



# CONSULTATION REPORTS

2018



# ANNUAL REPORT

*Utah Department of Corrections Tribal Consultation Annual Report*

*Fiscal Year 2018  
July 1, 2017-June 30, 2018*



**Utah Department of Corrections Mission Statement:**

Our dedicated team of professionals ensures public safety by effectively managing offenders while maintaining close collaboration with partner agencies and the community. Our team is devoted to providing maximum opportunities for offenders to make lasting changes through accountability, treatment, education, and positive reinforcement within a safe environment.

**Highlights from FY2018:**

Our department works with federally recognized Indian Tribes in various ways, including running various programs through our prison system that accommodate Tribes' religious practices, coordinating with tribes through our adult probation and parole offices, and holding strategic meetings to understand how we can better support continued collaboration.

**Tribal Consultation Liaison Contact info:**

*Kaitlin Felsted*

*Public Information Officer*

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## EFFORTS FOR CONTINUED COLLABORATION AND COORDINATION

27-Sep-17	London Stromberg, Deputy Director, and Maria Peterson, Public Information Officer, with the Utah Department of Corrections, attended the State Department Tribal Liaison Meeting.
1-Oct-26	Maria Peterson and London Stromberg participated in the Talking Circle at the Wasatch Facility at the Utah State Prison in order to better understand how potential concerns can be addressed.
1-Nov-17	Various division directors within the Utah Department of Corrections held a Department Tribal Consultation Efforts Meeting and discussed opportunities and concerns regarding tribal relations.
Jan-18	Spencer Turley, AP&P Region 4 Director, met with Tamara Brochardt-Slayton, the Tribal Chairperson for the Paiute Tribe, to discuss concerns regarding tribe procedures for conduct on tribal lands.
1-Mar-18	Spencer Turley attended the Paiute Tribe Council meeting in Cedar City, and spoke with five Paiute Bands about policy and procedures regarding Adult Probation and Parole. Turley also met with Corrina Bow, the tribal representative from the Kanosh Band, and discussed improving communication.
11-Mar-18	Spencer Turley and Agent Marshall attended the Kanosh Band Tribal Council Meeting, and again discussed policies and procedures regarding Adult Probation and Parole, and also establishing a consistent procedure for keeping the lines of communication open.
2-May-18	London Stromberg, Deputy Director, and Kaitlin Felsted, Public Information Officer, attended the State Liaison Meeting on Tribal Issues.
4-Jun-18	Utah Department of Corrections held a Policy Committee Meeting to complete the Department's Native American Consultation Policy.

## ONGOING EFFORTS WITH ADULT PROBATION AND PAROLE

### *Region V (Cedar City, Hurricane)*

- Staff interact with the Paiute Tribe on a monthly basis.
- Staff attend a treatment review meeting where they staff cases of those offenders who are involved in their (Piute Tribe) treatment program on the second Monday of each month.
- Several agents participate in "Open Gym Night" about three times a year assisting and helping out with games for tribal members.

### *Region VI (Moab, Price, Roosevelt, Vernal)*

- Staff maintain a clear communication with the Navajo Tribe in southeastern Utah and they continue to communicate and build relationships with the Ute Indian Tribe in the Uintah Basin.

### *Region IV (Provo, Richfield)*

- Staff continually meet with leaders and build relations with the Paiute Tribe.

## ONGOING EFFORTS WITHIN THE UTAH STATE PRISON

- The Draper Facility employs an Ethnic Minority Resource Officer (EMRO) posted within the facility to provide direct Native inmate support and oversee Native Affairs.
- Draper facility facilitates Native Sweat Lodge ceremonies approximately every 2 weeks on a facility rotation.
- Native Talking Circle is scheduled weekly for each general population area.
- UDC/UCI furniture shop donates truckloads of scrap wood to supplement Native inmate Sweat Lodge and Talking Circles.
- Individual Native blessings are provided to inmates at their request via volunteers.
- If an inmate provides a preferred contact name for a Native blessing request, then the tribe will be contacted and informed of request. Arrangements and accommodation for a special visit will be made.
- Inmates are asked to provide Tribal information to Utah Department of Corrections, so they can better assist them with Tribal contact and emergency notification as applicable.
- Native inmates have the opportunity to utilize the Ethnic Minority Resource Officer for support related to their Case Action Plans and treatment needs.
- The Substance Abuse and Mental Health Services Administration (SAMSHA) approved guides addressing Native cultural and spiritual practices have been provided to the Promontory ConQuest Director for staff education.
- At this time, Native volunteer and a licensed clinical social worker, Lacey Harris, provides a Native specific support and study group titled "The Red Road to Wellbriety: In the Native American Way" in the Promontory facility. Books and workbooks for this class are currently being provided by Utah Department of Corrections' Programming Department.
- Native inmates are offered additional assistance with release matters, including Native specific resource information and Tribal contact information.

- Assistance related to inmate Tribal fund deposits information is facilitated by the Ethnic Minority Resource Officer.
- Staff training related to Native religious practices and items requiring special handling is provided by the Ethnic Minority Resource Officer as ongoing support to supplement to the Academy delivered cultural sensitivity and religious property curriculum.
- Persons interested in providing Native services are encouraged to contact the Volunteer and Religious Services Office and/or the Draper Ethnic Minority Resource Office liaison Sgt. Julie Hauser
- Persons requesting to provide Native spiritual/religious services are required to provide documentation of Tribal affiliation and Tribal Council approval.
- During FY2017, the Draper Ethnic Minority Resource Officer did not identify any regulations, rules, or other issues that had a substantial direct effect on an Indian tribe. Additionally, no tribal officials contacted the EMRO liaison to request consultation.

**Chyleen A. Arbon**  
*Chair*

**Carrie L. Cochran**  
*Vice Chair*



**Angela F. Micklos**  
*Member*  
**Clark A. Harms**  
*Member*  
**Denise M. Porter**  
*Member*

## STATE OF UTAH BOARD OF PARDONS AND PAROLE

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Shirley Silversmith  
Director Division of Indian Affairs  
Education Library Bldg  
250 N 1950 W  
Salt Lake City, UT 84116

Ms. Silversmith,

June 19, 2018

In compliance with Governor Herbert's executive order regarding consultation with Indian tribes, the Board submits the following report.

During FY2018 the Board did not identify any regulations, rules, or other policy statements that had a substantial direct effect on an Indian tribe. Additionally, no tribal officials contacted the Board to request a consultation.

Respectfully,

Greg Johnson  
Director of Administrative Services

Governor's Office of Economic Development  
FY2018 Tribal Consultation Report

Dear Shirlee Silversmith:

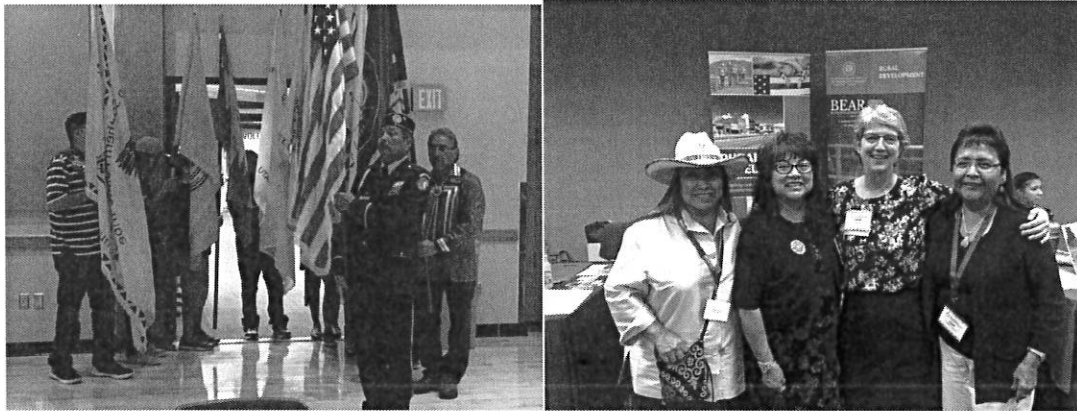
Please see the reports from each of the GOED departments over the last year.

Sincerely,

Linda Clark Gillmor

Office of Rural Development (ORD):

July 20, 2017: ORD Sponsored and had a trade show booth at the Governor's Native American Summit



ORD was contacted by Dory Peters from Big Navajo Energy in early May 2018. He is interested in supplying low noise generators to existing Navajo business owners (within Utah Chapters) using mobile food kitchens to supply a variety of food to outlying areas of the reservation, with low noise generators so they can have refrigeration and be more productive.

He expressed interest applying for some money for this project through the BEAR grant which was released May 14, 2018. Dory even attended the BEAR pre-application orientation training webinar on May 19, 2018. Applications are due no later than June 11, 2018 at 5:00PM.

Contact:

Linda Clark Gillmor  
Director, Office of Rural Development  
Associate Managing Director, Urban & Rural Business Services

Office: 801.538.8804  
Cell: 435.864.8389  
Governor's Office of Economic Development  
60 E. South Temple, Third Floor  
Salt Lake City, Utah, 84111

Utah STEM Center:

The Utah STEM Bus traveled down to southeastern Utah and presented at a Junior Achievement Career Fair (Jr. Achievement of Utah) about STEM careers and college opportunities. The schools that came to the career



fair mainly cater to the Navajo Nation and Hopi Tribe. The date of the career fair was March 20 - 22nd. Let me know if you have any questions.

Contact:

Brad Hunsaker  
Utah STEM Bus Program Coordinator  
Governor's Office of Economic Development  
(Office) 801.538.8892 | (Cell) 571.277.0170  
60 E. South Temple, Suite 850, SLC, UT, 84111

Utah Film Commission:

Utah Film Commission makes client referrals to the Office of Broadcast Services, Tribal Parks or Navajo location scouts. They refer all calls/email for filming on Reservation lands to the contacts we have on file for the Goshutes, Navajo or Ute Tribes. They would be happy to supply a list of referrals if requested.

Contact:

DEREK MELLUS  
Production Manager  
UTAH FILM COMMISSION  
P: 801.538.8740  
M: 801.674.2310  
W: film.utah.gov

Procurement and Technical Assistance Center:

On September 12, 2017 PTAC attended a meeting between Tope Technology, LLC (Tope) and government representatives to include Lt. Governor Cox, Utah State Senators Stewart Adams (by phone) and Jerry Stevenson and Utah Representative Stephen Handy. Federal delegation was represented by Ron Dayne (from Senator Hatch's office, by phone) and Devon Murphy (for Congressman Bishop). For Tope there were 3 present; Jeff Perry, Darren Perry (Jeff's brother and newly elected tribal leader of Northern Band of Shoshone Nation (NWBSN)) and Tope employee, Gary Peterson. Tope is a Native American Tribal Owned 8(a) certified small business.

At issue Tope was asking for help from Utah state and federal leaders to "link arms" in attempt to influence federal contracting opportunities at Hill Air Force Base (HAFB).

The meeting was collaborative and positive. It seemed everyone genuinely wanted the best for Tope and all Utah small businesses.

Contact:

Keith Christiansen, Deputy Program Director  
Procurement Technical Assistance Center (PTAC)  
Governor's Office of Economic Development  
60 E. South Temple, Third Floor  
Salt Lake City, UT 84111

Phone: 801-538-8756  
email: keithchristiansen@utah.gov

Office of Outdoor Recreation:

Outdoor Recreation awarded an Outdoor Youth Education Grant for the Kwiymuntsi Paiute Tribal Youth Camp. \$10k was paid to the Zion Natural History Association on June 7th 2017.

Link to a video just created about the program available by request.

Contact:

**Tom Adams**

*Director - Utah Office of Outdoor Recreation*

*Governor's Office of Economic Development*

60 East South Temple, 3rd Floor

Salt Lake City, Utah 84111

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C: 801.244.3869

Email: [tomadams@utah.gov](mailto:tomadams@utah.gov)

Office of Tourism:

- July 20, 2017- Attendance by Celina at the Native American Summit, (no booth, met with tribal leaders, worked with James Toledo, from Utah Indian Affairs)

- October 6, 2017- Presentation to the Rural Provider Working Group on Rourism and Rourism 2.0

- Jan/Feb/March 2018- Continued correspondence with Shirlee Silversmith and James Toledo on Astro-Tourism opportunities for the Confederated Tribes of the Goshute and Airbnb experiences

- March 21, 2018- in office meeting with Shirlee and James to discuss tribal tourism product development opportunities, a potential tribal co-op, presenting to the Utah Tribal Leaders, etc.

- April 13, 2018- Presentation to UT tribal leaders on the cafeteria program/Rourism, traditional co-op and Airbnb, (joined them for lunch, met with other attendees, talked with tribal leaders, etc.)

- April 2018- Request for funding allocated to tribal tourism development, approved by the UOT board. Proposed usage of funds: Astro-tourism product development, dedicated itinerary and trade development, co-op opportunities for the tribes, scholarship to AIANTA, (attendance at the AITC conference and Go International).

Meeting set with Shirlee and James to finalize the plans for tribal tourism based on their recommendations and further discussion with tribal leaders. Aside from the Navajo Tourism Department out of AZ, we have not seen other tribes apply for co-op or cafeteria funding, but, as we educate, develop new product and opportunities for entrepreneurship, I am confident we will see more tribes take advantage of our partner programs.

Rachel Bremer GLOBAL TRAVEL TRADE & DESTINATION DEVELOPMENT MANAGER

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UTAH DEPARTMENT *of*  
**ENVIRONMENTAL  
QUALITY**

**TRIBAL CONSULTATION  
REPORT**

**JUNE 22, 2018**

## DIVISION OF AIR QUALITY:

**Uintah Basin Air Quality:** Air quality in the Uintah Basin is a high priority for DEQ and many of the sources of air emissions are located on Indian Country. The Ute Tribe and EPA have air jurisdiction over areas of the Basin that are classified as Indian Country and the State has jurisdiction over the rest of the area. Efforts to improve air quality have been shared by the State, EPA and the Ute Tribe. Recognizing that the mitigation of air quality in the Basin is a joint responsibility between the agencies having jurisdictional authority, none of which can succeed independently, DEQ directly engages the Tribe in air quality discussions. Representatives of DEQ meet with air quality staff from the Tribe on a monthly basis to coordinate activities associated with the protection of air quality in the basin.

Log of Meetings with the Tribe:

<i>MEETING</i>	<i>LOCATION</i>	<i>DATE</i>
EPA/State/Tribal Coordination Mtg	Teleconference	6/13/17
State/Tribal Coordination Mtg	UDEQ	7/20/17
EPA/State/Tribal Coordination Mtg	Teleconference	8/22/17
State/Tribal Coordination Mtg	Vernal	8/30/17
Uinta Energy Conference	Vernal	8/31/17
EPA/State/Tribal Coordination Mtg	Teleconference	9/19/17
EPA/State/Tribal Coordination Mtg	Teleconference	10/17/17
State/Tribal Coordination Mtg	UDEQ	12/14/17
EPA/State/Tribal Coordination Mtg	Teleconference	1/2/18
State/Tribal Coordination Mtg	Ft Duchesne	1/16/18
State/Tribal Coordination Mtg	UDEQ	2/15/18
EPA/State/Tribal Coordination Mtg	Teleconference	2/21/18
EPA/State/Tribal Coordination Mtg	Teleconference	3/27/18
State/Tribal Coordination Mtg	Ft Duchesne	4/18/18
EPA/State/Tribal Coordination Mtg	Teleconference	4/24/18
EPA/State/Tribal Coordination Mtg	Teleconference	5/22/18
Presentation to Ute Business Committee	Ft Duchesne	5/23/18
State/Tribal Coordination Mtg	UDEQ	6/19/18

## DIVISION OF ENVIRONMENTAL RESPONSE AND REMEDIATION:

**Spill Notifications:** DEQ receives notifications when spills of hazardous materials occur in the state. These spill notifications are provided to the Ute Tribe when spills occur on tribal lands in the Uintah Basin.

**State Emergency Response Commission (SERC):** Ute Tribe representatives have occasionally attended SERC and SERC Advisory Committee meetings in the past, but did not attend any meetings during State Fiscal Year 2018. To ensure that the correct representatives were being notified of scheduled SERC meetings, DERR vetted and updated the contact information on record. The Tribe is notified of any meetings or other pertinent information related to the SERC and invited to attend the quarterly SERC meetings.

**Underground Storage Tank Program:** The DERR continues to coordinate with the Navajo Nation when scheduling inspections within tribal boundaries. Tribal inspectors conducted their inspections at different times from DERR inspections again this year. Facilities inspected within the Navajo Nation include: Goulding Grocery (Monument Valley), Red Mesa Express #516 (Montezuma Creek), and Red Mesa Express #517 (Aneth).

The Ute Mountain Ute and Paiute Tribes each continue to use the Utah Petroleum Storage Tank Trust Fund to provide financial responsibility for the Ute owned White Mesa Travel Center (White Mesa) and the Paiute owned Shivwits Convenience Market (Ivins). A Memorandum of Agreement between the respective tribes and the DERR is in force for each of these facilities. As per the agreements, the DERR conducts periodic inspections to ensure compliance with PST Fund requirements. Both of these facilities were inspected this year.

## **DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL (WMRC):**

### **White Mesa Uranium Mill:**

The Utah Division of Waste Management and Radiation Control (DWMRC) has committed to the Ute Mountain Ute Tribe (Tribe) to place all environmental monitoring reports submitted by Energy Fuels Resources on the DEQ website. These reports include: quarterly groundwater reports, quarterly chloroform reports, quarterly nitrate reports, semi-annual effluent monitoring reports, annual wastewater reports, and annual seeps and springs reports. When the reports are uploaded an email is sent to the Tribe notifying them that the information is available. DWMRC communicates frequently with the Tribe and keeps them updated on the status of activities at the White Mesa Mill.

The public comment period for the Radioactive Material License Renewal and Groundwater Permit began on May 1, 2017. On April 11, 2017 the DWMRC sent to the Tribe all the documents associated with these actions that were to be sent out for public comment. This allowed the Tribe to present any questions or concerns for the licensing/permitting action to the DWMRC before the documents were sent out for public comment. No questions or concerns were submitted by the Tribe regarding the action before the public comment period

began on May 1, 2017. On July 31, 2017, during the public comment period, the DWMRC received comments from the Tribe.

On December 15, 2017 representatives of the Utah Department of Environmental Quality (DEQ) met with representatives of the Ute Mountain Ute Tribe, U.S. Bureau of Indian Affairs, and Utah Division of Indian Affairs at the Utah State Capitol Building in Salt Lake City. The purpose of the meeting was to discuss the Tribe's questions and concerns regarding the potential renewals of the White Mesa Uranium Mill's Groundwater Permit and Radioactive Material License.

After considering all the public comments received during the public comment period, the Director of the DWMRC signed the renewal of the Groundwater Permit on January 19, 2018 and renewal of the Radioactive Material License on February 16, 2018. On March 16, 2018 the Tribe filed an appeal for both renewed documents, which is currently under review by the DEQ.

## **DIVISION OF WATER QUALITY:**

**Utah Watershed Coordinating Council:** Bart Powaukee, WQ Coordinator for the Uintah and Ouray Reservation attended the March 7-8 meeting in Salt Lake City where presentations and discussions pertaining to watershed planning and water quality improvement efforts throughout the state were provided.

**Gold King Mine Spill:** The Division of Water Quality continues to coordinate with the Ute Mountain Ute Tribe, the Southern Ute Tribe and the Navajo Nation to develop and implement long-term monitoring and assessment plans following the Gold King Mine Spill. DWQ staff will attend a multi-jurisdictional meeting in Farmington, NM in June 2018 that will include all three tribes. The meeting will focus on project updates from each jurisdiction as well as charting a path forward for collective management of the San Juan River watershed.

**San Juan River Watershed Management Plan:** The Montezuma Creek & Lower San Juan-Four Corners Watershed Coordinated Resource Management Plan developed by the San Juan Conservation District with information provided by the Division of Water Quality was provided to Malcom Lehi with the White Mesa Ute Tribe and to Darrell Williams with the Navajo Tribe in Montezuma Creek, UT.

## **RADON MONITORING:**

Radon Coordinator Eleanor Divver has assisted the Confederate Tribes of the Goshute Indian Reservation in Tooele County in April as part of an effort to identify potential environmental

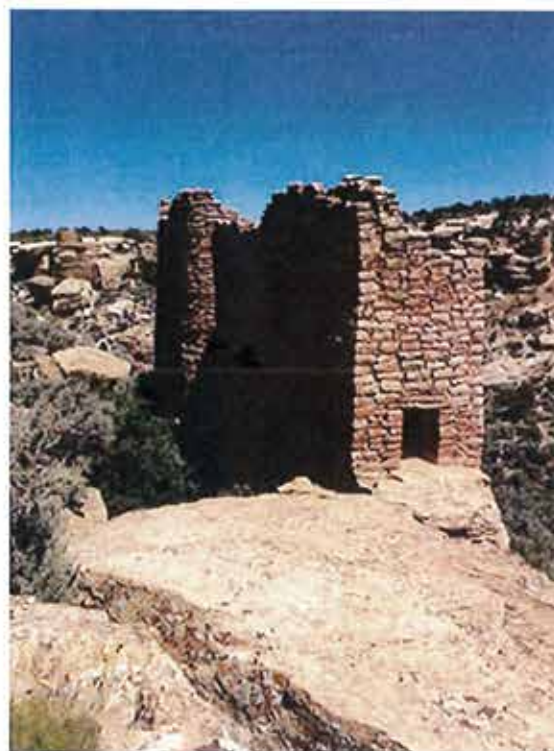
hazards. Eleanor has been working with the University Of Utah Industrial Hygiene Department (Dr. Rod Handy, director and graduate students of the program) and the Department of Pediatrics (Dr. Scott Collingwood). In addition to the radon test kits, air monitors were set up to test for particulate pollution indoor and outdoor. All residents were tested for lead, and soil samples taken for potential contaminates. For the most part, Goshute residents use wood-burning stoves as their only source of heat. Eleanor conducted radon tests at several homes and found elevated radon levels in three homes. She is working with a radon mitigation company to remediate their homes at no charge.

Utah Department of Health  
Formal Tribal Consultation  
Fiscal Year 2017-2018



*Submitted by Melissa Zito, MS, RN  
AI/AN Health Liaison/Health Policy Consultant  
Office of AI/AN Health Affairs, Utah Department of Health*

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## INTRODUCTION & BACKGROUND

The Utah Department of Health is the state public health agency. Tribal consultation is a priority in the Department. There has been a formal policy in place since 2004. The Department acknowledges the unique ‘government to government’ relationship the state has with each sovereign Tribal government and the federal government. Many of the programs that are housed within the Department receive funding from federal agencies through various grants, projects, directives, and Medicaid. Many of these federal agencies have Tribal consultation policies that provide guidance to a state that receive resources to carry out the grant directives or to administer programs. Through the Department’s formal Tribal consultation policy and processes, we are able to maintain compliance within the guidelines of these federal agency policies.

During the 2014 Governor’s Annual American Indian Summit, Governor Herbert signed Executive Order, EO/2014/005 *‘Executive Agency Consultation With Federally-Recognized Indian Tribes’* directing State agencies to develop a formal process for consultation and to identify a point of contact within the agencies. The Department remains compliant with this EO.

The Department’s model for consultation has three (3) parts. In addition to the formal policy signed in 2017, the Department has established, through legislative authority, an Indian Health Liaison and Health Policy Consultant as well as direction to facilitate the Utah Indian Health Advisory Board (UIHAB). There has also been a change within the Organizational structure at the Department to elevate the Office of AI/AN Health Affairs to the Executive Directors Office. This enables the Office to navigate through each division, bureau and program to assure any programs or projects that will have a direct impact to the Indian Health System, have access and provide any technical support, and to carry out the Vision of the agency; for Utah to be a place where all people can enjoy the best health possible; for Utah to be a place where *all* can live and thrive in healthy and safe communities. This step provides a direct line of communication between the Office and Department executive leadership on public health policy development, amendments and reform, in addition to awareness of specific issues, concerns, successes Tribes may be encountering.

## UDOH CONSULTATION POLICY & PROCESS

The Department has been a leader in Utah and among surrounding states, in recognizing and developing a form consultation policy and process when working with Tribe, Urban Indian Organization and the Indian Health Services (IHS). Our policy has been replicated, amended and used as a framework for programs as far as Alaska and Hawaii. The first policy was signed in 2006, with all tribes and the UIO signatory by 2007. In 2010 the Patient Protection and Affordable Care Act (ACA) was authorized. Title X of that Act is the reauthorization of Indian Health Care Improvement Act (IHCIA). In that title, there are specific requirements to consultation, including a conferment clause for Urban Indian Organizations (UIO) across the country. To keep our compliance with federal agencies the Department work’s with, the



agency revised its consultation policy to include conferment with UIO's. In addition, it was during this time Governor Herbert signed EO/2014/005 requiring state agencies to develop a policy to consult with Tribes. The Office worked closely with the Tribal governments and the UIO, to revise the policy to meet all requirements from federal and state authorities. The final policy was approved by all tribal councils, the UIO board of directors, Department leadership and the Governor's office. It was officially signed in February of 2017 at the Annual American Indian Caucus Day. This process took slightly over 2 years to accomplish and complete. However, the time was well spent; all 8 tribal governments, the UIO Board of Directors, and the Navajo Tribal Health Organization were all signatory to the policy (Appendix A). This has provided a standardized process for all parties to develop and improve relationships with the end goal to achieve improved health care and access for AI/AN's living on or off the reservations in Utah.

Internally, the Office of AI/AN Health Affairs is the primary point of contact for programs, for those writing grants and developing policy, to reach out and initiate the Consultation process. The Department relies on the partnership and collaboration of the Utah Indian Health Advisory Board (UIHAB) to initiate the formal process. This Board is comprised of a representative from the UIO, and tribal representatives that are appointed by their respective governments with authority to work directly with the Department on any health, public health and health policy issue which may arise. This includes Medicaid. This Board meets monthly, and has been very effective for over a decade now in guiding the Department and improving access to health care programs and resources. The Office developed a formal process for how to engage the Board and meet the Consultation and Conferment requirements (Appendix B). Meeting with the UIHAB is the first step in the formal consultation and conferment process.

## FORMAL CONSULTATION MEETINGS

The Department meets monthly with the UIHAB representatives. The agenda is set up in primarily to sections. The first section is dedicated to Board business and monthly updates on state and federal policies directly impacting Tribes, the UIO and the HIS. The Board also created a 'reporting tool' to aid with reports back to Tribal Councils (Appendix C). It is the responsibility of this Board to elevate the level of Consultation and Conferment to the Tribal leadership. The Department takes that advisement and direction to organize formal meetings with the Tribal leadership on specific project, programs, policies, etc. that have been requested by the Board. The reverse is also true. There are instances where Tribal governments make a direct request to meet with the Department and or the executive leadership on specific concerns they may have specific to their population.

The following meetings are formal Consultation and Conferment meetings held June 2017 – June 2018. These meetings have been requested or elevated by the UIHAB representatives, and as part of federal policy regarding Medicaid (Appendix D).

- A. Utah Medicaid: Center's for Medicaid & Medicaid (CMS) 'Received Through' Policy, November 2017.
- a. Purpose: Begin discussions about the direct impacts of this new policy targeting how health care at the IHS and Tribal points will change regarding referral of care, the changes in claims and reimbursement for care provided, tribal development of care coordination agreements, and the expansion of criteria for Medicaid to claim the 100% federal matching for referral care with a care coordination agreement.
  - b. Outcome: UDOH Office of AI/AN Health Affairs Liaison will meet with Tribal Councils individually and review impacts of policy directly and discuss alternatives. This will be followed up by an additional meeting in September 2018.
- B. Utah Indian Health Advisory Board Annual Retreat, February 2018
- a. Purpose: Review Bylaws, Consultation policy, Consultation process, current state health legislation proposals impacting tribal and urban Indian health access, develop position statements as needed, review federal health policy targeting Indian Health programs directly, including funding appropriations, officer elections, and the review of current goals, accomplishments and goal setting for 3-5 years, review public health data and reporting specific to tribal populations. The Board also reviewed the UDOH Strategic Plan and included goals to support the Department to achieve success with the strategic plan regarding Indian Health in Utah.
  - b. Outcome: Letters of support for national policy funding appropriations to Utah Congressional delegation, position paper on work requirements (Appendix E), current goals reviewed, updated and new ones set with objectives & measureable outcomes (Appendix F), Medicaid enrollment and eligibility data reviewed for outreach activities on and off the reservations.
- C. Non-Emergency Medical Transportation, March 2018
- a. Purpose: The current Medicaid NEMT contracts expire in August of 2018. Medicaid requested Consultation with the Tribes for contract renewal, review of current language, deliverables, processes and reimbursement rate adjustments and justifications for increases.
  - b. Outcome: Those Tribal government health programs that are contracted for this service unanimously approved a rate increase proposed by Medicaid. In addition, new contract language and claims tool revisions were accepted. New contracts will be delivered in August 2018 for signature.
- D. Maternal and Child Health (MCH) Block Grant April/May 2018
- a. Purpose: This program grant expires every 5 years. In addition to the federal domains for this grant, the state develops sub domains that can address the larger measures through focus group and community needs assessments. The MCH program will attend and work with the UIHAB to set goals that Tribal

programs and services can do to be included in the grant and that will provide some funding to the Tribes and UIO. This meeting, the UIHAB requested to be included in the grant to focus on women's health, specifically gestational diabetes. They presented data to the MCH program to substantiate their request.

- b. Outcome: The MCH program will work with Tribal programs that are interested in developing a best practice for screening new moms who are at risk for Gestational Diabetes, or want to work to prevent harm to children and adolescence concerning suicide. The limitation for this grant however is that lack of funding available to support the Tribes requests. It is a small amount to spread out for all Tribes. MCH recommended having 1 or 2 programs work on this topic for this funding cycle. Those programs include the UIO, and the Utah Navajo Health Systems, Inc.

E. Medicaid; Waiver Amendment on Work Requirements, May 2018

- a. Purpose: The UDOH Medicaid was revising a recent CMS Waiver for services as directed by the Utah Legislature, to include a work requirement in addition to other amendments for eligibility and population groups to receive services. Medicaid requested a formal consultation meeting with the Tribal government leadership, the Tribal health leadership, the UIO and the IHS for feedback and comment on the amendments.
- b. Outcome: Consensus among Utah Tribes, UIO and comments from the IHS, reflected that the work requirement amendments were not appropriate for AI/AN applying for Medicaid services. This proposed amendment contradicts federal policy regarding health services eligibility to AI/AN's. In addition, it was stated the unemployment rate on reservations ranges from 50-90%. There are no employment opportunities for those living on or near reservations. A compromise was discussed and tentatively agreed upon. There was also discussion about the court referral for treatment of incarcerated AI/AN being released and meeting the Medicaid eligibility requirements for services if they return to the reservations. Medicaid will work with the Tribes on this issue to develop a process if the waiver amendments are approved by CMS.

F. UDOH Community Health Needs Assessment presentation to Utah Tribal Leaders, June 2018

- a. Purpose: To meet the new accreditation requirements for the Department, a series of Community Assessment will be conducted utilizing collaborative relationships with County Health Departments, Managed Care Organizations, and some private sector partners. The Office of AI/AN Health Affairs recommended including assessment of the overall Indian Health System (IHS, Tribal governments, UIO) as opposed to focus on race/ethnicity inclusion of AI/AN individuals in local community focus groups. The goal would be a more comprehensive look at that health system, and would include the Consultation and Conferment processes. This was presented to the Utah Tribal Leadership at

their quarterly meeting to seek guidance and approval to move forward. It was recommended to also include the community at large in the process.

- b. Outcome: The Utah Tribal Leadership approved of the concept and participated in the initial survey by responding to 3 main questions. This information will be shared with the UIHAB representatives in August to include in their assessments and will be shared with the regional HIS facilities that provide care to Utah's AI/AN populations. To meet the requested community at large recommendations, there will be a break out session at the upcoming 2018 Governor's Annual American Indian Summit specific to this Community Health Needs Assessment survey. It will be an open discussion and everyone's comments will be recorded and included in the final analysis.

## SUMMARY & RECOMMENDATIONS

The Department's formal consultation and conferment policy and process had been most effective and efficient in developing and improving relationships with Tribal governments and health programs, and in improving access to and outcomes for the AI/AN population who live both on and off the reservations in Utah. We have room to always review and improve the processes and communication with the Indian Health System in Utah. The Office of AI/AN Health Affairs is dedicated to preserve the relationships and to continue to advocate for formal consultation and conferment as needed. The UIHAB is a crucial component of how the Department works successfully with Tribal health, the UIO and the IHS facilities where the AI/AN population receive some of their health care.

Recommendations include the continued support for sustainability of Tribal health programs throughout Utah state government utilizing the consultation and conferment process, and acknowledgment and support the 'government to government' working relationship between the Tribal governments located in Utah, the state of Utah executive branch, and increasing the outreach to the legislative branch.

## **APPENDIX A**

# UTAH DEPARTMENT OF HEALTH FEDERALLY RECOGNIZED TRIBES OF UTAH CONSULTATION & TITLE V URBAN INDIAN ORGANIZATION CONFERMENT PROCESS POLICY

## I. Purpose

This Consultation and Conferment Agreement dated *February 6, 2017* is executed between the federally recognized Indian tribes of Utah and the Title V Urban Indian Organization (UIO) of Utah signatory to this Agreement and the State of Utah, through the Governor and the Department of Health, through its Executive Director, in order to better achieve mutual goals through improved consultation processes between their sovereign governments and the UIO. This Agreement provides a framework for that Tribal government-to-government relationship and consultation process, and conferring process with the UIO.

Each party to this Agreement shall respect the sovereignty of the other. The respective sovereignty of the State and of each federally recognized Indian tribe, provide paramount authority for that party to exist and to govern. The parties share in their relationship particular respect for the values and culture represented by each tribal government. Further, the parties share a desire for a comprehensive, collaborative relationship between the State of Utah and the federally recognized Indian tribes in Utah reflecting a full government-to-government relationship and will work with all elements of state, tribal governments and the UIO to achieve such a relationship.

## II. Definitions

For purposes of this Agreement the following terms shall apply:

**Consultation:** An enhanced form of communication that emphasizes mutual trust, respect and shared responsibility. It is an open and free exchange of information and opinion among parties that leads to mutual understanding and comprehension. Consultation is integral to a deliberative process that results in an effective meaningful collaboration and informed decision making.

**Confer:** To exchange viewpoints or seek advice for the purpose of finding a solution to a problem.

**Representative:** An individual with the expressed written authority to speak on behalf of the Executive of that government.

**Policy:** A statement governing the rationale and implementation of department or program activities.

**Formal communication:** A written letter or document to inform or request input on a given topic. Replies are expected.

**Informal communication:** Includes a variety of communication methods to exchange ideas, establish logistics or matters of organizational processes. Replies are not always necessary.

**Utah Indian Health Advisory Board:** An Advisory Board to the Department of Health consisting of tribal representatives with express authority from their governments to maintain an open dialog with the Department of Health representatives on issues related to health. Elected tribal leaders are always welcome and able to speak on behalf of their tribe. The UIO also participates on the Advisory Board with authority from its Board of Directors.



Indian Health Liaison: In accordance with UT Code 9-9-104.6 and 26-7-2.5, a designated person from the Department who serves as the primary point of contact in health issues relating to American Indians/Alaska Natives living in Utah.

### **III. Parties**

#### Utah Department of Health

The Utah Department of Health (UDOH) is the central point of contact for the state regarding all Health and Public Health issues in Utah.

#### Tribal

There are eight federally recognized Indian tribes in the state of Utah: Confederated Tribes of the Goshute Reservation, Navajo Nation, Ute Indian Tribe, Northwestern Band of Shoshone, Paiute Indian Tribe of Utah, San Juan Southern Paiute, Skull Valley Band of Goshute, and Ute Mountain Ute Tribe. Each sovereign tribe has an independent relationship with each other and the State.

#### Urban Indian Organization of Salt Lake

The Urban Indian Organization (UIO) provides health referral, diabetes education, health promotion and disease prevention strategies, and mental health services for those American Indians /Alaska Natives living along Utah's Wasatch Front. Receives designation from Title V of the Indian Health Care Improvement Act (IHCIA).

### **IV. Objectives**

This Agreement provides the framework for that relationship between the State of Utah, Department of Health, the signatory tribes, and the UIO.

This Agreement illustrates the commitment by the parties for implementation of the government-to-government relationship. This relationship respects the sovereign status of the federally recognized tribes, enhances and improves communication between them, and facilitates the exchange of ideas regarding health, health policy and the resolution of issues of concern. In addition, this Agreement provides a framework for the UIO conferment process.

This Agreement is intended to build confidence and establish mutual trust among the parties in the government-to-government relationship through consultation and conferment, by outlining the process for implementing the policy. Not only are these processes intended to implement the relationship, but also are intended to institutionalize them within the organizations represented by the parties.

This Agreement also commits the parties to the initial tasks that will translate the government-to-government relationship into more efficient, improved and beneficial services to Indian and non-Indian people. This Agreement encourages and provides the foundation and framework for specific agreements among the parties outlining specific tasks to address or resolve specific issues.

The parties recognize that implementation of this Agreement will require comprehensive educational efforts to promote understanding of the government-to-government relationship within their own governmental organizations, the UIO and with the public.

### **V. Implementation Process and Responsibilities**

While this Agreement addresses the consultation and conferment processes, its ultimate purpose is to improve the services delivered to people by the parties. All health related issues determined by a Tribe, UIO or the State that become a consultation or a conferring item will first be presented to the Utah Indian Health Advisory Board (UIHAB) representatives.

When possible, notification of policy initiation, renewal or change, including Federal waivers, will be presented to the UIHAB. When the UIHAB determines the level for formal consultation, or conferment, a formal communication will be sent by the UIHAB to each tribal chairperson or president and UIO no less than 90 days prior to submission to Centers for Medicare and Medicaid Services or other relevant regulatory body. When operating under a legislative mandate or similar constraint not allowing for 90 days, Indian tribes and UIO will be notified as soon as possible. The Department will initiate consultation and conferment following the notification from a tribe(s) or UIO that one is requested.

The consultation and conferment processes will include but are not limited to:

- An initial meeting to present the intent and broad scope of the policy to the Utah Indian Health Advisory Board;
- Discussions at the Utah Indian Health Advisory Board meeting to more fully understand the specifics and impact of the proposed policy initiation or change;
- Open meeting for all interested parties to receive information or provide comment;
- A presentation by tribal representatives of their concerns and the potential impact of the proposed policy;
- Continued meetings until concerns over intended policy have been fully discussed;
- A written response from the Department of Health to tribal leaders as to the action on or outcome of tribal concerns.

If imposed deadlines limit the opportunity for modifications proposed by a tribe(s) or UIO and agreed upon by the Department, the Department agrees to submit an amendment when an agreement has been reached. Consensus on all issues is not required before the implementation of a policy.

The Department of Health, the signatory tribes and UIO agree to assure consistency in the tribal representation and urban representation in the attendance of meetings. It is only through such consistency that understanding of the issues and trust can be established which are paramount to the success of any consultation and conferment process. The parties recognize that a key principle of their relationship is a requirement that individuals working to resolve issues of mutual concern are accountable to act in a manner consistent with this Agreement.

The parties recognize that their relationship will successfully address issues of mutual concern when communication is clear, direct and between persons responsible for addressing the concern. The parties recognize that in state government, accountability is best achieved when this responsibility rests solely within the state agency at the Executive Director level who reports to the Governor.

All parties recognize that a system of accountability within its organization is critical to successful implementation of the relationship. The Department of Health, under the organization of state government, has the authority and responsibility to deal with the particular health issue of concern to the tribe(s) and UIO. Therefore, all parties will direct their staff to communicate within the spirit of this Agreement.

In order to accomplish these objectives and mutual understanding, the parties must ensure that their current organization, decision-making process, other procedures for implementing the government-to-government relationship and relevant personnel are known to all parties. Finally, each party will establish a documented system of accountability.

As a component of the system of accountability within state, tribal governments, and the UIO all parties will review and evaluate every two years, or as necessary, the implementation of the consultation and conferment processes. A report will be issued 90 days after the consultation and conferment process review summarizing this evaluation and will include joint strategies and specific agreements to overcome obstacles and achieve specific goals.



**VI. Sovereignty and Disclaimers**

Each of the parties respects the sovereignty of each other. In executing this Agreement, no party waives any rights, including treaty rights, immunities, including sovereign immunities, or jurisdiction. Nor does this Agreement diminish any rights or protections afforded other Indian persons or entities under state or federal law. Through this Agreement parties strengthen their collective ability to successfully resolve issues of mutual concern.

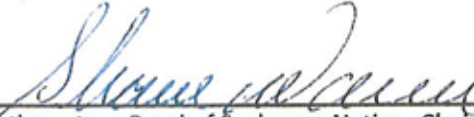
While the relationship described by this Agreement provides increased ability to solve problems, it likely will not result in a resolution of all issues. This Agreement will not preclude any tribe or UIO to operate independently outside of this Agreement, to address issues directly to the Governor or the Department's Executive Director.

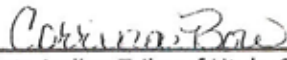
  
Executive Director, Utah Department of Health

  
Confederated Tribes of the Goshute Reservation, Chairman

02/06/2017  
Date

  
Navajo Nation, President

  
Northwestern Band of Shoshone Nation, Chairman


  
Paiute Indian Tribe of Utah, Chairwoman

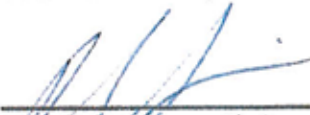
  
San Juan Southern Paiute, President

  
Skull Valley Band of Goshute, Chairwoman

  
Ute Indian Tribe, Chairman

  
Ute Mountain Ute Tribe, Chairman

  
Board of Directors, Chairman, Utah Navajo Health System, Inc.

  
Board of Directors, Chairman, Urban Indian Center of Salt Lake

## **APPENDIX B**



## **APPENDIX C**



# Utah Indian Health Advisory Board (UIHAB) Meeting

4/13/2018

9 AM –1:00 PM

Utah Department of Health

Cannon Health Building

288 North 1460 West

Room 125

Salt Lake City, UT 84114

(801) 538-6771 or (801) 712-9346

**Meeting called by:** UIHAB

**Type of meeting:** Monthly

**Facilitator:** Melissa Zito

**Note taker:** Ginny Henderscheid      Call In **1-877-820-7831** passcode 120741#

**Please Review:** Board minutes (Nov-Jan, March.), Medicaid Rules & SPA document(s), and additional materials via presenters.

## Agenda topic

<b>9:00 AM</b>	Welcome & Introductions Approval of Minutes	LeAnna VanKeuren, Chair
<b>9:10 AM</b>	Committee Updates & Discussion <ul style="list-style-type: none"> <li>✦ UT Medicaid Eligibility Policy</li> <li>✦ Medicaid &amp; CHIP State Plan Amendments (SPA) &amp; Rules</li> <li>✦ DWS Medicaid Eligibility Operations</li> <li>✦ Federal and State Health Policy Impacting I/T/U</li> <li>✦ MCAC &amp; CHIP Advisory Committee</li> </ul>	Jeff Nelson Craig Devashrayee  Jacoy Richins Melissa Zito  Donna Singer LeAnna VanKeuren
<b>10:15 AM</b>	I/T/U & UDOH Updates	All
<b>11:00 AM</b>	<b><i>BREAK</i></b>	
	<b><i>UIHAB PRIORITIES</i></b>	
<b>11:10 AM</b>	<ul style="list-style-type: none"> <li>✦ Strengthening Families               <ul style="list-style-type: none"> <li>✓ Asthma Project &amp; Training</li> </ul> </li> </ul>	Brittany Guerra
<b>11:30 AM</b>	<ul style="list-style-type: none"> <li>✦ Medicaid/Medicaid Expansion               <ul style="list-style-type: none"> <li>✓ Medically Complex Children's' Waiver</li> <li>✓ Dental Managed Care Waiver</li> <li>✓ Choice of Healthcare Delivery Waiver</li> </ul> </li> </ul>	Stacie Dawns Julie Ewing & Staff Julie Ewing & Staff
<b>12:15 PM</b>	<ul style="list-style-type: none"> <li>✦ Diabetes/Obesity               <ul style="list-style-type: none"> <li>✓ GD &amp; potential MCH Block Grant measure</li> </ul> </li> </ul>	Melissa Zito
<b>12:30 PM</b>		
<b>12:45 PM</b>	<ul style="list-style-type: none"> <li>✦ Data/Data Sharing               <ul style="list-style-type: none"> <li>✓ Navajo TEC MOU</li> <li>✓ CTSE Grant: Tribal and State Meeting</li> </ul> </li> </ul>	Melissa Zito
<b>1:00 PM</b>	Wrap UP –Adjourn	

## **APPENDIX D**

## Utah Medicaid CMS "Received Through" Policy Tribal Consultation & UIO Conferment Meeting

November 15, 2017

1:00 PM

Utah Department of Health

288 North 1460 West, SLC UT 84114

Room 125

### Purpose

To confirm how IHS/Tribal/Urban Indian Organization facilities will be designated in the Utah Medicaid provider type system and define the Alternative Payment Methodology (APM) related to the new designation.

### Background

In the fall of 2015, the Centers for Medicare & Medicaid Services (CMS) announced it was planning to re-interpret the statutory language to expand services it considers 'received through' and IHS/Tribal facility & eligible for the 100% Federal Medical Assistance Percentage (FMAP). In February 2016, CMS released a State Health Official (SHO) outlining the new payment policy affecting federal funding for services received by Medicaid eligible American Indian/Alaska Native (AI/AN) individuals. On January 18, 2017 CMS released a Frequently Asked Questions (FAQ) tool to address common questions related to specific sections of the SHO letter from 2016, specific to provisions listed on pages 5-6 'Medicaid Billing and Claims'. As an outcome from the FAQ tool, there have been several CMS All Tribes Calls to address specific issues impacting IHS/Tribal/Urban programs and state Medicaid programs to prepare for implementation. During the discussions, CMS 'highly recommended' tribes and Urban Indian Organizations (UIO) work closely with state Medicaid programs to implement this policy. During the September 2017 Utah Indian Health Advisory Board (UIHAB) meeting, formal Consultation with Utah Tribal Leaders was requested.

### Agenda

- ♦ Welcome & Introduction
- ♦ Talking points & Discussion
  - New provider type options
  - Alternative Payment Methodology (APM)
  - Care Coordination Agreements (CCA)
  - Medicaid program modifications to meet new policy
- ♦ Next Steps
  - Time line for completion
  - Additional Consultation meeting(s)
- ♦ Adjourn





# Utah Indian Health Advisory Board Retreat

## Day 1 February 6, 2018

**American Red Cross Regional Headquarters 6616 So. 900 East SLC UT**

- |          |   |
|----------|---|
| 8:00 am  | <b>Breakfast</b> Sponsored by: <i>Utah Navajo Health Systems, Inc.</i>  |
| 8:30 am  | <p>Welcome!</p> <p>Opening Prayer</p> <p>Introductions &amp; Overview of Retreat</p>  |
| 9:00 am  | <p><i>Indian Health - Where do we stand?</i></p> <p>A. National efforts - Medicaid Block Grants, CHIP, SDPI</p> <p>B. CMS 'Received Through' Policy ; Next Steps</p> <p>C. 2018 Utah Legislative Session</p> <p>D. Data; UDOH, CDC, TEC's, Census</p> |
| 10:30 am | <b>BREAK</b> - <i>Surprise event</i>  |
| 10:45 am | <p><i>Indian Health—Where do we stand ? Continued</i></p> <p>A. Tribal Public Health &amp; Preparedness</p> <p>B. Utah Health Improvement Plan; 3 Strategies</p> <p>C. Medicaid &amp; CHIP Policy</p> <p>D. Opioid Epidemic</p>                       |
| 12:30 pm | <b>LUNCH</b> - <i>Sponsored by: Utah Department of Health Executive Directors Office</i>  |
| 1:30 pm  | <p><i>Indian Health - What do we want to accomplish?</i></p> <p>UIHAB Vision</p>  |
| 2:30 pm  | <p><i>Indian Health—How will we know what we want to accomplish will be an Improvement from where we are today?</i></p> <p>A. Criteria to meet accomplishments or plan</p> <p>B. Establish some measurement(s) over time</p>                          |
| 3:30 pm  | <b>BREAK</b> - <i>Stretching and Deep Breathing Activity</i>  |
| 3:45 pm  | <p><i>Indian Health—What can we change to make improvements?</i></p> <p>C. UIHAB Goals - Begin outline</p>  |
| 4:45 pm  | Wrap Up   |
| 5:00 pm  | Adjourn for the Day   |





# Utah Indian Health Advisory Board Retreat

## Day 2 February 7, 2018

**American Red Cross Regional Headquarters 6616 So. 900 East SLC UT**

- 8:00 am Welcome!
- Continental Breakfast Sponsored by: UDOH Bureau of Emergency Medical Service*
- 8:30 am Housekeeping items / Review of Day 1 Activities
- 9:00 am Utah State University Am. Indian Fellow Proposed Project
- 9:30 am Medicaid SPA & Rules Craig Devashrayee
- 10:00 am Indian Health—What can we change to make improvements?
- C. UIHAB Goals
- 11:30 am BREAK - Walk-A-Bout!
- 11:45 am UIHAB Business
- A. Bylaws - Review & Approve
- B. Tribal Consultation Policy - How is it going?
- C. 2018 Meeting Schedule
- 1:15 pm Wrap Up
- 1:30 pm Adjourn !

**SAFE TRAVELS BACK HOME!**



## Non Emergency Medical Transportation (NEMT) Contract

### UDOH Consultation Meeting

March 27, 2018

2:00 pm

Cannon Health Building, SLC, UT

Room 114

#### AGENDA



- |         |  |
|---------|--|
| 2:00 pm | Welcome & Introductions  |
| 2:15 pm | Background   |
| 2:30 pm | Review of NEMT documents   |
|         | A. Current contract documentation  |
| 2:45 pm | Review & discussion of Tribal documentation and requests for contract renewal. |
| 4:00 pm | Next Steps   |
| 4:15 pm | Adjourn  |



# Utah Indian Health Advisory Board (UIHAB) Meeting



5/11/2018

9 AM –1:00 PM

Utah Department of Health

Cannon Health Building

288 North 1460 West

Room 128

Salt Lake City, UT 84114

(801) 538-6771 or (801) 712-9346

**Meeting called by:** UIHAB

**Type of meeting:** Consultation Meeting with Medicaid & Monthly UIHAB

**Facilitator:** Melissa Zito

**Note taker:** Ginny Henderscheid      Call In **1-877-820-7831** passcode 120741#

**Please Review:** Consultation Documents. Board minutes Medicaid Rules & SPA document(s), & additional materials via presenters.

## Agenda topic

<b>8:30 AM</b>	<p>Welcome &amp; Introductions</p> <p><b>Consultation</b></p> <p>Utah Medicaid Expansion Waiver</p>	<p>LeAnna VanKeuren, Acting Chair</p> <p>Nate Checketts, Medicaid Dir.</p>
<b>10:00 AM</b>	<b>BREAK</b>	
<b>10:15 AM</b>	<p><b>UIHAB Meeting:</b> Committee Updates &amp; Discussion</p> <ul style="list-style-type: none"> <li>✦ UT Medicaid Eligibility Policy</li> <li>✦ Medicaid &amp; CHIP State Plan Amendments (SPA) &amp; Rules</li> <li>✦ DWS Medicaid Eligibility Operations</li> <li>✦ Federal and State Health Policy Impacting I/T/U</li> <li>✦ MCAC &amp; CHIP Advisory Committee</li> </ul>	<p>Jeff Nelson &amp; Team (Amanda/Michelle)</p> <p>Craig Devashrayee</p> <p>Jacoy Richins</p> <p>Melissa Zito</p> <p>Donna Singer</p> <p>LeAnna VanKeuren</p>
<b>11:15 AM</b>	<p><b>UIHAB PRIORITIES</b></p> <ul style="list-style-type: none"> <li>✦ Diabetes/Obesity               <ul style="list-style-type: none"> <li>✓ MCH Building Block</li> <li>✓ MCH Teen Pregnancy Prevention Grant</li> </ul> </li> <li>✦ Data/Data Sharing</li> <li>✦ Strengthening Families               <ul style="list-style-type: none"> <li>✓ Preparedness Training Opportunity</li> </ul> </li> <li>✦ Medicaid/Medicaid Expansion</li> </ul>	<p>Lynne Nilson</p> <p>Elizabeth Gerke</p> <p>Lilian Tom-Orm (invited)</p>
<b>12:15 PM</b>		
<b>12:30 PM</b>	I/T/U & UDOH Updates	
<b>1:00 PM</b>	Wrap UP –Adjourn	

## **APPENDIX E**



# Utah Indian Health Advisory Board

May 14, 2018

Confederated  
Tribes of the  
Goshute  
Reservation

Navajo Nation  
Tribe & Tribal Or-  
ganizations

Northwestern Band  
of the Shoshone  
Nation

Paiute Indian Tribe  
of Utah

San Juan  
Southern Paiute

Skull Valley Band  
of Goshute

Ute Mountain Ute  
Tribe

Ute Indian Tribe

Urban Indian Cen-  
ter of Salt Lake

**Position Paper:** Centers for Medicare & Medicaid Services (CMS) Medicaid Policy

**Subject:** Medicaid Work Requirement

**Issue:** American Indian/Alaska Native (AI/AN) Exemption from Requirement

**Position:** The Utah Indian Health Advisory Board (UIHAB) supports exemption from a work requirement for AI/AN's.

## **Discussion:**

**Background:** In July of 2017, Utah Medicaid requested a revision to the 1115 Waiver, Amendment #20, being submitted to CMS. The revision contained seven (7) additions to the Waiver. One of those additions was a Work Requirement. Utah Department of Health (UDOH) Tribal Consultation Policy was initiated during the July 14, 2017 UIHAB meeting. Consensus was that the federal government has an obligation through its trust responsibility through treaties and by the Snyder Act of 1921, to fulfill health promises to American Indians who lost their land and homes due to acts of war. All recommended revisions did not honor that responsibility or the government to government relationship. The work requirement was not supported by the UIHAB. The UIHAB recommended an exemption similar to cost sharing. In addition, the UIHAB recommended presenting this revision request to the Utah Tribal Leaders (UTL). The UTL met on July 19, 2017. The consensus of the UTL focused on health care as part of the treaties signed between the US and Tribal governments when lands were ceded due to acts of war and removal of their people to reservations. Requiring AI/AN to work in order to gain access to medical care is against federal policy. The UTL did not support the work requirement and requested an exemption. In addition to consultation with the UTL's & UIHAB, there was an opportunity to obtain feedback from the AI/AN community at large during the Governor's Annual Summit on 7/20/17. It was noted the work requirement would be hard for AI/AN communities to meet due to the high unemployment on reservations. There would be an additional negative impact to health programs overall due to the loss of medical care resources and access to Medicaid. This Waiver amendment is currently pending a decision from CMS.

**Current:** On January 11, 2018 CMS issued a State Medicaid Director letter providing authority for States to mandate work requirements through the 1115 Waiver process. Several states, including UT, had already submitted waiver requests. During the 2018 Utah Legislative Session, House Bill 472 was passed, and signed into law in April of 2018. The legislation focuses on expanding Medicaid services to a broader population through an 1115 Waiver amendment to CMS.



## Utah Indian Health Advisory Board

May 14, 2018

### Discussion Continued:

A mandate for Work Requirements is part of this new Waiver amendment. On May 11, 2018 a formal Consultation meeting was held with the UTL and the UIHAB to discuss the new 1115 Waiver Amendment mandating work requirements. Again, the UTL and UIHAB expressed concern over the mandate in AI/AN communities on reservations and the negative impacts that would follow. The UTL expressed the unique political relationship Tribal governments have with the US. It is not about a racial/ethnic category.

Health and Human Services (HHS) has taken the position that to exempt AI/AN from the work requirement would raise some civil rights concerns. However, as UTL and UIHAB noted, because of this political relationship, an exemption to the work requirement would not violate the equal protections clause of the Constitution or statutes prohibiting discrimination based on race. Tribes are political entities that have been in situ prior to the US being founded. Treaties are a form of government to government dealings. The US government currently has 370 ratified treaties with Tribal nations. In addition, the CMS Tribal Technical Advisory Group (T-TAG) has provided expansive legal authority legitimizing access to health care with out any violations.

### Recommendation(s):

1. The UIHAB continue to request an exemption of AI/AN from any work requirements to the Utah Medicaid 1115 Waiver Amendment # 15 Adult Expansion Medicaid, based on their political relationship with the US and the state of Utah.
2. Continue discussion through the formal Consultation & Conferment process with the Utah Medicaid program and HHS.

Confederated  
Tribes of the  
Goshute  
Reservation

Navajo Nation  
Tribe & Tribal Or-  
ganizations

Northwestern Band  
of the Shoshone  
Nation

Paiute Indian Tribe  
of Utah

San Juan  
Southern Paiute

Skull Valley Band  
of Goshute

Ute Mountain Ute  
Tribe

Ute Indian Tribe

Urban Indian Cen-  
ter of Salt Lake

## APPENDIX F



## Utah Indian Health Advisory Board Retreat Flip Chart Notes 2018

Data & Data Sharing			
<u>Data:</u> Healthcare QI & Funding Performance Driven → Payment Reimbursement	<u>Data Sharing:</u> Who is collecting data? Where is it stored? Who has Access?	<u>Data Reporting:</u> Is there reporting? Who is reporting?	
1. Have accurate data : Census data Local level; maintain & improve Tribal Enrollment Office	How is Census partnering with Tribes?	Do Tribal Office report enrollment? A. Distribution of gender, age, income?	
2. Have Knowledge & Expertise: Engaging Tribal Epi Centers (TEC's) Engaging Tribal Office to establish baseline A. Educate Tribal communities the value of enrollment B. 506 Form → parents/guardians return to school district	School district forms, issues with how to ID students.	TEC Reports; how much of tribal data is included? IHS? State?	
Strengthening Families			
Health Education Medicaid/CHIP WIC Indian Child Welfare Act Office Home Visiting			
1. Parental Outreach Education	Time Develop Relationships Emergent → sustain support & develop policy statement		
2. Indian Child Welfare Act			
3. Opioid A. Education (5 sense teaching) B. Hot Line for Native specific C. Legislation → Peer training support	Add Tribal piece. MH, Tribal Elder, 'Spiritual Healer'. Kids wanting to break out of SA/Addiction. CDC Model. DHS Tribal & Indian Issue Committ. Disposable boxes; more statewide: ↑ \$ to do it		
D. Collaborate with MH piece E. Provide Prescription & Use/Abuse F. Suicide			



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

June 22, 2018

James Toledo  
Program Manager  
Utah Division of Indian Affairs  
250 North 1950 West, Suite A  
Salt Lake City, UT 84116  
Email: [jtoledo@utah.gov](mailto:jtoledo@utah.gov)

Dear James,

Attached is the Department of Natural Resources *2018 Tribal Consultation Report* (a compilation of reports from each division within our department).

Sincerely,

A handwritten signature in black ink that reads "Mike Styler".

Michael Styler  
Executive Director

Enclosure



# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Forestry, Fire and State Lands

BRIAN L. COTTAM  
Division Director / State Forester

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

## Utah Division of Forestry, Fire and State Lands 2018 Tribal Consultation Report June 20, 2018

Date	Meeting	Individual(s)	Topic(s)
10/17/17	Interagency Wildland Fire Oversight Committee ("Oversight Committee") conference call. FFSL's State Fire Management Officer Brett Ostler is a member of the Oversight Committee and will have participated with all meetings outlined below.	Carlos Nosie (BIA Regional Fire Management Officer, Western Regional Office), Committee members and FFSL's Tracy Dunford (TD). (Tracy is the the Interagency Fire Dispatch Consolidation Project Manager and coordinated all of the dispatch project meetings identified below.)	Preparations for interagency wildfire dispatch consolidation project boundary workshop
10/19/17	Oversight Committee conference call	Carlos Noise (BIA Regional FMO Western Regional Office), Jessica Wade (BLM) and TD	Preparations for dispatch boundary workshop
10/24 – 25/17	Dispatch boundary workshop	Carlos Noise (BIA Regional FMO Western Regional Office), Don Mitchel (BIA FMO Uinta & Ouray Agency), Chris Secakuku (BIA Forest Manager U&O Agency) and TD	Input and discussion for determining boundaries for the proposed three dispatch center system
10/25/17	Oversight Committee meeting	Carlos Noise (BIA Regional Office) and Committee members	Review of boundary workshop and dispatch cost share
11/15/17	Oversight Committee conference call	Carlos Noise (BIA Regional FMO Western Regional Office), Committee members and TD	Review dispatch consolidation project Communications Plan and Talking Points

12/8/17	Oversight Committee conference call	Carlos Noise (BIA Regional FMO Western Regional Office), Committee members and TD	Preferred Boundary Alternative discussion
12/19/17	Phone call	Leon Ben (BIA Regional Forester Western Regional Office) and TD	Coordinated on response to letter from Ute Tribe
11/4/18	Oversight Committee conference call	Carlos Noise (BIA Regional FMO Western Regional Office), Committee members and TD	Meetings to address Governor's direction to fix negative feedback from fire chiefs
2/5/18	Fire Chiefs' meeting in Duchesne	Don Mitchel (BIA FMO U&O Agency), Chris Secakuku (BIA Forest Manager U&O Agency) and TD	Feedback on dispatch consolidation
2/6/18	Meeting at Ft Duchesne to view cache building and talk with BIA	Don Mitchel (BIA FMO U&O Agency), Chris Secakuku (BIA Forest Manager U&O Agency) and TD	Explanation of BIA policies and rules. Explanation of how the Tribe could start their own dispatch center.
2/6/18	Fire Chiefs' meeting in Vernal	Don Mitchel (BIA FMO U&O Agency), Chris Secakuku (BIA Forest Manager U&O Agency), Ed Secakuku, Kirby Arrive (U&O tribal members) and TD	Feedback on dispatch consolidation
2/14/18	Oversight Committee meeting	Carlos Noise (BIA Regional FMO Western Regional Office), Committee members and TD	Discussion on cancelling dispatch consolidation
3/2/18	Phone call discussion	Ed Secakuku (U&O tribal member) and TD	Invitation to dispatch consolidation After Action Review (AAR) and offer to address the Tribal Council
3/5/18	Duchesne Dispatch Consolidation AAR	Don Mitchel (BIA FMO U&O Agency) and TD	Consolidation AAR
3/6/18	Vernal Consolidation AAR	Don Mitchel (BIA FMO U&O Agency), Ed Secakuku, Kirby Arrive	Consolidation AAR

		(U&O tribal members) and TD	
3/14/18	Oversight Committee conference call	Carlos Noise (BIA Regional FMO Western Regional Office), Committee members and TD	Dispatch Cost share Agreement
4/11/18	Color Country AAR, Cedar City	Jeramie Ybright (BIA FMO Southern Paiute Agency) and TD	Consolidation AAR
4/25/18	Uintah Basin Interagency Fire Center Needs Assessment	Don Mitchel (BIA FMO U&O Agency) and TD	Dispatch needs assessment
5/9/18	Oversight Committee conference call	Carlos Noise (BIA Regional FMO Western Regional Office), Committee members and TD	Dispatch Cost Share Agreement
5/22/18	Oversight Committee meeting	Carlos Noise (BIA Regional FMO Western Regional Office), Committee members and TD	Dispatch Cost Share Agreement
1/18/18	Southeast Area Moab Fire Center Annual Operating Plan meeting	Joe Morris BLM FMO for Southern Utes of Towaoc, FFSL's Southeast Area Manager Jason Johnson and Rudy Sandoval, Southeast Area FMO	Conversation about revising the Annual Operation Plan; as a group we had a side conversation on coordinating firefighting efforts on and around tribal lands in San Juan County, UT
7/17-6/18	Southeast Area Fire Training	Chief, Jasper Barney Montezuma Creek fire department (tribal member) and FFSL's Heber Heyder, San Juan County Fire Warden	Conducts training and fire refreshers throughout the year.
7/17-6/18	Navajo Lands Dispatch	Dale Glenmore (Navajo Tribal FMO) and Heber Heyder, San Juan County Fire Warden	Assist the local fire resources, including tribal firefighters who respond out of Arizona.



## **Utah Geologic Survey 2018 Tribal Consultation Report June 20, 2018**

### **UGS contact with Ute Tribe**

Doug Sprinkel last contacted the Energy and Minerals Department of the Ute Indian Tribe in September and October 2017. He contacted Lauriann Yazzie about renewing his Inter-agency Access permit so he could finish geologic mapping on the Uintah-Ouray Reservation. He received a reply asking about the nature of his work and when he would be on the the Reservation. He outlined the nature of his work and provided a copy of the last permit he was issued. Doug received no reply. He emailed Ms Yazzie again but received no reply.

Doug has plans to meet with Bruce Pargeets, Director of the Energy and Minerals Department, to provide them with the latest copy of the Interim Geologic Map of the Duchesne 30' x 60' Quadrangle, discuss the geology of the quadrangle, and ask about the Inter Agency Access Permit, hopefully by the end of this month when the Duchesne map will be available as an OFR.

## Utah State Parks and Recreation 2018 Tribal Consultation Report April 20, 2018

In compliance with Executive Order EO/2014/005, *Executive Agency Consultation with Federally-Recognized Indian Tribes*, Utah State Parks and Recreation is submitting the following report detailing our Division's tribal consultations during FY2018.

1. As directed by Utah Representative Mike Noel in HB394 of the 2017 Session pertaining to *Native American Remains Repatriation*, which amended Utah Law [63J-1-602.1](#), as last amended by Laws of Utah 2016, Chapters 46, 70, 71, and 202 and enacted [9-9-407](#), Utah Code Annotated 1953, and [9-9-408](#), Utah Code Annotated 1953, Utah State Parks was instructed to undertake the following:

Section 2. Section [9-9-408](#) is enacted to read:

65 [9-9-408. Burial of ancient Native American remains in state parks.](#)  
 66 (1) As used in this section:  
 67 (a) "Ancient Native American remains" means ancient human remains, as defined in  
 68 Section 9-8-302, that are Native American remains, as defined in Section 9-9-402.  
 69 (b) "Antiquities Section" means the Antiquities Section of the Division of State History  
 70 created in Section 9-8-304.  
 71 (2) (a) The division, the Antiquities Section, and the Division of Parks and Recreation  
 72 shall cooperate in a study of the feasibility of burying ancient Native American remains in state  
 73 parks.  
 74 (b) The study shall include:  
 75 (i) the process and criteria for determining which state parks would have land sufficient  
 76 and appropriate to reserve a portion of the land for the burial of ancient Native American  
 77 remains;  
 78 (ii) the process for burying the ancient Native American remains on the lands within  
 79 state parks, including the responsibilities of state agencies and the assurance of cultural  
 80 sensitivity;  
 81 (iii) how to keep a record of the locations in which specific ancient Native American  
 82 remains are buried;  
 83 (iv) how to account for the costs of:  
 84 (A) burying the ancient Native American remains on lands found within state parks;  
 85 and  
 86 (B) securing and maintaining burial sites in state parks; and  
 87 (v) any issues related to burying ancient Native American remains in state parks.  
 88 (3) The division, the Antiquities Section, and the Division of Parks and Recreation  
 89 shall report to the Native American Legislative Liaison Committee by no later than November  
 90 1, 2017, regarding the study required by Subsection (2).

Consequently, UPR Director Fred Hayes, UPR Heritage Resources Coordinator Justina Parsons-Bernstein, and UPR Lands Coordinator Susan Zarekarizi met with the Director of State History and staff of SHPO, the Director and staff of Indian Affairs several times over the course of the summer and fall of 2017 to come up with the procedures that would need to be conducted to find lands within and bury and protect Native American remains on appropriate State Parks Lands. State Parks produced this study, with the input and cooperation of the partners identified above and a rough draft was also presented to the Native American Remains Review Committee. The final report submitted to the Legislature in November 2017 in fulfillment of that directive is appended with this report.



2. Heritage Resources Coordinator Justina Parsons-Bernstein continued in her role as a planning committee member/sponsor for the Governor's Native American Summit.
3. Heritage Resources Coordinator Justina Parsons-Bernstein gave several presentations to Native American councils and representatives on the International Dark Sky Designation application process. The Confederated Tribes of Goshute Tribal Council, the Attorney for the Navajo Nation, and several other Utah Native American Tribe representatives were beneficiaries of this information.
4. Edge of the Cedars State Park Museum staff met several times during 2017-18 with representatives of the Utah Navajo Trust Fund Board of Directors concerning the disposition of the Shumway Collection of Artifacts. The Shumway Collection is jointly owned by the Utah Navajo Trust Fund and Utah Navajo Development Council. The collection was loaned to Edge of the Cedars in 1980 and for the past 37 years has been exhibited in visible storage in one of the museum's most popular exhibits. These recently discussions over the collection pertain to the Utah Navajo Trust Fund wanting to permanently donate the collection to Edge of the Cedars and the Utah Navajo Development Council debating about whether they would be in favor of the donation. This consultation is still ongoing.
5. Anasazi State Park Museum staff, in conjunction with Museum of Natural History of Utah staff, consulted with Hopi officials concerning their reburial directives for Native American remains from MNHU collections stored at Anasazi State Park Museum. SHPO was also consulted about the reburial proposal. In April 2018, all parties concerned agreed to the manner and place of reburial of these remains. The reburial is scheduled to take place by the end of 2018.
6. Finally, it is worth noting that Edge of the Cedars State Park, Goosenecks State Park and Fremont Indian State Park all employ staff from nearby Native American tribes.

## Utah Division of Water Resources

### 2018 Tribal Consultation Report

June 25, 2018

#### **Tribal Interactions regarding the Lake Powell Pipeline Project during FY2018**

We meet with the Kaibab Band of the Paiute Tribe (KBPT) on a regular basis to discuss the Lake Powell Pipeline Project as two of the three project alternatives cross reservation lands. The KBPT reservation is located in Arizona with Tribal Headquarters near Pipe Springs National Monument. While the tribe is not located in Utah, they are stakeholders in a Utah water project, the state sponsored Lake Powell Pipeline Project. The current tribal chair is Chairwoman Ona Segundo, [osegundo@kaibabpaiute-nsn.gov](mailto:osegundo@kaibabpaiute-nsn.gov), 435-689-1830. Participants from the tribe typically include: Ona Segundo, Carmen Bradley, Manuel Savala, LaWanda Hill, Cassandra Featherhat, Carlos Bullets, Yolanda Rogers, and Charlie Bullets. Participants from the state typically include Eric Millis, Joel Williams, Jaqueline Pacheco, Joshua Palmer and Marcie Larson. Other participants include project partners from the Washington County Water Conservancy District (WCWCD): Ron Thompson, Barbara Hjelle, John Fredell, and Sandy Jewkes. Alice Walker sometimes attends as a legal representative of the tribe. Connie Rogers sometimes attends as a legal representative for the project. Meetings to discuss the project were held on the following dates:

December 19, 2017 – Meeting at WCWCD to discuss LPP project

February 22, 2018 – Meeting at Tribal Headquarters to discuss LPP project

March 14, 2018 – Meeting at WCWCD to discuss LPP project

May 7, 2018 – Field Tour regarding LPP project

May 23, 2018 – Meeting at WCWCD to discuss LPP project

May 24, 2018 – Field Tour regarding LPP project

Anticipated future meetings:

June 22, 2018

July 13, 2018

August 22, 2018

November 13, 2018

All meetings have been to discuss the LPP project and its impacts. An agreement as to the best alignment for both parties has not yet been reached. Future meetings will continue with the hope of reaching greater mutual understanding of each other's concerns, and ideally a mutually agreeable solution.

Please contact Joel Williams (801) 538-7249, [joelwilliams@utah.gov](mailto:joelwilliams@utah.gov) if you have any questions or seek further information.

### **Tribal Interactions regarding State Water Plan**

Candice Hasenyager and Rachel Shilton have done two short presentations at the Utah Tribal Council meetings. These presentations include our information on the State Water Plan Advisory Committee and our efforts to develop a new State Water Plan. We asked questions of Utah Tribal Council about how the State Water Plan can be useful to them, what are we missing, and what else would the Utah tribes like to see in the plan.

April 13, 2018 – Orem

June 8, 2018 – Cedar City

Please contact Candice Hasenyager (801) 538-7278, [candicehasenyager@utah.gov](mailto:candicehasenyager@utah.gov) if you have any questions or seek further information.



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

## State of Utah

### DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

#### Division of Water Rights

KENT L. JONES  
State Engineer Division Director

## Utah Division of Water Rights 2018 Tribal Consultation Report June 7, 2018

During FY2018 this agency participated in the following communication gatherings with Native American leaders or their representatives which could be considered tribal consultation:

### Ute Tribe

**September 20, 2017** Division management staff as part of a staff meeting in the Uinta Basin invited water officials from the Ute Tribe to participate in meetings where they discussed the operation of the Ute Indian Irrigation Project, coordination of efforts with the river commissioners and issues they were experiencing. Members of the Ute Water Right Commission, Ute Indian Tribe Water Rights Department, and the BIA attended the meeting. All of our agency management staff attended in addition to state engineer and court appointed river commissioners. Concern was expressed regarding the declining state of the infrastructure and Ute tribal member use of water in ways that may not be recognized as beneficial use under the federal decree. Operation of the project came up as a concern and the BIA, board of directors of the operating company, and others expressed their views about what was or wasn't happening. The river commissioner explained how he manages the river and delivers water according to priority.

**February 8, 2018** Senator Van Tassel, Mike Styler (executive director of DNR), and Kent Jones (state engineer) met with the Ute Tribe Business Committee and the Water Rights Commission to discuss senate bill 98 (ratification of the 1990 Ute Compact). The Senator explained his bill and heard comments from the Ute Tribe representatives all of which were opposed to the bill. The Senator expressed the view that he intended to move the bill forward but he was willing to receive any constructive input the Tribe had about how to improve the bill. He indicated in presentation of the bill it was not his plan or intent to represent that the Tribe supported the bill in its current form but he felt it was time the state ratify as congress intended and leave the Utes to work out their own path to ratification.

**March 19, 2018** State Engineer Kent Jones met with the Ute Water Rights Commission at their request in St. George during the annual Water



Page 2

June 21, 2018

Subject:

Users Workshop. The Utes in pursuit of marketing water to energy companies had hit a snag where energy developers became concerned about Endangered Species compliance on surface water sources of the Upper Colorado River since the Tribe isn't a participant in the recovery program. The Division discussed the possibility of filing a change application to avoid both a collision with state water right administration and ESA issues since Utah is a partner. The Division also discussed the Recovery Program's effort to develop a plan on the White River and the need for Ute Tribe input since they are the primary water user on that river. Although the Tribe has been resistant to any action that could be construed as recognizing state administrative authority the discussion was positive although ultimately the Utes have done nothing with either issue.

### **Navajo Nation**

Utah and the Navajo Nation have developed a settlement in principal for federal reserved water rights in the Navajo Reservation in Utah. The Nation and Utah jointly are now working to gain federal approval of the settlement. Efforts have been underway to have the federal negotiating team complete their analysis of the settlement. During the same time period a bill has been introduced in the Senate and is preparing for markup hearings. The Navajo Nation, Utah, and federal team regularly participated in phone conferences for much of the year to discuss progress. Those calls occurred July 25, August 22, October 5, November 1, 2017.

### **Confederated Tribes of the Goshute**

No consultation meetings have been held with the Goshutes during FY2018. Boyd Clayton communicated with Paul Tsosie, Goshute attorney on February 5, 2018 about the status of water right negotiation meetings. The last negotiation meeting with the Goshutes was in FY2017 after which they began pursuing a strategy of a settlement in both Nevada and Utah but without the support of Nevada. It was related to Mr. Tsosie that our understanding is Nevada prefers a lawsuit they can either litigate or settle rather than entering into settlement discussion without such action. Mr. Tsosie was also told Utah remains willing to discuss settlement of Federal Reserved Water Rights without litigation, but prefers the parties continue to work to come to a settlement in principal before a federal team is invited to participate.

Please contact Boyd Clayton (801) 538-7390, [boydclayton@utah.gov](mailto:boydclayton@utah.gov) if you have questions or concerns.



## Utah Division of Wildlife Resources

### 2018 Tribal Consultation Report

June 20, 2018

The Division of Wildlife Resources ("DWR") is appointed trustee and custodian of protected wildlife in Utah. UCA § 23-14-1. Subject to the policy making authority of the Wildlife Board, it is charged to "protect, propagate, manage, conserve and distribute protected wildlife throughout the state." *Id.* This includes managing wildlife population numbers by providing recreational hunting, trapping and fishing opportunities to the public. UCA §§ 23-14-3 and 23-14-18. DWR actively coordinates with all recognized Native American Tribes possessing lands or off-reservation hunting rights in Utah. DWR administers three formal agreements with Utah Indian Tribes executed nearly 20 years ago pursuant to UCA § 23-13-12.5. Each agreement calls for ongoing consultation and cooperation between the two sovereigns and allocates hunting and fishing opportunities to Tribal members in recognition and satisfaction of aboriginal or treaty-based off-reservation hunting rights. The success and functionality of these agreements with the Ute Indian Tribe, Navajo Nation, and Kanosh Band of the Paiute Indian Tribe of Utah is verified by their continuous operation for nearly 20 years. The following information is not a comprehensive itemization of every contact between DWR and a Utah Tribe, but a list of only the more significant consultations.

#### **Confederated Tribes of Goshute/Skull Valley Band of Goshute**

**July 20, 2017**

Tribal Reps.      Jacob Steele

DWR Reps.      Riley Peck

Consult      Meeting discussing the potential for establishing bighorn sheep or mountain goat populations in the Deep Creek mountain range adjacent to the Tribe's reservation lands. DWR explained the biological and legal logistics associated with a translocation effort and obtained a better understanding of the Tribe's interests in this matter.

#### **Ongoing and Future Consultations**

Continued consultation and coordination between DWR and the Tribe is planned in the future concerning wildlife management actions that may impact the Tribe, including translocations of bighorn sheep or mountain goats. Jacob Steele is a member of the Confederated Tribes of Goshutes and also serves on the Central Regional Advisory Council. DWR holds regular Regional Advisory Council meetings

throughout the year where all proposed wildlife management actions, rule and policy changes, and hunting and fishing decisions are presented and discussed. As a Regional Advisory Council member, Jacob Steele has the opportunity to ask questions and voice concerns.

### **Designated Agency Officials**

Riley Peck at [rileypeck@utah.gov](mailto:rileypeck@utah.gov) (435) 979-0749

## **Navajo Nation**

### **July 17-19, 2017**

Tribal Reps.	Aneth Chapter House, Navajo Mountain Chapter House, and Oljato Chapter House
DWR Reps.	Chris Wood, Dennis Shumway, Ben Stearns, Stephine Matkin, and Nicole Mahleres
Consult	Pursuant to a Hunting and Fishing Agreement executed between the Navajo Nation and State of Utah in 2001, DWR travels to the Navajo Nation annually to distribute off-reservation buck deer hunting permits. On July 17, 2017, DWR employees traveled to the Aneth Chapter House and distributed 150 Southeastern Region and 5 Southern Region buck deer permits. On July 18, 2017, DWR employees traveled to Navajo Mountain Chapter House and distributed 50 Southeastern Region and 15 Southern Region buck deer permits. On July 19, 2017, DWR employees traveled to Monument Valley Welcome Center and distributed 50 Southeastern Region buck deer permits. DWR also sells combination, hunting, and fishing licenses and general season elk permits. Guide books & maps are always provided and DWR Law Enforcement Officers are onsite to answer any questions.

### **Ongoing and Future Consultations**

In June 2018, DWR will mail over 900 postcards and flyers to members of the Navajo Nation residing in southern Utah announcing the 2018 dates, times, and locations where they can obtain Utah deer permits. This annual permit distribution process will continue into the future, unless the Hunting and Fishing Agreement is terminated or amended.

### **Designated Agency Officials**

Chris Wood at [chriswood@utah.gov](mailto:chriswood@utah.gov) (435) 820-6019



**Northwestern Band of Shoshone Nation****July 26, 2017**

Tribal Reps.     Darren B. Parry

DWR Reps.     Northern Regional Advisory Council and DWR presenters

Consult         DWR presented recommendations for Hunter Education Rule amendments, Furbearer Rule amendments, Furbearer and Bobcat Harvest, Cougar Season and Rule amendments and Beaver Management Plan.

**November 8, 2017**

Tribal Reps.     Darren B. Parry

DWR Reps.     Northern Regional Advisory Council and DWR presenters

Consult         DWR presented recommendations for Waterfowl Season and Rule amendments, Taking Non-game Mammals Rule amendments, Bucks, Bulls, Once-in-a-Lifetime season dates and application timeline, Taking Big Game Rule amendments, Removal of Wild Deer from Domestic Elk Facilities, Statewide Pronghorn Management Plan, Statewide Moose Management Plan, NR Deer Management Plans, CWMU Management Plans and Permit Numbers, Landowner Association Permit Numbers and Mentor Rule amendments.

**December 4, 2017**

Tribal Reps.     Jeff Parry and Darren Parry

DWR Reps.     Trevor Doman, DWR Conservation Office

Consult         Meeting to discuss State hunting regulations and where Tribal members have aboriginal rights to hunt in Utah. A mutual understanding was reached.

**December 6, 2017**

Tribal Reps.     Darren B. Parry

DWR Reps.     Northern Regional Advisory Council and DWR presenters

Consult         DWR presented recommendations for Black Bear Season and Rule amendments.

**March 28, 2018**

Tribal Reps.	Darren B. Parry
DWR Reps.	Northern Regional Advisory Council and DWR presenters
Consult	DWR presented recommendations for Big Game Permit Numbers, Antlerless Permit Numbers, CWMU Rule amendments and CWMU Management Plans.

**May 2, 2018**

Tribal Reps.	Darren B. Parry
DWR Reps.	Northern Regional Advisory Council and DWR presenters
Consult	DWR presented recommendations for Upland Game and Turkey Seasons, Coyote Bounty Program, Mineral Mountain Bighorn Sheep Plan, Conservation and Sportsman Permit Rule amendments, Wildlife Expo Permit Rule amendments and rule amendments repealing the Certification Review Committee.

**Ongoing and Future Consultations**

DWR holds regular Regional Advisory Council meetings where all proposed wildlife management actions, rule and policy changes, and hunting and fishing decisions are presented and discussed. Darren Parry is a member of the Regional Advisory Council where he has opportunity to ask questions and voice concerns. DWR further plans to meet with the Band in the coming year to discuss law enforcement matters, hunting season dates, and closed areas.

**Designated Agency Officials**

Justin Dolling at [justindolling@utah.gov](mailto:justindolling@utah.gov) (801) 541-0358

**Paiute Indian Tribe of Utah****October 2, 2017**

Tribal Reps.	Tribal Council
DWR Reps.	Kevin Bunnell and Megan Mullineaux
Consult	Meeting with entire tribal council for general discussion regarding coordination and communication in hunting and fishing matters. Agreed to meet annually to discuss any changes in hunting regulations and any other items of Tribal interest.

**November 16, 2017**

Tribal Reps.	Tribal Council
DWR Reps.	Kevin Bunnell and Mindi Cox
Consult	Meeting with entire Tribal Council to discuss an incident between a DWR law enforcement officer and a tribal member that possessed both a Tribal deer tag for Reservation Lands and a Panguitch Lake State general season deer tag. The matter was clarified and resolved between DWR and the Tribe.

**December 10, 2017**

Tribal Reps.	Kanosh Band
DWR Reps.	Paul Washburn (DWR Lieutenant) and Curtis Shumway (Millard Co. officer)
Consult	Meeting with the Kanosh Band to answer questions from Band members regarding hunting regulations.

**Ongoing and Future Consultations**

DWR is scheduled to meet again with the Tribal Council on June 21, 2018 to discuss changes to deer hunting (early rifle season) and plan to meet at least annually into the future.

**Designated Agency Official**

Mindi Cox at [mcox@utah.gov](mailto:mcox@utah.gov) (435) 865-6100

**San Juan Southern Paiute Tribe****May 8, 2018**

Tribal Reps.	Carlene Yellowhair
DWR Reps.	Martin Bushman
Consult	Phone conversation discussing Utah hunting and fishing opportunities for Tribal members, including the possibility of a hunting and fishing agreement between the State and the Tribe.

## Ongoing and Future Consultations

DWR will follow up with the Tribe to further discuss hunting and fishing opportunities in Utah for its members.

## Designated Agency Officials

Martin Bushman at [martinbushman@agutah.gov](mailto:martinbushman@agutah.gov) (801) 538-7273

## Ute Indian Tribe

### August 28, 2017

Tribal Reps.	Jamie Arrive
DWR Reps.	Randall Thacker
Consult	Phone call notifying Tribe that DWR would be flying mountain goat surveys in a helicopter the first week of September.

### September 6, 2017

Tribal Reps.	Tribal law enforcement officers
DWR Reps.	DWR law enforcement officers
Consult	Annual meeting to coordinate law enforcement efforts, understand jurisdictional boundaries, share information on Fall hunts, and facilitate cooperation and assistance in the field between the agencies.

### November 16, 2017

Tribal Reps.	Ron Wopsock
DWR Reps.	Northeastern Regional Advisory Council and DWR presenters
Consult	Meeting discussing DWR's statewide waterfowl and big game hunting recommendations, including bison hunt boundaries.

### December 14, 2017

Tribal Reps.	Tim Ignacio
DWR Reps.	Northeastern Regional Advisory Council and DWR presenters

Consult Meeting discussing DWR's statewide black Bear hunting recommendations.

### **February 5, 2018**

Tribal Reps. Jamie Arrive

DWR Reps. Dax Mangus

Consult Meeting to discuss wandering bison issues, bison depredation on non-reservation lands, and possible mechanisms for keeping Tribal bison on reservation lands, including fencing and habitat improvement projects.

### **March 5, 2018**

Tribal Reps. Tim Ignacio

DWR Reps. Northeastern Regional Advisory Council and DWR presenters

Consult Meeting discussing DWR's proposals for statewide big game and antlerless permit numbers.

### **March 6, 2018**

Tribal Reps. Jamie Arrive and other Tribal representatives

DWR Reps. Boyd Blackwell, Randall Thacker, Dax Mangus

Consult Annual coordination meeting to share biological data, coordinate wildlife management actions, plan habitat improvement projects, and discuss hunting and fishing developments.

### **May 10, 2018**

Tribal Reps. Tim Ignacio

DWR Reps. Northeastern Regional Advisory Council and DWR presenters

Consult Meeting discussing DWR's statewide proposals for turkey hunting, coyote bounty program, and Mineral Mountains bighorn sheep translocation.

### **Ongoing and Future Consultations**

Pursuant to a Hunting and Fishing Agreement executed between the Ute Indian Tribe and State of Utah in 1999, DWR and the Tribe formally meet multiple times each year to discuss and coordinate wildlife matters of mutual interest. DWR

contacts and will continue to contact the Tribe informally as needs arise. Continued consultation and coordination is planned in the future concerning wildlife management, law enforcement, habitat improvement, and other matters impacting wildlife within the exterior boundary of the reservation. Tim Ignacio is a member of the Ute Indian Tribe who also serves on the Northeastern Regional Advisory Council. DWR holds regular Regional Advisory Council meetings throughout the year where all proposed wildlife management actions, rule and policy changes, and hunting and fishing decisions are presented and discussed. As a Regional Advisory Council member, Tim Ignacio has opportunity to ask questions and voice concerns.

### **Designated Agency Officials**

Dax Mangus at [daxmangus@utah.gov](mailto:daxmangus@utah.gov) (435) 790-5320

## **White Mesa Ute Tribe/Ute Mountain Ute Tribe**

**July 28, 2017**

Tribal Reps. George Wells, Jack Cantsee, Antoine Cantsee and Lyndreth Wall

DWR Reps. Guy Wallace and Dustin Mitchell

Consult Meeting to discuss upcoming Utah big game hunting season dates and permit numbers, and how DWR can better coordinate with the Tribes on these matters. Status and updates on population estimates, management plans, current/proposed research efforts, upcoming surveys and law enforcement issues were also discussed. The outcome of this meeting included the Tribes limiting the number of reservation permits for buck deer to nine, bull elk to nine, and cow elk to ten. The benefits of having a youth only permit, as well as split seasons for cow elk were also discussed.

### **Ongoing and Future Consultations**

DWR and the Tribes typically hold an annual coordination meeting each July. The Tribe typically contacts the UDWR regarding a meeting date.

### **Designated Agency Officials**

Guy Wallace at [guywallace@utah.gov](mailto:guywallace@utah.gov) (435) 820-6023

Dustin Mitchell at [dustinmitchell@utah.gov](mailto:dustinmitchell@utah.gov) (435) 650-3732



## Utah Department of Public Safety (DPS) Tribal Dialog and Consultation Annual Report Executive Summary June 2017 – July 2018

### DPS Mission Statement

*"Our Mission is to Provide a Safe and Secure Environment for All People in Utah"*

### Quality of Life Initiatives

- *Provide a Safe and Secure Environment*
- *Provide Excellent Internal and External Customer Service*

### Objective

The Department of Public Safety (DPS) assures that consultation by its Divisions will follow a meaningful and comprehensive process that promotes effective communication with the tribes. DPS will make every effort to ensure that consultation with a tribe is conducted as early as possible, is carried out in good faith, and that honesty and integrity are maintained by DPS, at all stages of the consultation process.

### Highlights

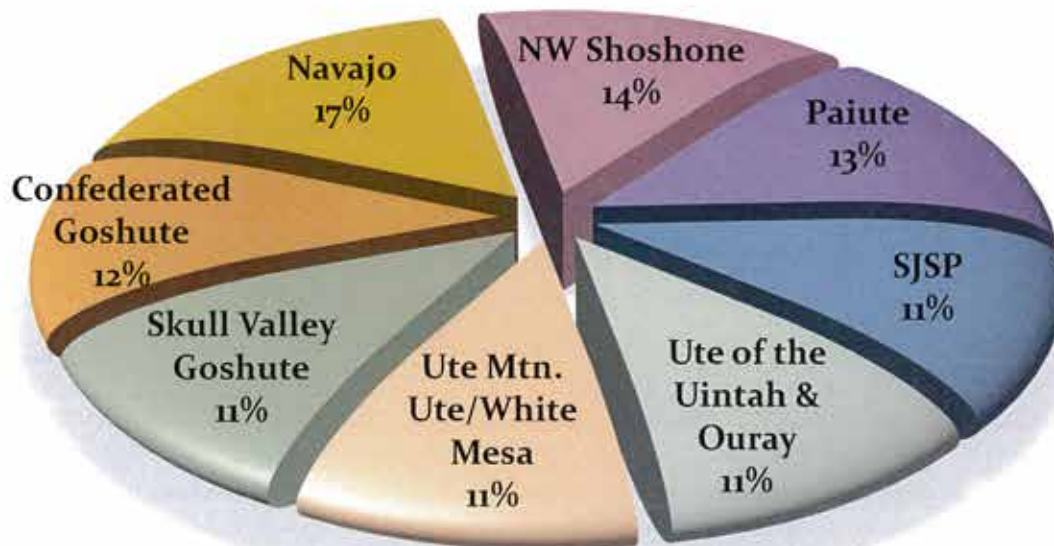
Over the past 12 months, DPS has provided at least 30 consultations (mostly on Tribal sites) and participated in Tribal Activities, such as: Adopt a Native Elder, Indian Caucus Day, Indigenous Day, Utah Tribal Leader's Meetings, Utah Tribal Emergency Response Committee Meetings, and in the preparation of the Native American Summit.



The charts below, which include the 8 federally recognized Tribes bordering Utah, display dialog and consultation actions with each Tribe. The results show a statewide balance of service provided by DPS.

Asset Type	Amount
Skull Valley	
Goshute	12
Confederated Tribe of Goshute	13
Navajo	17
NW Shoshone	14
Paiute	14
San Juan Southern Paiute	12
Ute	12
Ute Mountain	
Ute/White Mesa	12

### 2018 DPS & Tribal Actions



6/26/2018, Utah Dept. of Public Safety-Division of Emergency Management, Anna Boynton

## UTAH DEPARTMENT OF PUBLIC SAFETY



## DPS AND TRIBAL DIALOG &amp; CONSULTATION REPORT

Department of Public Safety

Commissioner Keith Squires

**Report by:** Anna Boynton,  
Tribal Consultant/Liaison

**Phone:** 801-718-5306**Email:** [aboynton@utah.gov](mailto:aboynton@utah.gov)**Report start date:** July 21, 2017**Report end date:** June 18, 2018

## Short-term action items/ Long-term goals

Action item/Event	Due date	Status
Utah Tribal Leaders Meeting Location: Pocatello	8/10-11	Ongoing to strengthen relationships & communication
FEMA 'Continuity of Operations-COOP' Course for Tribes Co-Hosted by FEMA and Utah DEM Location: Cedar City	9/11-14	Complete
State Dept. Tribal Liaison Meeting Location: Division of Indian Affairs	9/27	Ongoing to strengthen communication and service provided by State Departments regarding Tribes
FEMA Tribal Continuity of Operations Course- <ul style="list-style-type: none"> <li>Hosted by DEM, and Paiute Tribe of Utah</li> <li>Coordinators: Anna Boynton-DEM, TERT-Paiute Tribe, Carol Garcia-FEMA, and Katie Hurt-EMI</li> </ul>	9/11-14	Complete
Utah Indian Health Advisory Board Meeting - DOH <ul style="list-style-type: none"> <li>Anna Boynton and Melissa Zito dedicate UTERC and UIHAB meetings to support Preparedness Planning, recognizing both DEM and DOH preparedness efforts overlap in some areas.</li> </ul>	9/15	Ongoing outreach to strengthen relationships & emergency preparedness

Utah Tribal Emergency Response Committee Meeting (UTERC)- Host Location: Dept. of Health • Planning Support for Tribal Preparedness	9/28	Ongoing outreach to strengthen relationships & emergency preparedness
Navajo Utah Chapter Area- Red Mesa, Tees Nos Pos, Dennehotso	10/3-4	Ongoing outreach
Northwestern Band of Shoshone Council Meeting- Location: Brigham City • Anna Boynton, DPS Tribal Consultant/Liaison and Director Jay Henry- Crime Lab received invitation	11/9	Ongoing- Communication regarding DPS Crime Lab, the Tribe, and Bear River Massacre site history.
Utah Tribal Leaders Meeting Location: Utah Division of Indian Affairs, SLC	11/16-17	Ongoing to strengthen relationships & communication
UTERC Meeting- Location: State Emergency Operations Center, SLC • Introduction to EOC and services it provides - Anna Boynton, DPS Tribal Consultant/Liaison Angela Lang, DEM Operations Planner - John Crofts, DEM Operations Planner - Bob Cary, DEM Bureau Chief - Eric Martineau, DEM Mitigation Planner - Ken Kraudy, DEM Be Ready Utah Community Outreach - Wade Mathews, DEM Be Ready Utah Manager	12/7	Ongoing to strengthen relationships & emergency preparedness
State Tribal Liaison Meeting- Location: SLC • Coordinated by Dept. of Heritage & Arts and Div. of Indian Affairs to provide seamless State Dept. to State Dept. communication in providing services for Tribes - Anna Boynton, DPS Tribal Consultant/Liaison	12/11	Ongoing
Tribal Consultation Meeting- Location: State Capitol • Anna Boynton received invitation to observe Ute Mtn Ute/White Mesa, DIA, DEQ review of Uranium Mill health concerns.	12/15	Observation Complete
Paiute Tribe of Utah – Tribal Emergency Response Team (TERT) Location: Cedar City • Received invitation to attend and support preparedness planning	12/19-20	Ongoing- added to invitation list of these monthly meetings



<b>Kanosh Band Council Meeting</b> <ul style="list-style-type: none"> <li>Received invitation from Band Chair Corrina Bow</li> </ul>	<b>1/14</b>	Ongoing- received invitation for attendance again in the future
<b>San Juan County Active Shooter Full Scale Exercise (FSE) Concept &amp; Objectives Planning Meeting- Location: San Juan County</b> <ul style="list-style-type: none"> <li>Received invitation to observe Planning meeting as there is planned IHS and Whitehorse High School participation               <ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant Liaison</li> <li>- Angelia Crowther , DEM Community Support Liaison</li> </ul> </li> </ul>	<b>1/22</b>	Ongoing- FSE is scheduled for October 2018
<b>Bear River Massacre Memorial</b> <b>Location: ID</b> <ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> <li>- Kimberly Giles, Community Support Liaison</li> </ul>	<b>1/29</b>	Continue strengthening relationships and education
<b>American Indian Caucus Day</b> <b>Location: State Office Building, SLC</b> <ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> <li>- Director Coy Porter, Fire Marshall Office</li> <li>- Emergency Management Admin. and Staff (many of them)</li> </ul>	<b>2/5</b>	Annual Event
<b>Western Navajo Agency Council (WNAC) Meeting</b> <b>Location: Navajo Mountain</b> <ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> <li>- Major Jess Anderson, Utah Highway Patrol (UHP)</li> <li>- Lt. Ty Roberts</li> </ul>	<b>3/17</b>	Ongoing- Presented inner workings of UHP, introduced Lt. Roberts who oversees San Juan area, supported fostering & building relationships
<b>UTERC Meeting-</b> <b>Location: State EOC</b> <ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> <li>- Sheila Curtis, DEM Operations Manager</li> <li>- John Crofts, DEM Planner</li> <li>- Angelia Lang, DEM Planner</li> <li>- Kim Hammer, DEM Community Support Liaison Manager</li> <li>- Kimberly Giles, DEM Community Support Liaison</li> <li>- Scott Alvord, DEM Community Support Liaison</li> </ul>	<b>3/22</b>	Ongoing to strengthen relationships and emergency preparedness
<b>Four Corners without Borders</b> <b>Location: Monument Valley</b> <ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> <li>- Jill Sorensen &amp; Terry Smith, Highway Safety Office – Coordinators of this event with IHS</li> </ul>	<b>3/29</b>	Annual Event- Provides education & communication between Tribe, IHS, Utah DPS, and other attendees

<ul style="list-style-type: none"> <li>- Utah Highway Patrol presented- Marijuana Legalization in Colorado-Traffic Safety Implications</li> </ul>		
Navajo Mountain Community School Location: Navajo Mountain	<ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> </ul>	Complete- Received invitation to meet with Principal & Facilities Manager to discuss possible Active Shooter Training. Follow through: Sgt. Weber, UHP provided training
UTERC Meeting- Location: State EOC	<ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> <li>- Sheila Curtis, DEM Operations Manager</li> <li>- John Crofts, DEM Planner</li> <li>- Angelia Lang, DEM Planner</li> <li>- Kim Hammer, DEM Community Support Liaison Manager</li> <li>- Kimberly Giles, DEM Community Support Liaison</li> <li>- Scott Alvord, DEM Community Support Liaison</li> </ul>	Ongoing to strengthen relationships and emergency preparedness
Utah Tribal Leaders Meeting- Location: Utah Valley University	<ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> </ul>	Ongoing- Presented DPS updates
State Tribal Liaison Meeting – Location: Utah Division of Indian Affairs	<ul style="list-style-type: none"> <li>- Anna Boynton, DPS Tribal Consultant/Liaison</li> </ul>	Ongoing to provide seamless State Dept. to Dept. communication in providing services for Tribes
Navajo Nation Public Safety & Justice Event Location: Kayenta	<ul style="list-style-type: none"> <li>• Anna Boynton - Provided 'Be Ready' Vendor table</li> </ul>	Complete
Paiute Schivwits Band	<ul style="list-style-type: none"> <li>• Visit with Schivwits Band Emergency Manager</li> </ul>	Complete
Utah Tribal Leaders Meeting Location: Paiute Tribe-Cedar City		Ongoing- Presented DPS status on current spreadsheet of Tribal issues
Confederated Tribe of Goshutes Location: Ibapah	<ul style="list-style-type: none"> <li>• Invitation for site visit with Director Shirlee Silversmith, DIA</li> </ul>	Complete

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Navajo Law and Order (LAO) Meeting	6/18	Ongoing- Received request as DPS to coordinate Public Safety 'tabletop' discussion.
<ul style="list-style-type: none"><li>• Invitation to present at Navajo Nation LAO meeting</li></ul>		

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# **ANNUAL REPORT**

## **IMPLEMENTATION OF THE EXECUTIVE ORDER ON AGENCY CONSULTATION WITH FEDERALLY-RECOGNIZED INDIAN TRIBES**

**Fiscal Year 2018  
July 1, 2017 to June 30, 2018**

**Utah Department of Transportation  
Environmental Services Division  
Salt Lake City, Utah**



**June 15, 2018**

## INTRODUCTION

This report summarizes activities carried out under, and documents the effectiveness of, the *Executive Order on Executive Agency Consultation with Federally-Recognized Indian Tribes*, (EO, executed July 30, 2014) by the Utah Department of Transportation (UDOT). The Executive Order mandates that state agencies establish processes for regular and meaningful consultation with federally-recognized Indian Tribes located wholly or partially in the state of Utah. Such consultation is conducted for any proposed state action will have tribal implications and affects. A state action with tribal implications is defined as “regulations, rulemaking, and other policy statements or actions that have substantial direct effect on one or more tribes, on the relationship between the State and a tribe, or on the distribution of power and responsibilities between the State and a tribe, the status of a tribe as a sovereign or governmental entity” (EO 1.f).

In accordance with stipulation 3 of the EO, the UDOT has developed the Native American Tribal Consultation Policy (UDOT 08A2-07, effective February 23, 2015). This policy establishes processes to provide opportunities for meaningful consultation and partnering efforts between UDOT and tribes.

UDOT also participates in consultation as per the Federal Highway Administration (FHWA) policy and accordance with Part 3.2.3 of the *Memorandum of Understanding Between the Federal Highway Administration and the Utah Department of Transportation Concerning State of Utah’s Participation in the Surface Transportation Project Delivery Program Pursuant to 23 USC §327* (executed January 17, 2017), where the UDOT assumes responsibility, assigned by FHWA, for ensuring compliance with Section 106 of the NHPA and select responsibilities of tribal consultation.

UDOT has maintained programmatic agreements (PA) on consultation with the Confederated Tribes of the Goshute Reservation, Indian Peaks Band of Utah Paiutes, Cedar Band of Paiute Indians, and the Shivwits Band of the Paiute Indian Tribe of Utah. The PA includes stipulations on applicability, designated contacts, and procedures for notification of the tribes and procedures for responding to these notifications. The stipulation on notification procedures includes a provision that specified UDOT projects unlikely to affect cultural resources are exempted from tribal consultation under Section 106 of the National Historic Preservation Act (NHPA). Such project types generally do not involve disturbance of original ground and are identified in Attachment 5 of the PA. Consultation can be adjusted to the needs of the participants, but generally consists of an initial project notification letter and map, and any tribes expressing concern or participating as consulting parties will be provided additional information and comments solicited at project benchmarks such as the results of any cultural resource surveys, determination of eligibility, determination of effect, and mitigation of adverse effects (if applicable).

These agreements have helped to establish and maintain a relationship based on open dialogue, mutual respect, and early coordination. It has created a consultation process that allows the opportunity for tribal input on projects, has led to effective and streamlined consultation, efficient project delivery, and solid stewardship of cultural resources. UDOT participates (when applicable) in the Bureau of Indian Affairs Tribal Leadership meeting, Native Remains Review Committee, and meetings with individual tribes. UDOT also recognizes it is in the best interest

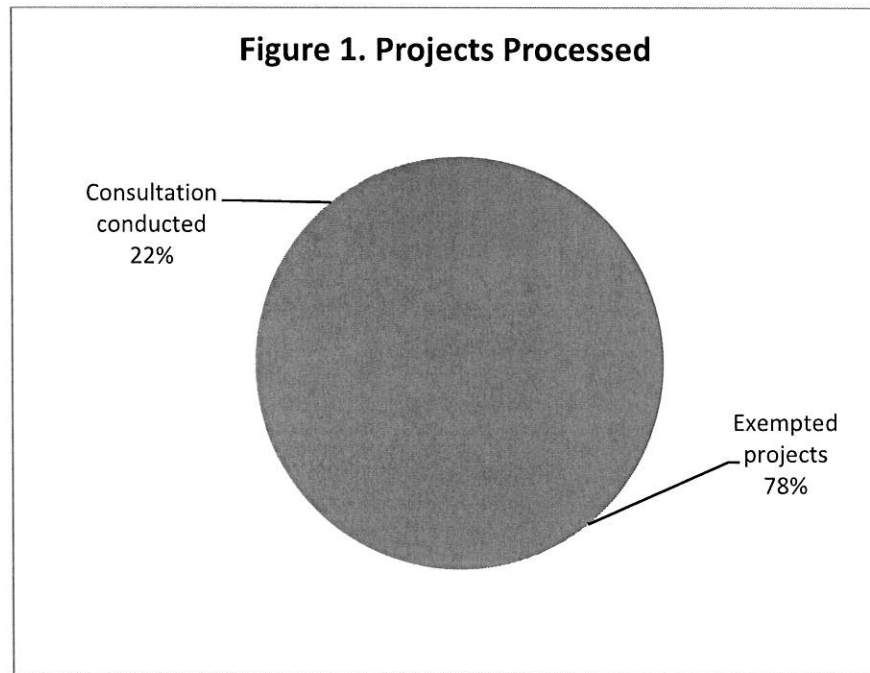
of all parties to find the most effective form of communication and conduct consultation in the format most preferred by individual tribes.

This report covers actions for which tribal consultation was conducted between July 1, 2017 and June 30, 2018 (Fiscal Year 2018), in accordance with stipulation 5 of the EO. Consultation was conducted in accordance with Section 106 of the NHPA, State Code 9-8-404, as well as UDOT program-level consultation. A listing of UDOT contacts for Native American consultation is provided in Appendix A.

## PROJECT REVIEW

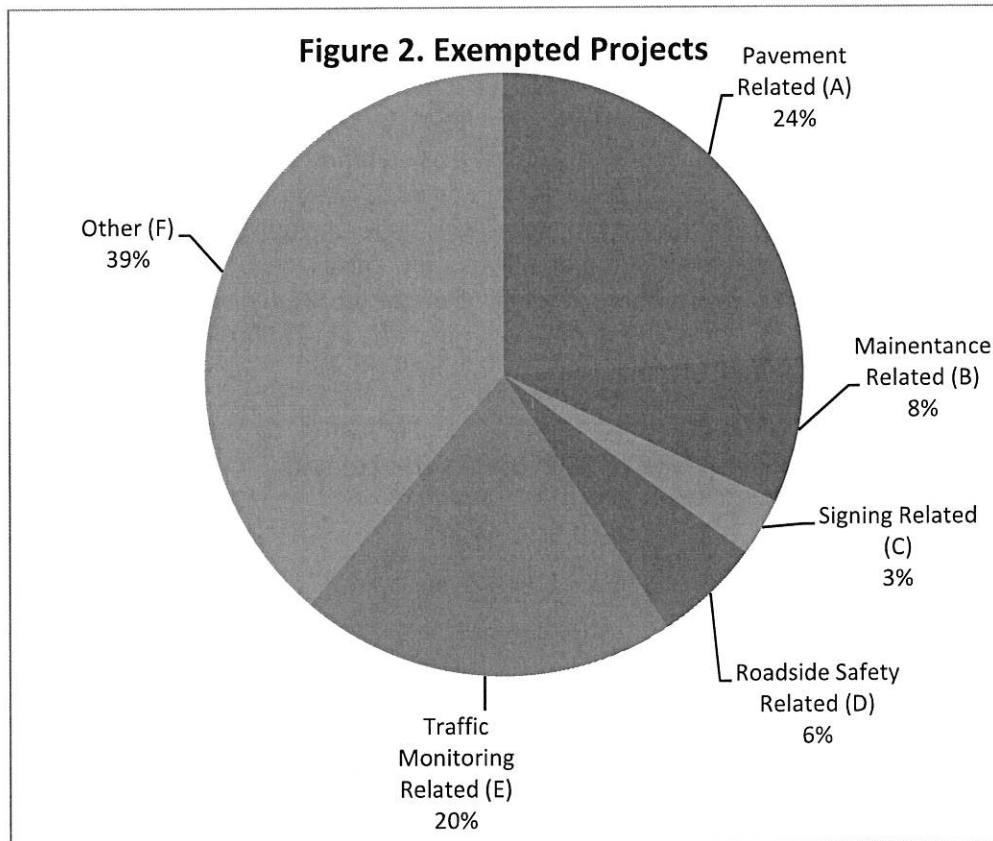
### Completed Projects

This project review covers actions reviewed by UDOT between July 1, 2017 and June 30, 2018 (FY 2018) including any anticipated actions between the reporting date and the end of FY 2018. For the reporting year, a total of 176 projects were located within the geographic area of concern to the Tribes (Figure 1). Of these, 195 projects (78%) were exempted from review in accordance with the PA exempted categories. Project notification forms were sent for the 42 remaining projects (22%). Nineteen projects had a finding of effect of *No Adverse Effect* and two projects had a finding of *Adverse Effect*. All remaining projects had a finding of *No Historic Properties Affected*. A complete list of projects is included in Appendix B.



Attachment 5 of the PA identifies a number of project types that are unlikely to affect cultural resources and will not disturb original ground or native soils. These projects are primarily limited to the pavement surfaces of existing roads, involve routine maintenance activities, and are

located in urban, developed, and previously disturbed areas. For the reporting year, the exempted projects are provided in Figure 2 with their exemption category. When projects included more than one type of activity, projects are included in the category of the majority of the project work. Project types are determined by available funding and maintenance needs within the roadway system. The high percentage of “Other” exempted projects (those not specifically mention in the other categories but where all proposed work will take place on existing roadways and within the toe-of-slope) may be due to an increase in FY 2018 of maintenance projects with many different elements that could not be attributed to a single category.



### On-going Consultation Efforts

Native American Consultation is on-going for three projects that have or are likely to have adverse effects to cultural resources (Table 1). If necessary, these projects will develop a memorandum of agreement (MOA) to identify how these adverse effects will be mitigated. Tribes participating in these projects will be consulted on potential mitigation options and UDOT is open and welcomes any mitigation suggestions from our tribal partners.

Table 1. Major Projects with On-going Consultation

<b>PIN</b>	<b>Project Number</b>	<b>Project Name</b>	<b>Finding of Effect</b>	<b>Tribes Consulted</b>	<b>Results of Consultation</b>
None	None	Southern Parkway	Adverse Effect	Kanosh, Koosharem and Indian Peaks Bands of Paiutes; Hopi Tribe; Ute Tribe; and Paiute Indian Tribe of Utah	Hopi Tribe, Shivwits Band of Paiutes and Paiute Indian Tribe participating
7704	S-0085(1)	Mountain View Corridor	Adverse Effect	Northwestern Band of Shoshone Nation	No response to date
11608	F-I15(1)86	I-15 MP-0-16 Improvements	Adverse Effect	Uintah and Ouray Ute, Shivwits, Moapa and Kaibab bands of Paiute	Shivwits participating
16092	S-R299(281)	Little Cottonwood Canyon (SR-210) Environmental Impact Statement	To be determined	Confederated Tribes of Goshute, Skull Valley Band of Goshute, Eastern Shoshone Tribe of Wind River Reservation, Northwestern Band of Shoshone, Shoshone-Bannock Tribes of Fort Hall Reservation, Paiute Indian Tribe, Uintah and Ouray Ute, Utah Division of Indian Affairs	Division of Indian Affairs participating
14552	S-R299(260)	Parley's Interchange (I-80/I-215) Environmental Impact Statement	To be determined	Confederated Tribes of Goshute, Skull Valley Band of Goshute, Eastern Shoshone Tribe of Wind River Reservation, Northwestern Band of Shoshone, Shoshone-Bannock Tribes of Fort Hall Reservation, Paiute Indian Tribe, Shivwits Band of Paiute, and Uintah and Ouray Ute	No response to date
15669	S-II5-7(341)295	I-15 Northbound Bangerter Hwy to I-215, Salt Lake County	To be determined	Confederated Tribes of Goshute, Skull Valley Band of Goshute, Eastern Shoshone Tribe of Wind River Reservation, Northwestern Band of Shoshone, Shoshone-Bannock Tribes of Fort Hall Reservation, Paiute Indian Tribe, Cedar Band of Paiute, and Uintah and Ouray Ute	No response to date

## OTHER CONSULTATION

### Planning

Representatives from UDOT Planning also attend tribal leadership meetings in to present information concerning the UDOT Long-Range Plan (most recently in June 2018). Several tribes submitted comments on the plan and other issues of concern and were responded to. The UDOT Planning group is also willing to meet with individual tribes to discuss specific concerns.

### Governor's Native American Summit

UDOT provided an informational booth at the 2017 Governor's Native American Summit and will have a similar booth at the 2018 Summit. Presence at the Summit provides an opportunity to distribute information on on-going consultation, notification procedures, and other transportation programs of concern to tribes. UDOT is also able to communicate with a broader tribal audience since formal consultation is usually limited to members of the leadership. UDOT also regularly attends the Native American Remains Review Committee meetings.

### Region 3 Consultations

The UDOT Region Three office has been working to make the most of every opportunity to improve working relationship with the Ute Indian Tribe. In addition to the Tribal consultation letters as required for every project we have made an effort to reach out to the Tribe and try to foster an improved level of trust. The following is a brief summary of our coordination efforts with the Ute Indian Tribe during FY2018:

- Met with Ute Business Committee. Provided update on UDOT projects scheduled for construction and in design phase. Requested Tribal input regarding transportation concerns and issues in the Basin. Tribal leadership thanked us for coming and felt the update is very helpful. Asked us to return on a bi-annual basis (May 10, 2017 and October 11, 2017).
- Met with Ute Water Department regarding waterline impacts associated with US-40 Gusher Passing Lane Project. The waterline will be impacted by the project. We will replace the waterline and place outside future highway widening. The Tribal Water Department is pleased with this decision. They are willing to participate in any betterment costs (October 5, 2017, February 15, 2018, and May 24, 2018).
- Met with Tribal Roads Department. Discussed proposed detour route for SR-311 Strawberry River Bridge Replacement Project. We have Tribal Business Committee approval to proceed with coordination efforts (March 14, 2018 and May 15, 2018).

### Region 4 Consultations

Branden Anderson, Rural Roads Program coordinator, also consulted with tribes to determine transportation needs. He attended the SJC-Utah/Navajo Partnership Meeting as well a meeting with Navajo DOT about road safety concerns on state routes in San Juan County. UDOT appreciates the flexibility of tribes to attend these meetings and look forward to a continuing relationship of cooperation and respect



## **APPENDIX A**

### **List of UDOT Contacts**

## ***UDOT CULTURAL RESOURCES CONTACTS***

### **CENTRAL OFFICE/STATEWIDE**

Liz Robinson  
Native American Liaison and  
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branden@utah.gov

## **APPENDIX B**

### **List of UDOT Projects**

## Tier 1 Projects: July 1 to September 30, 2017

PIN	Project Number	Project Name (include city and county)	Project Description / Type of Project	Level of Resource Identification Effort	Finding of Effect	Env. Doc. (CE, EA, EIS, SES, re-eval, etc.)	Antiquities Project Number	Sites (A=Archaeology, B=Building)		Tribes Consulted* or PA Exemption Category	Agency Consultation (BLM or USACE)
								Total #/type	Eligible #/type		
FEDERAL PROJECTS											
10882	F-LC33(8)	300 West, SR-89 to Buttercup Blvd, Rich County	New road construction	Records review	NHPA	CE	N/A	0	0	1,2,3,4,5,6,11,12,13	None
11996	F-LC11(53)	800 North, Main St. (SR-126) to 450 West, Davis County	Roadway reconstruction	Class III	NHPA	CE	U17HX0134ps	0	0	1,2,3,4,5,6,11,12,13	None
13486	F-R199(222)	I-15 & I-84, Interstate Structure Protection, Various Counties	Barrier installation	Class III	NHPA	CE	U17ZP0612s	0	0	D3	None
13737	F-1215(182)27	I-215: 2100 North to I-15, Davis County	Concrete replacement	Records review	NHPA	CE	N/A	0	0	F1	None
14194	F-0079(1)	SR-79, SR-126 to SR-204, Weber County	Pavement preservation	Records review	NHPA	CE	N/A	1A	1A	A1	None
14210	F-0167(6)0	SR-167, I-84 to SR-39, Various Counties	Pavement preservation	Records review	NHPA	CE	N/A	0	0	A1	None
14407	F-0039(35)	SR-39; Dual Lefts at Washington Blvd, Weber County	Roadway widening	Records review	NHPA	CE	N/A	0	0	1,2,3,4,5,6,11,12,13	None
14852	F-LC11(000)	Jefferson Avenue, 4400 South then 4500 South, Jefferson Avenue to Madison, Weber Cache County	Sidewalk installation	Class III	NHPA	CE	U17HX0697s	11B	6B	A2	None
15157	F-0091(74)24	US-91/SR-252 Intersection Improvements, Cache County	Roadway widening	Records review	NHPA	CE	N/A	0	0	1,2,3,4,5,6,11,12,13	None
15280	F-184-4(1)0	I-84 Median Cable Barrier Project, Box Elder County	Barrier installation	Records review	NHPA	CE	N/A	0	0	D3	None
8555	F-LC35(210)	6200 South & Holladay Boulevard RE-EVAL	Signal installation	Records review	NHPA	CE	N/A	0	0	E1	N/A
11083	F-2076(1)	1300 East, 1300 South to 2100 South, Salt Lake County	Full-depth road reconstruction	Class III	NHPA	CE	U17HX0686s	0	0	1,2,3,4,5,6,11,12,13	N/A
11828	F-180-4(151)139	I-80: Parleys Summit to Jeremy Ranch WB Tuck Lane ADDENDUM, Salt Lake & Summit County	Road widening	Class III	NHPA	CE	U17HY0720ps	0	0	1,2,3,4,5,6,11,12,13	N/A
13150	F-0032(44)8	SR-32: Rockcliff to Kamas RE-EVAL, Summit County	Pavement preservation	Records review	NHPA	CE	N/A	0	0	A1	N/A
14459	F-R299(256)	Various Freeway Routes; Structure Protection, Salt Lake, Summit & Tooele Counties	Barrier/Guard Rail replacement	Records review	NHPA	CE	N/A	2/A	2/A	D3	N/A
14946	F-LC35(307)	Corner Canyon Creek/ East Jordan Canal Trail, Salt Lake County	Trail installation	Class III	NHPA	CE	U17ZP0406ps	0	0	1,2,3,4,5,6,11,12,13	N/A
15246	F-0209(43)0	SR-209: Kennecott to Prosperity Road, Salt Lake County	Pavement preservation	Records review	NHPA	CE	N/A	0	0	A1	N/A
15248	F-0201(36)17	SR-201: 300 West to State, Salt Lake County	Pavement preservation	Records review	NHPA	CE	N/A	1/A	1/A	A1	N/A
15885	F-0210(31)4	SR-210: SR-209 to Top of Canyon, Salt Lake County	Pavement preservation	Records review	NHPA	CE	N/A	1/A	1/A	A1	N/A
16018	F-180-4(164)136	I-80: Lamb's to Kimball's, Salt Lake & Summit Counties	Pavement preservation	Records review	NHPA	CE	N/A	0	0	A1	N/A
None	None	Jordan River Equestrian Trail-Jordan Narrows Trailhead to the Utah County Line, Salt Lake County	Trail installation	Class III	NHPA	CE	U-17-EO-423	2/A	2/A	F1	N/A
12309	F-R399(262)	2 Locations N Orem and PG, Utah County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	F1	None
13639	F-0028(76)16	SR-28: Temple Rd. to Nephi, Juab County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	F1	None
13743	F-0113(110)0	SR-113: Jct. US-189 to Midway, Wasatch County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	F1	None
14607	F-R399(263)	SR-113 & SR-222 Microsurface, Wasatch County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	F1	None
14614	F-0191(157)378	US-191: Uintah/Daggett county line to Greendale, Jct., Daggett County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	F1	None
15147	F-0006(200)140	US-6: Eureka to Elberta, Juab and Utah Counties	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	F1	None
15231	F-R399(259)	Various Routes; Texas Turndown and Guardrail, Utah and Juab County	Guardrail Replacement	Record Review	NHPA	CE	N/A	0	0	D1	None
15847	F-0191(151)364	US-191: Culvert Repair at Big Brush Creek, MP 363.5, Uintah County	Culvert Repair	Record Review	NHPA	CE	N/A	0	0	B4	None

## PA Tracking--Tier 1 Projects: July 1 to September 30, 2017

15984	F-2964(1)0	Orem 400 South Active Warnings, Utah County	Railroad Crossing	Record Review	NHPA	CE	N/A	0	0	0	F1	None
12514	F-0017(28)0	SR-17; LaVerkin to Anderson Jct., Toquerville, Washington County	Pavement rehabilitation	Records review	NHPA	CE	None	0	0	0	A1	None
13338	F-0009(43)0	I-15; Meadow to North Fillmore, Millard County	Pavement rehabilitation	Records review	NHPA	CE	None	0	0	0	A1	None
13353	F-0009(43)0	SR-9; I-15 Through Hurricane, Washington County	Pavement rehabilitation	Records review	NHPA	CE	None	0	0	0	A1	None
13359	F-170-1(94)49	I-15; Sigurd Interchange to Salina; Sevier County	Pavement rehabilitation	Records review	NHPA	CE	None	0	0	0	A1	None
13804	F-170-1(90)7	I-70; MP 7 to 21 Bridge Preservation, Sevier County	Bridge preservation	Records review	NHPA	CE	None	0	0	0	B4	USACE
14305	F-170-3(03)117	I-70; Moore Interchange to Sinbad, Emery County	Pavement preservation	Records review	NHPA	CE	None	0	0	0	A1	None
14380	F-115-4(67)139	I-15; Dog Valley to Baker Canyon, Millard County	Pavement rehabilitation	Records review	NHPA	CE	None	0	0	0	A1	None
14426	F-R499(296)	Various Routes; No Pass Permit Signing, Multiple Counties	Signing	Records review	NHPA	CE	None	0	0	0	C1	None
14443	F-170-2(63)96	I-70; MP 96.3-146.2, Sevier and Emery Counties	Median cable barrier	Records review	NHPA	CE	None	0	0	0	D1	BLM
14444	F-0012(41)0	SR-12; US-89 to Henrieville, Garfield County	Signing and Guardrail	Records review	NHPA	CE	None	0	0	0	D1	None
14538	F-0089(447)86	US-89; JCT. SR-9 to Glendale, Kane County	Roadway widening	Records review	NHPA	CE	None	0	0	0	F1	None
14722	F-0006(194)261	New Passing Lane & Extend Two Passing Lanes, Carbon and Emery Counties	New and expanded passing lanes	Records review	NHPA	CE	None	0	0	0	5, 6, 11, 14	BLM, SITLA, USACE
15313	F-0089(451)104	I-15; US-89; Long Valley JCT to Hatch, Kane and Garfield Counties	Pavement rehabilitation	Records review	NHPA	CE	None	0	0	0	A1	None
15314	F-0089(452)261	US-89; Christensen Lane to Ephraim, Sanpete County	Pavement preservation	Records review	NHPA	CE	None	0	0	0	A1	None
STATE PROJECTS												
12389	S-0102(10)8	SR-102; Bridge Over West Canal, D-820, Box Elder County	Infrastructure preservation	Records review	NHPA	SES	N/A	0	0	0	B4	None
13823	S-115-7(329)332	I-15; MP 332.10 - 332.20 & Layton I-15 Crossing, Davis County	Dump site clearance	Class III	NHPA	SES	U17DV0729p	0	0	0	F1	None
None	None	Weather Station Installation, Weber County	Weather station installation	Records review	NHPA	SES	N/A	0	0	0	E2	None
14739	S-R299(257)	Region 2 Barrier Treatments, Summit County	Barrier replacements	Records review	NHPA	SES	N/A	0	0	0	1, 2, 3, 4, 5, 6, 11, 12, 13	N/A
15297	S-0171(55)9	MP 9.2 - 9.8, Raised Medians, Salt Lake County	Median replacement	Records review	NHPA	SES	N/A	0	0	0	D3	N/A
15476	S-R299(254)	Cattle Guard Replacements, Tooele County	Cattle guard replacements	Records review	NHPA	SES	N/A	0	0	0	F1	N/A
15560	S-R299(255)	SR-138 & Center/Park and SR-138 & Hale, Tooele County	Lighting installation	Records review	NHPA	SES	N/A	0	0	0	E1	N/A
15577	S-2651(1)0	Grantsville - Durfee St. and Center St. Sidewalk, Tooele County	Sidewalk installation	Records review	NHPA	SES	N/A	0	0	0	A2	N/A
None	None	SR-36; MP 40.9 Pavement Preservation and Bypass Road, Tooele County	Maintenance bypass road	Class III	NHPA	CE	U17U0795ps	1/A	1/A	1/A	F1	N/A
12444	S-0113(7)5	SR-113; Provo River Structure Rehab, D-470, Wasatch County	Bridge Repair	Record Review	NHPA	SES	N/A	0	0	0	B4	None
13859	S-0191(142)270	US-191; Nat. Forest Sta. to Jones Hollow, Uintah County	Pavement Rehab	Record Review	NHPA	SES	N/A	0	0	0	F1	None
15271	S-0089(444)327	US-89 & 1600 North (MP 326.81), Mapleton, Utah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	0	E1	None
15303	S-0035(9)12	SR-35; MP 12.25-43.12, Curve Warning Signs, Wasatch and Duchesne Counties	Safety Signs	Record Review	NHPA	SES	N/A	0	0	0	C3	None
15835	S-006(203)174	US-6 & 800 North, Spanish Fork, Utah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	0	E1	None
15417	S-0137(5)0	SR-137; Mayfield Loop, Sanpete County	Pavement rehabilitation	Records review	NHPA	SES	None	0	0	0	A1	None
15961	S-0153(32)4	SR-153; Culvert Replacement, Iron County	Replace culvert	Records review	NHPA	SES	None	0	0	0	F1	None

## PA Tracking--Tier 1 Projects: July 1 to September 30, 2017

None	None	South Central Communication's Bryce Canyon City FTTP Project, Garfield County	Install fiber conduit	Records review	NHPA	SES	None	0	0	0	F1	None
None	None	SR-143; MP 10.2 TO MP 11.325, Culvert Pipe Replacement, Iron County	Replace culverts	Records review	NHPA	SES	None	0	0	0	F1	None
None	None	SR-271; Roadside Ditch Maintenance MP 4.63 to 5.37, Iron County	Drainage maintenance	Records review	NHPA	SES	None	0	0	0	F1	None
None	None	US-89; MP 5.9 to 13.385, South Central Communications Fiber Optic Installation	Install fiber conduit	Records review	NHPA	SES	None	0	0	0	F1	None
None	None	I-70 Surplus Property near Milepost 24, Sevier County	Surplus property	Class III	NHPA	SES	U17UT0788s	0	0	0	4, 8, 9	None
None	None	South Central Communication's S Glendale North Project, Kane County	Intall Fiber Conduit	Class III	NHPA	SES	U17TN0642b,p	1/A	1/A	1/A	BLM Conducted	BLM
None	None	SR-12; South Central Communication's Fiber Encroachment, Escalante, Garfield County	Install Fiber Conduit	Class III	NHPA	SES	U17TN0444p	0	0	0	F1	None

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## Tier 1 Projects: October 1 to December 31, 2017

PIN	Project Number	Project Name (include city and county)	Project Description / Type of Project	Level of Resource Identification Effort	Finding of Effect	Env. Doc. (CE, EA, EIS, SES, re-eval, etc.)	Antiquities Project Number	Sites (A=Archaeology, B=Building)		Tribes Consulted* or PA Exemption Category	Agency Consultation (BLM or USACE)
								Total #/type	Eligible #/type		
FEDERAL PROJECTS											
12003	F-LC57(28)	638 North to 2200 North (Lund Lane), Farmington, Davis County	Pavement widening	Class III	NHPA	CE	U17EO1019s	0	0	F1	None
14192	F-0089(442)431	US-89, SR-13, 3000 S. to 700 S., Box Elder County	Pavement rehabilitation	Records review	NHPA	CE	N/A	1A	0	A1	None
14823	F-0089(435)384	US-89, I-15 to Eagle Ridge Dr., North Salt Lake City, Davis County	Pavement preservation	Records review	NHPA	CE	N/A	0	0	A1	None
15239	F-LC05(48)	Millville Safe Routes to School, Millville, Cache County	Sidewalk installation	Class III	NHPA	CE	U17HY0887ps	1A, 4B	1A, 3B	A2	None
15637	F-0123(1)1	SR-102; Intersection, 1000 West, Box Elder County	Road widening	Class III	NHPA	CE	U17HX0672ps	1A, 2B	1A	1, 2, 3, 5, 6, 11, 12, 13	None
13323	F-480-3(186)102	I-80 Structure Replacement (MP 101 and 99), Tooele County	Structure Replacement	Class III	NHPA	CE	U17UT0786s	1A	1A	1, 2, 3, 5, 6, 11, 12, 13	N/A
13456	F-0224(45)6	SR-224; SR-248 to Bear Hollow, Summit County	Pavement rehabilitation	Record review	NHPA	CE	N/A	0	0	A1	N/A
13464	F-0282(14)0	SR-282 @ University of Utah Roads, Salt Lake County	Pavement rehabilitation	Record review	NHPA	CE	N/A	0	0	A1	N/A
14949	F-LC35(310)	Taylorsville Regional Trail; 5140 So to 5400 So, Salt Lake County	Sidewalk/trail replacement	Record review	NHPA	CE	N/A	0	0	A2	N/A
15284	F-480-1(61)24	I-80; MP 18.9-32.52; EB & WB Median Cable Barrier, Tooele County	Median barrier installation	Record review	NHPA	CE	N/A	0	0	D3	N/A
15614	F-1215(189)0	I-215; Westbound Off-Ramp to Redwood Rd, Salt Lake County	Off-ramp widening	Record review	NHPA	CE	N/A	0	0	1, 2, 3, 5, 6, 11, 12, 13	N/A
15884	F-0071(58)9	SR-71; Carnation Drive to 9400 South, Salt Lake County	Pavement rehabilitation	Record review	NHPA	CE	N/A	0	0	A1	N/A
13334	F-R499(306)	I-70; Belknap to Sigurd & US-89; State St, Salina	Pavement preservation	Records review	NHPA	CE	N/A	0	0	F1	None
13359	F-170-1(94)49	I-70; Sigurd Interchange to Salina; Sevier County, Amended	Bridge preservation	Records review	NHPA	CE	N/A	0	0	F1	None
13799	F-0055(18)0	SR-55; West Price Connection Bridge Rehab, C-682, Carbon County	Bridge preservation	Records review	NHPA	CE	N/A	0	0	B4	None
14284	F-R499(302)	US-89 & SR-28; Hot-in-Place Recycle & Overlay, Sevier and Sanpete Counties	Intersection improvement	Records review	NHPA	CE	N/A	2A	0	F1	None
14306	F-0191(156)140	US-191; MP 140 to RR Structure, Grand County	Pavement preservation	Records review	NHPA	CE	N/A	0	0	F1	None
14306	F-0191(156)140	US-191; MP 140 to RR Structure, Grand County, Amended	Pavement preservation	Records review	NHPA	CE	N/A	0	0	F1	None
STATE PROJECTS											
13861	S-0101(12)22	SR-101; SR-165 to Hardware, Cache County	Pavement preservation	Records review	NHPA	SES	N/A	0	0	A1	None
15532	S-0030(70)117	SR-30; Laketown to Wyoming, Rich County	Pavement rehabilitation	Records review	NHPA	SES	N/A	9A	1A	A1	None
15800	S-0126(32)8	SR-126 (1900 West) & 6000 South (MP 8.24), Roy, Weber County	Signal installation	Records review	NHPA	SES	N/A	0	0	E1	None
15801	S-0126(33)10	SR-126 (1900 West) & 4800 South (MP 9.73), Roy, Weber County	Signal installation	Records review	NHPA	SES	N/A	0	0	E1	None
15972	S-0091(80)31	US-91 & 3100 N, North Logan City, Cache County	Signal installation	Records review	NHPA	SES	N/A	0	0	E1	None
15996	S-115-7(68)41	Bridge 3F 63 Repairs, I-15 over 700 S. (SR-193), Clearfield, UT, Davis County	Bridge repair	Records review	NHPA	SES	N/A	0	0	B4	None
non-PIN	N/A	Snow Plow Turn Around, Cache County	Pavement expansion/truck pull-off	Records review	NHPA	SES	N/A	0	0	F1	None
13775	S-0036(43)39	SR-36; MP 31.0 to MP 42.5; Pavement Rehabilitation, Tooele County	Pavement rehabilitation/ minor widening	Record review	NHPA	SES	N/A	3A	2A	1, 2, 3, 5, 6, 11, 12, 13	N/A
13775	S-0036(43)39	SR-36; MP 31.0 to MP 42.5; Pavement Rehabilitation, Tooele County UPDATE	Pavement rehabilitation/ minor widening	Record review	NHPA	SES	N/A	3A	2A	1, 2, 3, 5, 6, 11, 12, 13	N/A

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## Tier 1 Projects: October 1 to December 31, 2017

None	None	SR-12; SCC Encroachment, Escalante, Garfield County	Encroachment	Class III	NHPA	SES	U17TN1069	0	0	F1	SITLA
None	None	SR-62 and US-89, SCC Fiber optic Installation to Tower Road, Piute County	ROW encroachment	Class III	NHPA	SES	U17TN0719	1A	0	F1	None

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## PA Tracking--Tier 1 Projects: January 1 to March 31, 2018

PIN	Project Number	Project Name (include city and county)	Project Description / Type of Project	Level of Resource Identification Effort	Finding of Effect	Env. Doc. (CE, EA, EIS, SES, re-eval, etc.)	Antiquities Project Number	Sites (A=Archaeology, B=Building)		Tribes Consulted* or PA Exemption Category	Agency Consultation (BLM or USACE)
								Total #/type	Eligible #/type		
FEDERAL PROJECTS											
12166	F-LC57(30	West Haven R&RG to River Parkway Trail, Weber, Davis & Salt Lake Counties	Trail installation	Class III Survey	NHRP	CE	U17HP1124ps	0	0	F1	N/A
14197	F-108(35)8	SR-108 2300 N. to SR-126, Clinton City, Weber County	Pavement preservation	Record review	NRHP	CE	N/A	0	0	A1	N/A
14207	F-0089(44)3423	US-89: SR-126 to 3000 S. Box Elder County	Traffic signal installation/ pavement preservation	Record review	NRHP	CE	N/A	0	0	A1	N/A
15154	F-0060(9)0	SR-60: SR-26 to SR-168, Riverdale City, Weber County	Pavement preservation	Record review	NRHP	CE	N/A	0	0	A1	N/A
15811	F-0039(37)0	SR-39: Emergency Pavement Rehab, Ogden, Weber County	Pavement preservation	Record review	NRHP	CE	N/A	0	0	A1	N/A
16041	F-R199(239)	Region 1 ATMS Expansion for Congestion Mitigation, Box Elder, Weber & Davis Counties	VMS installation	Record review	NRHP	CE	N/A	0	0	E2	N/A
16250	F-115-7(349)320	I-15: Centerville to Ogden Slab Replacement, Various Counties	Concrete panel replacement	Record review	NRHP	CE	N/A	3A	2A	F1	N/A
11082	F-0068(7)52	Redwood Road: 4100 South to 4700 South, Taylorsville City, Salt Lake County	Roadway safety enhancement/access consolidation	Class III	NHPA	CE	U17HY0952	2A 64B	1A 46B	F1	N/A
11500	F-180-1(62)30	I-80: MP 30 to 40, Tooele County	Pavement maintenance	Record review	NHPA	CE	N/A	0	0	A1	N/A
11858	F-2608(1)1	Hoysville Structure Replacement 043046C, Summit County, Utah	Bridge structure replacement	Record review	NHPA	CE	N/A	1A	1A	B4	N/A
12638	F-ST99(393)	Traffic Signal Interconnect - Various Locations, Salt Lake County	Traffic signal upgrade	Record review	NHPA	CE	N/A	0	0	E1	N/A
13882	F-R299(206)	Jeremy Ranch Frontage Road Intersection, Summit County	Roundabout installation	Class III	NHPA	CE	U17HY0839	0	0	1, 2, 3, 6, 11	N/A
14646	F-R299(230)	Fiber and Signal Interconnect - SL City Area, Salt Lake County	Traffic signal upgrade	Record review	NHPA	CE	N/A	0	0	E1	N/A
14944	F-LC35(305)	Grit Mill & Climbing Master Plan; LCC Park and Ride, Salt Lake County - REEVALUATION	Parking lot installation, road realignment	Record review	NHPA	CE	N/A	0	0	F1	N/A
15278	F-2080(1)4	10000 S & 10800 S Queue Cutters, Sandy City, Salt Lake County	Railroad signal installation	Record review	NHPA	CE	N/A	2A	1A	F1	N/A
15429	F-0032(47)13	SR-32: Kamas to Peoa, Summit County	Pavement maintenance	Record review	NHPA	CE	N/A	3A	3A	A1	N/A
14983	F-LC49(166)	Continous Count Stations, Utah County	Vehicle Count Stations	Record Review	NHPA	CE	N/A	0	0	F1	None
15570	F-0145(10)0	Pioneer Crossing/I-15 Interchange Ramp Improvements, Utah County	Freeway Ramp Lanes	Record Review	NHPA	CE	N/A	0	0	F1	None
13411	F-0191(134)79	US-191 Extend SB Passing Lane, MP 78.8-79.2, SanJuan County	New passing lane	Class III Survey	NHPA	CE	U17ZP1117	1A	1A	F1	N/A
14446	F-115-3(45)132	I-15: MP 132-133, Shoulder Improvements, Beaver and Millard Counties	Shouldering	Records review	NHPA	CE	N/A	15A	6A	4, 6, 7, 11, 14	BLM
14448	F-R499 (313)	Various Routes Rumble Strp Seal, Washington, Iron, Beaver and Sanpete	Rumble Strips	Records review	NHPA	CE	N/A	0	0	A1	N/A
STATE PROJECTS											
14738	S-R199(225)	R1 Barrier Treatments Program FY17, Box Elder County	Guard rail replacement	Record review	NRHP	SES	N/A	0	0	D1	N/A
15228	S-R199(231)	Region One Overhead Sign Repair, Weber County	Signage repair	Record review	NRHP	SES	N/A	0	0	C1	N/A
15284	S-R199(232)	I-15: Barrier Extension, Weber/Davis	Concrete barrier installation	Record review	NRHP	CE	N/A	0	0	D3	N/A
15532	S-0030(70)117	SR-30: MP 116.86 to Wyoming State Line, Rich County REEVAL	Pavement maintenance	Record review	NRHP	SES	N/A	9A	1A	A1	N/A
15802	S-0091(77)26	US-91 (MP 25.66) & SR-165, Logan, Cache County	Traffic signal replacement	Record review	NRHP	SES	N/A	0	0	E1	N/A
16185	S-0126(34)10	SR-136 (1900 W.) & 4975 S. (MP 9.51, Roy, Weber County	Traffic signal installation	Record review	NRHP	SES	N/A	1A	0	E1	N/A

## PA Tracking--Tier 1 Projects: January 1 to March 31, 2018

16186	S-0089(465)389	US-89 (500 W) & 1000 N (MP389.45), Bountiful City, Davis County	Traffic signal installation	Record review	NRHP	SES	N/A	0	0	E1	N/A
16187	S-184-6(136)91	I-24 over Weber River Bearing Repairs 4C-476, Morgan County	Bridge Repair	Record review	NRHP	SES	NA	1A, 1B	1A	B4	N/A
16364	S-R199(243)	Repairs to UPRR Bridge 0C-485, Ogden, Weber County	Bridge Repair	Record review	NRHP	SES	N/A	0	0	B4	N/A
13149	S-0085(9)	SR-85, MVC, 4100 South to SR-201 (MVC Transit) REEVALUATION	Transit location installation	Class III	NHPA	SES	U18HY0119	1A	0	F1	N/A
14415	S-0154(84)14	Bangerter Hwy @ 6200 South, Salt Lake County	Grade separated interchange construction	Class III	NHPA	EA	U17HX1037ps	1A, 15B	1A, 2B	1, 2, 3, 5, 6, 11, 12, 13	N/A
14739	S-R299(257)	Region 2 Barrier Treatments, Summit County, REEVALUATION	Barrier replacement	Record review	NHPA	SES	N/A	0	0	1, 2, 3, 4, 5, 6, 11, 12, 13	N/A
15515	S-R299(251)	VMS Replacement, Various Counties	VMS replacement	Record review	NHPA	SES	N/A	0	0	E2	N/A
15799	S-0171(64)13	SR-171 (3300 S) & 1300 E (MP 12.53), Millcreek, Salt Lake County	Traffic signal installation/upgrade	Record review	NHPA	SES	N/A	0	0	E1	N/A
15812	S-0282(13)2	SR-282 & 1900 East (MP 1.80), Salt Lake City, Salt Lake County	Traffic signal installation	Record review	NHPA	SES	N/A	0	0	E1	N/A
15953	S-184-6(133)104	I-84 Fiber Optics System from Morgan to Henefer, Morgan and Summit Counties	Fiber optics installation	Class III	NHPA	SES	17HX0979	5A	5A	F1	BLM
Non-PIN	Non-PIN	Dominion Engineering's Northpoint Business Park Project, Salt Lake County	Storm drain connection (Break in No Access line)	Class III	NHPA	CE	U17TN0059p	0	0	F1	N/A
15569	S-0189(70)18	US-189; CIP Barrier at MP 18, Provo Canyon, Wasatch County	Median Barrier	Record Review	NHPA	SES	N/A	0	0	F1	None
16180	S-0040(174)86	US-40; 250 W (MP 86.3) & 100 W (MP 86.43), Duchesne, Duchesne County	Safety Signal	Record Review	NHPA	SES	N/A	0	0	F1	None
16181	S-0040(175)120	US-40 & 5750 East (MP 119.66), Fort Duchesne, Uintah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	F1	None
16295	S-R299(290)	Wrong-way Driving Treatments, Various counties	Highway Signs	Record Review	NHPA	SES	N/A	0	0	F1	None
14707	S-I70-2(64)74	I-70; Exit 73, Sevier County	Signing	Records review	NHPA	SES	N/A	0	0	C1	N/A
16059	S-0021 (16) 90	SR-21; MP 90.18, Beaver County Intersection Improvements, Minersville, Beaver County	Lighting	Records review	NHPA	SES	N/A	0	0	E1	N/A
16127	S-R499(319)	SR-143 and I-15; Brian Head Fire Erosion Control, Iron County	Emergency Repairs	Class III Survey	NHPA	SES	U17HO1076	1A	1A	BLM Conducted	BLM, DWR, SITLA
16471	S-0120 (8)0	I-15; SR-120 & Technology Dr. (MP 0.25), Richfield, Sevier County	Signal	Records review	NHPA	SES	N/A	0	0	E1	N/A
16654	S-191(162)20	US-191 San Juan River Bridge Joint Repair, San Juan County	Bridge repair	Records review	NHPA	SES	N/A	0	0	B4	N/A
None	None	South Central Communication's SR-72 Loa Phase 3 Fiber Conduit Project, Wayne County	Fiber Encroachment	Records review	NHPA	SES	N/A	0	0	F1	N/A
None	None	I-70 Surplus Property near Milepost 24, Sevier County	Surplus disposal	Class III Survey	NHPA	SES	U17UT0788	0	0	4, 8, 9	N/A
None	None	South Central Communication's Enterprise Exchange Project, Iron and Washington	Fiber Encroachment	Class III Survey	NHPA	SES	U18TN0018	0	0	F1	N/A
None	None	SR-20; BLM Access Realignment	Realign Access Road	Class III Survey	NHPA	SES	U17UT1087	0	0	BLM Conducted	BLM
None	None	South Central Communication's Tropic and Cannonville Project	Fiber Encroachment	Class III Survey	NHPA	SES	U18TN0017	5A	2A	F1	N/A
None	None	I-15; East Side Deer Escape Ramps	Wildlife/Escapes Ramps	Class III	NHPA	SES	U18UT0163	1A	1A	BLM Conducted	BLM
None	None	Tuacahn Wash Trail, Santa Clara City, Washington County	New trail	Class III Survey	NHPA	SES	U17HO1106	0	0	4, 5, 6, 11	N/A

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## PA Tracking--Tier 1 Projects: April 1 to June 30, 2018

PIN	Project Number	Project Name (include city and county)	Project Description / Type of Project	Level of Resource Identification Effort	Finding of Effect	Env. Doc. (CE, EA, EIS, SES, re-eval, etc.)	Antiquities Project Number	Sites (A=Archaeology, B=Building) Total #/type	Eligible #/type	Tribes Consulted* or PA Exemption Category	Agency Consultation (BLM or USACE)
<b>FEDERAL PROJECTS</b>											
13518	F-184-5(49)4	I-84; MP 4 to 18 Bridge Preservation, Box Elder County	Bridge maintenance	Record review	NHPA	CE	N/A	0	0	B4	N/A
16021	F-3308(2)2	4800 S2700 West (Roy); Signal Upgrade, Roy City, Weber County	Traffic signal installation	Record review	NHPA	CE	N/A	1A	1A	E1	N/A
16124	F-115(348)328	I-15; 200 North Kaysville South Bound Ramp Meter, Kaysville, Davis County	Traffic signal installation	Record review	NHPA	CE	N/A	0	0	E1	N/A
11105	F-0089(468)363	SR-89; 12300 to 11800 South, Salt Lake County	Pavement maintenance	Record review	NHPA	CE	N/A	0	0	A1	N/A
12445	F-6(123)119	I-84 Echo Deck Replacement, Summit County	Bridge maintenance	Record review	NHPA	CE	N/A	0	0	B4	N/A
13323	F-180-3(186)102	I-80; Structure Replacement (MP 101 and 99) REEVAL, Tooele County	ReEval for fill placement	Record review	NHPA	CE	N/A	1A	0	6	N/A
14951	F-LC35(312)	SLC TRAX Crosswalks: 900 S & 200 W, 200 S & 600 W, Salt Lake County	Pedestrian signal installation	Record review	NHPA	CE	N/A	1A	1A	F1	N/A
14960	F-LC35(314)	Holiday Safe Routes to School, Salt Lake County	Sidewalk installation	Record review	NHPA	CE	N/A	0	0	F1	N/A
15251	F-180-4(165)170	Echo Jct to Emory, Summit County	Pavement maintenance	Record review	NHPA	CE	N/A	1A	0	A1	N/A
15255	F-0269(2)0	SR-269/270; 200 West to State Street, 400 S - 900 S, Salt Lake City, Salt Lake County	Pavement maintenance	Record review	NHPA	CE	N/A	0	0	A1	N/A
15276	F-R299(250)	Region 2 Queue Cutters, Salt Lake County	Traffic signal installation	Record review	NHPA	CE	N/A	2A	2A	E1	N/A
15277	F-2124(2)2	Winchester St. Crossing Improvements, Salt Lake County	Traffic signal installation	Record review	NHPA	CE	N/A	1A	1A	E1	N/A
15394	F-0190(19)13	SR-190; Solitude Entry #1, Salt Lake County	High T installation	Record review	NHPA	CE	N/A	0	0	F1	N/A
16424	F-0171(49)0	SR-171; 8400 West to 6000 West, Salt Lake County	Restriping	Record review	NHPA	CE	N/A	3A	2A	B2	N/A
16671	F-0036(45)65	SR-36; Lane Widening (Environmental), Tooele County	Auxiliary lane installation	Record review	NHPA	CE	N/A	0	0	1, 2, 3, 5, 6, 11, 12, 13	N/A
12303	F-0114(28)2	SR-114; Provo Center St to 1200 S, Utah County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	A1	N/A
13633	F-0040(166)141	US-40; 1500 South in Vernal to Naples, Uintah County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	A1	N/A
14612	F-0147(17)7	SR-147; Jct. SR-115 to bridge over I-15, Utah County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	A1	N/A
14616	F-0074(8)4	SR-74; Jct. SR-92 to Alpine, Utah County	Pavement Rehab	Record Review	NHPA	CE	N/A	0	0	A1	N/A
14299	F-089(472)179	US-89; Marysville to Big Rock Candy Mountain, Piute County	Pavement preservation	Records review	NHPA	CE	N/A	0	0	4, 7, 8, 9	N/A
14427	F-0056(16)50	SR-56; MP 32.0-58.2, Intersection Improvements, Iron County	Intersection safety improvements	Pedestrian Survey	NHPA	CE	U18TN0264	3A	0	4, 5, 6, 8, 9, 14, 18	BLM, SITLA, USFS Dixie National Forest
15330	F-0191(164)73	US-191; Monticello to Dry Valley, San Juan County	Pavement preservation	Records review	NHPA	CE	N/A	0	0	18	N/A
<b>STATE PROJECTS</b>											
12168	S-0203(19)1	ST-203; 3850 S. to 4875 S., Ogden, Weber County	Sidewalk installation	Record review	NHPA	SES	N/A	1A	0	A2	N/A
15710	S-0109(6)2	Oak Hills Drive Trail, Layton City, Davis County	Trail installation	Class III	NHPS	SES	U18RY0160	0	0	1, 2, 3, 6, 11, 12	N/A
16249	S-0193(16)2	SR-193 & Center St. (MP 2.65), Clearfield, Davis County	Traffic signal installation	Record review	NHPA	SES	N/A	0	0	E1	N/A
16257	S-0053(22)2	SR-53 (24th St.) and Kiesel Ave (MP 1.87), Ogden, Weber County	Signage installation	Record review	NHPA	SES	N/A	0	0	C3	N/A



## PA Tracking--Tier 1 Projects: April 1 to June 30, 2018

16190	S-0089(466)368	US-89 & Princeton Dr (6375 S; MP 367.54), Sandy, Salt Lake County	Traffic signal installation	Record review	NHPA	SES	N/A	B2	0	E1	N/A
16698	S-0173(38)3	SR-173 (5400 South) and 5160 West (MP 3.30), Kearns, Salt Lake County	Traffic signal installation	Record review	NHPA	SES	N/A	0	0	E1	N/A
14131	S-0191(153)265	US-191; Indian Canyon Drainage Catch Basins, Duchesne County	Roadway Drainage	Record Review	NHPA	SES	N/A	0	0	F1	N/A
14816	S-0089(463)338	US-89; University PKWY to 800 North, Orem, Utah County	Signing	Record Review	NHPA	SES	N/A	0	0	C1	N/A
14820	S-0089(464)38	US-89; Springville to Provo Bike Lanes, Utah County	Bike Lanes	Record Review	NHPA	SES	N/A	0	0	F1	N/A
15573	S-0191(159)365	SR-191; Stauffer Chemical to Red Loop Rd, Guardrail, Uintah County	Guardrail Replacement	Record Review	NHPA	SES	N/A	0	0	F1	N/A
15826	S-0114(33)4	SR-114 & 2000 North, Provo/Orem, Utah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	E1	N/A
16126	S-0147(16)14	SR-147 (400 N) & 2550 E (MP 14.39), SF, Utah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	F1	N/A
16267	S-0089(469)335	US-89 at 100 South & SR at 600 West, Provo, Utah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	E1	N/A
16441	S-0051(6)3	SR-51 (State Rd) & 1600 South, MP 2.42, Springville, Utah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	E1	N/A
16469	S-0085(15)2	SR-85; EB & WB at 3600 West (MP 2.13), Lehi, Utah County	Traffic Signal	Record Review	NHPA	SES	N/A	0	0	E1	N/A
16640	S-0121(24)10	SR-121 & 8700 North (MP 9.70), Neola, Duchesne County	School Safety	Record Review	NHPA	SES	N/A	0	0	F1	N/A
15523	S-R499(310)	R4 Rural Intersection Traffic Detection, Various Counties	Intersection safety improvements	Records review	NHPA	SES	N/A	0	0	F1	DNR
N/A	N/A	SR-72; SCC Fiber Installation MP 2.7-6.69, Wayne County	Buried fiber-optic installation encroachment	Records review	NHPA	N/A	N/A	1A, 2B	1A, 2B	F1	N/A
N/A	N/A	SR-62; MP 8 BLM Drainage Easement, Piute County	Drainage Easement	Pedestrian Survey	NHPA	SES	U18UT0186	0	0	BLM Conducted	BLM
N/A	N/A	South Central Communication Panguitch Phase 2, Garfield County	Fiber-optic installation Encroachment	Pedestrian Survey	NHPA	N/A	U18TN0180	0	0	F1	N/A
N/A	N/A	Enoch City, Water Pipeline from 6000 N to 6400 N along Minersville Highway (SR-130), Piute County	Water pipeline encroachment	Records review	NHPA	N/A	N/A	0	0	F1	N/A
N/A	N/A	Helper to Wellington Emery Telecom Encroachment, Carbon County	Fiber-optic installation	Pedestrian Survey	NHPA	N/A	U18TN0200	2A	0	F1	N/A
N/A	N/A	SR-10; Box Culvert Cleaning, MP 26.01, Emery County	Removal of sediment in box culvert	Pedestrian Survey	NHPA	SES	U18UT0257	1A	1A	BLM Conducted	BLM
N/A	N/A	US-89; Fencing Maintenance, MP 180.9 to 181.1, Piute County	Fencing maintenance	Pedestrian Survey	NHPA	SES	U18UT0268	0	0	4, 8	N/A
N/A	N/A	US-6 Chain-up Area, Utah County	Chain-up area improvements	Records review	NHPA	SES	N/A	0	0	11	N/A
N/A	N/A	Materials Pit North of Bluff, San Juan County	Materials Pit Expansion	Pedestrian Survey	NHPA	SES	N/A	0	0	15, 18	N/A
N/A	N/A	I-70; Fencing Maintenance, MP 150.7-155, Emery County	Fencing maintenance	Pedestrian Survey	NHPA	SES	U18UT0290	0	0	BLM Conducted	BLM, SITLA

\*1- Eastern Shoshone of the Wind River Reservation, 2-Shoshone-Bannock Tribes of Fort Hall, 3-Northwest Band of Shoshone, 4- Paiute Indian Tribe of Utah, 5-Cedar Band of Paiute Indians, 6- Shiwits Band of Paiute Indians, 7- Indian Peaks Band of Paiute Indians, 8- Koosharem Band of Paiute Indians, 9-Kanosh Band of Paiute Indians, 10-Kalabab Band of Paiute Indians, 11-Ute Indian Tribe of the Uintah and Ouray Reservation, 12-Confederated Tribes of the Goshute Reservation, 13-Skull Valley Band of Goshute, 14-Pueblo of the Hopi, 15-Navajo Tribe, 16-Zuni Tribe, 17- San Juan Paiute Tribe

## Tier 2 Projects FY2018

PIN	Project Number	Project Name (include city and county)	Project Description / Type of Project	Level of Resource Identification Effort	Env. Doc. (CE, EA, EIS, SES, re-eval, etc.)	Antiquities Project Number	Sites (A=Archaeology, B=Building) Total #/type	Eligible #/type	Tribes Consulted** or PA Exemption Category	Agency Consultation (BLM or USACE)
<b>FEDERAL PROJECTS</b>										
15005	F-2999(236)	Foothill Drive - Canyon Road Active Warning Devices, Tooele County	Railroad crossing safety/installation	Records review	NAE	N/A	1A	1A	F5	None
15883	F-0173(35)3	SR-173, 5600 West to 4800 West, Salt Lake County	Pavement preservation	Records review	NAE	N/A	1A, 1B	1A, 1B	A1	None
15985	F-2290(3)4	California Avenue Crossing, Salt Lake City, Salt Lake County	Railroad concrete panel replacement	Class III	NAE	U17UT1003 p	1A	1A	A1	None
14366	F-0009(38)26	SR-9 Passing lanes midway to Rockville, Washington County	Passing lanes	Class III	NAE	U17TN0772	3A	0A	4, 5, 6, 7, 11, 14	BLM, SITLA, USACE
11897	F-0089(440)335	US-89, Center St. to Bulldog Blvd., Utah County	Highway Widening, Multi-use trail	Class III	NAE	U17HY0626ps	68B	50B	F1	None
12000	F-LC35(247)	Bengal Blvd & 2300 East Round-About, Cottonwood Heights, Salt Lake County	New round-about	Records review	AE	N/A	2B	2B	F1	
13533	F-3006(3)0	A Cultural Resources Report for 820 North Ped Crossing & 600 South C&G Provo, Utah County	Railroad crossing safety/installation	Class III	NAE	U17RY0989ps	2A	2A	F1	None
13385	F-0040(165)23	US-40, Gusher EB Passing Lane & Center Turn Lane, Uintah County	Roadway widening	Class III	NAE	U17ST981	17A, 34B	8A, 14B	1, 2, 3, 5, 6, 11, 13	None
14821	F-138(18)9	SR-138 Grantsville Main Street, Tooele County	Pavement preservation	Records review	NAE	N/A	3B	2B	F1	None
14948	F-LC35(309)	SL Co Sidewalk - 3300 So; 3018 E to 3040 E, Millcreek, Salt Lake County	New sidewalk	Records review	NAE	N/A	1B	1B	F1	None
19893	F-LC37(26)	Larson Lane; North Harrisville Road to Washington Boulevard, Harrisville City, Weber County	Roadway widening	Class III	NAE	U17HY1101	1A, 15B	1A, 12A	1, 2, 3, 11, 13	None
14381	F-115-2(68)62	I-15 Wildlife Fencing & Cartguards, Phase I, Iron County	Fencing	Class III	NAE	U18TN0012	2A	1A	4, 5, 7, 11, 14	None
14366	F-0009(38)26	SR-9, Passing Lanes, Midway to Rockville, Washington County	New passing lane	Class III	NAE	U17TN772	3A	0A	4, 5, 6, 7, 11, 14	
13578	F-0209(42)8	SR-209, 90th St: State St to 700 E, Sandy City, Salt Lake County	Road widening	Class III	NAE	U17HY0726ps	2A, 53B	2A, 36B	2, 3, 4, 11, 12, 13	none
<b>STATE PROJECTS</b>										
14286	S-0155(39)0	SR-155, Cleveland Loop, Emery County	pavement preservation and culvert replacement	Class I and III	NAE	U17HY0916	1A/1B	1A/1B	B4	BLM
16772	S-0172(33)3	SR-172, 5600 West and Paulette Ave, West Valley City, Salt Lake County	New signal	Records review	NAE	N/A	2B	1B	F1	N/A
13822	S-115-7(328)332	I-15, SR-232 to I-84, Davis & Weber Counties	New express lane	Class III	NAE	U17JE1038	5B	1B	Original project consultation	N/A
11467	S-115-1(11)22	I-15, MP 22 to MP 28, Passing Lane North Bound, Washington County	New passing lane	Class III	NAE	U17TN0013	12A	6A	BLM Conducted	BLM
13821	S-0089(406)398	US-89 State Environmental Study, Davis & Weber Counties	Converting roadway to highway	Class III	AE	U17HX243	10A, 83B	3A, 44B	1, 2, 3, 4, 5, 11, 13	None
13608	S-0073(33)30	SR-73 Eagle Mountain to Saratoga Springs, Utah County	Roadway widening	Class III	NAE	U17HY405	6A	2A	1, 2, 3, 4, 5, 6, 11, 12, 13	

\*denotes projects involving architectural resources

\*\*1- Eastern Shoshone of the Wind River Reservation, 2-Shoshone-Bannock Tribes of Fort Hall, 3-Northwest Band of Shoshone, 4- Paiute Indian Tribe of Utah, 5-Cedar Band of Paiute Indians, 6- Shiwits Band of Paiute Indians, 7- Indian Peaks Band of Paiute Indians, 8- Koosharem Band of Paiute Indians, 9-Karosh Band of Paiute Indians, 10-Kalab Band of Paiute Indians, 11-Ute Indian Tribe of the Uintah and Ouray Reservation, 12-Confederated Tribes of the Goshute Reservation, 13-Skull Valley Band of Goshute, 14-Pueblo of the Hopi, 15-Navajo Tribe, 16-Zuni Tribe, 17- San Juan Paiute Tribe

**Tribal Consultation Contact:**

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 Public Information Officer  
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 385-495-0060

**2017/2018 Tribal Activities:**

No formal consultations were needed in FY2018.

**ELIGIBILITY SERVICES**

- **Navajo Nation and Ute Tribe:** At this time, Eligibility Services has three outreach sites, two on the Navajo Reservation at Montezuma Creek and Monument Valley, and one on the Ute Reservation in Ft. Duchesne. Two eligibility specialists that speak Navajo cover the Navajo clinics two days a week. The eligibility specialists are at Montezuma Creek on Mondays and Wednesdays from 8:30 a.m. to 4 p.m. and at Monument Valley on Tuesdays and Thursdays from 8:30 a.m. to 4 p.m. One outreach worker is at the Indian Health Services Clinic in Ft. Duchesne on Tuesdays from 8:30 a.m. to 4 p.m. The workers at these clinics meet with walk-in customers to answer eligibility questions, complete SNAP interviews and help complete applications and other forms if needed.

**HOUSING & COMMUNITY DEVELOPMENT:**

- **Navajo Nation:** In the last program year (July 2016 - June 2017) for the weatherization program, there were 22 homes weatherized and 59 individuals were served. For the Group WorkCamp, 46 homes were served and approximately 138 individuals were served.

**OFFICE OF CHILD CARE**

- **All Tribes:** Included all of the tribes on its State Plan Steering Committee. The Committee was established to participate in the development of Utah's Child Care Development Fund (CCDF) State Plan. In addition, the draft CCDF State Plan was distributed to all of the tribes within Region VIII to provide feedback prior to submission to the federal Office of Child Care.
- **All Tribes:** Began conducting quarterly calls with the CCDF Tribal Administrators in Utah to coordinate on ensuring all Utah children have access to high-quality child care across child care programs.
- **Confederated Tribes of Goshute:** Began developing a relationship with the Goshute Tribe, which was recently added to the federal OCC Region VIII. Discussions have included establishing policy for child care provided by relatives residing in Salt Lake City.
- **Goshute, Paiute and Shoshone Tribes:** Began to enter into an MOA with the Confederated Tribes of Goshute to conduct background checks and monitoring of Family Friend and Neighbor child care providers paid for by the nation. Similar agreements are in place with the Paiute and Shoshone.
- **Paiute and Shoshone Tribes:** Entered into renewed MOUs with the Paiute and Shoshone Tribes to conduct background checks.

**Tribal Consultation Contact:**

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**UTAH STATE OFFICE OF REHABILITATION**

- **The Diné / Navajo Nation:** The Hard of Hearing Specialists in Southern Utah provide training and outreach to tribal members served by senior centers in the St. George area. Needs identified at a May 2017 event resulted in a joint project between the Utah State Office of Rehabilitation, the Sounds of Life Foundation, Relay Utah and other community partners. Tribal members who were hard of hearing were provided transportation to a clinic where they received free hearing testing, donated hearing aids and other assistive devices such as cell phone amplifiers. During two events held in August and September of 2017, more than 200 tribal members received free hearing tests, more than 140 individuals received donated hearing aids and more than 40 individuals received cell phone amplifiers.
- **Navajo Nation:** Staff coordinate services with the Navajo Nation vocational rehabilitation program including exchanging information on shared clients and providing combined orientation presentations. They recently established relationships to work together to provide transition services for students at high schools located on the Utah Navajo reservation.
- **Navajo Nation (Montezuma Creek/Aneth area):** Staff are working on a summer pilot project to increase collaboration with tribes to combine tribal resources and support with vocational rehabilitation assistance to help tribal youth gain work-based skills over the summer.
- **Uintah Basin Ute Tribe:** Staff provide vocational rehabilitation services orientations at the Red Pine Treatment Center, which is owned and operated by the Ute Tribe.

**WORKFORCE DEVELOPMENT:**

- **Paiute Tribe:** Workforce Development convened a meeting with Tribal Chairperson Tami Slayton, Tribal Education Director Xavier Garcia, Rep. Westwood and STech President Brennan Wood to discuss opportunities to help the tribe with their workforce development as they explore expanding their medical clinic. Staff worked to identify specific skill gaps Workforce Services can help with and convened a follow-up meeting and tour of Southwest Tech programs. Staff provided information on Workforce Services programs and expressed willingness to help the tribe anyway they can.



ANCIENT HUMAN  
REMAINS BURIAL  
SITES (H.B. 394, 2017)



The following report was prepared in  
fulfillment of the directives in  
  
House Bill 394: Burial of Ancient  
Native American Remains in State Parks

Prepared by  
Utah Division of Parks and Recreation,  
Utah Division of State History, and Utah Division of Indian Affairs  
  
October 27, 2017



Throughout the spring and summer of 2017, representatives from Utah Division of Parks and Recreation (State Parks), Utah Division of State History (Antiquities Office), and Utah Division of Indian Affairs discussed the issues and processes surrounding the burying ancient Native American remains in State Parks.

Representatives met formally on May 30, 2017, and July 12, 2017, to present, consider and refine the procedural elements detailed in the four directives in H.B. 394.

The following report summarizes the culmination of these efforts, as required to be submitted to the Native American Legislative Committee on or before November 1, 2017.

# Four Directives in House Bill 394

- I.** Process and Criteria for Determining Which State Parks Would Have Land Sufficient and Appropriate to Reserve a Portion of the Land for the Burial of Ancient Native American Remains. Pages 1-4.
- II.** Process for Burying Ancient Native American Remains on Lands within State Parks, Including the Responsibilities of State Agencies and the Assurance of Cultural Sensitivity. Pages 5-6.
- III.** How to Keep a Record of the Locations in Which Specific Ancient Native American Remains Are Buried. Pages 7-8.
- IV.** How to Account for the Costs Associated with H.B. 394. Page 9.

# Directive I

## Determining Locations

Process and Criteria for Determining Which State Parks Would  
Have Land Sufficient and Appropriate to Reserve a Portion of the  
Land for the Burial of Ancient Native American Remains

### **Tribal Consultation Needed**

1. First and foremost, the divisions that collaborated on this report determined that many of the requirements that will steer site selection can only be gathered through tribal consultation.
2. All of Utah's tribes are unique. Each tribe will have different requirements that need to be incorporated with respect to reburial, access, protection and future use of the reburial locations.
3. It was, therefore, recommended that the processes for site determination explicated below be further refined through initial and ongoing tribal consultation and that tribal consultation be formally included in any further studies on reburial sites.

### **Attributes of Parks Property to Be Considered**

#### **Land Ownership**

1. Many of Utah's state parks are operated under contract with the Bureau of Reclamation (BOR), and they retain ownership of the land. Other properties were acquired under the Bureau of Land Management's Recreation and Public Purposes Act (R&PP) or were acquired/developed with funds from various federal partners. R&PP and grants through federal agencies all carry different restrictions which may or may not preclude reburial of ancient Native American remains.
2. Federal ownership may increase the complexity and cost of site evaluation if the federal agency requires the state to follow federal rules/laws for National Environmental Protection Act (NEPA), Section 106 Consultation with Antiquities, Tribal Consultation and Native American Graves Protection and Repatriation Act (NAGPRA).
3. Some of the lands owned by State Parks are owned in fee, which means State Parks owns the land and subsurface without restrictions. However, the fee ownership will need to be inventoried for encumbrances that may impact feasibility of reburial.
  - Encumbrances (such as conservation easement, federal grant funds, easement or right of way, lease, contract) associated with the park or property will need to be identified and analyzed. Some encumbrances may prohibit uses such as reburials. If a property is impacted by an encumbrance that does preclude reburial, it may be possible, through agency consultation, to have that encumbrance lifted or modified to allow for reburials.

4. State Park's owns some properties with less than fee ownership; this is referred to as a split-estate parcel. Split-estate property may not meet the feasibility test since it is usually associated with mining claims. Usually, when mining claims are involved, State Parks may only own a portion of the surface. Subsurface and/or the mineral rights of an area may be held by another party. More analysis of split-estates and their impact on reburials will be required.
5. If the property is not owned by State Parks, the property may meet the feasibility test if the other owner is willing to allow reburials on their property. However, we may need more information through tribal consultation about proposed impacts on the property and future management requirements with the property.

## Land Use

Attention needs to be paid to the current land use of a site/property and if those uses would be compatible with the reburial of ancient Native American remains. Several facets need to be considered, including what type of recreation occurs or will occur in the near future on a site or property under consideration. Recreation types are classified as active, passive or primitive.

1. **Active recreation** is defined as recreational activities/facilities that require intensive use of the property or are physically demanding upon the recreationist. Examples of active recreation include hiking, biking, boating, picnicking, visitor centers, museums, OHV riding, concession contract areas, and fishing. Without information from tribal consultation, it would be difficult to determine if an active recreation area would feasibly work as a reburial site.
2. **Passive recreation** involves less intense use of the land and is more sedate in nature. Examples of passive recreation include walking for pleasure, wildlife viewing and areas accessed only by overlooks. Without information from tribal consultation, it would be difficult to determine if a passive recreation area would feasibly work as a reburial site.
3. **Primitive areas** are park lands that don't fit into the active or passive category. It includes park areas that have very little recreational/facility use by State Park staff and the visiting public. Without information from tribal consultation, it would be difficult to determine if a primitive recreation area would feasibly work as a reburial site.

## Access

1. Can the property be safely and reliably accessed by reburial equipment and associated individuals?
2. Tribal consultation about access will be needed for each site considered to determine:
  - The number of times per year a tribe will need access the site.
  - How many individuals from each tribe will annually need access to the site.
  - Can the park staff appropriately maintain and secure the site.
  - How will access requirements impact the park staffing and recreation planning.

## Cultural and Paleontological Resource Considerations

1. Areas to be considered for reburial will need to undergo a confidential review to determine if there are already recorded archaeological sites within the area.
2. Areas under consideration that have not been surveyed for archaeological sites will have to undergo the archaeological surveying process.
3. Archaeological sites are protected by federal and state laws and require review by an archaeologist before any type of ground disturbance. Deposit of any type of human remains or cultural items in recorded archaeological sites is prohibited.
4. Historic sites are protected by federal and state laws that often preclude any type of ground disturbance or redeposit of unassociated human remains or unassociated cultural items.
5. Paleontological sites are protected by federal and state laws that may preclude ground disturbance or deposit of unassociated bone or cultural items.

## Geology/Geomorphology/Soils/Groundwater

1. The geology/geomorphology of each proposed burial site will need to be inventoried and analyzed for geologic hazards such as faults, landslide areas, flood zones and high water tables. Hazards such as these may preclude the site from being suitable for reburial of ancient Native American remains.
2. The composition and depth of the native soils at each proposed site will need to be analyzed.
  - If the soils are not deep enough to safely rebury remains or the soils contain large boulders, they may not meet the criteria for reburial.
3. If ground contains exceptionally hard layers, it should be determined if the layers are impermeable or if specialized equipment would be needed to break through the layers and whether these types of areas should be considered as appropriate for reburial sites.
4. Natural drainages, general surface drainage, groundwater and depth to groundwater are important considerations for a reburial site.
  - Areas that contain points of diversion for water rights or water-related facilities will need to be inventoried.
  - Areas that are prone to flooding or ponding should be identified.
  - Wetland areas will need to be mapped and avoided.

**Endangered and Sensitive Species**

1. A few Utah State Parks' properties have endangered/sensitive species located on them or provide important habitat for these species. Any proposed reburial site at these parks will need to be evaluated for impacts to these resources.

**Acreage and Shape of the Property**

1. State Park property found to be acceptable as a reburial site after undergoing review of all the aforementioned criteria will need to be of sufficient size and shape to accommodate reburials.
2. Tribal consultation will need to occur in determining if the acreage and shape of the site would be suitable for tribal-specific criteria concerning the size, spatial relations and defined number limit of reburials that would be acceptable at the site.

**Property Adjacent to, but Outside of, Utah State Park's Lands**

1. Many parks are surrounded by federal and private lands that are primitive in nature and that may better suit reburial site needs and functions. If Utah State Parks does not have enough suitable lands within their boundaries, it may be advisable to look outside the park and identify and evaluate new property. This process will come with added expenses and funding for land purchases would need to be identified.



# Directive II

## Assurance of Cultural Sensitivity

Process for Burying Ancient Native American Remains on Lands within State Parks,  
Including the Responsibilities of State Agencies and the Assurance of Cultural Sensitivity

### **Reburial procedures will follow Rule 456-1 of the Utah Legislative Code**

This Rule can be found in its entirety at <https://rules.utah.gov/publicat/code/r456/r456-001.htm>

### **Reburial Process Responsibilities of State Agencies and Assurance of Cultural Sensitivity**

#### **Unclaimed Remains**

1. After remains have gone through processes outlined in Rule 456-1 of the Utah Legislative Code and associated timelines have been met, the reporting Agency will coordinate reburial with the Director of the Division of Indian Affairs.
2. The Director of the Division of Indian Affairs, in consultation with the Native American Remains Review Committee, will choose the most appropriate site for reburial from the designated reburial locations.
3. The Director of the Division of Indian Affairs will arrange for a spiritual leader to conduct reburial and determine a set of dates that would work for scheduling the reburial.
4. The Director of the Division of Indian Affairs will contact the State Parks Heritage Coordinator with the range of suggested dates for the reburial.
5. The State Parks Heritage Coordinator will contact the appropriate State Park Manager with the range of dates information.
6. The State Park Manager will report back to State Parks Heritage Coordinator about which date they can have the area prepared for the reburial (digging of grave).
7. The State Parks Heritage Coordinator will report back to the Director of the Division of Indian Affairs about which date will work for the Park Manager for the reburial.
8. To assure cultural sensitivity, all Utah State Park managers and staff associated with care, maintenance and protection of designated reburial sites will receive appropriate cultural sensitivity training conducted or sanctioned and arranged by the Director of the Division of Indian Affairs.

## Claimed Remains

1. After remains have gone through processes outlined in Rule 456-1 of the Utah Legislative Code and associated timelines have been met, the affiliated tribe claiming the remains will coordinate reburial with the Director of the Division of Indian Affairs if they desire to have the remains reburied on designated reburial locations within state parks.
2. The Director of the Division of Indian Affairs, in consultation with the Native American Remains Review Committee, will choose the most appropriate site for reburial from the designated reburial locations.
3. The Director of the Division of Indian Affairs will arrange for a spiritual leader to conduct reburial and determine a set of dates that would work for scheduling the reburial.
4. The Director of the Division of Indian Affairs will contact the State Parks Heritage Coordinator with the range of suggested dates for the reburial.
5. The State Parks Heritage Coordinator will contact the appropriate State Park Manager with the range of dates information.
6. The State Park Manager will report back to State Parks Heritage Coordinator about which date they can have the area prepared for the reburial (digging of grave).
7. The State Parks Heritage Coordinator will report back to the Director of the Division of Indian Affairs about which date will work for the Park Manager for the reburial.
8. To assure cultural sensitivity, all Utah State Park managers and staff associated with care, maintenance and protection of designated reburial sites will receive appropriate cultural sensitivity training conducted or sanctioned and arranged by the Director of the Division of Indian Affairs.

# Directive III

## Recording of Locations

### How to Keep a Record of the Locations in Which Specific Ancient Native American Remains Are Buried

At the meeting between the Division of Indian Affairs, Utah State Parks, and the Antiquities Office on May 30, 2017, it was decided that the primary role of the Antiquities Office would be the maintenance of all records related to the burial area and interment location records. Antiquities already successfully manages archaeological records, classified as sensitive and protected under GRAMA, suggesting that Antiquities is the best manager of burial location data as well under this proposal. As such, the Antiquities Office has the following recommendations on how to accomplish the task of documenting and tracking Ancient Native American burial remains. Recommended resources to accomplish this effort are also included below.

#### Two Types of Record Classes are Anticipated for this Project

**Burial Area Location:** This records class would be the entire external boundaries of the area designated for reburial activity.

**Individual Burial Location:** This records class would be the sub-meter accurate location of each individual burial within the broader designated area.

#### Recommended Data Sharing and Maintenance

1. Generalized users of the Antiquities Office data set would only be able to see the Burial Area Location in the dataset, while Antiquities, State Parks (Managers and Lands/Realty only), and Indian Affairs staff would be able to access specific burial location information.
2. No hard copies of records would exist at the Antiquities Office. Instead, these data sets would be digitally shared through a GIS format with appropriate parties through a direct service.
3. Antiquities Office would manage and maintain these new records sets in keeping with current data management through AGRC or internal servers.

#### Recommended Burial Location Procedures

**Burial Area Locations:** Entire location (all acreage) will be recorded as an archaeological “site” within Antiquities records.

1. Each will be given a Smithsonian Trinomial site number and a generic site description.
2. This will allow certain individuals (PLPCO-permitted archaeologists and State Park Managers) to see the location of the area to take into account/avoid in the planning of projects.
3. Location of individual burials within the designated area will not be available to planners/archaeologists outside of Antiquities and State Parks.
4. Antiquities Office will take the responsibility of maintaining the boundary and site location information for these locations, but it will be the responsibility of State Parks to generate the initial files.

### Individual Burial Location Method options within the “site:”

**Method A:** Divide site into known burial plots/locations and record when each is filled.

- Requires pre-planning/surveying of area and some method of on the ground marking each plot.
- Allows for easy digitization of “used” plots.
- Will result in a more formal organization of the burials, similar to modern Anglo cemetery.

**Method B:** Establish a permanent datum for each site and measure and record each burial location off this datum each time.

- Requires an employee at each location to manually measure locations for burials.
- Requires the data to then be digitized to be kept in a digital and a sharable manner.
- Allows for a more organic/random selection of burial locations.

**Method C:** Use sub-meter GPS units to record and map the locations of each burial.

- Requires employee with access to and knowledge to use sub-meter GPS units.
- Either one at each State Park with a burial location (cost to be determined).
- Or an employee with time and availability to travel to each location prior to and for the duration of each burial (cost to be determined).
- Requires data to be uploaded to digital GIS data set.
- Data is automatically digitized and in sharable format.
- Allows for a more organic/random selection of burial locations.

### Recommended Needs Dependent Upon Individual Burial Location Method

1. Hand-equipment for mapping (line levels, measuring tapes, etc.), Individual Burial Location Recording **Methods A and B**.
2. GIS Support, needed for **Methods A, B, and C**.
3. Sub-Meter Accurate GPS, needed for **Methods B and C**.
4. Total Station, possible to supplement for **Method A, B, and C**.
  - AGRC data support.
  - Staff (if Antiquities is expected to track burials in real-time).
  - Training for State Parks’ managers.
  - Manual/Procedural working document.

# Account for Costs

## How to Account for the Costs Associated with H.B. 394

**State Parks costs associated with burying ancient Native American Remains on lands found within State Parks will be tracked within the State Parks accounting system by assigning them a specific State Parks' accounting code.**

1. Anticipated associated costs include, but are not limited to:
  - Personnel Time
  - Equipment and Machinery Costs
  - Archaeological Survey Costs
  - Land Survey Costs
  - Security and Maintenance Costs
  - Site Survey Costs
2. A report detailing these expenses will be compiled at least once annually and sent to the Director of the Division of Indian Affairs.

**Antiquities Office costs associated with securing and maintaining burial site and individual grave information will be tracked within the State History accounting system.**

1. Anticipated associated costs include, but are not limited to:
  - Personnel Time
  - Equipment Costs including GPS Units, Mapping Equipment, Software, and Software Program Support
2. A report detailing these expenses will be compiled at least once annually and sent to the Director of the Division of Indian Affairs.

**Tribal Consultation costs associated with determining the suitability of sites for the reburial of ancient Native American Remains on lands found within State Parks will be tracked within the Division of Indian Affairs accounting system.**

1. Anticipated associated costs include, but are not limited to:
  - Personnel Time
  - Personnel Travel Costs
  - Tribal Consultants' Time
  - Tribal Consultants' Travel Costs
  - Cultural Sensitivity Training Costs
2. A report detailing these expenses will be compiled at least once annually by the Director of the Division of Indian Affairs.