Mutual benefits prompt road project

"The increased ADT has strained the system. Completing this road project will allow better traffic flow from the city's business district and motel facilities to the casino."

Stephen Gregorich, City Engineer
City of Sault Ste. Marie

"The increased daily traffic contributed to many pedestrian and motor vehicle accidents but this situation will improve with the completion of this project." Ermatinger adds, "Access to the reservation entrance, the casino, and tribal housing will also be improved."

Ken Ermatinger, Manager
Chi-Chuk Construction Company

The city of Sault Ste. Marie and the Sault Ste. Marie Tribe of Chippewa Indians often work closely on road projects because of the reservation's location within the city limits. This cooperation has realized mutual benefits. Most recently, they jointly proposed the reconstruction of 2.7 miles of Marquette Avenue and Shunk Road--two roads that are important to both the tribe and the city.

The city owns the right-of-way on both of the roads but road reconstruction would not be possible without the tribe's financial assistance. The city approached the tribe for a portion of the local cost share and together, the city and the tribe are paying for 20% of the total $3.2 million project. The remaining costs will be funded through a combination of ISTEA Federal Urban Funding and a Michigan Department of Transportation (MDOT) Economic Development Fund Grant.

Remarkably, the two streets have seen an Average Daily Traffic (ADT) increase from

continued on page 8
IRR classifications affect planning and funding processes

The planning and funding processes for Indian Reservation Roads (IRR) vary depending upon the subclassification within the IRR inventory. The roads identified as IRR are further subdivided into five groups:

**Bureau of Indian Affairs (BIA) Road System**
Existing public roads and proposed routes that qualify as IRR pursuant to the provisions of 23 U.S. Code 101 and for which the BIA has, or plans to obtain, a legal right-of-way. The BIA Road system is further subdivided as follows:

**Federal-Aid-Road**
Existing public highways and proposed routes that qualify as Federal-aid routes pursuant to the provisions of section 103 of 32 U.S. Code.

**Interior or Locally Funded Roads**
Existing public routes or sections of routes for which the BIA received construction funding from the appropriations of the Department of the Interior or BIA roads that were built with State or Local funds.

**Highway Trust Fund Roads**
Existing BIA routes or sections of routes that were constructed or improved with Highway Trust Funds as by the Surface Transportation Assistance Act of 1982 or subsequent acts.

**Tribal Public Roads**
Public roads whose rights-of-way are under the jurisdiction of a tribe.

**County or Township Roads**
Public Roads and streets whose rights-of-way are under the jurisdiction of a county or township.

**State Highways**
Public roads whose rights-of-way are under the jurisdiction of a state.

**Other Federal Agency Public Roads**
Public roads whose rights-of-way are under the jurisdiction of Federal Agencies such as the Forest Service, the Bureau of Reclamation, the Department of Defense, the Department of Housing and Urban Development, and others.

The mileage of all classifications listed above for the Eastern and Minneapolis agencies (which includes reservations in the eastern half of the United States) follows:

**Minneapolis Area IRR System (in miles):**
- BIA Roads: 915
- Tribal Public Roads: 107
- County or Township Roads: 1,992
- State Highway Roads: 505
- Other: 30
- Total IRR mileage: 3,549*

**Eastern Area IRR System (in miles):**
- BIA Roads: 551
- Tribal Public Roads: 99
- County or Township Roads: 121
- State Highway Roads: 12
- Other: 13
- Total IRR mileage: 796*

* Please note that the mileage in any classification and/or total can change as new roads are built or mileage is changed to a different classification.
Tribal Technical Assistance Program
information and training needs assessment

You know best how we can serve you. Please take a few minutes to complete this assessment. Then just tear it out, fold, tape, and drop it in the mail. **No postage is necessary.**

Please indicate the topics you feel would be of greatest benefit and which delivery system works best.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Workshop</th>
<th>Printed Materials</th>
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<th>Other Suggestions</th>
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<td>Pavement Management Systems</td>
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<td>Gravel Road Maintenance</td>
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<td>Funding Sources and Techniques</td>
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<td>Signing and Traffic Control</td>
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<td>Indian Reservation Roads (IRR) Funding</td>
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<td>ISTEA Enhancement Projects</td>
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Additional suggestions or comments:
**Pathways**

**TRAINING NEEDS ASSESSMENT**

Please help the TTAP to deliver training and assistance more suited to your needs and circumstances by completing this simple survey. Thanks for your help!

1. Does your tribe currently have, or plan to obtain, a satellite dish capable of being steered to specific coordinates in order to pick up transmissions? ____________________________

2. Does your tribe currently have, or expect to obtain, e-mail capability and/or computer access to the Internet? ____________________________

3. Does your tribe or organization have a Homepage on the Internet? If so, what is the internet address or URL? ____________________________
   If not, would you like assistance in constructing & maintaining a Homepage? YES □ NO □

4. Would you be interested in receiving technical assistance and training to connect to (and use) the Internet or to improve Satellite Downlink capability? YES □ NO □

**We would like training in the following topic areas:**

(Indicate all delivery styles desired)

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<tr>
<th>Workshop</th>
<th>Conference</th>
<th>Printed Material</th>
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- □ P.L. 93-638 Contracting
- □ Funding Sources/Grant Writing
- □ Geographic Information System Technology
- □ IRR Road Inventory Training
- □ Intergovernmental Coordination
- □ Internet Access & Use Training
- □ Internet Homepage Construction/Maintenance
- □ Metrics in Transportation
- □ Operating Heavy Equipment
- □ Pavement Management
- □ Project Management
- □ Protecting Archeological Sites
- □ Public Transit
- □ Supervisory/Management Skills
- □ Transportation Enhancement
- □ Transportation Needs Assessments
- □ Transportation Planning & Development
- □ Tourism Development
**Q&A on Planning and Funding**

Explain the IRR funding formula that determines the amount of funding that comes into BIA area offices for the tribes.

Right now we are in the process of a 4 year transitional phase between the "old" formula and the new "relative need" formula. The "old" formula is 1/3 area + 1/3 population + 1/3 BIA owned road mileage (where mileage refers to Class 2 and Class 3 plus 1/3 of Class 4 mileage). The "new" or "relative need" formula is based on 3 differently weighted factors: Cost to Improve, 50%; Total Vehicle Miles Traveled, 30%; and Total Indian Population, 20%. This year 25% of the new formula is in effect and 75% of the old. In 1994 the formulas will be split 50%-50%. In 1995 the ratios will be 25% old formula and 75% new. Finally, in 1996, the transition to the new formula will be 100% complete.

How are the funds distributed to tribes?

The Highway Trust Funds are not distributed directly to the tribes. The IRR funds provided under ISTEA are distributed to the BIA Area Offices according to the IRR funding formula explained above.

Can funds received for one category under PL 93-638 contract be used for another purpose?

No. All Title 23 funds are to be used for a specific purpose. IRR Highway Trust Fund construction money is to be used to support construction projects only, and road maintenance funds which come from the Interior Appropriations can be used only for road maintenance. Other uses would be considered as a misappropriation of funds.

Can allocations for tribes be increased for modes of transportation other than roads?

No. IRR funds can be used only for the types of projects authorized in Title 23, U.S.C.

What state highway funds are tribes eligible for?

Roads on reservations are eligible for several different funds provided through state programs which use federal and/or state funds. Two examples are the Highway Bridge Replacement and Rehabilitation Program funds and Emergency Road Repair funds described in other sections. Tribes can also apply for Highway Safety Funds, 10% Surface Transportation Program Enhancement Funds, and Scenic Byway Funds. Under the Public Lands Highway Program, tribes can ask the state to submit the projects for funding.

What is the BIA’s share of the $191 million for Indian Reservation Roads?

The Federal Highway Administration is authorized to take down 3.75% for the overall administration of the IRR program, and each year has taken a percent for this activity. For the fiscal year 1993 the rate was 3%. About $600,000 is reserved for Indian LTAP centers, and Coordinated Technology Implementation Program activities. The remainder is made available to the IRR program. The BIA uses 6% maximum for administrative purposes for the Central and Area Offices, 2% for IRR transportation planning, and 2% for tribal planning. This leaves approximately $170.1 million for road design and construction work.

What becomes of unused funds set aside in ISTEA for the IRR Program?

To date only a minimal amount of IRR funds have not been obligated by September 30th. For example, in fiscal year '92, only $22,000 was not obligated out of the $160 million made available to the IRR program. Any unobligated funds have to be returned to FHWA at the end of the fiscal year.

What is the basis of the fund distribution for the 2% planning funds?

As legislated under ISTEA, up to 2% of the IRR funds can be allocated to those tribes applying for IRR Transportation Planning under PL 93-638. The Division of Transportation divided the funds between the twelve BIA Areas so that each Area will receive at least $150,000. The BIA Areas are free to distribute the funds in any fair manner to the tribes.

The 2% planning funds are inadequate. The small tribes especially will get so little they won’t be of any use. Is there anything that can be done about it?

The planning funds do benefit the large tribes more, but short of legislative changes, there is little that can be done to change this. All of the 2% planning funds are reserved for PL 93-638 planning activities. However, the small tribes can use their funds to develop their IRR Transportation Improvement Plan and participate in meetings with the state, counties, BIA and FHWA. They can also form road committees within agencies to collectively take advantage of what funds are available. However, the area offices still have regular IRR planning funds which they can use to help the smaller tribes develop and update their reservation transportation plan.

Most areas were eligible for more funds under ISTEA, but some received less. Why?

All Areas received more funds under ISTEA than they had previously received. However, Portland received less than they would have for the following reason. All the roads included in the funding formula have to be open to the public, even though tribes can restrict access off the road. The Yakima Tribe decided to take 80% of their road miles off their public access roads inventory, so they no longer qualify as IRR public roads. This action affected the funding formula outcome for the Portland Area Office, which includes Yakima.

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These questions and answers were adapted from the National BIA/Tribal Leaders Transportation Meeting notebook. The meeting took place in Denver, August 24-26, 1993.