



Date: Thursday, October 3, 2024

Time: 1:30 p.m.

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.mrmppo.org

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: *Josephine Co - Transit operations (5307) FY2024 (KN20979)*

The 21-day public comment period and public hearing was advertised on or before Thursday, September 26, 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.



AGENDA

Middle Rogue Metropolitan Planning Organization
Citizen Advisory Committee

Attachment: [#3 Tribal Consultation Plan](#)

Action Requested: Review and Recommendation to Policy Committee

Discussion Items

5. Public Comments **Chair**

Regular Updates

6. MRMPO Update **Ryan MacLaren**

7. Other Business / Local Business **Chair**

Opportunity for MRMPO member jurisdictions to talk about transportation planning projects

8. Adjournment **Chair**

Scheduled Meetings		
MRMPO TAC	November 7, 2024	1:30 p.m.
MRMPO CAC	November 14, 2024	1:30 p.m.
MRMPO Policy Meeting	October 17, 2024	2:30 p.m.

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



Date: Thursday, September 12, 2024

Attendees:

Voting Members	Organization	Phone Number
Lesley Orr	Active Transportation	
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
Ryan MacLaren	RVCOG	423-1338
Kelsey Sharp	RVCOG	423-1375
Dan Moore	RVCOG	423-1393
Jeff Stump	RVCOG	423-1367
Interested Parties	Organization	

MRMPO CAC Minutes – Thursday, September 12, 2024

[Agenda Packet](#)

Meeting Audio Unavailable

1. Call to Order at 1:35 P.M. / Introductions / Review Agenda

Quorum: Four voting members, regardless of jurisdiction.

2. Review / Approve Minutes

Fred Saunder moved to approve the July 11, 2024, MRMPO CAC Meeting Minutes as presented. Seconded by Judy Garrett.

No further discussion.

Motion passed unanimously by voice vote.

Action Items

3. Amendments to the 2024-2027 Transportation Improvement Program

Fred Saunders moved to recommend approval of the amendments to the 2024-2027 TIP as presented. Seconded by Judy Garrett.

No further discussion.

Motion passed unanimously by voice vote.



4. Tribal Consultation Plan

Motion to continue discussion until next MRMPO CAC meeting was held by consensus.

Discussion Items

5. Interactive Transportation Improvement Program

6. Public Comment

None Received.

Regular Updates

7. MPO Planning Update

Provided by Ryan MacLaren. Update on the Ride the Rogue held September 28, 2024, possible changes in funding, and possible new Land Use employee.

8. Other Business / Local Business

An open house for the Greenway study has begun!

9. Adjournment

2:32 p.m.

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.



Middle Rogue
Metropolitan Planning Organization
Regional Transportation Planning

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

DATE: September 26, 2024
TO: MRMPO Citizens Advisory Committee
FROM: Ryan MacLaren, Planning Program Director
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, October 17, 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 September 26th 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: Josephine Co - Transit operations (5307) FY2024 (KN20979)

Description: Increase: 20979 from \$938,770 to \$1,147,921 to reflect the actual apportionment.

Project Name	Project Description	RTP Project Number	Air Quality Status	Key #	Federal Fiscal Year	Phase	Federal		Federal Required Match		Total Fed+Req Match	Other		Total All Sources
							\$	Source	\$	Source		\$	Source	
JCT														
Josephine Co - Transit operations (5307) FY2024	Transit operation expenses	n/a	N/A			Planning					\$ -			\$ -
						Design				\$ -		\$ -		
						Land Purchase			\$ -		\$ -			
						Utility Relocate			\$ -		\$ -			
						Construction			\$ -		\$ -			
				20979	2025	Other	\$ 1,147,921	5307	\$ 1,147,921	JCT	\$ 2,295,842		\$ 2,295,842	
		Total FFY24-27	\$ 1,147,921		\$ 1,147,921		\$ 2,295,842	\$ -	\$ 2,295,842					

TRIBAL CONSULTATION PLAN

Middle Rogue Metropolitan Planning Organization



AUGUST 28, 2024

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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

State

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