

11TH ANNUAL

South Dakota Tribal Transportation Safety Summit

OCTOBER 18-19, 2023

Grand River Casino and Resort
near Mobridge, South Dakota



 U.S. Department of Transportation
Federal Highway Administration



ENGINEERING. REIMAGINED

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SDDOT Tribal Transportation Safety Summit Planning Committee

November 2023

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Introductions

The 11th Annual South Dakota Tribal Transportation Safety Summit (Summit) was hosted by the Standing Rock Sioux Tribe on October 18-19, 2023, at Grand River Casino and Resort near Mobridge, South Dakota. On its eleventh successful year, this annual event provided an opportunity for Tribes, the State of South Dakota, law enforcement, federal agencies, and other safety partners to jointly address transportation safety on Tribal lands. Participating in the Summit provides a way for Tribes to collaborate on the effective practices used to address challenges in providing safe transportation on their respective Reservations, as well as government agencies and elected officials to align their safety priorities with Tribal needs. A full list of attendees and copies of the presentations provided during the Summit can be found in Appendix A.

The Summit is a collaborative effort with representatives from the Bureau of Indian Affairs (BIA), Federal Highway Administration (FHWA), South Dakota Department of Public Safety (DPS), South Dakota Department of Transportation (SDDOT), elected officials, and the South Dakota Tribes.

Summit Overview and Goals

The purpose of the annual Summit is to allow the exchange of information and ideas to improve Tribal transportation safety. The Tribal Transportation Safety Summit Planning Committee plans the summit with the goal of engaging Tribal leaders working toward the common goal of improving safety, quality of life, and transportation networks for drivers and pedestrians. The Summit also provides an opportunity for Tribes throughout South Dakota to collaborate, network and share effective practices that address common challenges.



Figure 1: The Grand River Casino was the venue for the 11th Annual South Dakota Tribal Transportation Safety Summit.

2023 South Dakota Tribal Transportation Summit Topics

Each year's Summit topics evolve as federal programs change, new challenges arise, and new innovative solutions are introduced. Discussion topics for this year's Summit included the following:

- BIA Update
- Safety Planning and Vulnerable Road User Safety Assessments
- National Highway Traffic Safety Administration (NHTSA) Tools/ Resources
- Tribal Transportation Program Safety Funds and Successful Projects
- Winter Maintenance/Communications
- Federal Highway Administration (FHWA) Updates
- Behavioral Strategies to Increase Safety
- Speed Management

Welcome, Opening Prayer, and Introductions

The 11th Annual Tribal Transportation Safety Summit began with opening remarks offered by Rosebud Sioux Tribal member LaJuanda Stands and Looks Back. Remarks were followed by an opening prayer offered by James Cross of the Oglala Sioux Tribe, an opportunity for individual attendee introductions, and dismissal of individuals who would be attending the Road Maintenance Training.

Best Practices and Success Stories

Tribes attending the Summit were invited to share their stories related to utilization of resources, implementing improvements, and identifying and overcoming obstacles and challenges related to transportation safety. Tribes invited to the summit include the Cheyenne River Sioux, Crow Creek Sioux, Flandreau Santee Sioux, Lower Brule Sioux, Oglala Sioux, Rosebud Sioux, Sisseton Wahpeton Oyate, Standing Rock Sioux, Spirit Lake Tribe, and Yankton Sioux.

The Standing Rock Sioux, Rosebud Sioux, and Cheyenne River Sioux Tribes presented at this year's Summit. Presentation materials from the Standing Rock and Rosebud Sioux Tribes can be found in Appendix A. Cheyenne River did not utilize presentation materials. The image on the following page illustrates the location of each Tribe invited to the Summit, whether they attended or not.

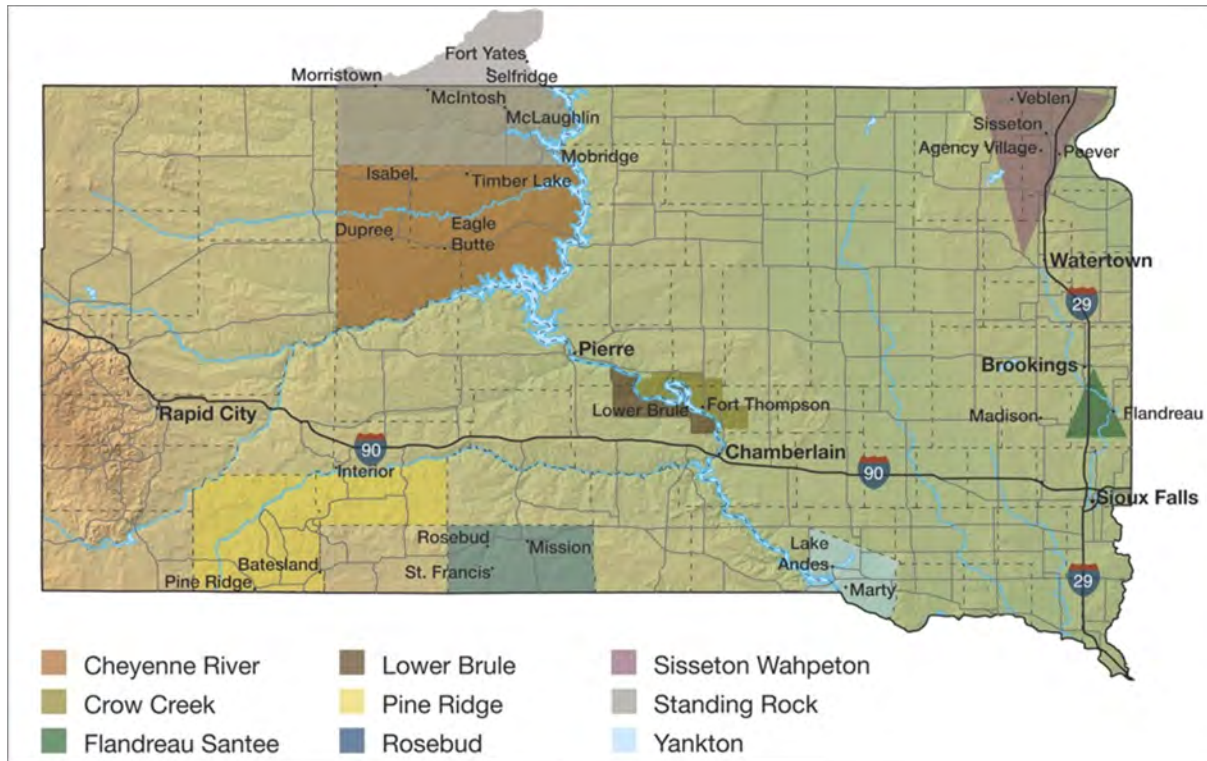


Figure 2: Illustration of the location of South Dakota Tribes (Map courtesy the Dept. of Tribal Relations)

Presentations

BIA Update

Presenter: Michael Moran (BIA Roads)



The first presentation of the Summit following opening remarks was Michael Moran who provided a BIA Great Plains Region update. Mr. Moran's update included discussion of

regional staff and current vacancies in that staffing structure as well as updates to Tribal Transportation Safety Grant Funds awarded to Tribes within the Great Plains Region in the last funding cycle. Additionally, Michael discussed the Tribal Transportation Program Online Reporting Tool (PORT) and reminded attendees about the annual reporting requirements, including reports due December 31st.

BIA Update presentation materials can be seen in Appendices: BIA-Great Plains Region Update.

Safety Funded Projects, Lessons Learned, and Best Practices for Funding Future Projects

Presenter: Becky Bey, KLJ Engineering

Due to an unexpected conflict, Craig Genzlinger, who was originally scheduled to provide this presentation, was unable to attend the Summit. As a result, Craig's colleague, Becky Bey with the KLJ Government Relations group presented on his behalf.



Becky presented on the importance of planning and meaningful public engagement in successful grant applications/awards; particularly for large grants such as Rebuilding American Infrastructure with Sustainability and Equity (RAISE) and some of the new grant programs established with the 2021 passage of the Infrastructure Investment and Jobs Act (IIJA)/Bipartisan Infrastructure Law (BIL). She provided an overview of some of the large transportation projects KLJ had successfully assisted clients in receiving grants for, and highlighted the opportunities to phase projects and utilize multiple funding resources to successfully fund large, regionally significant transportation projects.

The Safety Funded Projects presentation can be found in Appendices: Safety Funded Projects-Lessons Learned & Best Practices.

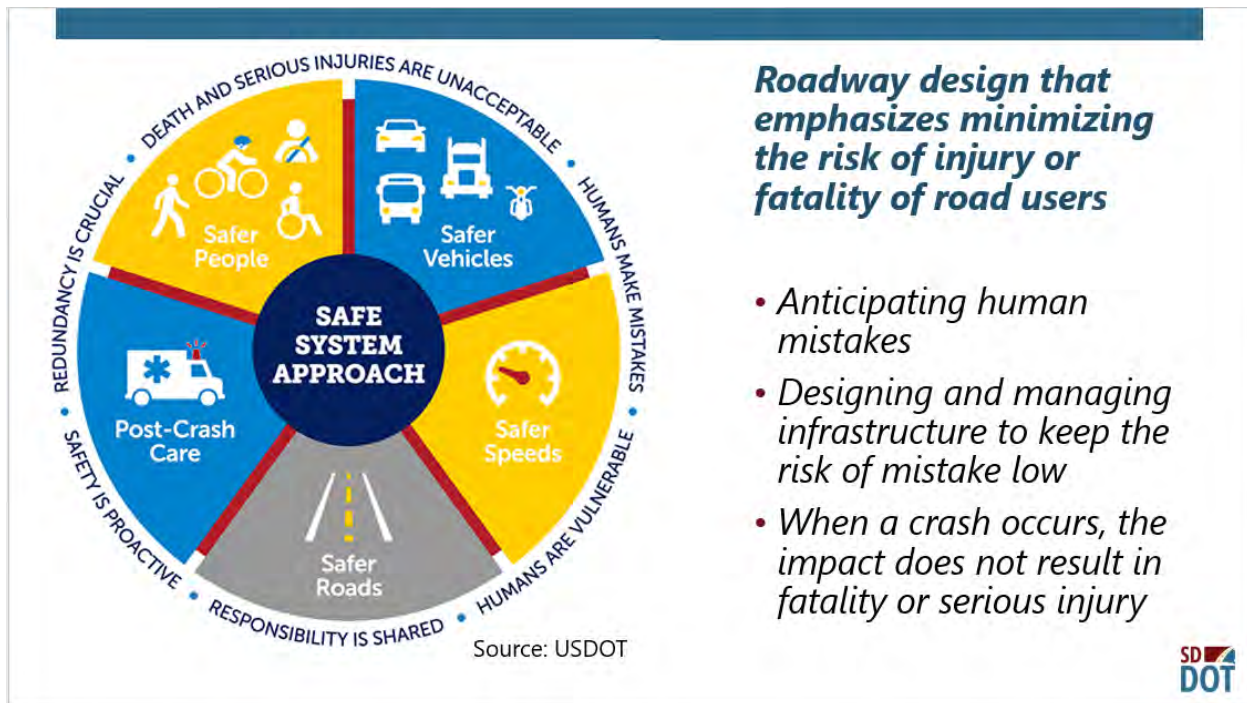
South Dakota Strategic Highway Safety Plan/Vulnerable Road User Safety Assessment

Presenters: BryAnn Becky Knecht and Jonathan Wiegard, HDR

Representatives from HDR provided a detailed presentation regarding the current Vulnerable Road User Safety Assessment and related Strategic Highway Safety Plan (SHSP) being completed. This study and related outcomes report is assessing the safety performance of South Dakota with respect to vulnerable road users (VRU). VRUs are defined as non-motorists including highway workers on foot in a work zone, e-bikes, and e-scooters.

Knecht and Wiegard indicated that the Safety Plan process is ongoing and that they are continuing to gather data and consult with communities/Tribes within South Dakota. It is anticipated that a draft plan will be completed in April of 2024 and that the final report will be published in August of 2024.

The VRU Safety Assessment will adopt the principles and objectives of the Safe System Approach (SSA) and will result in a "holistic and comprehensive approach that provides a guiding framework to make places safer for people." Fundamentally, SSA prioritizes limiting impact energy of a crash through managing speeds, protecting users, and urgently caring for those in a crash. The diagram on the following page outlines this framework.



Knecht and Wiegard outlined current safety performance targets, trends in non-motorist fatal and serious injury crashes, and a summary of the quantitative analysis and findings to date. Additionally, they briefly discussed existing statewide plans, programs, laws, educational campaigns, and infrastructure strategies.

This presentation was followed by significant discussion regarding the following points and challenges:

- How can Tribes better engage townships/counties in safety planning? The perception is that there is generally significant tension when it comes to roadways that counties/townships control/have maintenance responsibilities for but are utilized by Tribal members/reservation residents. Is there a way that SDDOT can facilitate these conversations and/or encourage townships/counties to come to the table? How can safety improvements be demanded/incentivized for surrounding counties/townships? How can better partnerships be formed?
- Additional Key challenges noted:
 - Limited Tribal staff (who don't have time to utilize all available resources)
 - Educational opportunities (and how to increase these and maintain them)
 - Members of the community not using non-motorized infrastructure even when it's built (due to lighting challenges, lack of understanding/knowledge it exists, or just habit of not using it)
 - Rural nature of reservations and how spread-out communities/residents are on a large land base
 - Multiple transportation entities who don't always work well together (as noted in the discussion surrounding townships/counties)
 - Coordination between all involved agencies (SDDOT, BIA, Tribal Transportation, County)
 - Timing and significant delays caused by BIA and/or Tribal councils (internal barriers)

The SD Vulnerable Road User Safety Assessment presentation can be found in Appendices: SD Strategic Highway Safety Plan VRU Safety Assessment.

NHTSA Updates and Resources

Presenters: Gina Espinosa-Salcedo and Kara Mueller, NHTSA

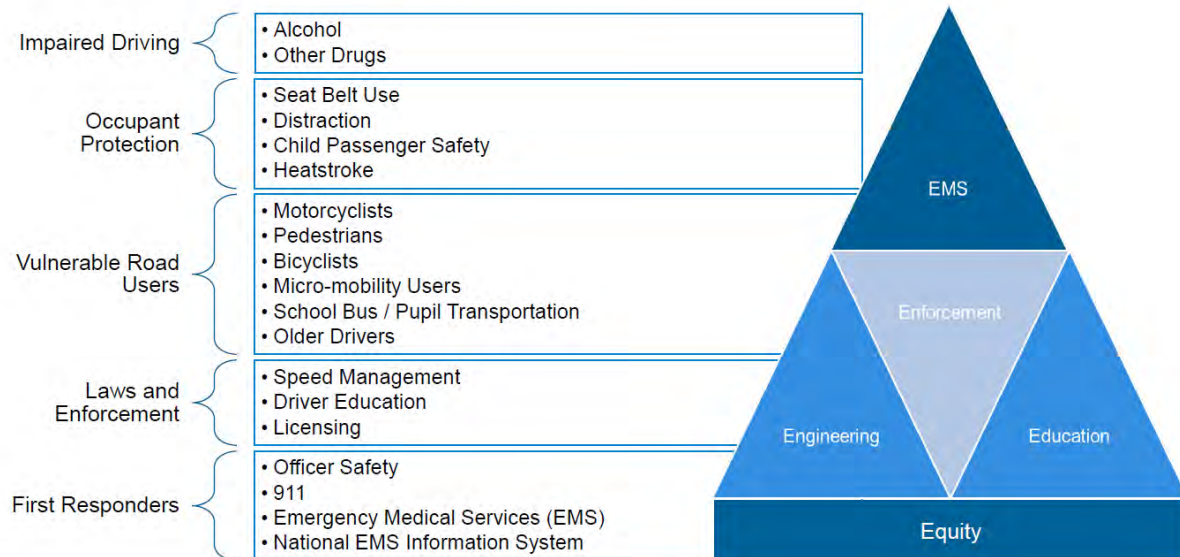
The National Highway Traffic Safety Administration’s (NHTSA) mission is to save lives, prevent injuries, and reduce economic costs due to road traffic crashes through education, research, safety standards and enforcement activities.



Gina and Kara discussed the NHTSA behavior safety priorities as follows:

- Impaired Driving
- Occupant Protection
- Vulnerable Road Users
- Law and Enforcement
- Post Crash Care

Behavioral Safety Priorities



Speakers also provided information to the group regarding the NHTSA regions and upcoming events and projects including a guide for increasing seat belt use in Indian country due out in 2024. They also discussed several available resources, publications, and data visualization tools, as well as traffic safety marketing materials and technical assistance available to Tribes in service to everyone’s goal of reducing serious injury and fatality crashes on Indian lands.

During questions and follow-up discussion, concerns were expressed by Summit attendees related to how NHTSA dollars are distributed and which Tribal divisions have decision making authority over those dollars. Especially in BIA/638 Tribes, NHTSA dollars/programs are overseen by law enforcement. While it was agreed that enforcement is certainly part of the safety conversation, there were concerns this might not be as effective as it could be as there is almost no communication/data being shared. A long standing concern for Tribes has been the inability to find, collect, or receive accurate traffic/crash data. Several questions were asked as to who is assuring that IIJA statutory language regarding getting/sharing crash data is being adhered to.

The NHTSA presentation can be found in Appendices: NHTSA Updates & Resources Presentation.

FHWA Federal Lands Update -Tribal Transportation Program (TTP)

Presenter: Todd Brockmann, FHWA Federal Lands

Mr. Brockmann reviewed the FIL/IIJA funding opportunities including an overview of the difference between appropriations and obligation limits. In many cases, although there is congressional authority for funding, there is latitude in the amount Congress appropriates/obligates and those amounts are often much less than the obligation limit/authority. This presentation also outlined funding through the Tribal Transportation Facility Bridge program which has seen a substantial increase as the result of BIL/IIJA. Programs reviewed/discussed are as follows:

- TTP-BIL
- Tribal Transportation Facility Bridges
- TTP-Safety Fund (TTPSF)
- BIA Indian Highway Safety Program
- Nationally Significant Federal and Tribal Lands (NSFLTP)
- Tribal Technical Assistance Program (TTAP)

The FHWA Federal Lands Update presentation can be found in Appendices: FHWA-Federal Lands Update.

Congressional Delegation Listening Session on Transportation Issues

Panel Participants: Beka Zerbst (Senator Thune's Office), Jennifer Hieb (Senator Rounds' Office), and Aimee Hoyle (Representative Johnson's Office)



Congressional delegate representatives introduced themselves and thanked participants and Summit organizers for the opportunity to attend and listen to concerns/transportation issues from the Tribal perspective. Each of the delegate staff attending is responsible, at least in part, for acting as liaison for the Tribes and while they indicated they cannot directly impact change, they assured attendees they would carry forward the conversation and any expressed concerns to the Congressional delegation.

The following topics/transportation issues were brought to light/proposed to the panel:

1. **Standardized Crash Reporting:** IIJA contains statutory language (the Rosebud Tribe provided relevant statute) related to standardized crash reporting. This has been an ongoing issue in Indian Country and is a universal Tribal concern.

There is a mandate, but no one seems to know who is responsible for ensuring compliance and there continues to be barriers to accessing data. Ms. Hoyle discussed some follow-up work that had been done following initial conversations and passage of IIJA but admitted this had lost traction. She further indicated that there was some conflicting information/understanding about who is required to follow crash data mandates (i.e., BIA, 638 Tribes, etc..) and that despite significant finger pointing, there was not much movement currently to address the issue. **NOTE: This requires follow-up**

2. **BIA Road Maintenance:** There is supposed to be \$50 million authorized annually in the first year and then increases in that amount for subsequent years. This appears to have been authorized but not appropriated/allocated. Where is that money going? Where is the promised increase? Great Plains is not getting an appropriate share and consultations are not being held in the Great Plains Region. **NOTE: This requires follow-up.**

3. **Formula Funding (TTP):** The past 5 years Congress increased the formula \$1.3 million, but the levels Tribes receive are, in essence, the same as those set in 2011. Nationally, Tribes are never going to reach consensus on what constitutes equitable distribution of formula funds. Alaska doesn't have roads. There are areas in Oklahoma that don't have roadways, and yet, both continue to receive formula funding. How can this be addressed?
 - Senator Rounds is interested in the Great Plains Tribes coming together with a plan for the Great Plains region.
 - The introduction of the Tribal transparency and equity act as part of BIL in 2021 was unsuccessful. Delegate representatives are unsure if it will be reintroduced given the current administration and the fact that representatives from this region are predominantly Republican with a Democrat federal administration.
 - Alaska was a huge driver in not changing the current formula distribution.
 - The data challenge for Tribes was revisited. Without accurate and consistent data to determine appropriate changes in the formula, it makes it difficult to advocate for a change in the formula distribution. Tribes/Delegates need all the BIA data.
 - Tribes should use the "power" of all 3 representative/congressman's office when submitting federal communications/questions. Collectively, the delegation may be able to push issues/questions forward if Tribes are not getting the responses/answers they need.

4. **Road Maintenance Study - November 30, 2022:** Mandated again in BIL and provided during the November meeting. This went well until consultation when the Tribes heard nothing back. What happened to this? This feels like a pattern in which programs/processes and initiatives ramp up and then disappear and not just in the Great Plains region, but for Indian Country in total. **NOTE: This requires follow-up**
5. **Definition of Transportation "Facility:"** There needs to be a clear definition of what constitutes a transportation facility. Is this actual "facilities" (buildings/structures). Currently it's being utilized for all roadways and other transportation infrastructure and this is confusing and not helpful.
6. **Culvert Program:** When will there be a functional culvert program? Also, when will there be an active bridge improvement program? These are currently being thrown into TTP priorities and should be separated.
7. **TTP as Match:** Is use of TTP as a match for federal discretionary grants federal law or FHWA regulation? TTP should be allowed for match for all discretionary grants.
8. **Highway Safety Program:** Commercial Motor Vehicle (CMV) traffic is a concern (and there is data to back this concern). CMV non-Tribal members driving through the Reservation. NHTSA worked with the Rosebud Tribe to try to address this concern, but what they were told regarding training at the federal level and state level were different. They've been told Council must have a specific resolution around CMV training. Now there's an MOA request. It feels like the state has been reluctant to assist/train and yet require the Tribe to follow state regulations. Why is an MOA required to be part of state training? **NOTE: This requires follow-up with SDDOT. Craig Smith indicated he would follow-up.**
9. **BIA deficiency for road maintenance and snow removal:** By way of example, Sisseton Wahpeton has one truck and one driver for snow removal. This is not adequate and is similar on all SDDOT Tribal lands.
10. **Tribal-County/Township Disconnection:** There is a significant disconnect and lack of cooperation when it comes to the division of Tribal Road obligations and county/township obligations. Several Tribes are struggling to have a cooperative relationship with off-Reservation roads utilized by Tribal members. There is a need to see the transportation system as one entity, not city, county, or Tribal. Cities and counties don't appear to be abiding by the same rules and are not always willing to step into MOUs. There are concerns that off-reservation roads that impact Tribal members and Tribal roadways are not maintained and that those communities are often not well positioned or taking full advantage of available discretionary grants. There's a consensus this should be the State's responsibility to encourage/enforce town/county roadway maintenance standards.

In 2013 and 2018 on Yankton Sioux Reservation, and again in Rapid City in 2019, there were meetings about this, but the Tribes never hear back. There is hope that with the infusion of new leadership/younger leadership, this might be better. Currently, Tribes end up using their own funds to ensure safe access to homes, schools and other locations on Tribal lands accessed by county/state roadways.

Tribes are not supposed to use TTP dollars for these reasons even if Tribal members live on those roads, and yet, they often feel it necessary to consider it due to exceedingly poor and unsafe road conditions. There is an understanding that with the extremely limited roadway maintenance dollars to towns/counties, these entities are also struggling and there is not enough money to meet the level of need even remotely. For this reason, it is important for Tribes to update their road inventory to reflect accurate ownership and ROW. There was also some discussion regarding Tribes taking current town/county roads into the Tribal inventory (If counties/towns won't/can't maintain). As sovereign nations, the Tribe SHOULD be responsible for everything within their boundaries (Standing Rock-Harold).

- State DOT doesn't have jurisdiction over cities/towns and counties/towns don't have the resources or oversight to do the "right thing." **NOTE: This is out of the control of the federal delegation so it was requested there be follow-up by SDDOT to discuss ways in which the State could support better cooperation and ongoing conversations between Tribes and cities/towns/counties.**

This was a listening session and, as a result, there were no presentation materials provided. Congressional staff provided business cards to attendees and encouraged continued dialogue and follow-up as needed.

Winter Maintenance Communications and Updates

Presenter: Craig Smith, SDDOT

The SDDOT Strategic Plan was highlighted including the mission of SDDOT; To efficiently provide a safe and effective public transportation system and the Vision: Better lives through better transportation.

Tribes are encouraged to review the SDDOT Annual Winter Maintenance Plan which is on the SDDOT website (as of late October). The Annual Plan is approved by the Transportation Commission and provides detailed information on winter operations including personnel, equipment, technology, and policy, communications, and guidance for before, during and after winter events.

Winter weather mitigation strategies that were discussed included:

- Snow fencing as an effective tool to reduce drifting and blowing/sticking snow in trouble locations
- MDSS (Maintenance Decision Support System) that assists DOT in planning resources before, during and after a storm event as well as planning for future improvements
- Traveler Information SD511 (web, app or phone), critical to getting accurate information to drivers to assist them in making good decisions
- ESS (Environmental Sensor Stations): DOT has over 100 locations that gather weather information to feed and improve MDSS forecasting.
- VSL (Variable Speed Limits) which allows adjustments of speed limits during winter events
- High Friction Surface: A surface treatment with aggressive aggregate that has proven effective in increasing friction during weather events at curves.



Following the presentation, the following comments were made as it relates to winter maintenance and communications:

- When SDDOT closes a road, contacting Tribal Transportation directly in advance of the closure would be helpful. Often, when SDDOT closes a road, people divert to roads on Tribal lands and the Tribe ends up responsible for responding if there is a crash or incident. If Tribal Transportation staff were made aware directly instead of hearing about road closures on the news/radio, this would assist them in responding more quickly (also potentially closing roads) and in staffing for increased response. SDDOT indicated they are working on better coordination before, during and after winter events.
- There was discussion about increased opportunity for Tribes to enter in Tribal/County Road restrictions and closures to the 511 system. SDDOT is currently working to implement this program in late winter 2023 or early 2024. Training for Tribes is anticipated in December 2023.
- When requesting DOT assistance, more information is better (in the initial request to OEM). When possible, information should include equipment needed, conditions, and when, where and for how long the support is anticipated. Tribes will be billed by SDDOT for time/equipment, but charges are still generally less expensive than what most private contractors will charge.
- Tribes can access a list of local DOT area engineers (for direct coordination/communication) on the SDDOT site or by contacting Craig directly.

The Winter Maintenance Update presentation can be found in Appendices: Winter Maintenance Communications & Update.

Rosebud Sioux Tribe-Transportation Program Update

Presenter: Lynda Douville, Rosebud Sioux Tribal Transportation



A review of the Transportation Department Staff and an overview of successful grants and related transportation projects and administrative activities was provided. The recently awarded Rural Surface Transportation Grant award was highlighted. The grant is for just over \$26 million for improvements to BIA Route 7 (Phase II of the Project). Funding will be utilized to reconstruct and resurface BIA 7 and includes additional safety enhancements and construction of 2 shared-use pathways for 16-miles connecting US Hwy 83 and US Hwy 18. This is the continuation of a TIGER grant funded portion of the project.

In addition to discussion about BIA 7, Lynda discussed the Tribe's work with bridges. The Tribe had 4 bridge projects in the que because the BIP was previously underfunded. They received partial funding for one bridge (approx. \$300,000), and then the following year were granted the remainder of funding for that project. With the significant increase in BIP funds due to IJJA/BIL, the 4 bridge projects previously in the que have all been



funded (The Tribe had to update costs since previously submitted costs were outdated and no longer valid). The Tribe is now bundling additional bridge projects for funding (11 of them), including a new 10X20 box culvert. Costs are continuing to increase and supply chain has been an issue, with delays in supplies resulting in additional increased cost, but work is finally getting done on at least some of the initially submitted and awarded bridge projects.

Program Administration work has included a Long-Range Transportation Plan, completion of a Tribal Transportation Safety Plan and Road Safety Audit, and an upcoming 2024 TTIP update. The Rosebud Tribe also participated in a Vulnerability assessment through the Volpe Center. The assessment looked at climate change vulnerability to help the Tribe identify physical impacts to the transportation system and to help the Tribes identify facilities on their transportation system that needed additional analysis or adaptation. Lajuanda with the Rosebud Tribe indicated she did not find this report/study as useful as she'd hoped.

Rosebud Sioux Tribe also received several TTPSF grants which have provided funding for:

- Safety Shoulder Improvements North BIA Route 1
- Purchase of Speed Radar/Feedback Trailers
- Turtle Creek Pathway
- Antelope to White Horse Community Connectivity Pathway

For both the pathway projects, the Tribe accepted the grants without lighting funds. Despite the safety benefits of lighting on non-motorized pathways, TTPSF is rarely funding this portion of projects. There was some discussion about other alternatives including TA, and SS4A (now that TTP dollars can be utilized as match).

There was also some discussion about the role of driver behavior in safety and ways in which Tribes could begin to address this issue as well, including increased educational programming, more public “unveiling” of new non-motorized infrastructure, and continued partnership with SDDOT and other community partners.

The Rosebud Sioux Tribe Presentation can be found in Appendices: RST Presentation.

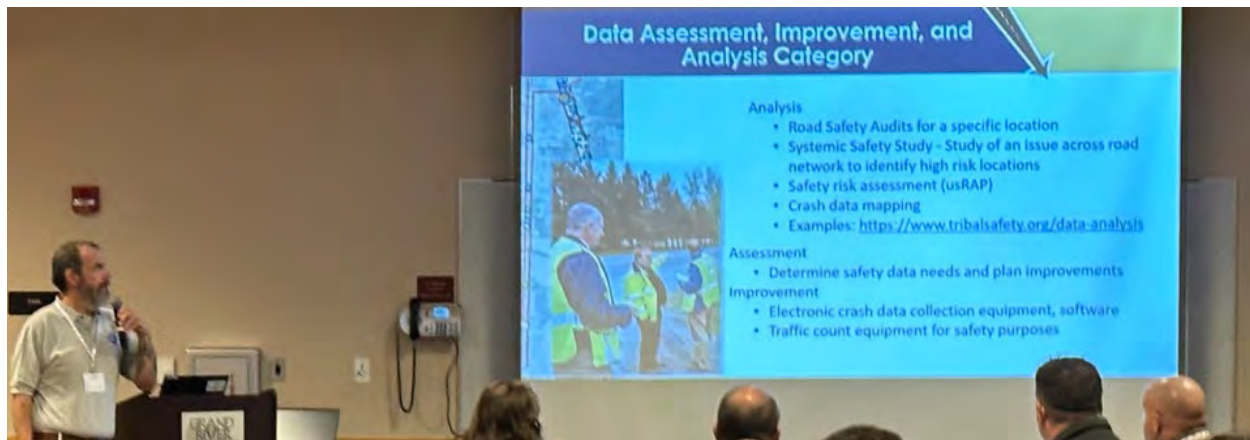
TTP Safety Program

Presenter: Chris Kwilinski, FHWA-Federal Lands

TTPSF:

A review of TTPSF funding opportunities was provided. Safety plans continue to be the highest priority in this program with up to \$15,000 of funding for creation of a new plan and up to \$10,000 for funding to update an existing plan. The current notice of funding (NOFO) was announced/opened on October 1st and applications will be accepted through January 15, 2024. Award selections are anticipated to be announced 5-6 months after the January deadline.

In addition to funding new and updated safety plans, TTPSF continues to fund data assessment, improvement, and analysis, infrastructure improvement and systematic roadway departure countermeasures. Roadway departure crashes continue to result in the highest number of fatality/serious injury crashes, and, as a result, TTPSF will continue to prioritize funding these applications.



State Managed Federal Funding:

In addition to TTPSF funding, there are also several state-managed federal funding safety programs including the Highway Safety Improvement Program, Transportation Alternatives, Safe Routes to School and the Highway-Rail Grade Crossing Program that should be considered in funding of transportation safety projects and programs.

Safe Streets and Roads for All (SS4A)

Safe Streets and Roads for All (SS4A) was also discussed. This is a competitive grant program used for planning and construction of local initiatives to prevent transportation-related deaths and serious injuries. Applicants must complete a self-certification worksheet confirming that any current safety plans meet SS4A guidance. If that is not the case, there is funding available under SS4A for development of a comprehensive safety action plan and/or to enhance existing plans to meet SS4A criteria. Federal share for these activities is 80 percent and TTPS and TTSPF funds CAN be used for match.

Tribal High Priority Projects (HPP)

This program was developed through negotiated rule making in 2004 and is only for Tribes when 1) annual TTPS funds (not including the 2 percent set-aside) are less than \$1 million, which is considered insufficient to complete the highest priority project; or 2) any Tribe that has an emergency or disaster occur on a Tribal transportation facility. This has a \$1 million per project limit and a total annual set-aside of \$9 million (FY2022-2023 combined is \$16,119,000).

Rural Surface Transportation Grants (RURAL)

RURAL is part of a combined NOFO for MEGA/INFRA/RURAL. There is an approximate \$6 million set-aside out of \$400 million for the entire combined NOFO. RURAL supports projects that improve and expand the surface transportation infrastructure in rural areas to increase connectivity, improve the safety and reliability of the movement of people and freight, and generate regional economic growth to improve the quality of life. The 2023-2024 NOFO has not yet been released.

Wildlife Crossing Pilot Program

This program is new with IJA/BIL. It appropriates approximately \$70 million annually and funds both planning and construction. Projects must reduce wildlife-vehicle collisions (WVCs) but also improve habitat connectivity for terrestrial and aquatic species. The 2023-2024 NOFO has not yet been released.

Reconnecting Communities Pilot

This is also a combined NOFO which also includes the Neighborhood Access and Equity (NAE) opportunity. Grant types include capital construction and community planning activities that focus on reducing environmental harm and improving transportation access in disadvantaged communities. The 2023-2024 applications closed in September of 2023, but will be available again for applications in fall/winter of 2024.



The TTP Safety Program Presentation can be found in Appendices: TTP Safety Programs

Standing Rock Sioux Tribe (SRST)-Transportation Program Update

Presenter: Jamie Wark, SRF Consulting Group

A review of Tribal Transportation Program staff was provided followed by a summary of RAISE awards, which the Tribe received in both 2022 and 2023. In 2022, the Tribe was awarded \$2.2 million for the BIA resurfacing project (for BIA 3 between Fort Yates and Kennel), and in 2023, they were awarded a second RAISE for \$18.5 million for the BIA 6 Reconstruction and Pavement Preservation Project.

Additional grant awards through NDDOT and SDDOT TA as well as TTPSF were discussed and an update on related projects and their status was also provided. While the Tribe has been very successful in receiving grants, they continue to face challenges with project completion based on high construction costs, lack of consistent/reliable crash data, and the TTPS formula dollars (which continue to be based on the 2011 level).

The Standing Rock Sioux Tribal Transportation Presentation can be found in Appendices: SRST Presentation.

Transportation Coordinating Committee Update

Presenter: Dakota Longbrake, Tribal Coordinating Committee Chair, and member of the Cheyenne River Sioux Tribe

The Transportation Coordinating Committee (Committee) is statutorily formed so it has a little more “teeth” than some of the other ad hoc committees. The Committee works on a consensus basis and any recommendations from the Committee is required to have 100 percent consensus. The Committee will be in Washington DC meeting with congressional delegates and discussing transportation challenges and needs the end of the month and first part of November.

The current challenge the Committee is discussing is “access” roads. It is believed this will be a contentious topic in the upcoming year. Last year’s focus was in taking advantage of the multiple discretionary grants that became available because of BIL/IIJA and ensuring that barriers to Tribal participation in application to those grants were limited/alleviated. The change in SS4A to allow TTP/TTPSF as match was a victory in this arena.

There was significant discussion about the role of the Committee in possibly bringing the Great Plains Tribes together to discuss recommendations/consensus for changing the allocation of formula funding (as the Congressional delegate staff had indicated they desired). While this is certainly a possibility, this may be difficult based on the fact the Committee requires 100 percent consensus before moving forward any recommendations. Recommendations instead for a possible sub-committee being formed were discussed and it was suggested if this were a possibility, the membership include economists, mathematicians, and engineers who could develop multiple options for Committee consideration.

It was reiterated that there are numerous roads on the Tribal inventory, but not equivalent dollars to support all those road miles. For that reason, there was discussion about what should and shouldn’t be in the Tribal inventory. The current inventories include several roadways that cross Tribal, county and state jurisdictions. While some of those could be taken off the inventory, the fear is that if that should happen and then the federal government changes the formula without Tribal input or without a full understanding, this will negatively impact funding.

It was suggested that the first step might be to define what’s a road and getting rid of the term “facilities” when discussing anything other than actual structural/building transportation facilities. This would alleviate Tribes that don’t have actual roads. The topic of data, and the critical importance of consistent/reliable crash data was also resurrected. Without good data it is almost impossible to have meaningful and intelligent conversations about fair distribution of formula dollars. It is estimated there are 70,000 miles of county and state roads in the NTIAA., including 29,000 BIA and 15,000 Tribal road miles. It was proposed that the formula scale should be more heavily weighted to Tribal and BIA roads than to state/county roads in any recalculation of formula.

Regarding the Bridge Investment/Improvement Program, almost all the Tribes have submitted projects, however, they still don’t have funding. Especially in the case of BIA Tribes, there has been significant delay in approval/distribution of funding.

Continued frustration was expressed related to the road maintenance study delay. BIA “ramped up” in November of 2022 and now it appears the process has just stagnated or been forsaken. This is damaging to the Tribes. The road maintenance study was the result of significant Tribal lobbying, and the sense is that now it’s just been shelved.

Outreach was supposed to have been done with all Tribes who have a road maintenance division (and the Study was supposed to include comments even from Tribes without a road maintenance division). This has not been done.

Lastly, it was reported that RIFTIS is moving to a GIS system, and it will be up to Tribes to submit Shapefiles. There will be a transitional period and hopefully some training as this takes place. There was also a consensus that to impact effective change, Tribal leadership and the Committee needed to increase attendance to National meetings (NCAI-National Congress of American Indians, etc..) and ensure Tribal voices are heard. While it was acknowledged this can take substantial money and time, staying close to home will not create the impact needed to make meaningful change.

There were no formal presentation materials utilized for this presentation.

Tribal Technical Assistance Program (TTAP) Update

Presenter: Ron Hall, Northern TTAP

The TTAP was re-established just shy of 2 years ago and is leveraging existing LTAP resources. In fact, the TTAP website has a link to all 5 LTAP centers and all the related training still being made available. While there is one TTAP, there are seven regional centers, ensuring more localized assistance. The TTAP Program Vision is: Through mutual respect and understanding, enhance the quality of life in Tribal communities by building capacity for Tribes to administer and manage their transportation programs and systems. The TTAP Center mission is to serve as a go-to local resource for Tribal transportation training, technical assistance, and technology transfer needs and opportunities to effectively carry out the TTAP Vision.

TTAP is currently surveying Tribes to find out what the highest needs are in terms of technical assistance and educational programming. The survey is still open and a link to that survey can be accessed utilizing the QR code in Slide 5 of the TTAP presentation. Results to date indicate the following priorities (in order):

- Transportation Planning
- Project Management
- Facilities Construction
- Manual on Uniform Traffic Control Devices (MUTCD)
- Commercial Drivers Licensing (CDL)
 - There was significant conversation about current expectations/costs and some confusion regarding new requirements/costs. ***SDDOT and TTAP can resend information and highlight the new program requirements as requested.***
- Motor Grader Operator and Maintenance
- Grant Writing
- Rules of the Game (Transportation Program policies, statutes, regulations)
- GIS

TRB TRANSPORTATION RESEARCH BOARD

The Transportation Research Board (TRB) Standing Committee on Native American Transportation Issues was discussed. This committee was formed in 2001 and was previously a subcommittee of the Committee on Historic and Archeological Preservation and Transportation, and before that, the Committee on Low Volume Roads.

The Committee is concerned with research and practice pertaining to transportation issues on or near tribal lands and communities or affecting tribal historical or cultural properties wherever located. The National Cooperative Highway Research Program (NCHRP) Synthesis Reports and TCRP Reports are excellent resources and are very good at taking difficult legal and Tribal issues, researching those, and then distilling them into meaningful summaries. *This may be a resource in determining a more equitable distribution of formula funds moving forward.*

TTAP is forming a Transportation Research Board. LaJuanda from the Rosebud Sioux Tribe is going to be on the training steering committee, and Ron is soliciting for 3 more participants. It is likely all meetings will be on Zoom/virtual. If you are interested in serving on that committee, please reach out to Ron at the Northern Tribal Technical Assistance Program at NDSU.

The TTAP Presentation can be found in Appendices: TTAP Update.

Highway Safety Behavioral Strategies for Rural & Tribal Areas

Presenter: Jay Otto, Montana State University

The Center for Health and Safety Culture and Montana State University is an interdisciplinary center serving communities and organizations through research, training, and guidance to cultivate healthy and safe cultures. This presentation provided an overview of the recently completed/published Highway Safety Behavioral Strategies for Rural and Tribal Areas: A GUIDE.

This recently published research study is a 5-Chapter guide outlining techniques and best practices for addressing the role of behavior in transportation safety. The guide is available on line and free of charge at <https://www.trb.org/Publications/Blurbs/183055.aspx>. (There is also a QR Code on Slide 18 in the presentation slides). An overview of each Chapter was provided as follows:

Chapter 1: Overview and Resources

Chapter 2: How Behavioral Strategies Work: Beliefs-Behavior-Consequences

- How do we address beliefs that reduce risky behaviors and increase safe behaviors?
- Importance of addressing beliefs at the root of behaviors/consequences

Chapter 3: Guidance on Process

- Seeing improving roadway safety is a process (it will require multiple countermeasures and probably multiple times/repetitions)
- Outline of the Assess-Plan-Implement-Evaluate and Learn-Repeat method

Chapter 4: Guidance on Identifying, Selecting & Adapting Countermeasures & Strategies

- Behavioral and Engineering Approaches
 - Behavioral
 - Laws, Policies & Rules
 - Enforcement & Adjudication
 - Education
 - Intervention
 - Engineering
 - Roadway Design
 - Roadway Treatment
 - Managing Energy (often means reducing speed)

Chapter 5: Guidance on Ways to Grow Evaluative Thinking

- Evaluative thinking can improve implementation and outcomes
- Process and/or outcome evaluations

The Highway Safety Behavioral Strategies for Rural and Tribal Areas Presentation can be found in Appendices: Highway Safety Behavioral Strategies for Rural & Tribal Areas.

Speed Management: Steps to Develop a Speed Management Action Plan

Presenter: Ginny O'Connor, PTOE, RSP21, toXcel

FHWA's Office of Safety's Speed Management Program has several resources that may assist Tribes in addressing this issue. In addition, they are currently working on a speed management DIY Website and related toolkit which will be announced when it is completed.

A summary of key steps in avoiding crashes and the aspects of a roadway design (including design, construction, maintenance, and operations) was provided as well as a short overview of the role of speed in fatal/injury crashes and specifically in pedestrian/vehicle crashes. It should come as no surprise that the fatality risks are highest when an auto strikes a pedestrian but can be equally high when an auto hits a fixed object, side impacts another auto, or is hit head on. This is particularly the case when excess speed is involved.

Successful development of a Speed Management Plan should include all the following:

- Selection of Stakeholders (ensuring this includes local transportation staff as well as law enforcement)
- Collection of Relevant Legislation/Guidance
- Collection of Additional Data (speed and crash data to the degree it is available)
- Identification of Speed Related Safety Concerns
- Identification Focus Typologies (roadway classifications, access, mobility, and speed)
- Development of a Toolbox of Countermeasures (speed trailers, public outreach campaigns)
- Prioritization of Identified Action Items (Identification and Prioritization of specific action items/countermeasures and a plan for implementation of each)



A series of questions was posed to attendees to spur discussion and thinking about how these general planning elements might be incorporated into current/future Tribal Transportation safety planning:

- Who can Tribes partner with (or are partnering with) to have successful speed safety projects?
- How can these discussion points/plan aspects be incorporated with roadway improvements that will likely increase speeding (i.e., conversion from gravel to pavement) and the difficulty of wearing the hat of “behavior change” with limited law enforcement staff to enforce speeds?
- What are some existing programs you have in place that combat un-safe speeds?
 - Speed Management Action items in your TTSP
 - Outreach to younger drivers
 - Speed Feedback Trailers
 - High visibility enforcement campaigns
- What are some speed related safety concerns on Tribal roadways?
 - Livestock on the roadways
 - Weather (snow, rain, etc.)
 - Cross-Jurisdictional/Territorial Responsibility and “feuds”
 - Behavioral issues including lack of use of pedestrian/multi-use facilities even when they exist
- What speed management measures have you tried that worked/didn’t work?

Speeding is the #1 NHTSA Risky Driving Behavior and there is substantial evidence to indicate that if people are participating in one risky behavior, they are more likely to participate in others (i.e., speeding AND drunk driving)

Several proven countermeasures were reviewed/discussed including:

- Review of speed limits and ensuring limits are appropriate for the area, road condition and traffic level. If you have a road/area you believe needs to be assessed for speed determination/change, contact regional SDDOT representative. (A Tribal Resolution is helpful or just a written request)
- Utilizing high friction surface treatment
- Targeted enforcement and use of speed trailers
- Updated/more targeted signage (including school speed limit signs, overhead school flashers, changeable message signs, speed feedback signs, portable speed feedback signs, school advance warning and crosswalk signs)
- Pavement markings
- Traffic calming measures (roundabouts, speed humps, raised crosswalks/intersections, median islands, road diet, lane narrowing, landscaping)

The Speed Management Presentation can be found in Appendices: Speed Management Steps to Develop a Speed Management Action Plan.

Wrap-Up, Closing Remarks, and Closing Prayer

Many thanks for attendees and presenters for their time and attention. The Closing Prayer was provided by LaJuanda Stands and Looks Back. Safe travels!