



SOUTHWEST TRANSPORTATION PLANNING REGION

Tribal Voting at STAC White Paper

A Case for Allowing Tribes to Vote at STAC

The Southwest Transportation Planning Region (SWTPR) incorporates the far Southwest region of the state. Within this region are the counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan and the municipalities of the Cities of Cortez and Durango and the Towns of Bayfield, Dolores, Dove Creek, Ignacio, Mancos, Pagosa Springs, Rico, and Silverton; as well as the two Native American reservations of the Southern Ute and the Ute Mountain Ute Indian Tribes.

Both the Southern Ute Indian Tribe and the Ute Mountain Ute Indian Tribe have a long history of working with their neighboring communities, counties, and the Colorado Department of Transportation. There are numerous county, state, and US highways that run through both reservations. The Tribes partner with the various state and local agencies to address transportation needs throughout the reservations to the benefit of both Tribal and Non-Tribal populations.

The two Tribes also participate at the SWTPR and the Statewide Transportation Advisory Committee (STAC). The STAC “provides advice to the Colorado Department of Transportation on the needs of the transportation system in Colorado...”ⁱ. The STAC provides this advice, the Tribes are STAC Membersⁱⁱ. The Tribes are precluded from voting on issues, projects, and other important proposals as the Tribes are defined as “non-voting members” per Colorado Code of Regulations, 2 CCR 601-22, Section 3.02, Statewide Transportation Planning Process and Transportation Planning Regionsⁱⁱⁱ.

On February 6, 2015 the SWTPR reached consensus that the item warranted further research and supported contacting regional legislators to support a bill. Discussions indicate that Senator Ellen Roberts likely has a full agenda for this legislative year. Representative Don Coram (District 58) and Representative J. Paul Brown (District 59) may be supportive. This item, if accepted and change implemented, would not take place until 2016. It was noted that the timeframe for legislative change is January – April which could make it difficult for this year. Additional support would be sought by the Colorado Council of Indian Affairs (CCIA) and the Colorado Transportation Commission. This vote was unanimous due to the demonstrated collaboration and participation of the Southern Ute and Ute Mountain Ute Indian Tribes at the STAC, SWTPR, and with state and local agencies.

ⁱ <https://www.codot.gov/programs/statewide-planning/stac.html>

ⁱⁱ <https://www.codot.gov/programs/statewide-planning/stac-members.html>

ⁱⁱⁱ <https://www.codot.gov/programs/statewide-planning/documents/2014-stac/august-2014/stac-roles-and-responsibilities-attach>

DATE: March 17, 2015



RESOLUTION: 2015-031

**RESOLUTION
UTE MOUNTAIN UTE TRIBAL COUNCIL**

REFERENCE: Statewide Transportation Advisory Committee (STAC)/Support Change in Legislation & Bill for One "Voting Member" to STAC from the Ute Mountain Ute Tribe

WHEREAS, the Constitution and By-Laws of the Ute Mountain Ute Tribe, approved June 6, 1940 and subsequently amended provides in Article III that the governing body of the Ute Mountain Ute Tribe is the Ute Mountain Ute Tribal Council and sets forth in Article V the powers of the Tribal Council exercised in this Resolution; and

WHEREAS, the Ute Mountain Ute Tribal Council is committed and responsible for the welfare of the Ute Mountain Ute Tribal Members and the positive management of the Tribal resources and economic community awareness providing for the public, tribal transportation welfare; and

WHEREAS, the Ute Mountain Ute Tribe is currently authorized to appoint a "non-voting member" to the Stateside Transportation Advisory Committee (STAC) per Colorado Code of Regulations, 2 CCR 601-22, Section 3.02, Statewide Transportation Planning Process and Transportation Planning Regions. Furthermore, Colorado Revised Statute CRS. 43-1-11. Transportation Planning outlines the development outlines the development of the STAC and limits it to 15 members; and

WHEREAS, the Ute Mountain Ute Tribe has participated and supports the STAC's efforts to consultation with tribal agencies responsible for land use management, natural resources, environmental protection, conservation and historic presentation about development of long-range transportation plan; inclusion of long-term transportation concerns of the Ute Mountain Ute Tribe in statewide plan development (STIP-The Regional Transportation Plans and the Statewide Transportation Plan is typically implemented through the STIP, a short-term plan of projects includes consideration for current and future transportation needs and fund availability). Furthermore, the Ute Mountain Ute Tribe supports development of environmental mitigation activities in consultation with tribal wildlife, land management and regulatory agencies, comparison of transportation plans to state and tribal conservation plans or maps and to inventories of natural to historical; and referencing the Tribal Transportation Improvement Programs (TTIP) in the STIP; and

Resolution 2015-031

REFERENCE:

Statewide Transportation Advisory Committee (STAC)/Support Change in Legislation & Bill for One "Voting Member" to STAC from the Ute Mountain Ute Tribe



SOUTHWEST TRANSPORTATION PLANNING REGION

Senator Roberts
Representative Coram
Representative Brown
200 East Colfax
Denver, CO 80203

February 10, 2016

RE: HB16-1169

Dear Senator Roberts, Representative Coram, and Representative Brown:

The Southwest Transportation Planning Region (SWTPR) incorporates the far Southwest region of the state. Within this region are the counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan and the municipalities of the Cities of Cortez and Durango and the Towns of Bayfield, Dolores, Dove Creek, Ignacio, Mancos, Pagosa Springs, Rico, and Silverton; as well as the two Native American reservations of the Southern Ute and the Ute Mountain Ute Indian Tribes.

The SWTPR fully supports HB16-1169 as both the Southern Ute Indian Tribe and the Ute Mountain Ute Indian Tribe have a long history of working with their neighboring communities, counties, the Colorado Department of Transportation, the SWTPR and attending the Statewide Transportation Advisory Committee (STAC). There are numerous state and US highways that run through both reservations. The Tribes partner with the various state and local agencies to address transportation needs throughout their respective reservations to the benefit of both Tribal and Non-Tribal populations. Not only do the Southern Ute and Ute Mountain Utes collaborate and participate in the discussion of issues brought before the SWTPR and STAC; the Tribes also provide funding for transportation projects to upgrade the state highway system passing through the Reservations.

The Southern Ute and Ute Mountain Ute Tribal representatives have been welcomed at the Statewide Transportation Advisory Committee for many years. However, due to state statute, the Tribes are unable to vote at STAC. House Bill 16-1169 would change this, allowing both Tribes a vote at STAC. In light of the ongoing and valuable partnerships with the SWTPR, CDOT, and STAC it seems only appropriate to codify the ability of both Tribes to vote at STAC.

The SWTPR is in support of HB16-1169.

Sincerely,

Kevin S. Hall
SWTPR Chair



SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

February 10, 2016

Senator Roberts
Representative Coram
Representative Brown
200 East Colfax
Denver, CO 80203

RE: HB16-1169

Dear Senator Roberts, Representative Coram, and Representative Brown,

The Southwest Colorado Council of Governments (SWCCOG) is located in the Southwest corner of the state. The mission of the SWCCOG is to provide regional leadership on behalf of governments throughout Southwest Colorado by defining regional issues, advocating for mutual goals, and administering regional programs. Of great concern to the region is the strength of the transportation network.


Our region includes the Counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan and the municipalities of the Cities of Cortez and Durango and the Towns of Bayfield, Dolores, Dove Creek, Ignacio, Mancos, Pagosa Springs, Rico, and Silverton; as well as the two Native American reservations of the Southern Ute and the Ute Mountain Ute Indian Tribes.

The SWCCOG fully supports HB16-1169 as both the Southern Ute Indian and the Ute Mountain Ute Indian Tribes have a long history of working with their neighboring communities, counties, the Colorado Department of Transportation, the Southwest Transportation Planning Region (TPR), the SWCCOG, and attending the Statewide Transportation Advisory Committee (STAC). There are numerous state and US highways that run through both reservations, and as a result are of great importance to the region's transportation network. The Tribes partner with the various state and local agencies to address transportation needs throughout their respective reservations to the benefit of both Tribal and Non-Tribal populations in the region. Not only do the Southern Ute and Ute Mountain Utes collaborate and participate at the SWTPR and the STAC; the Tribes provide funding for transportation projects to upgrade the state highway system within the exterior boundaries of both reservations.

Representatives from both the Southern Ute and Ute Mountain Ute Tribes have been participants at the Statewide Transportation Advisory Committee (STAC) for many years. However, under current state law, the Tribes are unable to officially vote at the STAC. House Bill 16-1169 would change this, allowing both Tribes a vote at STAC. In light of the ongoing and valuable partnerships with the SWTPR, CDOT, and the STAC we urge the passage of this law that will provide the ability of both Tribes to vote at STAC.

In conclusion, the SWCCOG and its membership are in support of HB16-1169 and we appreciate your assistance in this bill.

Thank you,


Andrea Phillips, Town Administrator, Mancos
SWCCOG Chair