improved tracking of Indian children for ICWA purposes and other related issues.
- Continue to work with tribal governments to update or develop local agreements using the template agreed to at the 2007 tribal/state consultation. Currently, one tribal agreement is completed and outreach continues to tribes to provide technical assistance to review and develop agreements.
- The second annual ICW Summit was held March 24-25, 2008, at the Squaxin Island Tribe's hotel and event center. The summit recognized the 30th anniversary of the passage of the Indian Child Welfare Act and recognized Washington state tribal leaders who envisioned and drafted the original legislation. The event was attended by 307 DSHS administrators, tribal and state social workers, attorneys, service providers and volunteers. Presentations concentrated on the history of the act, legal issues pertaining to protecting Indian children and good practices by tribal social services programs.
- Indian Policy Advisory Committee (IPAC) designated the children's subcommittee to act as a Citizen Review Panel (CRP) for CA. This subcommittee is one of three CRP's required under the federal Child Abuse Prevention and Treatment Act (CAPTA). Disproportionality was identified by the panel as a focus area.
- As a result of SHB 1472, former DSHS Secretary Robin Arnold-Williams convened an advisory committee to determine if racial disproportionality existed in Washington state, and make recommendations to eliminate racial disproportionality in the state's child welfare system if it was found to exist. This committee is comprised of five representatives, each appointed by the Speaker of the House of Representatives, Senate Majority Leader and DSHS.
 - The committee found that racial disproportionality does exist in the state's child welfare system and that Indian children were the most disproportionate group of children in the system.
 - Among other initiatives, the secretary's recommendations to eliminate racial disproportionality call for increased compliance with the ICWA and continuation of the ICW quality assurance case review.

Work in Progress

- Conduct the second ICW case review in September 2009 in each region. The case review is a quality assurance tool and process to measure compliance with the ICW federal and state statutes. Through this review, CA will have a quantitative and qualitative view of regional and statewide compliance with the Indian Child Welfare Act and develop plans with tribes and RAIO to improve compliance and the ability to measure improvements from the 2007 review.
- Monitoring progress on a state Indian Child Welfare Act led by tribal and RAIO representatives.
- The development of a desk guide to be used as a reference for all CA workers.
- Analysis and tracking of overrepresentation of Indian children in the child welfare system.

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Economic Services Administration

Executive Summary

The Economic Services Administration (ESA) administers cash, food, medical assistance and child support programs through a network of local offices and customer service centers. ESA is committed to building and nurturing strong partnerships with tribes to reduce poverty and hunger in Washington state, and provide culturally appropriate services to tribal members.

The State Tribal Relations Office (STRO) continues to assist ESA in carrying forward the principles of consultation and cooperation set forth in the Centennial Accord and DSHS Administrative Policy 7.01.

We are pleased to announce that Washington state continues to have the highest number of tribal TANF programs in the country. Ten Washington tribes and one consortium currently operate 11 tribal TANF programs. Washington also has six tribes that receive federal funding to operate their own child support programs and two tribes that received start-up funding from the federal Office of Child Support Enforcement for child support programs.

Highlights

- In June 2008, ESA began hosting IPAC ESA/DVR subcommittee meetings. The meetings have provided an invaluable forum to get tribal input on critical issues, share accomplishments and discuss new initiatives and policy changes that may affect tribal members.
- The department is close to implementing the Tribal Eligibility pilot with the Port Gamble S'Klallam Tribe which will allow tribal staff to determine eligibility for food assistance and medical programs for children, families and pregnant women. A signing ceremony is scheduled in May 2009, to execute the contract for the pilot. The pilot is waiting for final federal approvals from the Centers for Medicare and Medicaid Services (CMS) and Food and Nutrition Services (FNS).
- The IPAC ESA/DVR subcommittee established a State-Tribal Income Workgroup to look for ways to improve cash, medical and food eligibility determinations for tribal members. Workgroup members include the tribes, Indian Policy and Support Services, ESA, Health and Recovery Services Administration and Aging and Disability Services Administration.
- ESA continues to look for ways to effectively partner with private foundations, local and county organizations and tribes to improve access to important anti-poverty, anti-hunger programs. Included in these efforts is a grant proposal we are working on with the Bill and Melinda Gates Foundation to obtain funding for a Mobile Community Services Office project. The project will use a customized vehicle, with all of the capabilities of a stationary community services office, to provide direct services and outreach to underserved communities throughout the state.

- ESA continues to work with tribes in developing Washington Administrative Code for tribal TANF programs that address the appropriate use of state Maintenance of Effort funds and annual reporting requirements on program operations. The Tribal-State Workgroup is nearing completion of draft Washington Administrative Code (WAC).
- A core priority for ESA is to feed more people by getting them enrolled in Basic Food, Washington's food stamp program. The change in October of last year to boost the income limit for Basic Food from 130 to 200 percent of the federal poverty level could not have come at a more critical time. In April 2009, Basic Food households also began receiving more food benefits under the federal stimulus package, which calls for a 13.6 percent increase in monthly benefits. ESA provided promotional and outreach campaign materials to tribes to increase tribal member participation in this important anti-hunger program.
- ESA has agreements with SPIPA, Nooksack Tribe, Port Gamble S'Klallam Tribe and Tulalip Tribes using a new consolidated data share agreement that provides tribal TANF and child support programs with access to ACES, SEMS and Employment Security Department earnings information. The plan is to transition other tribes with dual access to the consolidated data sharing agreement to reduce paperwork.
- Through the involvement of tribes and many other stakeholders, the Tribal Relations Team (TRT) in the Division of Child Support (DCS) developed a [Strategic Plan](#) (linked at the TRT Website, www.dshs.wa.gov/dcs/tribal). The plan guides TRT in their efforts to fulfill their mission: DCS and Tribes—bridging cultures to provide exceptional child support services.
- DCS, through agreements with tribes, can intercept IRS refunds on cases at the request of a tribal child support programs. DCS currently has IRS intercept agreements with the Port Gamble S'Klallam Tribe, Quinault Indian Nation, Colville Confederated Tribes and Lummi Nation.
- DCS is working in partnership with the Shoalwater Bay Tribe to carry out their 2007 Child Support Agreement. The tribe has a federal grant to implement this agreement. DCS delivered a Child Support 101 training session to the tribe in March 2009.

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Health and Recovery Services Administration

Executive Summary

The goal of Health and Recovery Services Administration (HRSA) is to partner with tribes in order to help address the health equity issues in Indian country. A primary goal has been to facilitate increased participation and access to all HRSA programs. The administration has worked in collaboration with the other health agencies to keep tribes aware of impacts to state health programs. Across the different divisions of HRSA, programs are engaged with tribes on specific projects throughout the state and on an on-going basis. The administration has regular communications and meetings in collaboration with Indian Policy Support Services. HRSA also partners with the American Indian Health Commission to extend outreach beyond its 7.01 responsibilities, and to communicate more closely with tribal clinic directors. Below is a summary of this year's major activities.

Highlights

Cross-Administration (HRSA)

- HRSA monthly workgroups for chemical dependency, mental health and health care services moved to a quarterly, all-day workgroup meeting at the request of tribal representatives. Meetings are targeted to problem-solve operation and access issues.
- In collaboration with Economic Services Administration (ESA), developing a pilot for Port Gamble S'Klallam Tribe for Medicaid-eligibility determination. HRSA submitted and received approval from the Center for Medicare and Medicaid Services (CMS) for the state plan amendment.
- In collaboration with ESA, the administration is developing clarifying policy and process for exemption of tribal income. The goal is to increase knowledge and develop consistency across the state and community services office financial workers to clarify eligibility criteria for tribal members.
- In collaboration with the Department of Health (DOH), developing criteria for a dual credential for licensed mental health and chemical dependency counselors.
- Conducted ongoing Provider One registration and security seminars for tribal Medicaid providers.
- Conducted Medicaid billing training at various tribal sites across Washington.
- Provided training for HRSA staff on Medicaid, Indian health and outreach to Indian country.
- Developed HRSA administrative policy to integrate DSHS 7.01 policy within the organizational structure of HRSA.

Drug, Alcohol and Substance Abuse (DASA)

Submitted a decision package requesting chemical dependency funding for tribal match for non-native Medicaid clients receiving services through tribal facilities.

Healthcare Services (HS)

- Worked with Port Gamble S’Klallam Tribe to develop a home healthcare pilot in collaboration with the DOH.
- Facilitated ongoing discussion with CMS on Tribal Medicaid Administrative Match Cost Allocation Plan.
- Promoted Apple Health for Kids at tribal locations to encourage enrollment.

Mental Health (MHD)

- 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.
- Signed a Memorandum of Agreement between HRSA and the Suquamish Tribe for direct application to the Children’s Longterm In-Patient Administration (CLIP) for tribal youth in need.
- Issued 19 tribal contracts from the state SAMHSA Mental Health Block grant.

Staff Contact

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Juvenile Rehabilitation Services

Executive Summary

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

Highlights

- Two intergovernmental agreements were finalized with the Quinault Nation and Skokomish Tribe that allow the tribes to access residential programming for tribal youth in JRA facilities. This makes a total of three finalized agreements with tribes in Washington state.
- Through the Community Juvenile Accountability Act (CJAA), 19 tribes and three Recognized American Indian Organizations receive grants that assist them with providing culturally relevant, evidence-based programs to court-involved tribal youth. This is four more contracts than in the previous year. JRA also implemented process improvements to reduce contract application from annual to biennial.
- Indian Policy and Support Service staff visited Naselle Youth Camp and participated in beading activities with youth and staff at the facility. Participants constructed beaded lanyards that were later given to tribal elders from across the nation at the National Indian Council on Aging (NICOA) Conference in September 2008
- Naselle Youth Camp has been working closely with the Chinook Tribe. Activities included preparing land for the new Chinook Tribal Center, serving dinner hosted by the tribe during the Ocean in the View Cultural Weekend, and staff participation in trade reenactments at the Port of Ilwaco and for the Chinook Tribal First Salmon Ceremony.
- JRA sponsored a Potlatch at Naselle Youth Camp in November 2008. Tribal elders from the Chinook and Shoalwater Bay Tribes attended. Presentations and a smudging ceremony were also conducted by tribal representatives.
- Maple Lane School hosted a 'Gathering of Nations' event during Native American Heritage Month. The event included storytelling from the Spiritual Leader of the Cowlitz Tribe and attendance by tribal elders from the Chehalis Tribe and statewide staff from the DSHS Indian Policy and Support Services.
- Green Hill School sponsored a Pow Wow and Culture Fair in June 2008, which included participants from the Chehalis Tribes.
- In collaboration with tribal representatives during Indian Policy Advisory Committee (IPAC) meetings and regional 7.01 planning meetings, process improvements have been made to identify tribal youth within the JRA system. Improvements include revision of the initial intake notification form that notifies tribe(s) when an affiliated youth is placed in JRA

- JRA Region 6 Community Programs applied for a mentoring grant to target Native American youth and elders from local tribes. Though the region was not awarded the grant, the effort has prepared them for other opportunities to seek funding for such initiatives and JRA/tribal partnerships were deepened with the effort.
- JRA collaborated with the Colville Confederated Tribes to learn about cultural practices on the reservation. Staff visited the reservation and participated in a Sweat Lodge Ceremony with tribal members. Plans are in place for Colville tribal elders and members to visit JRA facilities and assist the programs in developing cultural programming.

Staff Contact

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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 (IEO) was established in the mid 1960s and continues to serve as a liaison between OSPI, tribal schools, school districts, tribal governments, native communities, parents/guardians of Indian children and other groups/individuals. A primary goal of the IEO is to assist American Indian/Alaska Native students 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; development and dissemination of Indian education materials and curriculum materials (both in house and through collaboration with others), as well as serve 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

Tribal Sovereignty Curriculum Project: In response to House Bill 1495 (the Tribal History and Culture Bill passed in 2005) and the Memorandum of Understanding between the Tribal Leaders Congress, the Washington State School Directors' Association, the Washington State Board of Education and our agency, OSPI has drafted three model curriculum documents for elementary, middle and high school based on historical documentation to be infused into the current curriculum resources being most commonly used in school districts. 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 Tribal Sovereignty Curriculum materials in 14 schools within nine school districts. The curriculum will be finalized and available online in the 2009-10 school year. Four in-service training sessions will take place across the state in late July/early August 2009.

- Northwest Native Youth Leadership Summit: In cooperation with the Governor's Office of Indian Affairs and Central Washington University, OSPI conducted its 5th annual Native Youth Leadership Summit in August 2008, for native students in grades 9-12 with a focus on implementing the objectives of House Bill 1495. Student's culminating projects tied into our theme "Chinóq Wówo Language, Treaties and Climate Change."

- Tribal School/Bureau of Indian Education (BIE)/OSPI Meetings: As part of our responsibilities within the Memorandum of Understanding between OSPI and the BIE, our agency continues to meet regularly with the seven tribal school superintendents (Lummi, Paschal Sherman, Yakama, Wa He Lut, Quileute, Muckleshoot, and Chief Leschi) and staff, as well as BIE representatives regarding issues relating to native student academic achievement/assessment, accessing funding for tribal schools, connecting tribal schools to the K-20 statewide video-conferencing system, issues relating to native students in special education, etc.

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TRAFFIC SAFETY COMMISSION

Executive Summary

The Washington Traffic Safety Commission (WTSC) Centennial Accord mission is to work proactively with tribal governments statewide to reduce deaths and serious injury crashes 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 issue.

Highlights

The Confederated Tribes of the Colville Reservation, National Highway Traffic Safety Administration (NHTSA), Bureau of Indian Affairs (BIA) and WTSC continue to work together to implement the first phase of a three-year traffic safety grant to improve traffic safety on the Colville reservation. This project is based on the priorities and strategies outlined in Washington's Strategic Highway Safety Plan—"Target Zero." BIA funding in the amount of \$149,000 was provided to support this project which includes a Traffic Safety Program Manager housed in the Colville tribal police department.

The WTSC Tribal Traffic Safety Advisory Board (TTSAB) has completed its second successful year and will continue to conduct quarterly meetings. New members of the TTSAB include Jim Longley of the Nisqually Tribe representing the Tribal Transportation Planning Organization (TTPO) and Assistant Public Safety Chief Bill Peterson from the Kalispel Tribe who represents tribal law enforcement and EMS on the board.

WTSC is providing \$50,000 in grant funding to support projects promoting traffic safety initiatives in local tribal communities. To support this effort, the WTSC recently completed an educational video outlining specific tribal success stories, local challenges and resources to assist in promoting traffic safety on reservation roadways.

WTSC provided \$5,000 in grant funding to support the Washington State Department of Transportation (WSDOT) Tribal Transportation Conference held in Leavenworth in October 2008.

In May of 2009, WTSC, WSDOT, FHWA and the BIA joined many tribes in a two-day workshop to identify strategies and recommendations for improving traffic safety on tribal lands. These recommendations will be considered for inclusion as Washington updates its Strategic Highway Safety Plan—"Target Zero."

WTSC continues to work with tribes and the WSDOT to acquire critical mapping information to provide for more complete collision data. The Confederated Tribes of the Colville Reservation will be the first tribe in Washington to utilize SECTOR electronic collision reporting software to help in this effort.

WTSC provided \$6,500 of overtime funding to tribes for participation in X-52, Washington's statewide high visibility enforcement campaigns focused on impaired driving, speeding and seat belts. Participating tribes included the Swinomish, Colville, Yakama, Suquamish, Squaxin Island, and Tulalip.

WTSC provided over \$5,000 in grant funding to purchase child car seats, booster seats, bicycle helmets and other traffic safety items for local tribes to distribute in an effort to increase safety for their younger members.

The Northwest Association of Tribal Enforcement Officers (NATEO) received its third annual \$50,000 equipment block grant from WTSC. This grant enables tribal police departments to purchase enforcement equipment to assist with increased enforcement patrols aimed at reducing fatal and serious injury crashes.

Police Chief Ralph Wyman, Chehalis Tribe, represented Washington tribal law enforcement on WTSC's Technical Advisory Committee to assist in the agencies annual traffic safety grant approval process.

In 2009, the Tulalip Tribes graciously supported the Snohomish County DUI Task Force with funding to improve traffic safety in Snohomish County. This evolving working relationship between the Tulalip Tribes and the task force demonstrates the growing level of cooperation and support between tribes and local governments around the state.

WTSC continues to work with the Lummi Youth Group and Feet First of Seattle to promote pedestrian and bicycle safety. These efforts included the completion of a walking and bike audit and funding to support efforts to bring attention to the traffic safety concerns on the route to the Lummi Ferry landing.

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DEPARTMENT OF TRANSPORTATION

Executive Summary

The Washington Department of Transportation's (WSDOT) government-to-government relationships with tribes are enhanced through collaboration on many issues including transportation planning, safety and workforce development. Consultation with tribes regarding the affects of projects on natural and cultural resources is a key element of this work. As the economy wanes, cultivating strong partnerships with tribes to facilitate increased transportation investments will be even more essential. Working with tribes during reauthorization of the federal Surface Transportation Act will be a priority of WSDOT's tribal relations over the next year.

Highlights

- In October 2008, WSDOT co-hosted the Tribal/State Transportation Conference with the Confederated Tribes of Colville. The theme of this year's conference was "Safety is Central." Over the course of three days, 130 attendees including representatives from 17 tribes, discussed issues related to transportation planning, cultural resources and workforce development. Each track developed action items for WSDOT and tribes to work on over the coming year. For example, WSDOT is working with tribes and BIA to provide state cost-to-construct data for tribes' Indian Reservation Roads Inventories. A conference report outlining these action items is available on WSDOT's tribal liaison webpage.
- In an effort to increase tribes' access of WSDOT services, the department updated its Centennial Accord plan, which describes the programs, support and funding available from 11 key divisions.
- In December 2007 and September 2008, Secretary Paula Hammond extended invitations to meet with tribal leaders. She has since met with the chairs of the Skokomish, Swinomish and Suquamish Tribes. She also met with the Tribal Transportation Planning Organization during the Tribal/State Transportation Conference.
- WSDOT provided timely information to tribes regarding opportunities to receive funding for road and transit projects through the American Recovery and Reinvestment Act (ARRA). Jim Longley, Transportation Planner for the Nisqually Tribe and Vice-Chair of the Tribal Transportation Planning Organization, represented Washington Tribal Transportation interests as a member of the Economic Recovery Funds Local Oversight and Accountability Panel selected by the Governor. The panel was responsible for final selection of the locally prioritized transportation projects that will receive ARRA funds. The Jamestown S'Kallam, Lummi, Tulalip and Skokomish Tribes qualified for funding through this process.
- WSDOT funded the Confederated Tribes of Colville to produce a report on *"Roadside Inventory of Historic Places Important to the Confederated Tribes of the Colville Reservation."* The area includes two WSDOT regions and state routes 17, 20, 155, 174 and U.S. 97.

- WSDOT is working with Northwest Tribal Tourism (NWTI), who is serving as the new byway leader for the Pacific Coast Scenic Byway (U.S. 101) on the Olympic Peninsula. NWTI is a consortium of ten tribes located on the Olympic Peninsula whose mission closely matches that of the National Scenic Byway program. This is the only example in the nation of a tribal group managing a state scenic byway that is not a tribal road.
- The WSDOT Office of Equal Opportunity (OEO) realigned the responsibilities of the On-the-Job Training Supportive Services Coordinator (OJT/SS) to be more directly involved with Tribal Employment Rights Offices (TEROs). A core function of the OJT/SS program is workforce development, which is the primary partnering focus between OEO and the TERO officers of the tribes. This alignment allows for better coordination between OJT/SS and employment of tribal members through the various TEROs.
- The WSDOT Urban Corridors Office is finalizing a mitigation agreement with the Puyallup Tribe regarding the Triangle Project (SR 161/ I-5-SR 18 Interchange). This documents the successful resolution of a difficult fish passage issue.
- The WSDOT Research Office worked with the U.S. DOT Western Federal Lands Office and Eastern Washington University to complete the *GIS IRR Mapping Project* of the Indian Reservation Roads System serving the Colville Reservation. This mapping project augments the road inventory identified in WSDOT's *Tribal Transportation Data Project*, which documented the transportation needs and road systems of the 29 federally recognized Indian tribes in Washington state.

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DEPARTMENT OF VETERANS AFFAIRS

Executive Summary

The Washington Department of Veterans Affairs (WDVA) is proud to provide support both with services and sustainable funding to our tribes through a variety of programs. The Veterans Services Administrator, Jim Rising, serves as tribal relations liaison and oversees all matters pertaining to services or issues affecting Indian veterans.

Highlights

- Conducted training in March 2008 for four Tribal Veteran Representatives (TVRs) in the statewide Service Officer Training in Olympia. The following participating tribes attended the training: Colville Tribes, Lower Elwha Klallam, Suquamish, and Yakama Nation.
- Invited to a multistate warriors council in Idaho to present tribal representative model that has been in place in Washington state since 2001. This is the only program of its kind in the nation and is sponsored by a state agency
- Scheduled annual **“Gathering of TVRs”** last October 16–17, 2008, at Kiana Lodge, Suquamish Clearwater Resort. This event was attended by 17 Washington tribes and four tribes from other states (Idaho, Oregon, Alaska and Minnesota). The TVRs received a continuing education on services and issues affecting returning veterans and women veterans.
- Provided the Advocates for American Indian Corporation, a 501 (c) (3) organization composed of TVRs with training support. This support consists of a tribal member-specific conference that was conducted in August 2007. The conference focuses on tribal veterans and family member services that are provided in a culturally and tribe specific manner. Our agency provided funding for travel, lodging and training to a group of TVR’s that represented 19 Washington tribes. TVRs are able to assist veterans with federal VA claims in accordance with their tribal customs, but with a solid knowledge base developed in the training conference.
- Governor’s Veterans Affairs Advisory Committee (VAAC) is a committee composed of members of congressionally chartered organizations selected by the Governor. The Advocates of American Indian Veterans Corporation (AAIVC) is not a chartered organization, but understanding the significance of tribal input to this important organization, our agency director incorporated a senior AAIVC member to the VAAC to ensure that tribal veteran interests are represented.

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WASHINGTON STATE PATROL

Field Operations Bureau

Executive Summary

The Field Operations Bureau is responsible for traffic law enforcement, collision investigation, criminal interdiction and terrorism prevention, and motorist assistance on 17,524 miles of interstate and state highways throughout Washington state. The bureau is comprised of eight patrol districts and the Commercial Vehicle Division.

The Washington State Patrol (WSP), working collaboratively with its traffic safety partners, proudly endorses the state Strategic Highway Safety Plan, or “Target Zero.” This initiative proposes to eliminate all traffic fatalities and disabling injuries on state roadways by the year 2030, by identifying the state’s traffic safety priorities, investment imperatives and continuing challenges.

Highlights

- Working together with the Squaxin Tribe, the WSP will join traffic safety professionals from around the state at the Tribal Traffic Safety Summit on May 27-28, 2009. The summit will assemble local, regional and state stakeholders to discuss current traffic safety issues and focus on strategies necessary to reduce fatal and injury collisions.
- During 2008, collision analyses revealed a clear pattern of fatal collision concentration in the lower Yakima Valley within an identified area on the Yakama Reservation. Many of these deaths disproportionately affected Native Americans.

Capitalizing on its earlier El Protector successes, WSP Captain Shawn Berry first met personally with the interim Yakama Tribal Police Chief Jimmy Shikes, who was receptive to partnering further with the agency to work on traffic safety issues of mutual concern. District troopers then began to forge greater relationships through community outreach. Some examples follow:

- In December, the WSP developed a joint DUI advertisement with the Yakama Nation Tribal Police for the Yakama Nation Tribal Review newspaper. The ad ran for two months with both agencies pictured together and the message “together we’re tough on DUI, over the limit under arrest.”
- The Yakama Nation Tribal Police invited the WSP to display a booth at the Yakama Sun Kings final home game at the Sun Dome. There were approximately 4,000 people from eastern and western Washington in attendance.

The El Protector Booth was a huge success, and agency personnel were able to reach out to both the Native American and Hispanic/Latino communities through conversation and educational materials. The two most important topics were the dangers involved with drinking and driving and the importance of using safety restraints.

- The WSP continues to work with tribal councils from around the state to address traffic safety issues around casinos. Tribal impact funds have helped the agency purchase speed monitoring devices and other equipment to help further its traffic law enforcement activities.