



Tribal Relations Update

Receive & File

Author: Alex Cole-Weiss

Attachments: No

Referring Committee: Policy & Innovation

Issue:

Updating the board on SACOG's tribal relations efforts over the past two years and seeking input on future tribal engagement.

Request:

Receive

Recommendation for Board:

None; this is for information only.

Recommendation for Committee:

None; this is for information only.

Background:

All California Native American Tribes are distinct and independent governments with specific cultural beliefs and traditions, and unique connections to areas of California that are their ancestral homelands. Federal and state law require local agencies like SACOG to consult with federally recognized Tribal governments prior to making transportation decisions, taking actions, or implementing programs that may impact their communities.

SACOG consults with Tribal governments in developing core planning documents, including the Metropolitan Transportation Plan/Sustainable Communities Strategy ((MTP/SCS), i.e., the 2025 Blueprint), the Environmental Impact Report (EIR) for the 2025 Blueprint, the Metropolitan Transportation Improvement Program (MTIP), and the Overall Work Program (OWP). SACOG also conducts tailored tribal outreach and engagement across agency programs and projects. SACOG's goal is to support the development of productive, ongoing, and mutually beneficial relationships with Tribal governments in and around the region, and to maximize opportunities for Tribes to engage in SACOG's planning, programming, and policy making processes.

Currently there are five federally recognized tribes that share geography with the SACOG region: Yocha Dehe Wintun Nation, Shingle Springs Band of Miwok Indians, United Auburn Indian Community of the Auburn Rancheria, Wilton Rancheria, and Enterprise Rancheria. This shared geography includes rancheria lands as

well as other types of Tribal lands, such as those used for economic enterprises (e.g., tribal businesses, casinos). There are over ten more federally recognized tribes, as well as several non-federally recognized tribes, who consider the region part of their ancestral homelands or sacred lands and have an interest in tribal cultural resource protection.

Federal law does not require government-to-government consultation on projects with non-federally recognized tribes; however, California law (AB-52) requires consultation on Tribal Cultural Resources under California Environmental Quality Act (CEQA). To the extent feasible and when appropriate, SACOG staff engages with non-federally recognized tribes and federally recognized tribes outside the region.

In addition to federal and state requirements and directives to consult, under SACOG's Racial Equity Action Plan, SACOG is tasked with strengthening agency efforts to engage and build relationships with tribal governments, in partnership with local agencies in the region. SACOG coordinates closely with the Caltrans District 3 Native American Liaison to maintain an updated list of federally and non-federally recognized tribes for tribal engagement activities on SACOG programs and projects.

Staff also work with Placer County Transportation Planning Agency (PCTPA) and El Dorado County Transportation Commission (EDCTC) to coordinate, where appropriate, joint tribal outreach and consultation, especially on overlapping efforts like the 2025 Blueprint.

Discussion/Analysis:

This presentation will cover tribal relations successes, challenges, and lessons learned. At the end of the presentation, staff will invite feedback and discussion of potential opportunities and considerations for next steps, especially regarding tribal engagement at the board level.

Over the past two years SACOG has made considerable progress on strengthening internal agency capacity to engage and build relationships with tribal governments, and SACOG staff have increased the frequency and quality of communications with tribal governments in the region. SACOG leadership and staff have met with four out of the five federally recognized tribes that share geography with the SACOG region and have begun to identify topics of mutual interest and potential tools SACOG can provide. Through ongoing, regular communication, SACOG continues to learn more about each individual tribe's unique history and priorities. Understanding each tribe's specific economic and land use development strategies and all aspects of tribal government, such as environmental and cultural resource protection, is critical to improving our relationships and partnerships. Below are some highlights since 2022:

- Staff developed a draft Tribal Consultation Policy that outlines SACOG requirements, definitions, and processes for tribal consultation. The purpose of this document is to establish guidance for SACOG staff for tribal consultation activities within the region.
- SACOG staff fulfilled Yocha Dehe Wintun Nation's data request for vehicle miles traveled (VMT) data to support a baseline greenhouse gas (GHG) inventory, including modifying data request documents to remove concerns about a potential waiver of sovereign immunity.
- SACOG staff updated the travel demand model to better reflect travel patterns as they relate to tribal lands and centers of economic activity.
- Eighteen tribes (federally and non-federally recognized) were sent formal invitations to consult on the 2025 Blueprint and the 2025 Metropolitan Transportation Improvement Plan (MTIP). This is an increase from previous efforts that included outreach to four tribes.

- Per the tribe's request, SACOG staff met with Environmental and Tribal Cultural Resource Protection staff from United Auburn Indian Community to discuss the 2025 Metropolitan Transportation Improvement Plan (MTIP) and the Mobility Zones project.
- SACOG staff attended California Native American Day in 2023 and 2024, meeting and networking with tribal government staff and agency representatives working on strengthening tribal relations locally, regionally, and around the state.
- SACOG staff have identified gaps in tribal participation and engagement on projects and programs and become more aware of how individual tribes are already engaged in federal, state, and jurisdictional level partnerships and collaborations, including areas of interest to SACOG (e.g., transportation, emergency preparedness, economic development).

Staff is interested in board feedback and discussion. Here are some initial questions for the committee meeting:

- What ideas and suggestions do board members have to continue to strengthen SACOG's relationship with tribal governments?
 - Where are opportunities to coordinate, where appropriate, with member jurisdictions and other partners in the region?
 - What tribal engagement activities/efforts/strategies are important to focus on in the coming year?
- What do board members envision for long-term, positive, mutually beneficial relationships with tribal governments and SACOG?
- What else do board members want to know and learn about this topic? How often?

Committee members had robust discussion on the topic and expressed appreciation for the efforts staff have made thus far to build relationships and provide support and information to tribes where requested. Committee members shared tribal engagement experiences from their respective jurisdictions and expressed interest in learning more about what other Metropolitan Planning Organizations (MPOs) do, and structures of tribal representation (e.g., SANDAG's Tribal Working Group). Other comments included the importance of acknowledging and being respectful of a tribe that may not want to engage. There was a general interest in also understanding more about how to engage with tribal governments on land use issues on a government-to-government level.

Fiscal Impact/Grant Information:

Included in the Overall Work Program/Budget

List of Attachments:

Not applicable