# Date: Thursday, September 12, 2024

Join In-Person

**Location:** Ridge Room Conference Room, Grants Pass

City Hall, 101 NW A St, Grants Pass, OR

**Transit:** Served by JCT Routes #10, 20, 35, 40, 50,

80 and 100. Paratransit services are available for qualified individuals.

**Contact:** RVCOG: 541-423-1375

Website: www.mrmpo.org

Time: 1:30 p.m.

Or via Zoom

**Meeting ID:** 815 5601 4240

Phone #:

+1 719 359 4580

**Zoom Link:** 

https://us06web.zoom.us/j/81556014240

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT RVCOG, 541-664-6674. 48-HOURS ADVANCE NOTICE IS PREFERABLE AND WILL ENABLE US TO MAKE REASONABLE ARRANGEMENTS.

## 1. Call to Order / Introductions / Review Agenda

Chair

## **Consent Agenda**

#### 2. Review / Approve Minutes

Chair

Attachment: #1 MRMPO CAC Meeting Draft Minutes 07/11/2024

#### **Action Items**

#### 3. Amendment to the 2024-2027 TIP

Ryan MacLaren

Background:

The CAC is being requested to make a recommendation on the proposed amendments to the 2024-27 TIP.

- A. Adjust Project in TIP: Enhanced Mobility S&ID Josephine Co FFY23 (KN21979)
- B. Adjust Project in TIP: Enhanced Mobility S&ID Josephine Co FFY24 (KN21989)
- C. Adjust Project in TIP: Enhanced Mobility S&ID Josephine County FFY25 (KN22956)
- D. Adjust Project in TIP: Enhanced Mobility S&ID Josephine County FFY26 (KN22969)
- E. Adjust Project in TIP: Enhanced Mobility S&ID Josephine County FFY27 (KN22981)
- F. Add Project to TIP: Bus purchase-SM urban Josephine FFY24 (KN23715)
- G. Add Project to TIP: Oregon Transportation Network Josephine Co FFY25 (KN23721)
- H. Adjust Project in TIP: Oregon Transportation Network Josephine Co FFY24 (KN22052)

The 21-day public comment period and public hearing was advertised on or before Thursday, August 29, 2024, in the *Rogue Valley Times*, the *Rogue River Press* and the *Grants Pass Courier* and information is currently available

on the MRMPO website.

Attachments: #2 TIP Amendment Memo

Action Requested: Recommendation to Policy Committee

#### 4. Tribal Consultation Plan

**Jeff Stump** 

Background: A Tribal consultation is a formal, two-way, government-to-government

dialogue between official representatives of Tribes and the MRMPO to discuss proposals before the MRMPO makes decisions on those proposals. MRMPO provides sufficient advance notice to appropriate Tribal leaders of upcoming consultation sessions and, following the consultation sessions, explains to those Tribal leaders how the final MRMPO decision incorporates

Tribal input.

Attachment: #3 Tribal Consultation Plan

Action Requested: Review and Recommendation to Policy Committee

#### **Discussion Items**

5. Interactive TIP Map Jeff Stump

Background: The Interactive TIP map has been updated to the 2024-2027 TIP! Interactive

Link: TIP Weblink

6. Public Comment Chair

# **Regular Updates**

7. MRMPO Update Ryan MacLaren

#### 8. Other Business / Local Business

Chair

Opportunity for MRMPO member jurisdictions to talk about transportation planning projects

9. Adjournment Chair

Scheduled Meetings

MRMPO TAC October 3, 2024 1:30 p.m.

MRMPO CAC October 10, 2024 1:30 p.m.

MRMPO Policy Meeting September 19, 2024 2:30 p.m.

All meetings are available in-person and online via Zoom unless otherwise noted.

# Date: Thursday, July 11, 2024

#### Attendees:

Voting Members	Organization	Phone Number
Lesley Orr	Active Transportation	
David West	Grants Pass	
Judy Garrett	Grants Pass	659-9256
Nancy Sue Stout	Grants Pass	
Fred Saunders	Josephine County	659-0169
Dick Converse, Chair	Josephine County	659-8401
Non-Voting Member	Organization	Phone Number
Thomas Guevara	ODOT	
Staff	Organization	Phone Number
Kelsey Sharp	RVCOG	423-1375
Dan Moore	RVCOG	423-1393
Interested Parties	Organization	

#### MRMPO CAC Minutes - Thursday, July 11, 2024

#### Agenda Packet Meeting Audio

1. Call to Order at 1:35 P.M. / Introductions / Review Agenda 00:00 - 02:03

Quorum: Four voting members, regardless of jurisdiction.

- 2. Review / Approve Minutes 02:03 02:58
  - **O2:10** Lesley Orr moved to approve the July 13, 2024, MRMPO CAC Meeting Minutes with corrections. Seconded by Judy Garrett.

No further discussion.

Motion passed unanimously by voice vote.

#### **Action Items**

- 3. Amendment to the 2024-2027 TIP 02:58 16:57
  - 16:15 Fred Saunders moved to recommend approval of the amendments to the 2024-2027 TIP. Seconded by David West.

No further discussion.

Motion passed unanimously by voice vote.

## **Discussion Items**

- 4. Rollover Funds/Call for Projects 16:57 23:15
- 5. Public Comment 23:15 23:20

None Received.

# **Regular Updates**

6. MPO Planning Update 23:20 - 27:02

Provided by Dan Moore. Updates on all current documents.

7. Other Business / Local Business 27:02 – 34:10

Updates from Dick Converse, Lesley Orr, and Judy Garrett.

8. Adjournment

2:10 p.m.

Scheduled Meetings		
MRMPO TAC	August 2, 2024	1:30 p.m.
MRMPO CAC	August 8, 2024	1:30 p.m.
MRMPO Policy Meeting	July 18, 2024	2:30 p.m.



# **Regional Transportation Planning**

Gold Hill • Grants Pass • Rogue River • Jackson County • Josephine County • Oregon Department of Transportation

**DATE:** August 29, 2024

**TO:** MRMPO Citizen Advisory Committee

FROM: Ryan MacLaren, Senior Planner

**SUBJECT:** TIP Amendment(s)

The CAC is being asked to make recommendations to the Policy Committee on the proposed TIP amendment(s) described below. The Policy Committee will hold a public hearing at 2:30 p.m. on Thursday, September 19, 2024, to consider adoption of the proposed TIP amendment(s). A press release for the 21-day public comment period and public hearing was sent on or before August 29<sup>th</sup> in the Rogue Valley Times, Rogue River Press, Grants Pass Daily Courier, and information is currently available on the MRMPO website. Information on the new project is enumerated, below:

## A. Adjust Project in TIP: Enhanced Mobility S&ID - Josephine Co FFY23 (KN21979)

Description: Increase: 21979 \$53,063, 21989 \$57,703, 22956 \$62,396, 22969 \$54,940, 22981 \$47,031. Update project names to "Enhanced Mobility S&ID". Add "State administration included" to project descriptions. Slip 21979 and 21989 to 25.

Project Name	Project Description	RTP Project	Air Ouglity Status	Key#	Federal Fiscal Year	Phase	Fed	eral	Federal Requ	ired Match	Total Fed+Reg Match	Othe	r	Total All Sources
Project Name	Project Description	Number	Air Quality Status	ney#	reuerai riscai fear	Filase	\$	Source	\$	Source	Total reutked Match	\$	Source	Total All Sources
JCT														
	Enhanced mobility small					Planning					\$ -			\$ -
	urban program funding to					Design					\$			\$ -
Enhanced Mobility	improve transportation services to the special					Land Purchase					\$			\$ -
	needs, seniors, and other	n/a	N/A			Utility Relocate					\$ -			\$ -
Co FFY23	transit-dependent populations in rural areas.					Construction					\$ -			\$ -
	State administration			21979	2025	Other	\$ 152,500	5310	\$ 34,313	JCT	\$ 186,813			\$ 186,813
	included.				Total FFY24-27		\$ 152,500		\$ 34,313		\$ 186,813	\$ -		\$ 186,813



# **Regional Transportation Planning**

Gold Hill • Grants Pass • Rogue River • Jackson County • Josephine County • Oregon Department of Transportation

## B. Adjust Project in TIP: Enhanced Mobility S&ID - Josephine Co FFY24 (KN21989)

Description: Increase: 21979 \$53,063, 21989 \$57,703, 22956 \$62,396, 22969 \$54,940, 22981 \$47,031. Update project names to "Enhanced Mobility S&ID". Add "State administration included" to project descriptions. Slip 21979 and 21989 to 25.

Project Name	Project Description	RTP Project	Air Quality Status	Key#	Federal Fiscal Year	Phase	Fede	ral	Federal Requ	ired Match	Total Fed+Reg Match	Othe	r	Total All Sources
Froject Name	Froject Description	Number	All Quality Status	rve y #	reuerai riscai Teai	Filase	\$	Source	\$	Source	Total reurney watch	\$	Source	Total All Sources
JCT														
	small urban program					Planning					\$ -			\$ -
	funding to improve					Design					\$ -			\$ -
	transit services to the					Land Purchase					\$ -			\$ -
S&ID - Josephine	special needs, seniors, and other transit-	n/a	N/A			Utility Relocate					\$ -			\$ -
	dependent populations					Construction					\$ -			\$ -
	in rural areas. State			21989	2025	Other	\$ 158,329	5310	\$ 35,624	JCT	\$ 193,953			\$ 193,953
	administration				Total FFY24-27		\$ 158,329		\$ 35,624		\$ 193,953	\$ -		\$ 193,953

## C. Adjust Project in TIP: Enhanced Mobility S&ID - Josephine County FFY25 (KN22956)

Description: Increase: 21979 \$53,063, 21989 \$57,703, 22956 \$62,396, 22969 \$54,940, 22981 \$47,031. Update project names to "Enhanced Mobility S&ID". Add "State administration included" to project descriptions. Slip 21979 and 21989 to 25.

Project Name	Project Description	RTP Project	Air Quality Status	Key#	Federal Fiscal Year	Phase		ederal		Feder	al Requi	ired Match	Total Fed+Reg Match	Othe	r	Total All Sources	
Froject Name	Froject Description	Number	All Quality Status	rte y #	reuerai riscai Teai	Filase	\$		Source	\$	;	Source	Total reuthed Match	\$	Source	Total All Sources	
JCT																	
	Enhanced mobility small					Planning							\$ -			\$ -	
	urban program funding to					Design							\$ -			\$	
	improve transit services					Land Purchase							\$ -			\$	
S&ID - Josephine	to the special needs, seniors, and other transit-	n/a	N/A			Utility Relocate							\$ -			\$	
County FFY25	dependent populations in					Construction							\$ -			\$ -	
	rural areas. State administration included.			22956	2025	Other	\$ 200,	000	5310	\$	45,000	JCT	\$ 245,000			\$ 245,00	
	aummisuauom miciuueu.				Total FFY24-27		\$ 200,	000		\$	45,000		\$ 245,000	\$ -		\$ 245,00	



# **Regional Transportation Planning**

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## D. Adjust Project in TIP: Enhanced Mobility S&ID - Josephine County FFY26 (KN22969)

Description: Increase: 21979 \$53,063, 21989 \$57,703, 22956 \$62,396, 22969 \$54,940, 22981 \$47,031. Update project names to "Enhanced Mobility S&ID". Add "State administration included" to project descriptions. Slip 21979 and 21989 to 25.

Project Name	Project Description	RTP Project	Air Quality Status	Key#	Federal Fiscal Year	Phase	Fe	ieral	Feder	ral Requ	ired Match	Total Fed+Reg Match	Othe	r	Total All Sources	
Project Name	Project Description	Number	Air Quality Status	ney#	rederal riscal fear	Filase	\$	Source	\$	\$	Source	Total reutkey watch	\$	Source	Total All Sources	
JCT																
	Enhanced mobility small					Planning						\$ -			\$ -	
	urban program funding to					Design						\$			\$	
	improve transit services					Land Purchase						\$			\$	
S&ID - Josephine	to the special needs, seniors, and other transit-	n/a	N/A			Utility Relocate						\$ -			\$ -	
County FFY26	dependent populations in					Construction						\$ -			\$ -	
	rural areas. State administration included.			22969	2026	Other	\$ 200,00	5310	\$	45,000	JCT	\$ 245,000			\$ 245,000	
	administration included.				Total FFY24-27		\$ 200,00		\$	45,000		\$ 245,000	\$ -		\$ 245,000	

## E. Adjust Project in TIP: Enhanced Mobility S&ID - Josephine County FFY27 (KN22981)

Description: Increase: 21979 \$53,063, 21989 \$57,703, 22956 \$62,396, 22969 \$54,940, 22981 \$47,031. Update project names to "Enhanced Mobility S&ID". Add "State administration included" to project descriptions. Slip 21979 and 21989 to 25.

Project Name	Project Description	RTP Project	Air Quality Status	Key#	Federal Fiscal Year	Phase	Fede	ral	Fede	eral Requ	ired Match	Total Fed+Reg Match	Othe	r	Total All Source	
Project Name	Project Description	Number	Air Quality Status	rtey#	rederal riscal feat	Filase	\$	Source		\$	Source	Total reutked Match	\$	Source	Total All Sour	ces
JCT																
	Enhanced mobility small					Planning						\$ -			\$	-
	urban program funding to					Design						\$			\$	-
	improve transit services					Land Purchase						\$			\$	-
S&ID - Josephine	to the special needs, seniors, and other transit-	n/a	N/A			Utility Relocate						\$			\$	-
	dependent populations in					Construction						\$			\$	-
	rural areas. State administration included.			22981	2027	Other	\$ 200,000	5310	\$	45,000	JCT	\$ 245,000			\$ 24	45,000
	auministration included.				Total FFY24-27		\$ 200,000		\$	45,000		\$ 245,000	\$ -		\$ 24	45,000



# **Regional Transportation Planning**

Gold Hill • Grants Pass • Rogue River • Jackson County • Josephine County • Oregon Department of Transportation

## F. Add Project to TIP: Bus purchase-SM urban Josephine FFY24 (KN23715)

Description: Create new transit project. Expected OTC approval 8/1/24.

Project Name	Project Description	RTP Project	Air Quality Status	Key#	Federal Fiscal Year	Phase	Fede	ral	Federal Requ	ired Match	Total Fed+Reg Match	Other		Total All Sources	
Froject Name	Project bescription	Number	All Quality Status	rve y #	reuerai riscai Teai	Filase	\$	Source	\$	Source	Total reutkey watch	\$	Source	Total All Sources	
JCT															
						Planning					\$ -			\$ -	
						Design					\$ -			\$ -	
Bus purchase-SM	Purchase of an ADA					Land Purchase					\$ -			\$ -	
urban Josephine	accessible vehicle	n/a	N/A			Utility Relocate					\$ -			\$ -	
FFY24	accessible verlicie					Construction					\$ -			\$ -	
				23715	2025	Other	\$ 80,750	5339	\$ 14,250	JCT	\$ 95,000			\$ 95,000	
					Total FFY24-27		\$ 80,750		\$ 14,250		\$ 95,000	\$ -		\$ 95,000	

# G. Add Project to TIP: Oregon Transportation Network - Josephine Co FFY25 (KN23721)

Description: Create new transit project. OTC approval 8/1/24.

Project Name	Project Description	RTP Project	Air Quality Status	Key#	Federal Fiscal Year	Phase	Fed	eral	Federal Requ	ired Match	Total Fed+Reg Match	Othe	r	Total All Sources
Froject Name	Project Description	Number	All Quality Status	rte y #	rederal riscal Teal	Filase	\$	Source	\$	Source	Total reurney watch	\$	Source	Total All Sources
JCT														
	Urbanized public transit					Planning					\$ -			\$ -
Oregon	capital funding for Federal					Design					\$ -			\$ -
Transportation	fiscal year 2024. Funds will					Land Purchase					\$ -			\$ -
Netw ork -	be transferred to FTA for delivery. Projects and	n/a	N/A			Utility Relocate					\$ -			\$ -
Josephine Co	programs to be					Construction					\$ -			\$ -
FFY25	determined based on funding requirements.			23721	2025	Other	\$ 150,000	IJA Flex	\$ 17,168	JCT	\$ 167,168			\$ 167,168
	runung requirements.				Total FFY24-27		\$ 150,000		\$ 17,168		\$ 167,168	\$ -		\$ 167,168

## H. Adjust Project in TIP: Oregon Transportation Network - Josephine Co FFY24 (KN22052)

Description: Decrease OT by \$173,435 and slip OT to 25.

Project Name	Project Description	RTP Project	Air Ouglity Status	Key#	Federal Fiscal Year	Phase	Fede	ral	Federal Requ	ired Match	Total Fed+Reg Match	Othe	r	Total All Sources
Project Name	Froject Description	Number	All Quality Status	rte y #	reuerai riscai Teai	Filase	\$	Source	\$	Source	Total reunkey watch	\$	Source	Total All Sources
JCT														
	I lab anima di mabilia tannait					Planning					\$ -			\$ -
	Urbanized public transit capital funding for federal					Design					\$ -			\$ -
Transportation	fiscal year 2024. Funds will					Land Purchase					\$ -			\$ -
Netw ork -	be transferred to FTA for delivery. Projects and	n/a	N/A			Utility Relocate					\$ -			\$ -
	programs to be					Construction					\$ -			\$ -
FFY24	determined based on funding requirements.			22052	2025	Other	\$ 98,184	STBG Flex	\$ 11,238	JCT	\$ 109,422			\$ 109,422
	runuing requirements.				Total FFY24-27		\$ 98,184		\$ 11,238		\$ 109,422	\$ -		\$ 109,422

# TRIBAL CONSULTATION PLAN

Middle Rogue Metropolitan Planning Organization



# Contents

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#### 1. Tribal Consultation

A Tribal consultation is a formal, two-way, government-to-government dialogue between official representatives of Tribes and the MRMPO to discuss proposals before the MRMPO makes decisions on those proposals. MRMPO provides sufficient advance notice to appropriate Tribal leaders of upcoming consultation sessions and, following the consultation sessions, explains to those Tribal leaders how the final MRMPO decision incorporates Tribal input.

#### 2. MRMPO Tribal Liaison

- A. The MRMPO shall designate a Tribal Liaison for Tribal consultation matters who is responsible for serving as the primary point of contact for Tribal officials seeking to consult with the MRMPO.
- B. The designated MRMPO Tribal Liaison may delegate consultation responsibilities to other decision-making officials as necessary and appropriate to facilitate discussion on specific subject matter areas.
- C. The MRMPO shall provide the name and contact information of the designated MRMPO Tribal Liaison for Tribal Consultation on its website.

#### 3. Notice of Consultation

Consultation meetings may be scheduled on a regular basis or on an as needed basis. The MRMPO may also seek to establish a quarterly or semi-annual conference call with the Tribes to inform them about opportunities to participate in stakeholder meetings and/or public forums. To reduce costs, the Tribes and the MRMPO will make their best efforts to coordinate in person consultation meetings with other regularly scheduled meetings.

- A. When inviting a Tribe or Tribes to consult, the MRMPO should:
  - (i) Develop a notice of consultation, which includes:
    - a. sufficient information on the topic to be discussed, in an accessible language and format, and context for the consultation topic, to facilitate meaningful consultation;
    - b. the date, time, and location of the consultation, as requested by the MRMPO or as developed in consultation with the Tribe or Tribes;
    - c. if consulting virtually or by telephone, links to join or register in advance;
    - d. an explanation of any time constraints known to the MRMPO at that time, such as statutory deadlines;
    - e. deadlines for any written comments on the topic; and
    - f. names and contact information for the MRMPO staff who can provide more information;

- (ii) transmit the notice of consultation, using the MRMPO's standard method of communication, to each affected Tribal government and consider posting it to the MRMPO's website or any centralized site for providing notice of or coordinating Tribal consultations;
- (iii) provide notice of at least 30 days to the Tribe or Tribes of any planned consultations, except as provided in subsection (c) of this section;
- (iv) provide appropriate, available information on the subject of consultation including, where consistent with applicable law, a proposed agenda, framing paper, and other relevant documents to assist in the consultation process; and
- (v) allow for a written comment period following the consultation of at least 30 days, except as provided in subsection (C) of this section.
- B. The MRMPO shall ensure that officials responsible for sending invitations to consult to interested or potentially affected Tribal governments use available tools, databases, and the MRMPO documentation, as well as communicate with the MRMPO representatives who may be knowledgeable about those Tribes and the location(s) affected by the policy with Tribal implications, to ensure their invitation efforts are appropriately inclusive. Such efforts should account for the fact that Tribes may have connections or legally protected rights to locations and resources beyond their current Tribal lands and Tribal government offices such as off-reservation fishing, hunting, gathering, or other rights.
- C. If there are time constraints such that 30 days' notice of consultation is not possible, or that the post-consultation written comment period described in subsection (A)(v) of this section must be shorter than 30 days, the notice of consultation should include information as to why the standard notice or written comment period cannot be provided. Upon the request of a Tribe, or where it would serve Tribal interests or fulfill certain trust obligations to Tribal Nations, the MRMPO should consider adjusting deadlines for notice of consultations and for accepting written comments.

#### 4. The Consultation

Throughout a consultation, the MRMPO, or appropriate representatives, shall recognize and respect Tribal self-government and sovereignty; identify and consider Tribal treaty rights, reserved rights, and other rights; respect and elevate Indigenous Knowledge, including cultural norms and practices relevant to such consultations; and meet the responsibilities that arise from the unique legal relationship between the Federal Government and Tribal governments. The head of MRMPO should ensure that MRMPO representatives with appropriate expertise and, to the extent practicable, decision-making authority regarding the proposed policy are present at the Nation-to-Nation consultation. The MRMPO should consider conducting the consultation in a manner that prioritizes participation of official Tribal government leaders.

#### 5. Record of the Consultation

- A. The MRMPO shall maintain a record of the consultation process that includes:
  - (i) a summary of Tribal input received;
- (ii) a general explanation of how Tribal input influenced or was incorporated into MRMPO action; and
- (iii) if relevant, the general reasoning for why Tribal suggestions were not incorporated into the MRMPO action or why consensus could not be attained.
- B. The MRMPO shall timely disclose to the affected Tribe or Tribes the outcome of the consultation and decisions made as a result of the consultation. To the extent permitted by applicable law, MRMPO shall seek to ensure that information designated as sensitive by a Tribal government is not publicly disclosed. should obtain advance informed consent from Tribal communities for the use of sensitive information provided by the Tribe, and should inform Tribal representatives that certain Federal laws, including the Freedom of Information Act, may require disclosure of such information.
- C. For national and regional consultations, or if otherwise appropriate, the MRMPO should also consider publicly posting the record of consultation to foster ease of reference and use by other agencies, employees, and processes, and to minimize burdens on Tribes to provide similar input in multiple consultations. Decisions regarding whether to publicly post a record of consultation should be made with Tribal input.
- D. The record of consultation does not waive any privilege or other exception to disclosure pursuant to the Freedom of Information Act or its implementing regulations.

#### 6. Roles and Responsibilities

*Table 1 - Roles and Responsibilities* 

	MPO	Tribal Liaison	Designated Contact
Consultation Plan	✓		
Tribal Liaison	✓		
Notice of Consultation		✓	✓
Consultation/Meeting		✓	✓
Quarterly Report/Notes			✓

The Tribes will determine at what level they wish to participate. It would not be uncommon for a proposal or the subject of a consultation to not impact the Tribes in a significant way. In these instances, the Tribes may determine that a meeting with staff or a Tribal Council presentation in lieu of a formal consultation is preferred. If the Tribes decide a formal consultation is not required, the decision is confirmed, and the decision explicitly documented.

A meeting or presentation is not the same as a formal consultation. Tribes are sovereign nations in which consultation is a distinct process conducted at the highest levels in a government-to-government context. Tribes are not a "stakeholder" or the "public". A Tribe is a separate government organization in which they are afforded consultation, early review and extended timelines.

Tribal Council meeting protocols and timelines vary for each Tribe, but meetings are often conducted using Robert's Rules of Order. For a Tribal Council meeting, an MRMPO official should attend in respect of the government-to-government relationship. Notes should be taken during the meeting and afterward compared to meeting minutes.

Regularly scheduled staff meetings are a good way to maintain and strengthen relationships. Staff, in advance of any meeting, should provide the Tribe with a draft agenda and incorporate their input into a final agenda. A prayer, invocation or blessing at the beginning of meetings are common. A face-to-face meeting is best in all cases but in the case of virtual meetings, offer a non-internet phone call as an option. Take strong notes or record the meeting and provide to attendees after the meeting to ensure a mutual understanding of the topics discussed and/or desired outcomes, etc.

Timelines for Tribal outreach and engagement will correspond to the development phases of the MRMPO Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP). The RTP is updated every 4 years with a minimum horizon of 20 years. The TIP identifies and lists transportation projects for implementation within the next 4 federal fiscal years and is updated annually.

#### 7. Performance and Accountability

After completing each Tribal engagement, the MRMPO will produce a report detailing the results of their Tribal outreach and provide the report to the effected Tribes. The MRMPO will, with input from Indian Tribes, develop and utilize appropriate evaluation measures to assess their efforts to determine whether their overall consultation process is effective over time.

#### 8. Definitions

The terms "Tribal officials," and "policies that have Tribal implications," are used as defined in Executive Order 13175. The terms "Tribes", "Tribal Nations" "Federally Recognized Tribe", "Tribe", or "Indian Tribe" refers to any Indian tribe, band, nation, pueblo, village, community, or other organized group or community of Indians that the Secretary of the Interior recognizes as an Indian Tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, (25 U.S.C. § 479a).

#### 9. Scope

Nothing in this Plan shall be construed to impair or otherwise affect the ability of the MRMPO to set more specific or more stringent standards, or to incorporate other best practices, for conducting Tribal consultation.

## **10. General Provisions**

- A. Nothing in this Plan shall be construed to impair or otherwise affect the authority granted by law to an executive department agency, the MRMPO or the head thereof.
- B. This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

## **APPENDIX A**

Select listing of laws relevant to Tribal consultation or coordination.

#### **Federal**

23 CFR 450.316 Interested parties, participation, and consultation

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments

Freedom of Information Act (FOIA)

Executive Order 12898, Environmental Justice

National Environmental Policy Act (NEPA)

**Endangered Species Act** 

Clean Water Act

Clean Air Act

Resource Conservation and Recovery Act Oil Pollution Prevention Act

Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)

Federal Land Policy and Management Act Coastal Zone Management Act of 1972

Magnuson-Stevens Fisheries Conservation and Management Act Migratory Bird Treaty

Paleontology Resources Act

Executive Order 11593, Protection and Enhancement of the Cultural Environment

Executive Order 13007, Indian Sacred Sites

Executive Order 13287, Preserving America

The National Historic Preservation Act (NHPA)

Department of Transportation Act (DOT)

Archaeological Resources Protection Act (ARPA)

ARPA is the federal lands archaeological permitting act.

American Indian Religious Freedom Act (AIRFA)

Native American Graves Protection and Repatriation Act (NAGPRA)

Antiquities Act of 1906

Archeological and Historic Preservation Act of 1974

Abandoned Shipwreck Act of 1987

# <u>State</u>

ORS 97.740: Indian Graves and Protected Objects.

ORS 358.905-961: Archaeological Sites and Objects.

ORS 182.162-168: Relationship of State Agencies with Indian Tribes.

ORS 192.345(11): Public records conditionally exempt from disclosure.

ORS 390.805-390.925: Designated Scenic Waterways

ORS 196.105-196.125: Removal Fill