

# 2007 Centennial Accord Agency Highlights

OFFICE OF THE GOVERNOR  
GOVERNOR'S OFFICE OF INDIAN AFFAIRS





## TABLE OF CONTENTS

---

Department of Agriculture.....	1
Department of Archaeology and Historic Preservation.....	3
Department of Community, Trade and Economic Development.....	4
Community Services Division.....	6
Energy Division.....	7
Energy Facility Site Evaluation Council.....	8
Housing Division.....	9
Trade and Economic Development Division.....	10
Local Government Division.....	11
Public Works Board Division.....	12
Department of Corrections.....	13
Department of Ecology.....	14
Department of Fish and Wildlife.....	18
Washington State Gambling Commission.....	25
Department of Health.....	27
Health Care Authority.....	29
Washington State Historical Society.....	32
Department of Information Services.....	33
Department of Licensing.....	35
Liquor Control Board.....	36
Office of Minority and Women’s Business Enterprises.....	37
Military Department.....	38
Department of Natural Resources.....	39
State Parks and Recreation Commission.....	40
Governor’s Office of Regulatory Assistance.....	41
Department of Revenue.....	43
Department of Social and Health Services.....	45
Aging & Disability Services.....	46
Economic Services Administration.....	47
Children’s Administration.....	48
Health and Recovery Services Administration.....	49
Juvenile Rehabilitation Administration.....	50
Office of Superintendent of Public Instruction.....	51
Washington Traffic Safety Commission.....	53
Department of Transportation.....	55
Washington Department of Veterans Affairs (WDVA).....	58



## DEPARTMENT OF AGRICULTURE

---

### Executive Summary

WSDA is an executive agency under the Governor and is fully committed to the principles of consultation and cooperation memorialized in the Centennial Accord, the 2000 Millennium Agreement (WSDA) it to serve all of the people of Washington State by supporting the agricultural community and promoting consumer and environmental protection. WSDA accomplishes its mandate through 25 distinct programs, including regulating the use of farm chemicals, fruit and vegetable inspection, domestic and international marketing and promotion of Washington food products.

The unique legal status of tribes and presence of tribally reserved rights and cultural interests throughout the state creates a special relationship between tribes and the state. By following the principles of the Centennial Accord, we are better able to understand and respect the rights and interests of tribal governments and their members and seek ways to improve our government-to-government relationships with tribes.

WSDA has maintained an executive-level tribal government liaison responsible for assisting tribes and WSDA programs and staff to implement government-to-government relations. The liaison acts as a point of contact within the agency to assist tribes in understanding the agency's laws, policies and programs and helps tribes gain access to the appropriate staff within the agency. Similarly, the liaison assists the agency programs in understanding tribal issues, making tribal contacts and promoting ongoing coordination with tribes.

WSDA main interactions with tribes fall into three categories:

- Jurisdiction and management of regulatory programs within and across tribal reservation boundaries. This involves food safety, animal health, pesticide management and plant protection (pest/invasive species program).
- Market development that assist small and medium sized agricultural businesses to develop markets for products within the state and region as well as compete successfully in the global economy.
- Support of sustainable rural communities, agriculture and natural resources through a variety of outreach, education and technical assistance tools and projects.

### Highlights

- **Market Development:** Provided financial and technical assistance to a Native American owned seafood exporter to sell geoduck in China. The company was able to attend the China Quingdao Seafood show in November 2006. The company has subsequently reported commitments for sales of \$200,000 from the show.
- **Animal Health/Consumer Protection:** 2006 Legislation created a 20 member Cattle Advisory Committee representing various segments of the cattle industry to study and report to the legislation on the implementation of a voluntary National Animal Identification System (NAIS). A representative for the Colville Tribe was appointed and served as an active member of this Committee. Animals Services and Consumer Protection programs' continue to work cooperatively with interested

Washington tribes to protect livestock from foreign animal diseases and the public from food contamination/adulteration through outreach and technical assistance activities. By request, WSDA is providing technical assistance and training to the Colville Tribe in the development of their livestock brand and inspection program. The Avian Health Program, initiated in 2006 in response to the serious threat from Avian Influenza to the health of poultry, has initiated an outreach effort that will provide information and assistance to tribal public health and resource management officials on protecting poultry.

- **Emergency Preparedness and Response:** In conjunction with other local and state agencies the Department has sponsored training and exercise events to enhance our state's emergency and homeland security preparedness. Representatives from all Washington tribes were invited to participate. The training opportunities included on-farm bio-security procedures and human health considerations related to handling and disposal of poultry and "risk communication" training which focused on effective communication during an animal and/or public health emergency. Representatives of the Muckleshoot and Squaxin tribes participated in a government and industry interactive "farm-to-fork" tabletop exercise in February 2007. The exercise simulated challenges faced by industry, government, emergency responders and health care providers at various stages of a food contamination event.
- **Natural Resource Protection and Management:** The Livestock Nutrient Management Program has worked closely with the Nooksack, Lummi and Muckleshoot tribes regarding issues related to livestock management and water quality. The Program provides direct reports to the tribes on inspections, discharges and compliance in watersheds where shellfish is harvested and has worked with the Muckleshoot fish biologists and livestock operators in the watershed above the Muckleshoot Reservation to identify and resolve any long term water crossing problems.
- **The Pesticide Registration Program** participated in an Environmental Protection Agency (EPA) pilot project that allowed the legal use of pesticides on tribal land under an emergency exemption issued to the state. The Department routinely provides the Yakama Nation with updates on requests for emergency exemptions, copies of any emergency exemptions and approved labels granted by EPA, and special local need registrations. The Pesticide Farm Worker Education Program, on request, partners with the tribes to provide pesticide use/application training to assure worker safety.

### **Staff Contact**

Linda Crerar, 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. Under federal law, it is the responsibility of the federal agency to consult with Tribes but DAHP considers it a state responsibility to ensure federal consultation occurs and is conducted in a meaningful way.

### **Highlights**

- Organized and co-hosted the Eastside Summit on Cultural Resources at the Yakama Nation.
- Held a Permit Roundtable session in Seattle at the Burke Museum.
- Organized and conducted an archaeological permit workshop at the Northwest Anthropological Conference in Pullman, WA.
- Implemented new Rules for Archaeological Permit Violations.
- Negotiated two settlement agreements with landowners for archaeological violations. Settlement discussions included representatives from the Yakama Nation and Chehalis Tribes.
- Added two additional MOU's with Tribal Governments for GIS Data Sharing. DAHP now has 21 Tribal GIS data sharing agreements.
- Participated in the Federal Columbia River System Cultural Resources Conference.
- Organized and conducted Executive Order 05-05 Training at Squaxin Conference Center with the Squaxin Tribe.
- Organized Geophysics and Remote Sensing Workshop at Fort Lewis with the Nisqually Tribe.
- In the process of hiring a new Assistant State Archaeologist for Local Governments to review Local Government SEPA documents and develop Local Government capacity for archaeological site protection.

### **Staff Contact**

Allyson Brooks Ph.D., Tribal Liaison, (360) 586-3066

## **DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT**

---

### **Executive Summary**

The mission of the Washington State Department of Community, Trade & Economic Development is to invest in Washington's communities, businesses and families to build a healthy and prosperous future. The department is statutorily directed to implement a broad range of programs and services, and invests more than \$1 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.

### **Highlights**

- Governor Gregoire issued Executive Order 07-02, the Washington State Climate Change Challenge, which seeks recommendations to her on how to reduce greenhouse gases, create clean energy jobs, and promote energy independence. CTED and the Department of Ecology have convened a stakeholder process which includes tribal representation on the Climate Advisory Committee, and tribal participation is on most of the working groups. Recommendations will be completed by the end of 2007.
- The Office of Crime Victims Advocacy contracts with eight tribes and tribal organizations to provide services to Native American victims of sexual assault and conduct prevention activities. The Office also contracts with three tribes to deliver services to victims of domestic violence and three tribes providing services to victims of general crimes. The Strategic Plan for General Crime Victims results in additional access to funds for services to victims of crimes such as robbery, homicide, child abuse, identity theft, vehicular crimes, assault, kidnapping and/or hate crimes.
- The Emergency Food Assistance Program (EFAP) contracts with 32 tribes. Eighteen contract directly with CTED and 14 have chosen to subcontract through Small Tribes Organization of Western Washington (STOWW) or South Puget Intertribal Planning Agency (SPIPA). Tribes received a total of \$318,500 in fiscal year 2007. In 2006, tribes provided services to 9,429 voucher clients and 1,230 food bank clients.
- CTED has a tribal advisory committee that assists EFAP staff in policy and procedural matters. This group meets two to three times a year depending on need. All tribes receiving Emergency Food Assistance funds are considered voting members of the advisory committee. For example: Two advisory meetings were held with tribal contractors in 2007 to discuss the tribe's allocation formula and train new tribal program staff in the program and application process.
- The Housing Division Tribal Liaison has participated in 28 meetings with tribes and tribal organizations; arranged 16 future meetings across the state; joined three tribal organizations, conducted six presentations on Washington's Low-Income Weatherization Program; sent letters of introduction to the 29 tribes; and wrote five articles for national and tribal newsletters and publications.



- The Housing Division conducted a Request for Proposal for innovative tribal weatherization projects and provided funding for four successful applicants. If these contractors successfully complete their projects, an additional 52 Native American weatherized units could be added to last year's 54 units, with the potential of nearly doubling the number of low-income Native American homes weatherized in the first year of the project.
- CTED distributes "A Travel Guide to Indian Country – Washington State Edition," (published by the Affiliated Tribes of Northwest Indians – EDC – in association with Visitors Guide Publications) to chambers of commerce and other organizations requesting the guide.
- Several tribes have received grants through competitive programs administered by CTED.
- These include:
  - Suquamish Longhouse (Suquamish Tribe) – \$550,000 state matching grant to assist with construction-related costs of the Suquamish Longhouse Project.
  - Duwamish Longhouse (Duwamish Tribe) – \$275,000 state matching grant to assist with construction-related costs of the Duwamish Longhouse Project.
  - Kalispel Tribal Health and Wellness Center (Kalispel Tribe) – \$650,000 state matching grant to assist with construction-related costs of the Kalispel Tribal Health and Wellness Center

### **Staff Contacts**

Juli Wilkerson, Director, (360) 725-4011

Marie Sullivan, Government 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:

The **Community Services Block Grant** which helps offset the causes and conditions of poverty. The **Low Income Home Energy Assistance Program** provides money to help low-income households make home heating more affordable and to avoid shutoff of utility services during the winter. Both federally-funded programs contain a set aside amount for federally recognized tribes. Tribes may apply directly to the 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.

Local Asset Building Activities – At least 10 local coalitions began to meet in 2006 and act on an array of asset building activities. CTED will accept applications for state planning and implementation funds in June 2007, with proposals due in early August. Tribes are encouraged to participate in local coalitions to apply for these funds.

The **Individual Development Accounts** program helps low-income residents in Washington State invest in home ownership, small business, education, computer, car, home improvements and assistive technology by creating matched savings accounts. Using newly budgeted state IDA funds, CTED will be offering a June 2007 opportunity for local asset building coalition members to apply with proposals, due in late August.

The **Office of Crime Victims Advocacy** provides advice to local and state 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 Native American victims, and funding is set aside specifically for Native American victims.

The Department of Community, Trade and Economic Development is one of four state agency partners in the Temporary Assistance to Needy Families (TANF) or **WorkFirst Program**. The purpose of the program is to provide welfare assistance that will lead to family independence through employment and thus reduce the number of families receiving welfare grants. CTED's WorkFirst program does not have a direct relationship with any tribal organization, but works through partner state agencies.

#### **Staff Contact**

Marijo Olson, Assistant Director, (360) 725-2910

## **DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT**

---

### *Energy Division*

#### **Executive Summary**

The Energy Policy Division provides leadership, information, analysis and support for energy decisions that deliver an economically and environmentally sound energy future to the state of Washington and its citizens. In cooperation with energy providers, consumers, state/federal agencies, and elected officials, we assist in developing energy policies and programs that promote efficiency, access, equitable cost sharing, and environmental quality. We also work to ensure effective responses to energy emergencies and disruptions and long-term planning to minimize the total cost of energy service.

#### **Staff Contact**

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

## **DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT**

---

### *Energy Facility Site Evaluation Council*

#### **Executive Summary**

The Washington State Energy Facility Site Evaluation Council (EFSEC or Council) provides a "one-stop" siting process for major energy facilities in the State of Washington. The Council coordinates all of the evaluation and licensing steps for siting major 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 asks for 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.

#### **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 purpose of this division 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.

Housing Division services and programs are a dynamic component of CTED, and strategic connections across the agency.

The **Housing Trust Fund** (HTF) provides funding for low-income affordable housing. Federally recognized Indian tribes in the state of Washington are eligible organizations that can apply for funding to create or maintain affordable housing. The Housing Trust Fund has funded projects with tribes in the state of Washington, creating or maintaining at least 245 units of housing. For the 2007-09 biennium, \$1.5 million has been set aside in the Housing Trust Fund to support development of housing for low-income or homeless Native Americans. The Department will work with tribes, non-profits, and tribal housing development organizations to prioritize projects located in the areas of highest identified need.

During the past few years, tribal interest in Washington's **Weatherization Assistance Program** has increased significantly. The Housing Division has initiated a two-year Tribal Weatherization Project with the goal of improving Weatherization Program outreach and services to Native Americans in Washington State. With the specific goal of increasing the communication and interaction between the local weatherization agencies, tribes, and other service providers, the Housing Division has created a Tribal Liaison staff position.

The Housing Division has initiated the following three approaches to increasing Weatherization Program services to low-income Native American families in Washington State:

1. Create a reserve fund specifically for Native American Weatherization projects.
2. Increase weatherization and building technology training opportunities for tribal housing staff.
3. Facilitate networking, outreach and coordination between tribes, tribal organizations, and local weatherization providers.

#### **Staff Contact**

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

## DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

---

### *Trade and Economic Development Division*

#### **Executive Summary**

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

The **Business Finance Unit** provides technical assistance, financing services and targeted lending to assist small- and medium-sized businesses in obtaining loan capital for start-up and expansion projects that create or retain jobs, stimulate private investment, increase the local tax base, and strengthen community economic vitality.

The purpose of **Business & Project Development** is to provide economic development services to businesses and economic development organizations statewide in order to create and maintain a sustainable economic base in the state of Washington. In fulfilling its purpose, the unit strives to increase business investment, local tax revenue and job creation through retention, expansion and attraction of businesses to the state.

The mission of the **Community Economic Assistance Center** is to secure and deliver resources required by partner organizations and communities to improve pre-development planning, physical infrastructure, and organizational capacity for business development and job growth. Key programs include the Community Economic Revitalization Board (CERB) and Main Street.

The **Education and Training** program offers professional development services for economic development practitioners. It provides instruction in the fundamentals of comprehensive community and economic development and includes a practical and theoretical course of study. Workshops, seminars, and conferences are coordinated in partnership with local economic development councils and non-profit associations.

The **International Trade Office** helps Washington companies export their products and services or expand market share abroad. Our expert staff proactively assists businesses in profitably accessing the global marketplace. Quality services include: Market development assistance and training; building trade capacity; and advocating the importance of international trade.

The **Tourism Office** is responsible for marketing Washington as exceptional travel destination and influence consumer decisions to travel within the state year-round. The ultimate objective is to drive visitors into communities throughout Washington State to increase visitor travel, spending and revenues.

The **Film Office** markets the state for feature film, television, and commercial production. These productions generate revenue by hiring local crew and talent, renting and purchasing goods and services, leasing locations, and spending for housing and per diem.

#### **Staff Contact**

Larry Williams, Assistant Director, (360) 725-4100

## 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:

The **Safe and Drug-Free Communities Unit** works in partnership with local communities and federally recognized tribes to reduce substance abuse and violence, and their related social impacts. Services also include law enforcement assistance, helping develop partnerships between non-profit, local, federal and tribal organizations to improve coordination and the efficiency of services delivered, and to facilitate policy discussions.

**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 Grant** providing federal grants to entitlement cities and counties for housing rehabilitation, economic development, infrastructure, community facilities, planning and public services projects.

The **Bond Cap Allocation** program assists businesses and local governments to provide tax-exempt bond sales for environmental protection, housing, student loans, industrial development and facilities providing for electricity, water and solid waste disposal.

**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**

Nancy K. Ousley, Assistant Director, (360) 725-3003

## **DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT**

---

### *Public Works Board Division*

#### **Executive Summary**

The Public Works Board Division supports community and economic vitality by providing financial and technical assistance to local governments for critical public health, safety and environmental infrastructure improvements. Tribes are not eligible for this program because they do not contribute to the real estate excise tax revenue stream, but are regularly consulted on projects and 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:

1. Public Works Trust Fund loan (PWTF) programs, which includes Planning, Pre-Construction, Construction and Emergency loans.
2. Drinking Water State Revolving (DWSRF) construction loan program.

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.

The DWSRF loan program assists cities, counties, special purpose districts and private water systems to improve their domestic water systems, by awarding on average \$25 million a year. The DWSRF construction loan program is subject to Section 106 of the National Historic Preservation Act.

The Public Works Board Division in coordination with Department of Archaeology and Historic Preservation and the Environmental Protection Agency, consults with many Washington Tribes on construction projects funded with PWTF or DWSRF loans.

#### **Staff Contact**

Kelly Snyder, Assistant Director, (360) 586-4130



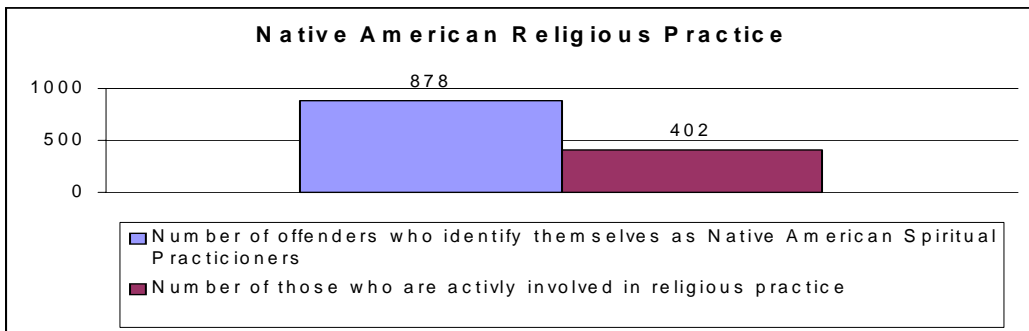
## DEPARTMENT OF CORRECTIONS

---

### Centennial Accord Mission

To provide for the religious needs of Native American offenders who are incarcerated in the Department of Corrections 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.



## **DEPARTMENT OF ECOLOGY**

---

### **Ecology Centennial Accord Mission**

The Department of Ecology is an executive agency under the Governor and is fully committed to the principals of consultation and cooperation memorialized in the Centennial Accord, the 2000 Millennium Agreement and related executive orders. Ecology is Washington's principal environmental management agency. Our mission is 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. Our goals are to prevent pollution, clean up pollution, and support sustainable communities and natural resources.

The unique legal status of tribes and presence of tribally reserved rights and cultural interests throughout the state creates a special relationship between tribes and the state agencies responsible for managing and protecting the natural resources of the state. Tribes and tribal members possess property and self government rights that predate the formation of the United States and the creation of the State of Washington and are guaranteed under treaties and federal law. At the same time, tribal members are citizens of the United States and the State of Washington. Due to federal laws and inherent tribal sovereignty, each reservation in the state constitutes a bordering jurisdiction for environmental purposes. But the environment knows no boundaries. Environmental actions outside the reservation affect the tribe and the residents of the reservation just as the actions within the reservation affect the state and its citizens.

By implementing these principles we hope to better understand and respect the rights and interests of tribal governments and their members and create durable intergovernmental relationships that promote coordinated environmental approaches and partnerships in service to all of our citizens and the environment. Implementation of the Centennial Accord the 2000 Millennium Agreement is an on-going process and Ecology will continually seek ways to improve our government-to-government relationship with tribes.

### **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, including TMDLs; water rights actions, including transfers and changes; and toxic clean-up. Ecology is currently working with the Governor's Office of Regulatory Assistance to improve government to government consultation and cooperation on project proposals and permitting. (See Governor's Office of Regulatory Assistance highlights.)

Ecology, working with the Governor's Office and other state agencies, collaborated closely with tribes in the creation of the new Puget Sound Partnership. During the 2007 legislative session, Ecology participated in a NW Indian Fisheries Commission hosted weekly legislative conference call with interested tribal natural resources managers on current natural resources issues before the legislature.

Ecology provides support to the Governor's designee to the new tribal-state Olympic Coast Intergovernmental Policy Council established by the Governor and the leaders of the Hoh

Indian Tribe, the Makah Indian Tribe, the Quileute Indian Tribe, the Quinault Indian Nation on January 30, 2007. The Policy Council is a new forum where sovereigns with regulatory jurisdiction over marine resources and activities within the boundaries of the Olympic Coast National Marine Sanctuary ecosystem meet to enhance their communication, policy coordination and resource management strategies.

Ecology provided funding support and participated in the 2006 Salmon Homecoming Forum. Ecology also was represented at the January '07 Coast Salish Gathering, hosted by the Cowichan/Hul'qumi'num Treaty Group in British Columbia which brought together First Nations and Tribal leaders to discuss the need for increased protections for the Salish Sea's rich marine diversity and other resources unique to the area that stretches from the Georgia Basin, down through the Puget Sound and the Straits of Juan de Fuca.

### **The Ecology – Tribal Environmental Council (E/TEC)**

At the November 10, 2005 Centennial Accord meeting, 20 tribes signed the Operational Protocol with Ecology Director Jay Manning. The Protocol established the Ecology-Tribal Environmental Council made up of policy representatives of signatory tribes and Ecology, co-chaired by a tribal representative, Squaxin Island Tribe Chairman Jim Peters, and Ecology director Jay Manning. E/TEC provides a reliable avenue for on-going state-tribal government-to-government communication and collaboration on environmental issues of mutual concern. ETEC has been meeting quarterly since its inception. All tribes, including out of state tribes with U&A in the state, are invited to join by signing the Protocol at any time.

### **Water Resources Program**

#### *Nooksack & Walla Walla Initiatives*

Ecology continues its involvement as a partner with the Lummi Nation and the Nooksack Tribe in the Nooksack basin initiative designed to establish instream flows on the Nooksack River and its tributaries sufficient to achieve the tribal treaty right to fisheries in that system. Mediated pilot projects are underway in two sub-basins. Ecology is also working with the Confederated Tribes Umatilla Reservation in the Walla Walla basin on an innovative project to restore fisheries flows in that basin.

#### *Columbia River Basin Water Management Program*

Flows for fish are an essential component of the new created Columbia River Basin Water Management Program. Ecology is working with Columbia basin tribes on this multi-year effort to provide water for out-of-stream needs while providing enhanced flows for fish during critical periods. Related to this effort is the intergovernmental partnership with the Colville Tribes and the Spokane Tribe on the management of reservoir water levels and impact mitigation in Lake Roosevelt.

#### *Tribal Water Rights Pathways Project*

With the encouragement of the Northwest Indian Fisheries Commission, the Washington State Legislature funded the Washington State Department of Ecology to work with interested tribes and the U.S. Institute for Environmental Conflict Resolution in a voluntary government-to-government partnership to explore opportunities for new cooperative approaches to water management. The goal of this pilot program is to identify viable paths

for cooperatively resolving tribal federally reserved water rights and entails working with individual tribal governments on a voluntary basis to identify and evaluate alternatives for quantifying or otherwise resolving participating tribe's water rights. The Quinault Indian Nation and the Tulalip Tribes are participating in this initial voluntary pilot project.

The first phase of this project, which will be completed June 30, is a situation assessment that will provide a snapshot of how Ecology, participating tribes, and other affected parties can work together to manage water resources and identify mechanisms that meet tribal interests and needs. Based on experience with this initial project, the state and the tribes hope to further refine and expand the program, both generally and within specific basins, and build the necessary resources and capacity for resolving tribal water rights in Washington State.

### **Spill Response and Preparedness Program**

Over the past year, the Spills Program partnered with the state's Indian tribes to better prepare for and respond to oil spills. The newly established Ecology/Tribal Environmental Council (E/TEC) is a forum to increase coordination with the Tribes on oil spill issues.

On June 1, 2006, Jay Manning sent a letter to the elected leaders and natural resources directors of the state's 29 tribes. It reaffirmed Ecology's commitment to work cooperatively to prepare for and respond to oil spills. The letter also:

- Offered Incident Command System training.
- Encouraged participation in the Geographic Response Plan update process.
- Requested tribes to provide key emergency contact information.

#### *Northwest Oil Spill Awareness Course for Tribal Leaders*

A Northwest Oil Spill Awareness Course was held on December 12, 2006, in Everett to provide tribal leaders and other key community leaders an advanced understanding of oil spill response. Dale Jensen sent tribal chairmen and their natural resources directors an invitation to attend. Seventeen of the 50 participants were tribal representatives.

#### *Oil Spill Equipment Cache Program*

As part of the \$1.45 million oil spill equipment cache program, 11 tribes are receiving oil spill response trailers with containment boom and other associated equipment. The Lummi Nation, which is already well prepared for oil spills, received additional oil spill equipment through the grant program. The tribes are also receiving a one-day training covering a number of oil spill response topics and on-water boom deployment. Ecology Spill Responders have participated in a number of these training sessions.

Port Gamble S'Klallam Tribe .....	trailer received/training held Jan. 9
Makah Tribe .....	trailer received/training held Jan. 17
Hoh Indian Nation.....	trailer received/training held Feb. 20
Swinomish Tribe.....	trailer received/training held Feb. 27
Nisqually Tribe.....	trailer received/training held Mar. 8
Quinault Indian Nation .....	trailer received/training held Apr. 3

Jamestown S'Klallam Tribe.....trailer received/training held Apr. 23  
Quileute Tribe.....trailer received/training held Apr. 24  
Lummi Indian Nation.....equipment received  
Tulalip Tribes.....trailer received/training scheduled May 29  
Snoqualmie Tribe/E.S. Fire.....trailer delivery & training to be scheduled  
Yakama Indian Nation.....trailer delivery & training to be scheduled

**Water Quality Program**

Ecology worked closely with tribes, the NW Indian Fisheries Commission, and the Ecology/Tribal Environmental Council on revising the state's water quality standards to accurately reflect fisheries needs and incorporate tribal fisheries and environmental data. Ecology and tribes are considering formal mechanisms to continue the cooperative management data exchange that has been accomplished under this effort.

**Toxics Cleanup Program**

The joint effort with the Colville Confederated Tribes, the Spokane Tribe, and Ecology continues to address cleanup issues arising from decades of cross-border contamination in Lake Roosevelt.

**State Emergency Response Commission (SERC)**

The SERC supports emergency planning, response, and recovery programs of state and local governments and recognized the value of including direct tribal representation on the Commission. With approval from the Emergency Management Council, SERC established a seat for tribal representation in 2005 which is now on-going.

Ecology co-sponsored the second annual Joint Tribal-Local Emergency Planning Committee Conference at Quinault Beach Resort in an effort to promote partnerships between tribal jurisdictions and local emergency managers. Tribes participating this year included: Colville Confederated Tribes, Cowlitz Indian Tribe, Puyallup Tribe of Indians, Shoalwater Bay Tribe, Snoqualmie Tribe, Swinomish Tribe, Squaxin Island Tribe, Tulalip Tribe, and the Yakama Nation

**Staff Contacts**

Tom Laurie, Tribal Liaison, (360) 407-7017

Sadie Whitener, Tribal Liaison, (360) 407-6729

## DEPARTMENT OF FISH AND WILDLIFE

---

### 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. 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/agreement (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 Intergovernmental Resource Management group, led by Phil Anderson (Special Assistant to the Director; 360-902-2720), holds primary responsibility for state-tribal harvest management relationships, and for topics that touch on multiple agency interests or involve multi-agency, multi-state, or international forums.<sup>3</sup>

### Highlights

The staff of WDFW worked with tribes on over 50 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 2006 include:

- A 3-year state-tribal geoduck fishery and resource management agreement was secured between state agencies (WDFW and DNR) and area treaty tribes (Puyallup, Nisqually, and Squaxin Island). This high-profile fishery has an annual total allowable catch of approximately 2,000,000 pounds. The newly secured agreement includes provisions that address two major issues that have prevented the parties from reaching agreement in past years: 1) a plan to conduct post-harvest surveys on areas known or suspected to have been impacted from the illegal harvesting activities that occurred a few years ago to account for the subsequent reduction in the South Sound geoduck biomass, and 2) to proportionally distribute the state harvest based on standing stock biomass so a state harvest does not preclude any one tribe from up to 50% of its exclusive area harvest opportunity.
- The state and treaty tribes agreed to a minimum density of 0.01 geoducks per square foot for the purpose of defining a natural geoduck. The minimum density provides definition for both public and private tidelands where proposals to establish new artificial shellfish beds exist. Creation of new artificial geoduck beds on tidelands

with less than 0.01 geoduck per square foot will be possible without tribal access to harvest on these beds.

- The state and treaty tribes implemented an agreement on uniform mesh size restrictions for shrimp harvest, on which discussions began in 2002.
- The state and treaty tribes in south Puget Sound agreed to a new management designation for public tidelands that allows a single party to manage and harvest the shellfish resources on certain public beaches for its own purposes. The activities on single entity managed tidelands need to be consistent with the general resource management principles set forth in the agreement. The new scheme allows for state recreational fisheries to be managed on selected beaches for the sole benefit of that fishery rather than combining commercial treaty harvest and recreational fisheries on one beach.
- WDFW worked with 24 treaty tribes in successfully developing salmon seasons and management measures for the Columbia River, Ocean, Coastal, 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 Olympic National Park, and a variety of recreational and commercial constituents. WDFW and the tribes will be working cooperatively in monitoring fisheries in-season to ensure that our conservation and management objectives are achieved.

### **Staff Contact**

Teresa Scott, Natural Resource Policy Coordinator with WDFW Intergovernmental Resource Management group, (360) 902-2713, [scotttts@dfw.wa.gov](mailto:scotttts@dfw.wa.gov).

## CURRENT STATE/TRIBAL HARVEST AGREEMENTS

### 1. Shellfish

Management Plan	Expiration Date	Current Status*	Affected Parties
1. Crab CMR 1 (North Sound)	Work in progress	Pending	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
2. Crab CMR 2E (No.- Central Sound)	3/31/2008	In effect	WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Suquamish
3. Crab CMR 2W (No. Central Sound)	5/31/2008	In effect	WDFW, Lummi, Swinomish, Upper Skagit, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
4. Crab CMR 3 (Strait)	5/31/2008	In effect	WDFW, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish
5. Crab CMR 4 (S. Central Sound)	5/31/2008	In effect	WDFW, Muckleshoot, Tulalip, Suquamish
6. Crab CMR 5 (Hood Canal)	5/31/2008	In effect	WDFW, Skokomish, Port Gamble, Jamestown, Lower Elwha, Suquamish
7. Crab CMR 6 (South Sound)	5/31/2008	In effect	WDFW, Nisqually, Puyallup, Squaxin Island
8. Shrimp CMR 1 (North Sound)	1/31/2008	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
9. Shrimp CMR 2 East (North-Central Sound)	1/31/2008	In effect	WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
10. Shrimp CMR 2 West (N. Central)	1/31/2008	In effect	WDFW, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
11. Shrimp CMR 3 (Strait)	1/31/2008	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish
12. Shrimp CMR 4 and 6 (S. Central)	1/31/2008	In effect	WDFW, Muckleshoot, Tulalip, Nisqually, Puyallup, Squaxin Island, Suquamish
13. Shrimp CMR 5 (Hood Canal)	3/31/2008	Section 4.6 No objection	WDFW, Port Gamble, Jamestown, Lower Elwha, Suquamish, Skokomish



14. Geoduck (North Sound)	No agreement	Section 4.6 No objection	WDFW, DNR, Upper Skagit, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
15. Geoduck (Central Sound)	No agreement	Section 4.6 No objection	WDFW, DNR, Lummi, Muckleshoot, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
16. Geoduck (South Sound)	3/31/2009	In effect	WDFW, DNR, Puyallup, Nisqually, Squaxin Island
<b>Management Plan</b>	<b>Expiration Date</b>	<b>Current Status*</b>	<b>Affected Parties</b>
17. Geoduck (Eastern Strait)	3/31/2008	In effect	WDFW, DNR, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
18. Geoduck (Hood Canal)	3/31/2008	In effect	WDFW, DNR, Port Gamble, Jamestown, Lower Elwha, Suquamish, Skokomish
19. Horse Clam (Eastern Strait)	Work in progress	Pending	WDFW, DNR, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
20. Horse Clam (Hood Canal)	03/31/2008	In effect	WDFW, DNR, Port Gamble, Jamestown, Lower Elwha, Skokomish, Suquamish
21. Horse Clam (South Sound)	N/A	N/A	WDFW, DNR, Puyallup, Nisqually, Squaxin Island
22. Bivalve Region 1 (Strait)	12/31/2007	In effect	WDFW, DNR, Lummi, Swinomish, Tulalip, Makah, Port Gamble, Jamestown, Lower Elwha, Suquamish
23. Bivalve Reg. 2 (San Juan Islands)	No Agreement	Section 4.6 No objection	WDFW, DNR, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
24. Bivalve Reg. 3 (North Sound)	12/31/2007	In effect	WDFW, DNR, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
25. Bivalve Reg. 4 (No. Central Sound)	12/31/2007	In effect	WDFW, DNR, Lummi, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
26. Bivalve Reg. 5 (Admiralty Inlet)	12/31/2007	In effect	WDFW, DNR, Lummi, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
27. Bivalve Reg. 6 (So. Central Sound)	12/31/2007	In effect	WDFW, DNR, Tulalip, Suquamish
28. Bivalve Reg. 7 (South Sound)	9/30/2011	Developing 5 year plan	WDFW, DNR, Puyallup, Nisqually, Squaxin Island

Management Plan	Expiration Date	Current Status*	Affected Parties
29. Bivalve Reg. 8 (Hood Canal)	12/31/2007	In effect	WDFW, DNR, Skokomish, Port Gamble, Jamestown, Lower Elwha, Suquamish
30. Sea Cucumbers (Puget Sound excluding Central)	4/30/2007	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Suquamish
31. Sea Cucumber (Central Sound)	4/30/2007	In effect	WDFW, Lummi, Swinomish, Muckleshoot, Tulalip, Suquamish
32. Sea Urchins (Puget Sound)	8/31/2007	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish, Skokomish, Puyallup, Nisqually, Squaxin Island
33. Squid (Puget Sound)	12/31/2010	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Swinomish, Tulalip, Port Gamble, Jamestown, Lower Elwha, Makah, Suquamish, Skokomish, Puyallup, Nisqually, Squaxin Island
34. Razor Clams (Coastal)	8/30/2007	In effect	WDFW, Quinault, Hoh
35. Coastal Crab (North)	10/30/2007	In effect	WDFW, Makah
36. Coastal Crab (North/Central)	10/30/2007	In effect	WDFW, Quileute
37. Coastal Crab (Central)	10/30/2007	In effect	WDFW, Quinault
38. Ocean Pink Shrimp (North Coast)	No current plan	N/A	WDFW, Makah

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.

## 2. Salmon and Steelhead

Management Plan	Expiration Date	Current Status	Affected Parties
1. North of Falcon - chinook, coho, chum	04/30/2008	In effect	WDFW, Lummi, Nooksack, Upper Skagit, Sauk-Suiattle, Swinomish, Stillaguamish, Tulalip, [Muckleshoot], Suquamish, Puyallup, Nisqually, Squaxin Island, Skokomish, Port Gamble S'Klallam, Jamestown S'Klallam, Lower Elwha Klallam, Makah, Quileute, Hoh, Quinault
2. Nisqually River – steelhead, chum	04/30/2008	In effect	WDFW, Nisqually
3. Skagit River - steelhead	11/30/2007	In effect	WDFW, Swinomish, Sauk-Suiattle, Upper Skagit
4. Green River - steelhead	11/30/2007	In effect	WDFW, Muckleshoot, Suquamish
5. Puyallup River - steelhead	11/30/2007	In effect	WDFW, Puyallup
6. Hoh River - steelhead	11/30/2007	In effect	WDFW, Hoh
7. Hoh River – chinook, coho	04/30/2008	In effect	WDFW, Hoh
Management Plan	Expiration Date	Current Status	Affected Parties
8. Grays Harbor - chinook, coho	04/30/2008	In effect	WDFW, Quinault
9. Quillayute River - chinook, coho	04/30/2008	In effect	WDFW, Quileute
10. Grays Harbor, Quinault River - steelhead	11/30/2007	In effect	WDFW, Quinault
11. Queets River, Moclips/Copalis - steelhead	11/30/2007	In effect	WDFW, Quinault
12. Quillayute River - steelhead	11/30/2007	In effect	WDFW, Quileute
13. Upper Columbia/Snake - spring, summer and fall chinook, steelhead, coho, sockeye, white sturgeon	12/31/2007	In effect	WDFW, ODFW, Nez Perce, Yakama, Umatilla, Warm Springs

14. Upper Columbia - spring and summer chinook, sockeye and steelhead	Pending	Pending	WDFW, Colville
---	---------	---------	----------------

### 3. Wildlife

Management Plan	Expiration Date	Current Status	Affected Parties
1. State-tribal regional wildlife management plans	N/A	Pending	WDFW, multiple tribes
2. Medicine Creek Treaty Agreement re: southern boundary of ceded area	N/A	In effect	WDFW, Muckleshoot, Puyallup, Nisqually, Squaxin Island
3. Quinault hunting area agreement	6/30/2007	In effect	WDFW, Quinault
4. Makah hunting area agreement	8/31/2007	In effect	WDFW, Makah
5. Colville hunting area agreement	N/A	In effect	WDFW, Colville
6. GMU 418 interim elk agreement	4/30/2008	Pending	WDFW, Muckleshoot, Suquamish, Tulalip, Stillaguamish, Sauk Suiattle, Swinomish, Upper Skagit, Lummi, Nooksack

## WASHINGTON STATE GAMBLING COMMISSION

---

### Executive Summary

Of the 29 federally recognized Tribes in Washington State, 28 have Compacts for Class III gaming; currently, 21 of the Tribes operate 27 casinos. In 2006, the Tribes had over \$1.3 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.

### Highlights

#### Compacts and Compact Amendments

**Spokane Tribe Compact** – In February 2007, Governor Gregoire signed a compact with the Spokane Tribe that resolved about 20 years of negotiations and litigation between the Tribe, State and Federal Government. This compact strengthens the regulation of gambling in Washington and continues the approach of limiting gambling operations. The compact acknowledges and continues the Tribe's contributions and investments to the community, which benefit both Tribal and non-tribal members and continues to provide for the sharing of gaming revenue with other Tribes.

**Appendix X2** – In March 2007, the State and 27 Washington State Indian Tribes reached an agreement to amend their Tribal-State Gaming Compacts. The amendment, called Appendix X2, commits the Tribes to providing ongoing funding to reduce problem gambling and support smoking cessation and continues the Tribes' commitment to invest in the health and welfare of the community. Each Tribe increased their authorized player terminals from 675 to 975, for a statewide total of 27,300. These amendments continue to limit the number of gaming locations and facilities and strengthen regulatory specifications.

#### Tribal Certification

In February 2006, a Tribal Certification Project Manager position in Licensing Operations was created to work with the Tribes to improve Class III gaming employee certification processes. Based on input from the Tribes, forms were updated; processes were automated and improved; more information was made available on our agency's website; fees were reduced for those Tribes processing their own fingerprints; and communication and information sharing was enhanced by the use of electronic communication over traditional written correspondence.

The following are a few examples of improvements made in consultation with the Tribes: renewal applications are emailed sixty days before expiration; updated and distributed written guidelines for processing applicants with criminal history and conditional certification; reinforced internal timelines for processing applications and notifying Tribes of problems with applications; and entered into a Memorandum of Understanding with Tribes to reduced their certification fees by eliminating the duplication of fingerprint processing. In addition, our agency's administrative charges and findings are emailed to all operating Tribes to notify them of potentially unqualified individuals who may want to transfer to a tribal casino.

## **Criminal Cheating Cases**

On May 24, 2007, two Federal grand jury indictments were unsealed in Seattle charging 12 defendants of Conspiracy, Theft of Funds from Gaming Establishment on Indian Lands, and Interstate Transportation of Stolen Property. The case was a joint effort between Washington Tribal Gaming Agencies, the Washington State Gambling Commission, FBI, and other State and Federal agencies across the nation. The first indictment charges a group of players traveled from California and colluded with table game dealers to cheat at the game of mini-baccarat and steal more than \$1 million from the Emerald Queen Casino operated by the Puyallup Tribe. The cheating involves colluding players tracking and recording the order and point value of the cards. Once all cards have been played the colluding dealer would then perform a “false wash and shuffle” in which a “slug” of cards would be kept in the exact same order in which they were previously played. This allowed the colluding players to know the order and point value of the “slug” of cards when they were played a second time. The colluding player would place and win several wagers when the “slug” of cards would return to play. The second indictment charges the defendants with Conspiracy and four counts of Theft of Funds from a Gaming Establishment on Indian Lands in connection with a similar scheme to cheat at the game of mini-baccarat and steal more than \$90,000 from the Nooksack River Casino operated by the Nooksack Tribe. Several of the players in both indictments were also charged in the Southern District of California related to an alleged racketeering enterprise.

## **Updated New Agent Training**

A group of Tribal Gaming Agency Directors and our agency continue to improve training provided to new tribal and state agents. In the past two years, the number of basic training classes offered have increased from two to three per year and advanced classes in accounting and tribal lottery systems have been added. Classes are team-taught by our agency and tribal gaming agency staff. Approximately 800 attendees participated in these cooperative training classes in 2006 and 2007. The training is attended by tribal and state regulators from across the nation.

## **Quarterly Tribal Gaming Agency Director’s meetings**

Since 2003, our agency has participated in meetings with almost all the Tribal Gaming Agency Directors approximately four times a year. These meetings are designed to share information and get ideas to solve gambling regulatory problems.

## **Staff Contact**

Julie Lies, Tribal Liaison, (360) 486-3581

## **DEPARTMENT OF HEALTH**

---

*Office of the Secretary, Public Health Emergency Preparedness and Response (PHEPR)*

### **Highlights**

Washington Tribes and the Washington State Department of Health (DOH) have continued the partnership that has enhanced our capacity to protect the public's health. This shared effort is reflected in our common interests to prepare for and respond to disasters and other public health emergencies.

The federal Department of Health and Human Services and the Office of the Assistance Secretary for Preparedness and Response authorized the use of a portion of the state bio-terrorism program funds for tribal preparedness activities. Over the past three years, DOH has consulted with tribal representatives and organizations to seek their input on how to best accomplish this task. The following is an overview of the current status:

### **Number of new or existing contracts/grants**

- DOH has allocated \$660,000 and contracted with 27 out of 29 federally recognized tribes within the state regarding Public Health Emergency Preparedness and Response (PHEPR) activities.
- The Department continues its efforts at establishing relationships with tribes that have not signed contracts for preparedness activities.
- DOH has continued to work with the American Indian Health Commission (AIHC) to act as the technical advisor to the department regarding tribal PHEPR activities.

### **Planning, Training and Exercises**

- First ever high level tribal participating in a statewide emergency preparedness exercise by the Puyallup Tribe in April 2006. During the exercise, the Puyallup Tribe set up a Point of Dispensing (POD) site on the reservation in order to practice their operations for responding to an infectious disease outbreak within the area. The overall goal of a POD is to provide medications and medical supplies to affected communities in the event of an infectious disease outbreak or other public health emergency. POD plans are coordinated with local public health agencies to ensure all communities in Washington are prepared for infectious disease outbreaks and other public health emergencies. Tribes are developing POD plans in an effort to coordinate with their local health agency, in order to plan and prepare for the deployment of the Strategic National Stockpile (SNS).
- There are currently 12 tribes that enrolled onto the Washington Secure Electronic Communication and Urgent Response Exchange System (SECURES). SECURES is a web-based computer software application that is used by Washington public health departments, tribes and other public health and emergency response partners to communicate and collaborate securely and quickly about urgent public health messages. By receiving these urgent public health messages, tribes will be able to rapidly respond to events and notify their communities much more effectively.

- PHEPR funds allocated to the Makah Nation for preparedness activities enhanced the Tribe's capacity to effectively respond to the water shortage emergency experienced in 2006.
- Several tribes are active participants in the Tier-2 Healthcare Coalition development efforts, which will ensure optimal local and regional coordination efforts. The Tier-2 Healthcare Coalition goal is to strengthen the healthcare response system and improve healthcare surge capacity and capabilities in Washington state. Tribal participation in healthcare coalitions is important because tribes are part of Washington communities and protecting the public's health is paramount.

**Meetings, Summits, Conferences, etc.**

- A partnership with the Northwest Portland Area Indian Health Board (NPAIHB) and Northwest Center for Public Health Practice (NWCPHP) helped support the 3rd Annual Tribal Emergency Preparedness Conference in July 2006. Attendance at the conference totaled over one hundred. Topics covered included; risk communication, workforce mobilization, Indian health, pharmaceutical stockpile & PODs, public health laboratory coordination and disaster mental health. The next conference is scheduled for August 9-10, 2007.

**Region 1 Northwest Tribal Emergency Management Consortium (NWTEMC)**

- Eight tribes located within the Region 1 Public Health Region; Lummi, Nooksack, Samish, Sauk-Suiattle, Stillaguamish, Swinomish, Tulalip and Upper Skagit Tribes have formed the Northwest Tribal Emergency Management Council (NWTEMC).
- The Department has demonstrated a show of support for the NWTEMC and its efforts in developing a statewide outreach organization.
- DOH is working with the NWTEMC to assist tribes in addressing federal requirements and providing technical assistance.

**Staff Contact**

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



## HEALTH CARE AUTHORITY

---

### Executive Summary

The Health Care Authority (HCA) seeks to make affordable, quality health care more accessible and to decrease health disparities of American Indians and Alaska Natives through state-tribal partnerships.

### Highlights

- **SB5640**, sponsored by Senator Claudia Kauffman, expands eligibility of **Public Employee Benefits Board (PEBB)** programs to tribal governments. Chapter 114, Laws of 2007 allows tribes to apply to participate in PEBB which provides medical, dental, life, and long-term disability coverage through private health insurance plans to eligible employees as a benefit of employment. Under the new law, tribes will follow the same conditions and requirements as counties, municipalities and other political subdivisions. The law is effective January 1, 2009. Passage of the legislation is a direct result of HCA's Centennial Accord plan and working in consultation with tribes and the American Indian Health Commission (AIHC). The HCA will work in consultation tribes and the AIHC to implementation the bill over the next 18 to 24 months.
- **Community Health Care Collaborative (CHCC) Grant Program, established in 2006**, awarded Port Gamble S'Klallam Tribe \$100,000 for implementation of a two-year digital technologies project with a focus on electronic medical records and continuity of care.
- **State-Tribal-Urban Indian partnership** was convened jointly by AIHC and HCA to address the Governor Gregoire's health care initiatives and desired results relevant to tribes and AI/ANs. The workgroup focus is to coordinate with Tribes, Urban Indian Programs, and state agencies. The AIHC requested HCA continue to use the joint workgroup to solicit, make recommendations, and consult directly with tribal governments to address issues of concern regarding other health care priorities of the Governor, including emphasizing evidence-based health care; promoting prevention, healthy lifestyles, and choices; ensuring better management of chronic care; creating more transparency in the health care system; and using information technology more effectively.

### Centennial Accord Plan

The development of the HCA 2008-09 Centennial Accord Plan is set to begin in July through consultation with tribes and with technical assistance from the AIHC.

### Health Care Access Programs - Basic Health (BH) (RCW 70.47)

Basic Health is a state sponsored program that provides health care coverage through five contracted health plans to approximately 106,500 (FY 2005-07) Washington residents whose incomes are no more than 200% of the federal income guidelines (FIG).

Tribal sponsors have expressed the importance of BH to improving health care quality and access for their members. They report the ability to stretch Contract Health Services dollars by purchasing BH for eligible tribal members as one of the benefits of the program.

**Goal: Establish new tribal sponsors when enrollment permits**

Active BH Tribal Sponsors (actual enrollment in program):

- 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

**Total Tribal Sponsor Enrollees count for May of each year:**

Year	# of Enrollees
2003	402
2004	340
2005	395
2006	565
2007	605

**Community Health Services (CHS) (RCW 41.05.220)**

CHS promotes access to quality and affordable health care for the uninsured and underinsured population in Washington State. CHS funds 36 community health clinic contractors to provide access for people at/or below 200% of the FIG. HCA conducts site visits for the purpose of collaboration and to seek potential partnership opportunities with tribal and urban Indian clinics.

**Goal: Establish relationships with tribal clinics that are not current contractors**

- CHS Contractors:
- Seattle Indian Health Board, since 1985
- Port Gamble S’Klallam Tribe, since becoming the first tribal operated clinic for medical and dental in 2004
- Shoalwater Bay Tribe, since 2005 for medical and 2006 for both medical and dental
- Spokane N.A.T.I.V.E. Project, since 2005 for medical and 2006 for both medical and dental
- Stillaguamish Tribe, newest tribal contractor for dental only in 2007

*Announcements for SFY 2008 have not yet been made.*

**Number of AI/ANs served by CHS funded community clinics: 2000 2001 2002 2**

<b>PROGRAM</b>	<b>CY *2002</b>	<b>CY 2003</b>	<b>CY 2004</b>	<b>CY 2005</b>	<b>CY 2006</b>
Dental	3,734	4,268	4,097	3,990	4,351
Medical	8,475	9,917	11,469	11,187	11,649
Migrant	179	98	157	237	112
<b>TOTAL AI/AN SERVED</b>	<b>12,388</b>	<b>14,283</b>	<b>15,723</b>	<b>15,414</b>	<b>16,112</b>

\*CY—Calendar year

**Staff Contact**

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

## WASHINGTON STATE HISTORICAL SOCIETY

---

### Executive Summary

The Washington State Historical Society (WSHS) mission is to make the study of history in Washington illuminating and inspiring by presenting diverse and compelling educational opportunities including exhibits, programs, and publications that make history relevant and alive. WSHS collects and preserves materials that form the fabric of Washington's history and actively fosters the sense of identity and community by civic engagement and encouraging the heritage activities of others.

### On the Board of Trustees:

- Antone Minthorn, President, Board of Trustees, CTUIR
- Billy Frank, Jr., Chair, NWIFC
- Leonard Forsman, Chair, Suquamish Nation

### Tribal-related Projects

- **Station Camp Lewis and Clark Historic Park:** Ongoing constructive engagement between the Chinook Tribe and WSHS, Office of Archeology and Historic Preservation, Department of Transportation and State Parks and Recreation due to the discovery of human remains
- **Washington History Online:** Washington History Online directly supports educators and provides them with web-based tools for teaching history.  
Chief Leschi Curriculum Website  
Northwest Treaty Trail Curriculum Website  
Lewis and Clark in Columbia County  
US v. WA Boldt Decision
- ***In the Spirit: Northwest Native Arts Market and Festival:*** The Washington State History Museum and The Evergreen State College Longhouse Education and Cultural Center has developed a yearly Native arts market and exhibition to be held at the Washington State History Museum. ***In the Spirit: Contemporary Northwest Native Arts Exhibit*** showcases work of 32 contemporary Native American artists and the **Northwest Native Arts Market and Festival** hosts 30 Native Artists from the region.

### 2007 Grants

- Suquamish Tribe, \$2000.00: *In the Spirit: Northwest Native Arts Market and Festival*
- Puyallup Tribe, \$10,000.00: *In the Spirit: Northwest Native Arts Market and Festival*
- Muckleshoot Tribe, \$5000.00: United States v. Washington Boldt Decision; Washington Online Curriculum
- Quinault Tribe, \$2500.00: United States v. Washington Boldt Decision; Washington Online Curriculum

### Staff Contact

Melissa Parr, Tribal Liaison, (360) 753-2580

## **DEPARTMENT OF INFORMATION SERVICES**

---

### **Executive Summary**

The mission of the Washington State Department of Information Services (DIS) is to provide quality and reliable technology products and services to state agencies, local governments, tribal governments, educational institutions, and qualifying non-profit organizations. Numerous Washington tribes use DIS technology services. DIS also operates the K-20 Education Network that is used many Washington tribal education centers.

### **Highlights**

#### **Technology Services**

In 2006, tribes that use DIS technology services include: Chehalis, Colville, Cowlitz, Hoh, Lower Elwha, Muckleshoot, Nisqually, Quinault, Stillaguamish, Suquamish, Swinomish, Tulalip, Upper Skagit, Lummi, and Shoalwater Bay.

The primary services used by these tribal government customers are long-distance telephone services, Internet services, and technology brokering services. Through DIS technology brokering, tribes purchase software, desktop computers, and cellular equipment.

Tribal governments that choose to use DIS services often receive noticeable financial savings for their purchases. DIS is able to enter into master agreements that provide higher sales volumes and lower costs. Past studies show that DIS rates averaged 16 percent below comparable services.

#### **K-20 Education Network**

Multiple tribal education centers are connected to the K-20 Education Network. These connections include the Northwest Indian College (NWIC), which has a main campus connection, in addition to six branch locations:

- NWIC - Main Campus
- NWIC - Colville
- NWIC - Makah
- NWIC - Muckleshoot
- NWIC - Port Gamble
- NWIC - Swinomish
- NWIC - Tulalip

In addition, the Office of the Superintendent of Public Instruction (OSPI) sponsors the South Puget Intertribal Planning Agency (SPIPA) and its five tribal education centers:

- SPIPA - Main Location
- SPIPA - Chehalis
- SPIPA - Nisqually
- SPIPA - Shoalwater
- SPIPA - Skokomish
- SPIPA - Squaxin

The listed sites make up the 13 'tribal education centers/tribal college' locations that are listed in the biennial report.

In addition, the K-20 Education Network Board has approved the connection of some of the Bureau of Indian Affairs schools in the state and one of those sites has since connected to the network. The Chief Leschi School is on the network, though not a 'tribal location' like the others. The other schools have not yet chosen to connect. The K-20 Program Office has met with the Governor's Office of Indian Affairs back to discuss the opportunity to connect additional schools.

**Staff Contact**

Tamara Jones, Tribal Liaison, (360) 902-3557

## **DEPARTMENT OF LICENSING**

---

### *Prorate & Fuel Tax Services/Titles and Registration*

#### **Executive Summary**

The Department of Licensing facilitates fuel tax agreements between Washington State and many tribal governments. These agreements, authorized by state law, allow the state to provide refunds of tax paid on fuel deliveries to reservations and used by tribal governments, tribal members and tribal businesses. These agreements are based on a formula that estimates tribal fuel usage instead of requiring detailed point-of-sale or point-of use record keeping. Fuel for non-highway purposes that is not subject to state fuel tax is refunded to individual tribal members or businesses in the absence of a state-tribal agreement. The department also recognizes the tribal right to issue exempt license plates for tribal government vehicles and a tribe's authority to title, register, and issue license plates for vehicles owned or leased by the tribal government. Tribes and tribal members located within a local motor vehicle excise taxing district boundary are exempt the excise tax.

#### **Staff Contact**

Paul Johnson, Tribal Liaison, (360) 664-1844

## **LIQUOR CONTROL BOARD**

---

### **Executive Summary**

The Washington State Liquor Control Board (LCB) serves the public by working to prevent the misuse of alcohol and tobacco through education, enforcement and controlled distribution. The Board carries out its mission by licensing businesses to sell alcohol; selling alcohol through state-run and state-contracted liquor stores and through agreements with tribal governments for operation of tribal liquor stores; and enforcing state laws that control over-consumption of and illegal access to alcohol. The Board continues to increase its efforts to inform the public generally and youth particularly about the dangers of consuming alcohol.

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

The Board has appointed a Tribal Liaison to act as a contact point and a clearinghouse for issues of interest and concern to tribes and the Board.

### **Highlights**

#### **Use of Tribal Enrollment Cards for Age Verification When Purchasing Alcohol or Tobacco**

- 2005 state legislation authorizes state recognition of Tribal Enrollment Cards for purposes of proving the holders age when purchasing alcohol and tobacco. Six tribes have notified the LCB of their intent to use their enrollment card for this purpose. The LCB provides notice to liquor licensees to familiarize them with these cards. Examples of each card are available on the LCB internet website.

#### **Tribal Liquor Store Contract Agreements**

- LCB has agreements with eight tribes for the operation of liquor stores on tribal reservations. These agreements cover the sale of liquor, primarily spirits, by the bottle.

#### **Sale of Alcohol by Businesses on Tribal Reservations.**

- The LCB works with individual tribes and tribal members to license establishments in Indian country to sell spirits, beer, and wine at restaurants and grocery stores. Additional licensed establishments were added between 2005 and 2007.

#### **Improving Tribal/Non-Tribal Relationships**

- The agency conducted training sessions for staff on developing government-to-government relations.
- The agency began development of agency/tribal protocols for enforcement activity.

#### **Cigarette Agreements**

- LCB works with the Department of Revenue to monitor and implement State/Tribal Tobacco Cigarette Agreements.

#### **Staff Contact**

Pam Madson, Tribal Liaison, (360) 664-1648



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

---

### **Executive Summary**

The goal of the Office of Minority and Women's Business Enterprises (OMWBE) is to improve the contributions of certified minority and 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 State Minority Businesses (MBE) and U. S. Department of Transportation Disadvantaged Business Enterprise Program (DBE). OMWBE's business development services build capacity and help certified firms qualify and compete for, obtain, and perform on public and private sector contracts. Certified MBE firms are eligible to enroll their business loans in the Linked Deposit Program and receive a 2% interest rate reduction.

In an effort to increase the number of Native American-owned businesses that participate in the State's programs for certified firms (Chapter 39.19 RCW), The Office of Minority and Women's Business Enterprises (OMWBE) partners with the Washington State Department of Transportation and Tribal Employment Rights Offices in Washington to provide training and technical assistance to Washington's Native American businesses. During FY 2005, OMWBE staff provided program information and technical assistance to 152 persons in five Native American communities in Washington.

During FY2005, there were 162 Native American-owned small businesses certified with the Office of Minority and Women's. Of these, only 17 or 10 1/2 % the certified firms did business with the State.

### **Staff Contact**

Cathy Canorro, Tribal Liaison, (360) 704-1187

Additional Information: [www.omwbe.wa.gov](http://www.omwbe.wa.gov) or 1-866-208-1064

## MILITARY DEPARTMENT

---

### *Emergency Management Division*

#### **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 recover from emergencies and disasters.
- 24-hour Alert and Warning/State Emergency Operations Center (EOC)
- Comprehensive emergency management planning, exercise, education, and training
- Classes, staff assistance visits, meetings and workshops for use by leaders, em professionals, the public, and businesses in the area of disaster preparedness
- Federal and state grant programs to aid communities in preparing for, or recovering from, emergencies caused by natural or human caused hazards

#### **Highlights**

- **EMD** coordinated the placement of a desalinization plant at the Makah reservation to supplement their water needs when the reservoir was drying up and the rains were late.
- The **Tsunami/Earthquake Program** secured federal and state funds to place All Hazards Alert Broadcasting Radios in tribal communities along the coast.
- The **State Hazard Mitigation Grant Program** has received letters of intent to apply for funding for mitigation projects from several tribes within the state.
- The **Public Assistance Grant Program**, which reimburses jurisdictions for repair and restoration costs to public infrastructure facilities including roads, bridges, and public utility systems, has had numerous contacts with tribal governments. EMD staff has worked on briefings, consultations, and project formulation to enable tribes to access funding for projects.
- The **Emergency Management Performance Grant Program** and the **Emergency Management Preparedness Assistance Grant** provided funding for improvement of emergency preparedness to 8 tribes within the state.
- The **Hazmat/SERC Program** hosted twelve tribes, along with several local jurisdictions at the Tribal Emergency Response Commission (TERC) Conference in May. Funding from the Program also supports training and projects for local jurisdictions around the state to include tribal governments.
- The **Training and Exercise Program** in EMD provided tribes with various classes and exercises over the past year, enabling attendees to gain credit for Incident Command training, Exercise Design, and Leadership during emergency response.

#### **Staff Contact**

Maillian Uphaus, Programs Section Manager, (253) 512-7062

## **DEPARTMENT OF NATURAL RESOURCES**

---

### **Our Mission**

To provide professional, forward-looking stewardship of our state lands, natural resources, and environment. To provide leadership in creating a sustainable future for the Trusts and all citizens.

### **Our Vision**

At DNR, we envision a future in which our human and natural environment provides abundant and diverse social, ecological, and economic benefits for all the people of Washington, in this and all future generations. In acting to ensure this vision, we achieve sustainability.

### **Executive Summary**

Every day, all across Washington State, the Department of Natural Resources (DNR) serves the state's citizens by managing a variety of lands and protecting natural resources in a variety of ways.

The more than 5 million acres that DNR manages for the state include forest, range, commercial, agricultural and aquatic lands. Since 1970, DNR-managed lands have generated \$6.0 billion. Most of these are "trust lands" that support public schools, state institutions or county services. These lands provide many other public benefits, too: fish and wildlife habitat, clean and abundant water, and public access for outdoor recreation.

DNR also manages Natural Resources Conservation Areas and Natural Area Preserves that protect unique and threatened native ecosystems, and which offer educational and research opportunities. Some of these Natural Areas also are open to hikers.

DNR fights wildfires and supports the state Forest Practices Board in protecting public resources on 12.7 million acres of private and state-owned forestland. DNR regulates surface mine reclamation, too, and provides technical assistance for forestry and mining. DNR also provides information about geologic hazards and rare native plant species and ecosystems, and helps local communities with grants for fire prevention and urban forestry.

DNR is administered by the Commissioner of Public Lands, a state-wide elected official. Doug Sutherland is Washington's twelfth Commissioner of Public Lands since statehood in 1889.

### **Staff Contact**

Rodney Cawston, Tribal Liaison, (360) 902-1012 or [rodney.cawston@dnr.wa.gov](mailto:rodney.cawston@dnr.wa.gov)

## **STATE PARKS AND RECREATION COMMISSION**

---

### **Executive Summary**

The Washington Parks & Recreation Commission acquires, operates, enhances, and protects a diverse system of recreational, cultural, historical and natural sites. The Commission manages a state park system of more than 120 parks and several recreation programs, including trails, boating safety, cross-country skiing and snowmobiling.

The 94-year old park system will celebrate its 100th anniversary in 2013. Details can be found in the agency's Centennial 2013 Plan, available in hard copy or on line at [www: parks.wa.gov](http://www.parks.wa.gov)

### **Highlights**

#### **Potlatch State Park / Skokomish Tribe Land Exchange**

In January 2007 a land exchange took place which will improve Potlatch State Park's camping areas and provide the Skokomish with an easement for access to a proposed tribal residential development. State Parks conveyed 30 acres of undeveloped park land to the Tribe, including the lands required to re-construct the existing service road. As its part of the exchange, the Skokomish funded the acquisition of the Minerva Beach RV Resort (70 RV hook ups), which, after Minerva Beach Homeowner Association approval, was transferred to State Parks as a future camping area. The three-party exchange has been successfully completed to the satisfaction of all participants.

#### **Cama Beach State Park (Camano Island).**

After more than three years of government-to-government consultation with the Tulalip, Samish, Swinomish and Upper Skagit, and after complying with the archeology permit required by the Department of Archeology and Historical Preservation, State Parks was able to proceed with developing the donated fishing camp at Cama Beach State Park. Construction of a smaller, more respectful park "footprint" is underway, and there are still plans for interpreting of Native American culture at the site. A park opening is expected for day use only in May 2008.

#### **Station Camp National Historic Park (Chinook / Ilwaco)**

State Parks is participating with the WA Historical Society, the WA Department of Transportation, the Department of Archeology and Historical Preservation, the National Park Service and the Governor's Office on Indian Affairs to construct a park commemorating one of the last pieces of the Lewis and Clark legacy—Station Camp in Southwest Washington, a 320-acre parcel located at the mouth of the Columbia River. Because of "inadvertent discoveries," the multi-agency group has proceeded in close consultation with the Chinook Tribal Council. Accommodations include re-alignment of the highway to respect burial sites and provision, by State Parks, of a ceremonial repository for Chinook ancestry at Fort Columbia State Park.

### **Staff Contact**

Fred Romero, State Parks Governmental Relations, (360) 902-8504

## GOVERNOR'S OFFICE OF REGULATORY ASSISTANCE

---

### Executive Summary

ORA, working closely with tribes, the Northwest Indian Fisheries Commission (NWIFC), the Washington State Department of Transportation (WSDOT) and other agencies, has reached to tribes and tribal organizations throughout the state to identify best practice action items that could be readily implemented assuming interest by state and tribal leaders. In March 2006 the Transportation Permit Efficiency and Accountability Committee (TPEAC) formally ended its work. At its conclusion, TPEAC strongly encouraged ORA to continue to define, advance, and model best practices for government-to-government relations around project planning and project permitting. See [www.ora.wa.gov/spotlight-series/TPEAC/next\\_steps/tribal.htm](http://www.ora.wa.gov/spotlight-series/TPEAC/next_steps/tribal.htm)).

### Highlights

ORA held a number of meetings with tribes and tribal organizations in 2007 to discuss issues consistently heard from tribes, brainstorm potential solutions, and identify consultation relationships and best practices (models) that work. Tribal participants have included council members, planners, natural resources directors and personnel, cultural specialists, environmental specialists, and interested tribal members. Outreach table below outlines meetings and visits held to date.

The following have been identified as potential next steps that could offer tangible improvements around project planning and permitting and should be explored.

1. Improve guidance on consulting with tribes for project proponents. Develop better overview/descriptions in ORA Permit Handbook on how, when, and by which thresholds/triggers to consult with tribes on natural and cultural resources. ORA Permit Handbook is a primary reference for consultants, agencies, public, and those on the front-lines. Good clear descriptions will raise awareness of tribal connections and consultation processes. See <http://apps.ecy.wa.gov/permithandbook/>.
2. Increase scrutiny of possible project impacts to tribal resources by improving the use of the SEPA checklist. Develop educational examples/modules on how to fill out SEPA checklist (especially question #13) with regard to identification of culturally important landmarks or evidence (both historically culturally important, as well as currently culturally important). See <http://www.ecy.wa.gov/pubs/ecy05045.pdf>.
3. Develop stand-alone Educational Primer on working with and involving tribes. Primer would discuss and describe treaty rights, outline and describe consultation preferences, and showcase and advertise best practices (e.g., WSDOT consultation on NEPA projects document). Primer would be followed by extensive training to agencies and applicants. Consider working with The Evergreen State College in development of some or all of the primer (e.g., through either the Northwest Indian Applied Research Institute <http://www.evergreen.edu/nwindian/> or the MPA tribal Governance program <http://www.evergreen.edu/mpa/tribehome.htm>).
4. Promote habitat restoration by creating Programmatic, Streamlined Permitting Processes for priority habitat restoration and enhancement projects (e.g., those key to achieving Puget Sound clean-up, restoration, and enhancement priorities).
5. Explore increasing tribal capacity for project reviews by developing Reimbursement and Funding Approaches to bolster tribal capacity to participate in project review. The cost-

reimbursement funding approach used by Ecology, WDFW, WDOH, and WDNR to charge applicants for agency review and decision-making serves as a model for consideration and evaluation. See for example Ecology's authority at <http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21A.690>.

### Outreach To Date

Core Work Team	Individual Tribes	Tribal Organizations
<ul style="list-style-type: none"> <li>• Bob Kelly, Nooksack</li> <li>• Carrie Berry, WSDOT</li> <li>• Colleen Jollie, WSDOT</li> <li>• Craig Bill, GOIA</li> <li>• Darrell Phare, NWIFC</li> <li>• Dave Herrera, Skokomish</li> <li>• David Troutt, Nisqually</li> <li>• Ed Johnstone, Quinault</li> <li>• Faith Lumsden, ORA</li> <li>• Fran Wilshusen, NWIFC</li> <li>• George Lee, Yakama</li> <li>• Hank Gobin, Tulalip</li> <li>• Jeffery Thomas, Puyallup</li> <li>• Margaret McKeown, DFW</li> <li>• Megan Beeby, WSDOT</li> <li>• Pat Chapman, DFW</li> <li>• Phillip Narte, WSFS</li> <li>• Rodney Cawston, DNR</li> <li>• Scott Boettcher, Ecology/ORA</li> <li>• Shawn Yanity, Stillaguamish</li> <li>• Tom Laurie, Ecology</li> </ul>	<ul style="list-style-type: none"> <li>• Tulalip (4/09/07)</li> <li>• Yakama (4/16/07)</li> <li>• Lummi (4/19/07)</li> <li>• Quinault (4/26/07)</li> <li>• Jamestown S'Klallam (5/21/07)</li> <li>• Cowlitz (6/04/07)</li> <li>• Swinomish (6/06/07)</li> <li>• Shoalwater Bay (6/13/07)</li> </ul>	<ul style="list-style-type: none"> <li>• NWIFC, EPC (9/12/06)</li> <li>• NWIFC, EPC (2/06/07)</li> <li>• E/TEC (5/11/07)</li> <li>• UCUT (6/11/07)</li> </ul>

### Staff Contacts

Scott Boettcher, ORA: Washington Department of Ecology, (360) 407-7564  
[scott.boettcher@gov.wa.gov](mailto:scott.boettcher@gov.wa.gov)

Darrell Phare, TPEAC Liaison: Northwest Indian Fisheries Commission, (360) 407-7564,  
[dphare@nwifc.org](mailto:dphare@nwifc.org)

## DEPARTMENT OF REVENUE

---

### Commitment to Centennial Accord Principles

The sovereign status of Tribes and the complex nature of jurisdictional issues regarding Indian Reservations, Tribal and member trust land, and Tribal land in general, require a sound working relationship between Tribes and the state. The Department acknowledges that implementation of the Centennial Accord is an on-going process and pledges to work on a day-to-day basis to foster our government-to-government relationship with individual Tribes. The Director has designated the Deputy Director to act as Tribal Liaison. The Liaison works closely with a team from across the agency to resolve issues with Tribes and taxpayers, to proactively develop educational and outreach material, and to provide internal training to Department staff on the importance of consulting with Tribes on reoccurring and emerging issues. The Department believes there is much to be gained by widely sharing information about Tribal sovereignty and the state's relationships with Tribes, and is committed to providing increased outreach and education to the public and to policy makers.

### Highlights

#### Presentations

- “Exercising the Government to Government Relationship” at the Federal Bar Indian Law Conference, Albuquerque, New Mexico
- “Administrative Approaches to Tax Disputes” at the National Intertribal Tax Alliance Annual Conference, St. Paul, Minnesota
- “Taxation in Indian Country” at the Washington State Association of County Officials Annual Conference, Spokane, Washington

**Tribal Tax Workgroup** – Assisted in the development of materials and presentations; participants included tribal officials, tribal staff, state legislators, and representatives of local government.

**Staff Training** – Provided internal trainings on Rule 192 (administrative rule implementing Indian related excise tax exemptions) to Department field office staff. Next step: Provide online training for new employees.

**Treaty Fishery** – Initiated educational effort with respect to taxation and the exercise of treaty fishery rights, including presentations and meetings with tribal officials and staff, presentation at NWIFC; provided letter rulings and consultations on fishery related tax issues, and processed numerous refunds. Next step: Develop additional web-based training.

**Quinault Nation Forest Excise Tax Legislation** – Worked closely with the Quinault Nation in the development of a successful legislative proposal for a tax agreement on forest excise tax, as well as provided information to legislators during the legislative session. Implementation of the legislation is underway.

**Cigarette Compact Legislation** – Department request legislation enacted adding the Spokane Tribe and the Hoh Tribe to the cigarette compact statutes.

**Cigarette Compact Administration** – Continued the practice of making in-person annual visits to compact tribes, assessing the status of the compacts, discussing audit and enforcement issues, and sharing tax administration information.

**Cigarette Licensing Memorandum of Agreements** – Developed memorandums of agreement to be used as regulatory equivalents in place of certain licenses, without requiring submission to state jurisdiction.

**Property Tax Exemption Process** – Staff engaged in outreach to Tribes regarding the availability of the property tax exemption for fee land, emphasizing those Tribes who appeared to be underutilizing the exemption. Next step: Provide an annual notice to Tribes on a regular basis.

**Property Tax Court Case Implementation** – Published a property tax advisory (PTA 14.0.2006) regarding the 9th Circuit decision in *Quinault Indian Nation v. Grays Harbor County*, 310 F.3rd 645 (2002). The 9th circuit ruled in favor of the Quinault Nation and the PTA discussed the application of the result to similar taxes. The property tax advisory provides certainty and reduces disputes.

**Property Tax Legislation** – Provided education and assistance for the Muckleshoot Tribe and Chehalis Tribe on a legislative proposal to provide parity for the taxation of government land.

**Tribe and Tribal Member Tax Registration** – Assisted and provided troubleshooting for situations where a tax registration number is required to do business, although the Indian person or Tribe is not subject to state regulation. For example, purchases for resale cannot be made without a resale certificate, which in turn requires a registration number. Taxpayer Account and Administration Division staff provide special assistance in creating these accounts when needed.

**Economic Development Outreach** – Department initiated contact with various Tribes to discuss tax treatment of complex projects, such as the Great Wolf Resort project of the Chehalis Tribe.

**Local Government Issues** – Worked with the Association of Washington Cities on a small project to facilitate resolution of an ongoing tax dispute between a city and tribal members. Next step: Contact similar cities.

**Forms** – Based on input from tribal members revised the motor vehicle sales tax exemption form. Next step: Review remainder of the forms and materials for “plain talk” standards as well as to assure the forms reflect current law.

### **Staff Contact**

Leslie Cushman, Tribal Liaison, (360) 753-4196



## **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 in a government to government way. We also work in close collaboration with the Recognized American Indian Organizations.

### **Highlights**

The Department of Social and Health Services, continues to support the Indian Policy Advisory Committee. They meet on a quarterly basis, and due to the issues across DSHS also have many meetings occurring monthly. It is through these meetings and the regional 7.01 meetings that the Tribes and DSHS work to improve the quality of life for our citizens. With the common interests and concerns we share IPAC is a forum that provides DSHS with the informed decision making ability to serve. Each of the Assistant Secretary's are scheduled to present to IPAC. My Deputy Blake Chard attends each meeting. I find this level of participation to be a must in order to continue to identify issues, determine solutions and move forward. Listed are some of the accomplishments of the office of the Secretary. Each of the Administrations have also identified their accomplishments since we met in June of 2006.

- Implementation of the Consultation and Communications protocols
- Meet with the Indian Policy Advisory Committee, Executive Committee to identify budget priorities.
- Inclusion of four identified top budget needs for the 2007-2009 Biennium
- Administrative Policy 7.01 updated
- Contract Consolidation with Six Tribes

### **Staff Contact**

Robin Arnold-Williams, Secretary

## **DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

---

### *Aging & Disability Services*

#### **Executive Summary**

Aging and Disabilities Services through Home and Community Services, Residential Care Services and the State Unit on Aging continues to work with the Tribes throughout Washington to promote and provide quality services to Tribal Elders. A variety of programs and services are available to Tribal Elders to assist in meeting their individual care needs. In addition, 13 Area Agencies on Aging provide senior information and assistance to the Tribes as well as case management to tribal members utilizing homecare services. Developing strong working relationships between the Tribes and the field staff continues to be a primary goal.

#### **Highlights**

- Communication Protocol implemented.
- Estate Recovery Fact Sheet updated to include Tribal property exemption
- Adult Protective Service trainings conducted for Tribal social services and law enforcement staff
- Participation in Tribal Health Fairs to promote homecare and other services available to Elders
- Participation in annual Tribal Elder's Conferences
- Recruitment of Tribal members to work in Home and Community Services offices
- Recruitment of Tribal members to work in Area Agencies on Aging
- Meetings with Tribal officials to discuss the provision of services to Elders occurred in all 6 regions
- Work with area hospital discharge planners to help identify service needs of hospitalized Tribal Elders
- Work with nursing home staff on notification to the Tribe when a member is admitted to the facility
- Training provided to Tribal members interested in opening an Adult Family Home
- Continued outreach and education in Kinship Care and Grandparents Raising Grandchildren

#### **Staff Contact**

Kathy Leitch, Assistant Secretary

## **DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

---

### *Economic Services Administration*

#### **Executive Summary**

Economic Services Administration administers cash, food and medical assistance programs through a network of Community Service Offices (CSO's) and Customer Service Centers (CSC's). Our mission is to provide the resources and support that help people build better lives. To achieve this mission we are committed to: 1) building and nurturing a strong partnership with tribes and tribal families to reduce poverty and hunger, improve the lives of those who turn to us for help and 2) provide culturally appropriate services to tribal members so together we can build stronger, healthier families and communities across Washington State.

#### **Highlights**

- There are currently nine tribal TANF programs in Washington, one of which is a consortium of three tribes. During 2007, the Nooksack Tribe expanded its program to include Skagit County.
- ESA completed negotiation with the Upper Skagit Tribe and the Lummi Indian Nation to begin operating tribal TANF programs on July 1, 2007.
- ESA successfully renewed tribal TANF contracts with the Quinault and Quileute tribes.
- ESA in partnership with the tribes will soon be conducting a tribal eligibility pilot. This pilot will allow tribal staff versus state agency staff to determine eligibility for food assistance and limited medical benefits. The Port Gamble S'Klallam tribe has been selected as the pilot tribe.
- ESA continued efforts to share client information with the tribes using our automated systems:
  - Currently there are eight tribal TANF programs that can access our Automated Client Eligibility Systems (ACES).
  - The Division of Child Support and the Confederated Tribes of the Colville Reservation will pilot in June the use of Support Enforcement Management System (SEMS).
  - Small Tribes of Western Washington, an Indian organization, will begin using the Benefit Verification System.
- ESA successfully negotiated child support agreements with the Shoalwater Bay, Upper Skagit and Quileute tribes. These agreements address both the establishment and enforcement of child support with the Upper Skagit and Quileute tribes focusing only on tribal TANF clients.

#### **Staff Contact**

Deb Marley, Assistant Secretary

## **DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

---

### *Children's Administration*

#### **Executive Summary**

Children's Administration's primary Indian Child Welfare goals have been to recognize a Government to Government relationship between the State and Indian Tribes/Nations through the maintenance and support of the:

- Indian Child Welfare Act
- Washington State Centennial Accord
- Washington State Tribal State Agreement
- Washington State Local Tribal State Agreements
- DSHS Administrative Policy 7.01

#### **Highlights**

- 2007 legislative biennium budget increase of \$1,782,000 for Indian Child Welfare (ICW) contracts
- Working draft of an ICW Local Tribal Agreement template
- Formal ICW Tribal Consultation on Tribal ICW allocations, distribution methodologies and Local Tribal Agreements
- Completed an agency wide Contracts Review including all Headquarters, Regional, and Local Tribal Contracts
- Local Indian Child Welfare Advisory Committee state-wide training in response to priority set forth at the 2006 Indian Child Welfare Summit
- ICW case review training and pilot to be conducted June-August of 2007 and annually thereafter
- Monthly ICW Tribal/State meetings addressing the ICW Manual revisions, forms revision, updating policies on active efforts, Tribal/Nations notification processes, 24 hour response time and it's ICW implications, identification of Indian Children, Local Indian Child Welfare Advisory Committee ( LICWAC) roles, responsibilities, and training needs, outreach and training needs for Court Appointed Special Advocates (CASA's), and Guardian Ad Litem (GAL's) as it relates to ICW, reorganization efforts of CA through the development and implementation of the Practice Model, and other related issues.

#### **Staff Contact**

Cheryl Stephani, Assistant Secretary

## **DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

---

### *Health and Recovery Services Administration*

#### **Executive Summary**

A goal of HRSA is to partner more closely with tribes in order to assist them in addressing the Health disparities in Indian Country. The first step has been to create increased participation and access with all HRSA programs. Through different divisions of HRSA there are multiple activities occurring with the tribes. 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**

##### **Mental Health Division**

- Roundtable on Children's Long Term Inpatient and Residential Services [CLIP].
- Meeting of Eastern Washington Tribes and RSNs
- Tribal Roundtable on the System Transformation Initiative [STI].
- Resumed Monthly Tribal Mental Health Workgroup to address policy and service issues.
- STI Tribal Focus Groups; 17th at Puyallup , 18th at Spokane
- First statewide meeting of Tribes and RSNs,.
- 100% increase of Federal Block Grant allocation to Tribes to \$80,000 for FY 2007.

##### **Medical Assistance**

- Finalized Tribal Billing Instructions and provided tribal billing trainings.
- Tribal Medicaid Administrative Match Trainings held at various tribal site across WA
- Consultation held on the Title XXI Federal (HIFA) waiver.
- NPI/Provider One tribal roundtable and 4 tribal trainings conducted
- Roundtable and Brainstorming Session on Health Disparities
- Received CMS/Approval to pilot a Tribal Eligibility Determination pilot
- Primary Care Case Management Consultation

##### **Drug, Alcohol & Substance Abuse**

- Initiative with Cowlitz Tribe for housing a Chemical Dependency Professional
- Tribal Prevention Workgroups
- Tribal Gathering Conference held for Tribal Chemical dependency providers and programs

##### **Staff Contact**

Doug Porter, Assistant Secretary

## **DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

---

### *Juvenile Rehabilitation Administration*

#### **Executive Summary**

The Juvenile Rehabilitation Administration wants to continue working with the Tribes of Washington to examine how Tribes may gain access to JRA programs and grant opportunities through Intergovernmental Agreements. Currently 17 Tribes contract with JRA to provide culturally relevant services to youth involved in Tribal or county juvenile court systems and one Tribe has an Intergovernmental Agreement that allows access to juvenile facilities for Tribal youth.

#### **Highlights**

- JRA and Tribal Agreements
- A meeting to expand the Intergovernmental Agreements between JRA and interested Tribes, which will allow the Tribes to access state juvenile facilities.
- Currently there is an Intergovernmental Agreement between JRA and the Colville Confederated Tribes. The Agreement has not been utilized to date.
- JRA Symposium: Reducing Disproportionate Minority Contact through Community Mobilization.
- Held September, 2006 in Tacoma and May, 2007 in Spokane.
- Purpose to bring together community stakeholders and/or Tribal members to develop a comprehensive plan for service delivery and intervention to prevent disproportionate contact and confinement of youth by the justice system.
- JRA wants to invest in communities throughout Washington to reduce disproportionate minority contact by awarding two grants of \$50,000 each for community mobilization initiatives.

#### **Staff Contact**

John Clayton, Acting Assistant Secretary

## OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION

---

### Executive Summary

In collaboration with educators, students, families, local communities, business, 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.

### OSPI Goals

- Goal 1:** Each of Washington's diverse students demonstrates high levels of achievement in the four state learning goals and graduates from high school ready to implement a positive plan for his or her future.
- Goal 2:** Highly skilled, diverse educators support the academic success of every student.
- Goal 3:** All schools, in partnership with students, families, and communities, provide safe, civil, healthy, and engaging environments for learning.
- Goal 4:** Sufficient state resources are provided for every student to succeed through an efficient, equitable, and responsive K-12 funding system that promotes innovation and rewards results.
- Goal 5:** OSPI supports effective schools and student achievement through focused policies, sound management, and excellent service to the education community.

### Four State Learning Goals

- Goal 1:** Read with comprehension, write with skill, and communicate effectively and responsibly in a variety of ways and settings;
- Goal 2:** Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; civics and history; geography; arts; and health and fitness;
- Goal 3:** Think analytically, logically, and creatively, and to integrate experience and knowledge to form reasoned judgments and solve problems; and
- Goal 4:** Understand the importance of work and how performance, effort, and decisions directly affect future career and educational opportunities.

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, 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, 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

- **Northwest Native Youth Leadership Summit:** In cooperation with the Governor's Office of Indian Affairs and Gonzaga University, OSPI conducted its 3rd annual Native Youth Leadership Summit in August, 2006 with a focus on implementing the objectives of House Bill 1495, the Tribal History and Culture Bill.
- **Early Native Literacy Training Workshops:** In collaboration with the Washington State Library, OSPI facilitated the development and implementation of seven literacy training sessions throughout Washington State for persons involved with Native children from birth to 5 years old with the goal of assuring all Native students are prepared for successful entrance into kindergarten.
- **2008 National Indian Education Association Convention:** In collaboration with many Indian groups, organizations, institutions, and individuals, OSPI assisted in submitting a bid to NIEA to conduct its 2008 annual convention in Seattle and NIEA's acceptance of that bid.
- **Indian Education Institutes/Conferences:** The OSPI/IEO supported and co-sponsored the Western Washington Native American Education Consortium's annual teacher institute and the Washington State Indian Education Association's annual conference.
- **Curriculum Based Measures and Culturally Based Education:** In collaboration with Western Washington University, Educational Testing Service, Northwest Regional Comprehensive Center, and Arizona State University, the OSPI/IEO is conducting a pilot research project with five language immersion schools, one tribal school, and one public school (Tulalip Elementary School). Our hypothesis is that culturally based education helps increase academic achievement of Native American/Alaska Native and Native Hawaiian students.

## Staff Contacts

Denny S. Hurtado, Indian Education Program Supervisor, (360) 725-6160,  
[denny.hurtado@k12.wa.us](mailto:denny.hurtado@k12.wa.us)

Joan Banker, APS, Indian Education Office, (360) 725-6160, [joan.banker@k12.wa.us](mailto:joan.banker@k12.wa.us)



## WASHINGTON TRAFFIC SAFETY COMMISSION

---

### Executive Summary

The Washington Traffic Safety Commission (WTSC) Centennial Accord mission is to work proactively with tribal governments statewide to reduce deaths and injuries of Native Americans resulting from traffic crashes. Native Americans in Washington are dying at a rate 2.4 times higher than that of all other racial groups combined. The primary cause of these deaths is impaired driving and speeding. These statistics become even worse if you look at them nationally. Research indicates the death rate for Native Americans nationally can be as high as 3.5 to 5.0 times higher when compared to non-tribal members depending on the region of the country. To further complicate this trend, researchers and traffic safety experts agree that crash data on tribal lands is under reported, thus making these death rates even worse. The most important aspect of this analysis is that the majority those who are dying are the tribe's younger generation, a trend that is jeopardizing the future of tribal culture.

### Highlights

Create an Advisory Board to assist both the tribes and the Washington Traffic Safety Commission when planning and funding effective traffic safety initiatives focused on reducing traffic related deaths of Native Americans in Washington. Members selected:

- Craig Bill - GOIA, Colleen Jollie - WSDOT, Charlene Nelson - Shoalwater Bay, Chief Tom Schlicker- Swinomish Tribal Police/NATEO, Cmdr. Mike Kessler - Colville Tribal Police, a representative from the Attorney Generals Office, Lowell Porter - WSTC, Lynn Drake - WTSC.

Effectively invest financial resources in proven strategies and counter measures on tribal lands that will save lives and prevent injuries.

- Established a Traffic Safety Task Force, Colville Reservation - \$52,000. Start Up Equipment/ Supplies. This program began October 2006, and will be funded through September of 2008. The Colville Tribe has agreed to support of this program after 2008.
- Elementary School Projects: \$115,000  
Involved the installation of flashing lights marking elementary school zones Colville - Keller, Tulalip, Skokomish, Colville.
- Worked with WSDOT on the Safe Routes to School grants- Colville 2008 recipient.
- Over time funding for DUI enforcement and nighttime seat belt enforcement - \$6,700.
- Coordinated a Lummi Tribal Enforcement Officer to attend Drug Recognition training.
- Commercial Vehicle Officer trained - Colville Tribal Law Enforcement.

Assist in the planning and facilitating Tribal Traffic Safety/Transportation Summits each year to address behavioral and engineering traffic safety issues on tribal lands.

- The second Tribal Traffic Safety Summit to be held September 12 – 13, 2007. Estimated attendance 60 tribal representatives - \$20,000

- Supported the WSDOT Tribal Transportation Conference, October 2006, \$5000. Estimated 175 attendees.

Provide a block grant to the Northwest Association of Tribal Enforcement Officers for law enforcement traffic safety training, equipment and enforcement initiatives.

- Block Grant: \$50,000. Equipment distributed May 2007. Program outcome data due by September 2007.
- \$42,537.29 ~ Equipment costs
 

Radar Units - 10	Child passenger safety seats – 92
Laser Radar - 1	In Car Video System- 1
Pre-breath Test Units- 24	Stop sticks – 12 sets

Work to improve the collection of crash data on tribal lands.

- This initiative is an on going effort. In previous years WTSC funded the purchase of computer software for the Skokomish Tribe (2004) to support increased records keeping. The WTSC will continue to work through the Traffic Records Committee process to improve the collection of crash data on tribal lands.

Develop performance measures that will evaluate the progress of this initiative and create an accountability link directly to Governor Gregoire through the GMAP process.

- Continue to implement proven strategies and best practices with a goal of developing performance measures for the initiatives and activities outlined above.

#### Additional Action Items

- WTSC working with BIA to promote a national Native American public service announcement in Washington on impaired driving and its affects on families and tribal communities.
- WTSC Tribal Traffic Safety initiatives presented as best practices at the BIA Traffic Safety Summit in Albuquerque, New Mexico
- Appointing a Tribal Advisory Board representative to the 2007 WTSC Grant evaluation committee.

#### **Staff Contact**

Craig Bill, (360) 902-8826

## **DEPARTMENT OF TRANSPORTATION**

---

Consultation and cooperation between WSDOT and the Tribes has grown exponentially in the past six years under the leadership of Secretary MacDonald. As he has visited many reservations to gain a personal understanding of transportation conditions and to establish relationships with Tribal leaders it is fitting to review the past six years on the eve of his retirement. His first order of business was to appoint a Tribal Liaison and to elevate that position to the Government Relations Office. He issued the WSDOT Tribal Consultation Policy, E. O. 1025, and a comprehensive Centennial Accord Plan that was developed in consultation with the Tribes.

A Tribal Relations Training Program, in partnership with the Governor's Office of Indian Affairs, has trained over 750 WSDOT employees. It is still going strong and serves 150 annual participants. Each year the Tribal/State Transportation Conference brings approximately 200 participants together to build strong working relationships in areas such as Transportation Planning, Tribal Employment Rights, Cultural and Natural Resources preservation and protection, and, transportation project delivery for both State and Tribal transportation programs. Through this venue, the Tribal Transportation Planning Organization was formed, and the TERO Team, both of which bring Tribal, State and Federal transportation professionals together regularly to work together for mutual benefits throughout the year.

In the midst of all this change, an extraordinary archaeological site, the ancient Klallam village of Tse Whit Zen was discovered during construction of the Graving Dock Project in Port Angeles. The magnitude and degree of difficulty of this work was unprecedented and was a major focus of the 2003 Centennial Accord meeting. At the Tribe's request, the Graving Dock Project was moved to another site and final disposition of the Tribe's burial ground has been settled. The Tribe's ancestors will again be laid to rest and the Lower Elwha Klallam Tribe, (LEKT), will take ownership of the site this summer. The Hood Canal Bridge pontoons and anchors are being built elsewhere. Any effort to gauge the impact of this project on WSDOT, the LEKT and on the Tribes of Washington State would be an understatement. A full report is available at the following web-link: <http://www.wsdot.wa.gov/accountability/hcbgravingdock/default.htm>.

The Tribal/State Transportation Conference is moving to a biennial schedule to allow more focused interaction locally in the WSDOT regions. Regional Tribal Liaisons have been brought on to help the agency work with particular Tribes, on more specific issues, between conferences. There have also been Tribal Liaisons added to the staff of the Environmental Services Office and the Washington State Ferries Office.

The Environmental Services Office Tribal Liaison, Megan Beeby, compiled a NEPA Tribal Consultation Model. Ms. Beeby took her direction from 27 of the 29 Tribes in the state and formulated a first-of-its-kind guidebook that is informing project managers on "how-to" work with the Tribes in their areas. It is fast becoming a model for other agencies and other States. A draft copy is being distributed at the Centennial Accord Meeting for Tribal leaders and agency directors. This document is also informing the next generation of localized Centennial Accord Plans as we apply it to our Regions and our mega-projects in developing tribal consultation plans, Memoranda of Understandings and other forms of agreements as WSDOT launches a very ambitious transportation project schedule.

The Cultural Resources Office revised the National Historic Preservation Act - Section 106 - Programmatic Agreement among the Federal Highway Administration, WSDOT, the State Historic

Preservation Officer, and the American Council for Historic Preservation. With this Agreement, FHWA delegates authority to conduct consultation to WSDOT on historic preservation issues. FHWA retains ultimate responsibility, but the activities are conducted by WSDOT. Several meetings with Tribes were held across the state, and hard copies were sent to every Tribal office to gain input and comment in the development of this Programmatic Agreement. In this same area of historic preservation and cultural resources, WSDOT has developed Programmatic Agreements with Tribes that have a Tribal Historic Preservation Officer. It has been an activity that has taken several years and is on the cusp of completion. Once these are finished, they will provide models for use by Tribes that do not have THPO's but who want to enter into Programmatic Agreements with WSDOT to preserve and protect Tribal Cultural Resources.

WSDOT has continued to bring Tribal Employment Rights Officers (TERO) together with our Contract Compliance Officers and the Office of Equal Opportunity. This group has been meeting monthly at the Puyallup Tribal Offices for several years. The TERO TEAM, as they call themselves, recently worked together to deliver the statewide Civil Rights Contract Compliance Briefing Sessions. TERO was completely integrated into the process and presented by the TERO officers themselves. Over the six meetings held, some at Tribal venues, 201 people participated (mostly contractors). Twenty three Tribal members participated. WSDOT is reconvening the core group in June to conduct a five-year retrospect to evaluate our accomplishments and to identify new areas for growth and opportunities.

### **Transportation Planning and Funding**

The Tribal Transportation Planning Organization was established in 2003 at the request of Tribal Planners at the Tribal/State Transportation Conference. The group began immediately to work with the Transportation Commission and WSDOT to conduct surveys that would identify transportation needs, inventories, and related data to inform the Washington Transportation Plan. The greatest need identified was that of strengthening the administrative capacity of Tribes and supporting transportation planning at the Tribal level. The very brief summary of points of the survey results are as follows:

- Tribal Planning Departments are understaffed and in need of the technical expertise in the area of transportation planning. A lack of administrative capacity critically hinders many tribes from participating in the planning and programming activities necessary to obtain funding for projects, and to coordinate and cooperate with adjacent communities.
- Safety in transportation planning demands extensive availability of skilled staff to collect and analyze the necessary data and inventory.
- Most tribes indicated that transportation services and facilities were necessary to sustain economic vitality.
- Many Tribes lack the basic public transportation systems necessary to meet the needs of the elderly and youth populations in the community.
- Existing funds are insufficient to preserve the existing transportation systems.

<b>Jurisdictional ownership of IRR roads in miles</b>		
State	1371.07	27%
County	1832.34	36%
BIA	1687.93	34%
Tribal	54.79	1%
Other	50.6	1%
Local	24.4	0%
Total	5021.13	
Total public road miles = 80,986		
IRR comprises 6.2 % of total public roads.		

- Consultation on environmental and cultural resource policy issues is an area that needs continuous attention and improvement.
- The Tribes and WSDOT need to continue to promote employment opportunities, particularly for tribal members when transportation projects are proposed on tribal lands.
- There are at least 1,282 certified centerline Bureau of Indian Affairs route miles of public roads on Indian Reservations. The Tribal Transportation Database Project identified 5,021 miles of roads owned by many jurisdictions that comprise the Indian Reservation Roads System in Washington State<sup>1</sup>. They comprise 6.2% percent of the total road miles in the state. The IRR system serves everyone in and around tribal communities.

### **Fuel Tax Compacts**

Although the Department of Licensing has been responsible for working out differences with the Tribes on the collection of fuel taxes, it is the Department of Transportation that actually works with the results of the revenue collected. Fuel taxes are a dedicated source of transportation funding by the 18th Amendment to the State Constitution. Transportation funds that will be made available to the Tribes through the new compacting opportunities will provide much needed resources for planning, construction, and maintenance of Indian Reservation Roads in Washington State. These dedicated funds may also support public transportation services and improved traffic safety. Fatalities on Indian Reservation Roads are 2.5% greater than the national average. WSDOT has been working with the Tribes and the Washington State Traffic Safety Commission to improve safety on Reservations. Opportunities for the Tribes and WSDOT to work together have never been greater.

### **Staff Contact**

Colleen Jollie, Tribal Liaison, (360) 705-7025

---

<sup>1</sup> 2005 Tribal Transportation Database Project conducted by the Washington State Department of Transportation in coordination with the Tribal Transportation Planning Organization for the Washington Transportation Plan.

## **WASHINGTON DEPARTMENT OF VETERANS AFFAIRS (WDVA)**

---

WDVA is proud to provide support both with services and sustainable funding to our tribes through a variety of programs:

### **Tribal Liaison**

- A senior manager versed in tribal relations serves as liaison with the tribes and oversees all matters pertaining services or issues affecting Indian veterans.

### **Advocates of American Indian Veterans Corporation (AAIVC)**

- On November 6, 2006 Advocates for American Indian Veterans Chairman, David Fryberg, signed a memorandum of understanding created by WDVA for services to returning veterans from the current wars and recently separated military personnel.
- WDVA assisted AAIVC Chairman in getting their 501(C) (19) papers in order. Status of papers is up to date and organization is recognized as an active non profit organization.

### **Tribal Veterans Representative (TVR) Training and Accreditation**

- Since the inception of the AAIVC, WDVA has provided funding for travel, lodging, and training to a group of TVR's that represents 19 Washington Tribes. TVR's 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 conferences.
- Conducted training for four TVR's in the statewide Service Officer Training in Olympia. The following participating tribes attended the training: Colville, Lower Elwha, Kllalam, Suquamish and Yakama.
- Facilitated collaboration between the Yakama Tribe and the American Legion to accredit the Yakama TVR to file VA claims. The application accreditation was submitted to Federal VA General Council in Washington, DC.
- WDVA participated in the Suquamish Veterans' Symposium and this one day event were attended by 50-70 native Veterans and TVR's
- Scheduled our annual "Gathering of TVR's" for September 13-14, 2007 at the Squaxin Island Conference Center. This event will be attended by 15-18 tribes and we will provide them with an update on services and issues of veterans in the state.

### **Governor's Veterans Affairs Advisory Committee (VAAC)**

- The VAAC is a committee composed of members of congressionally chartered organizations selected by the Governor. The Advocates of American Indian Veterans Corporation is not a chartered organization, but understanding the significance of tribal input to this important organization, the WDVA Director incorporated a senior AAIVC member to the VAAC to ensure that tribal veteran interests are represented.

### **Staff Contact**

Jim Rising, Tribal Liaison, (360) 586-1066