



# ***COLLABORATION IN NORTHWEST NEW MEXICO: Transportation Challenges, Solutions & Success Stories***

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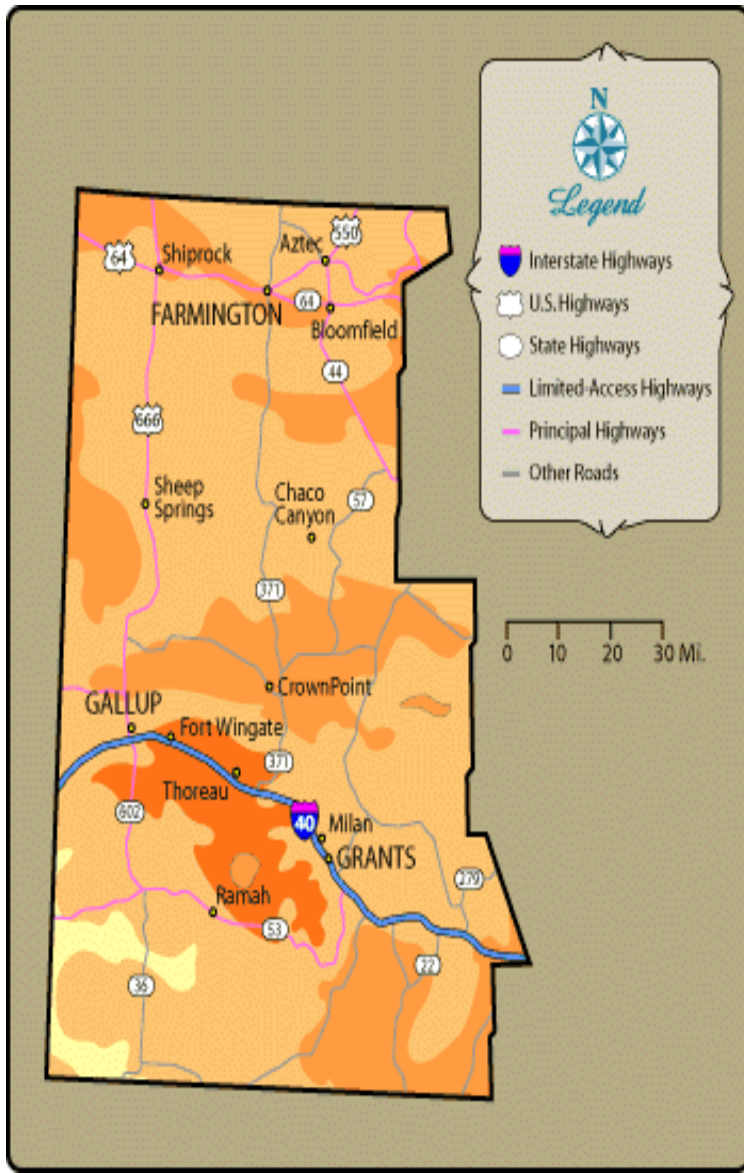
**April 25, 2012**

***in collaboration with***



# Where in the World We Are We?

## Northwest New Mexico



- **3-County Region**
  - San Juan, McKinley, & Cibola.
- **15,500 square miles**

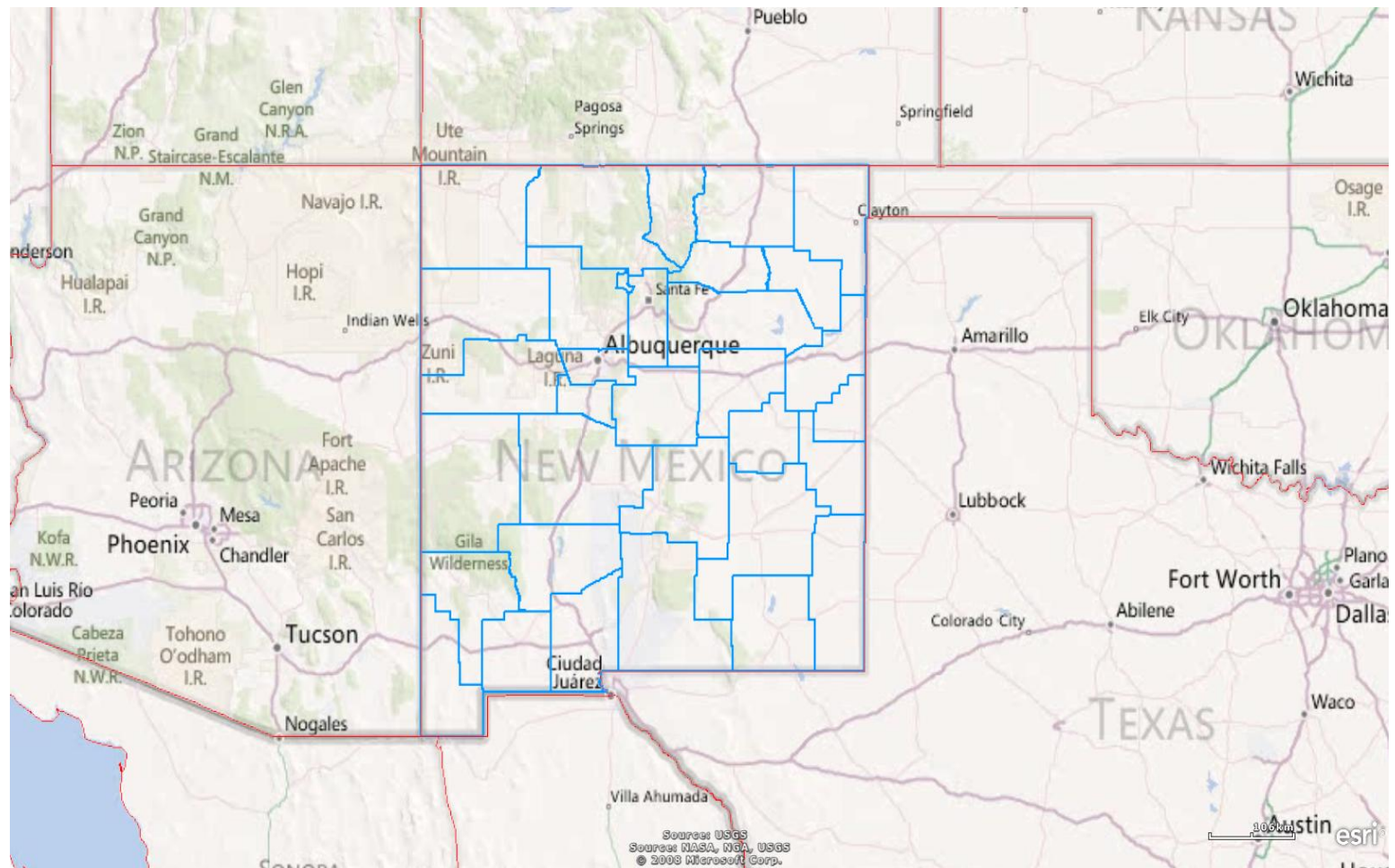
If we were a State, we would rank 42<sup>nd</sup> – between West Virginia & Maryland
- **Population: 235,000.**
- **Rural/Low-Density:**

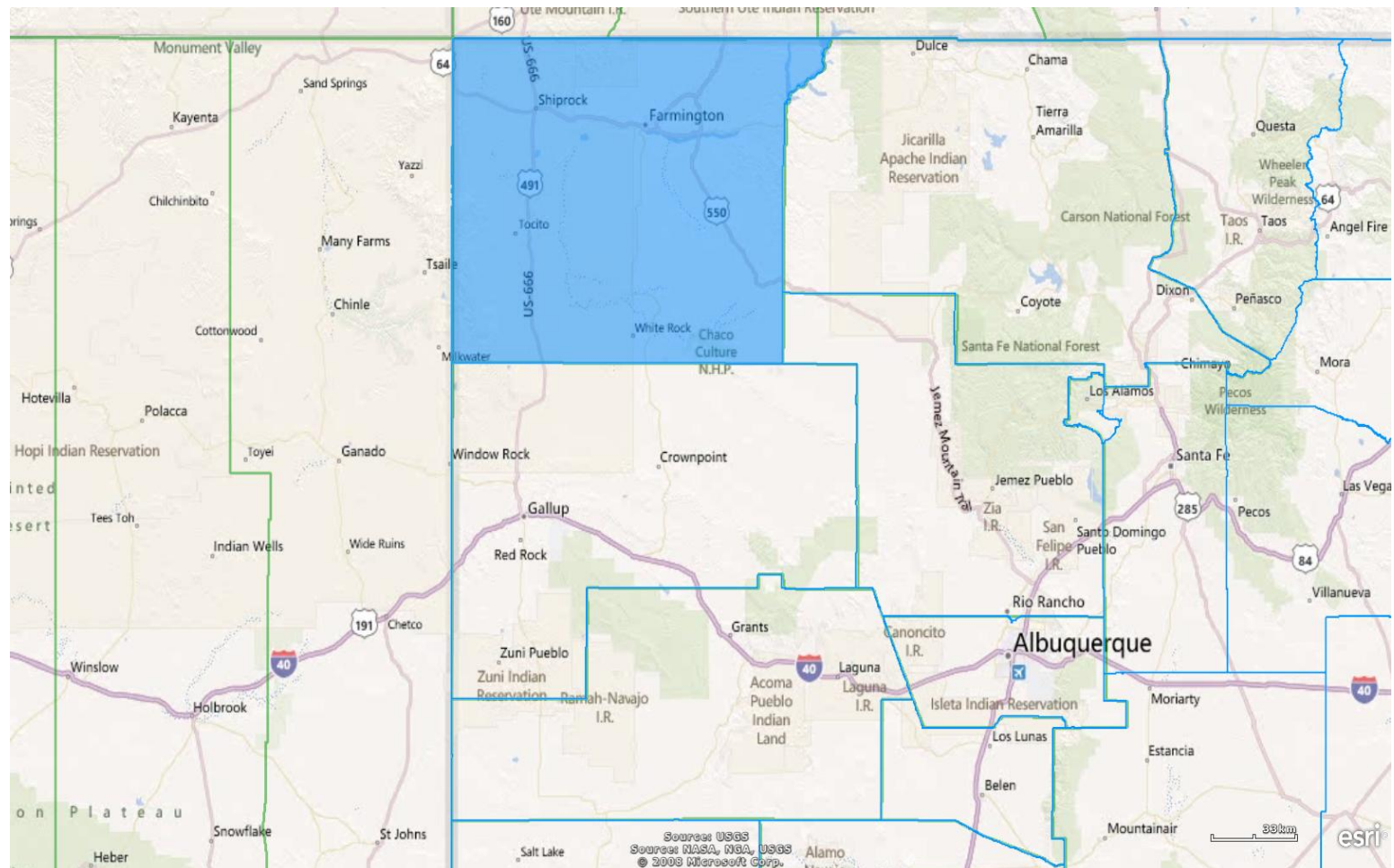
11 persons per sq. mile
- **Indian Country**

50% of the region's land base & population are **Native American**: primarily **Navajo**, **Zuni**, **Acoma**, & **Laguna**.

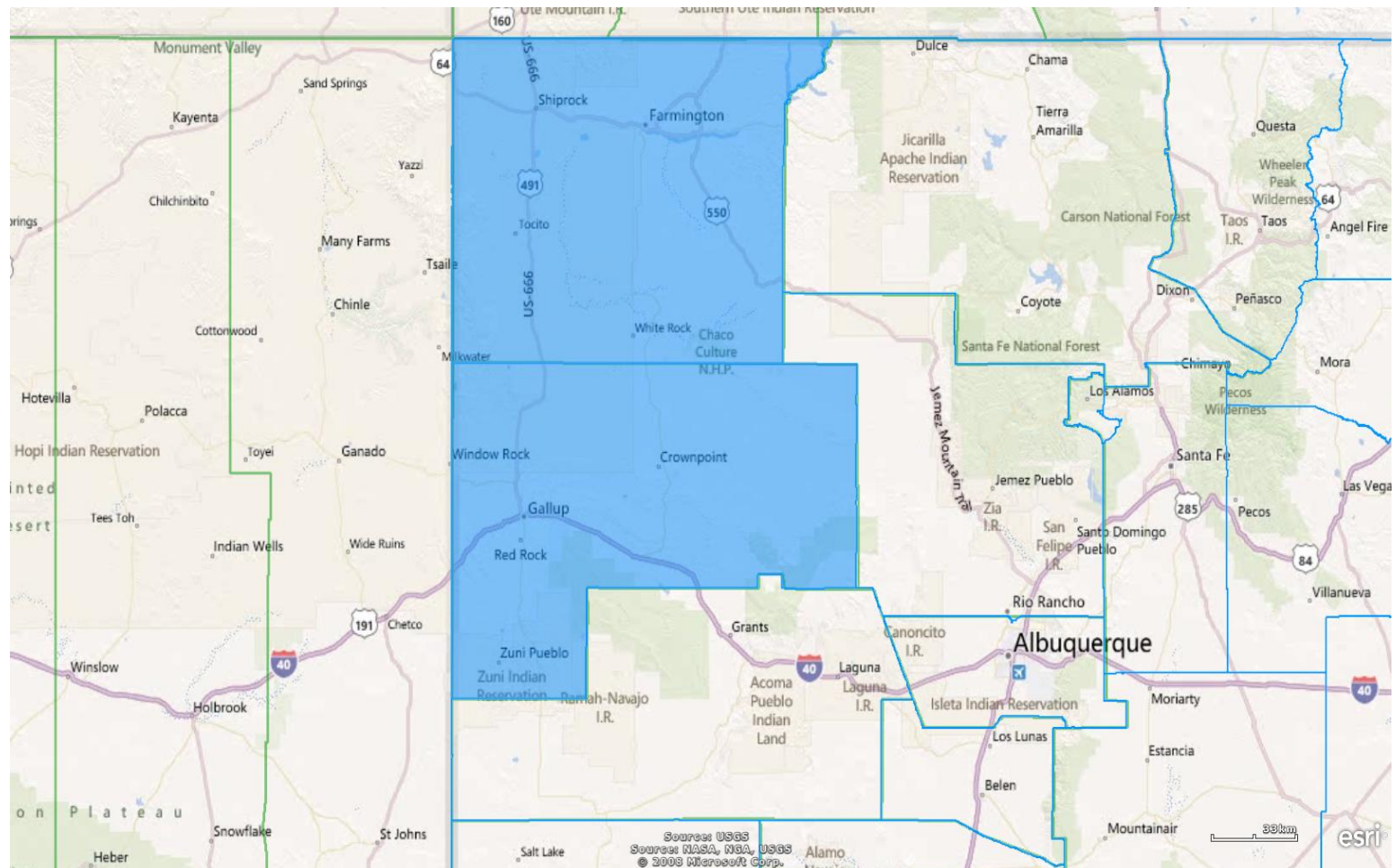


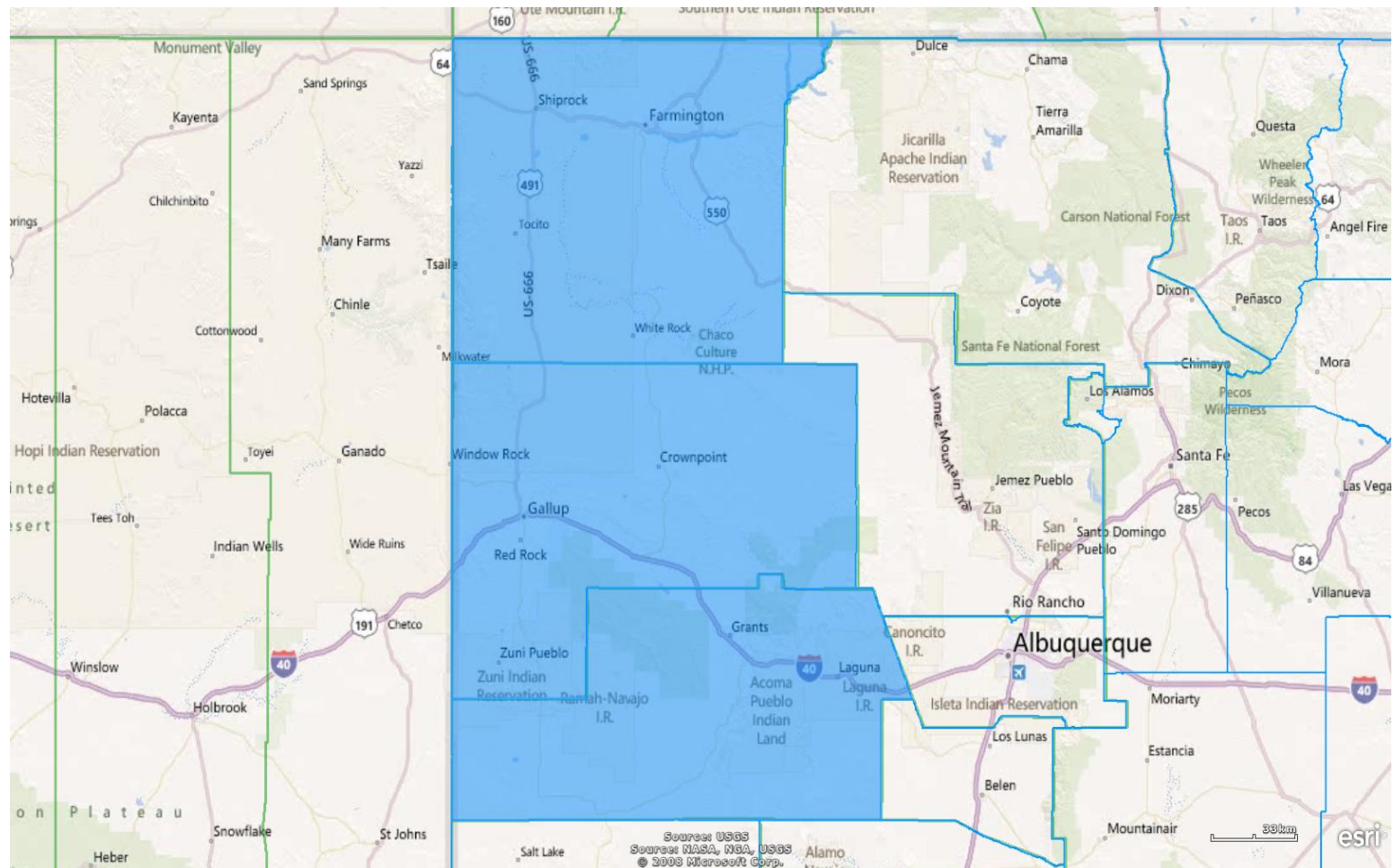


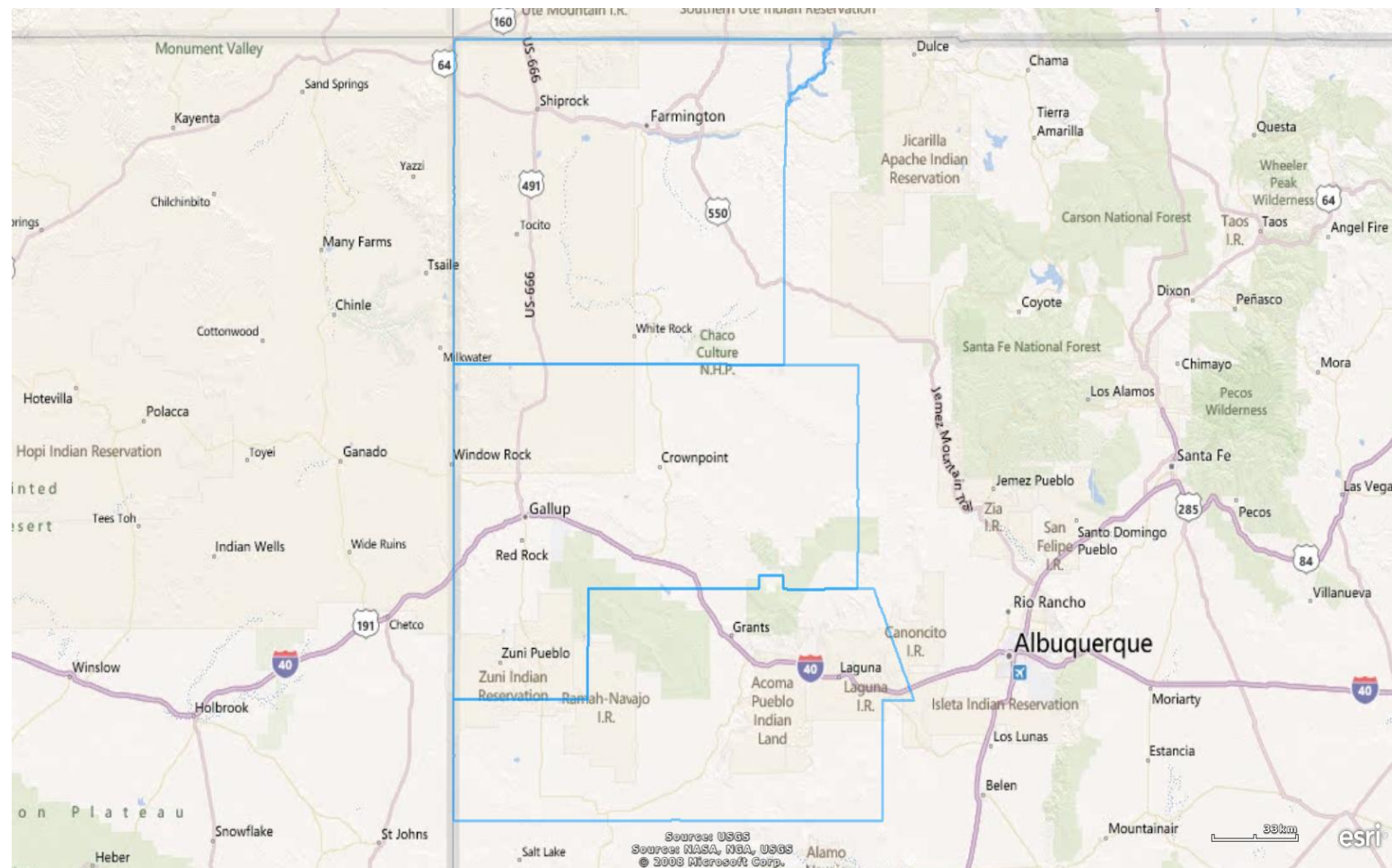




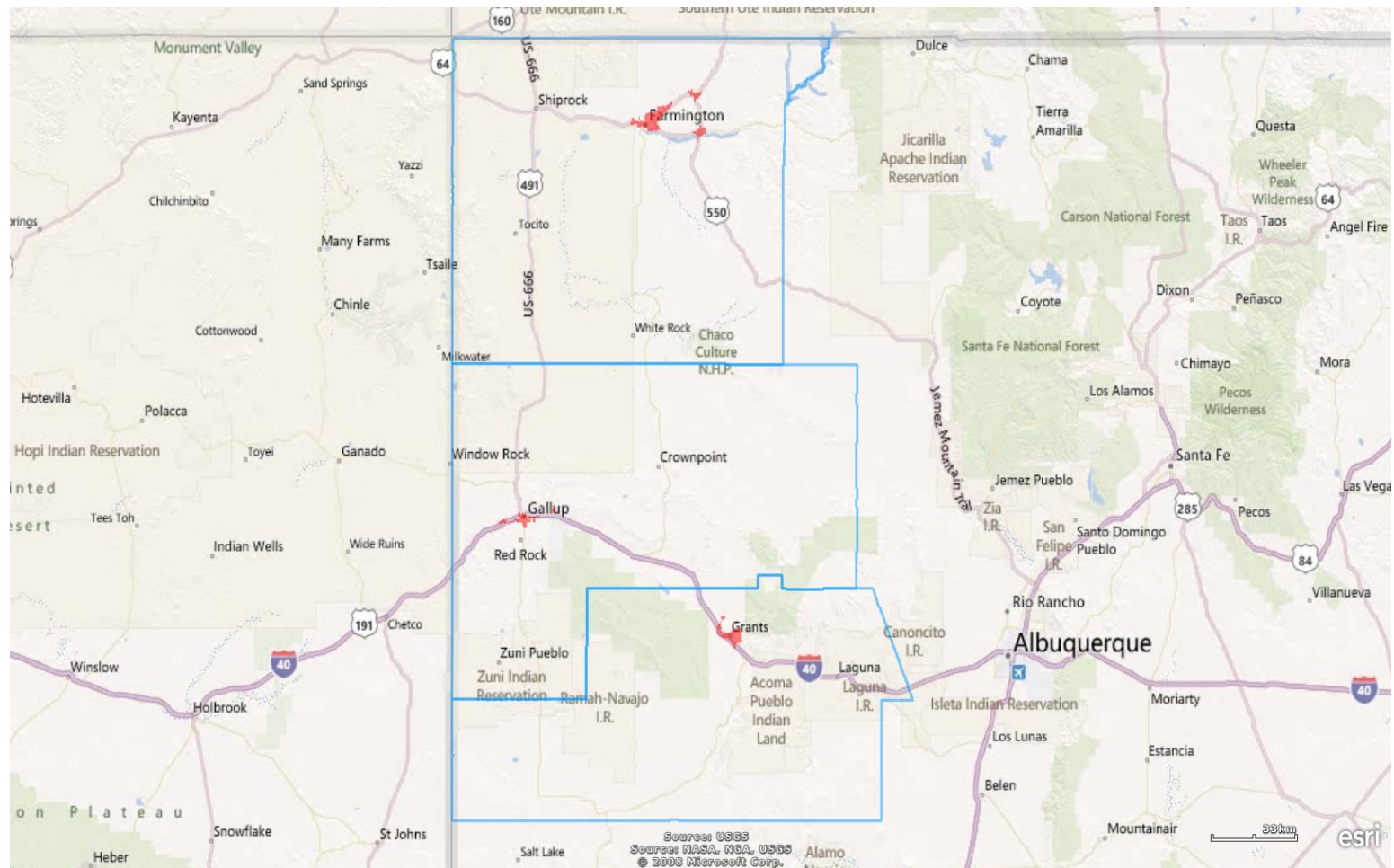


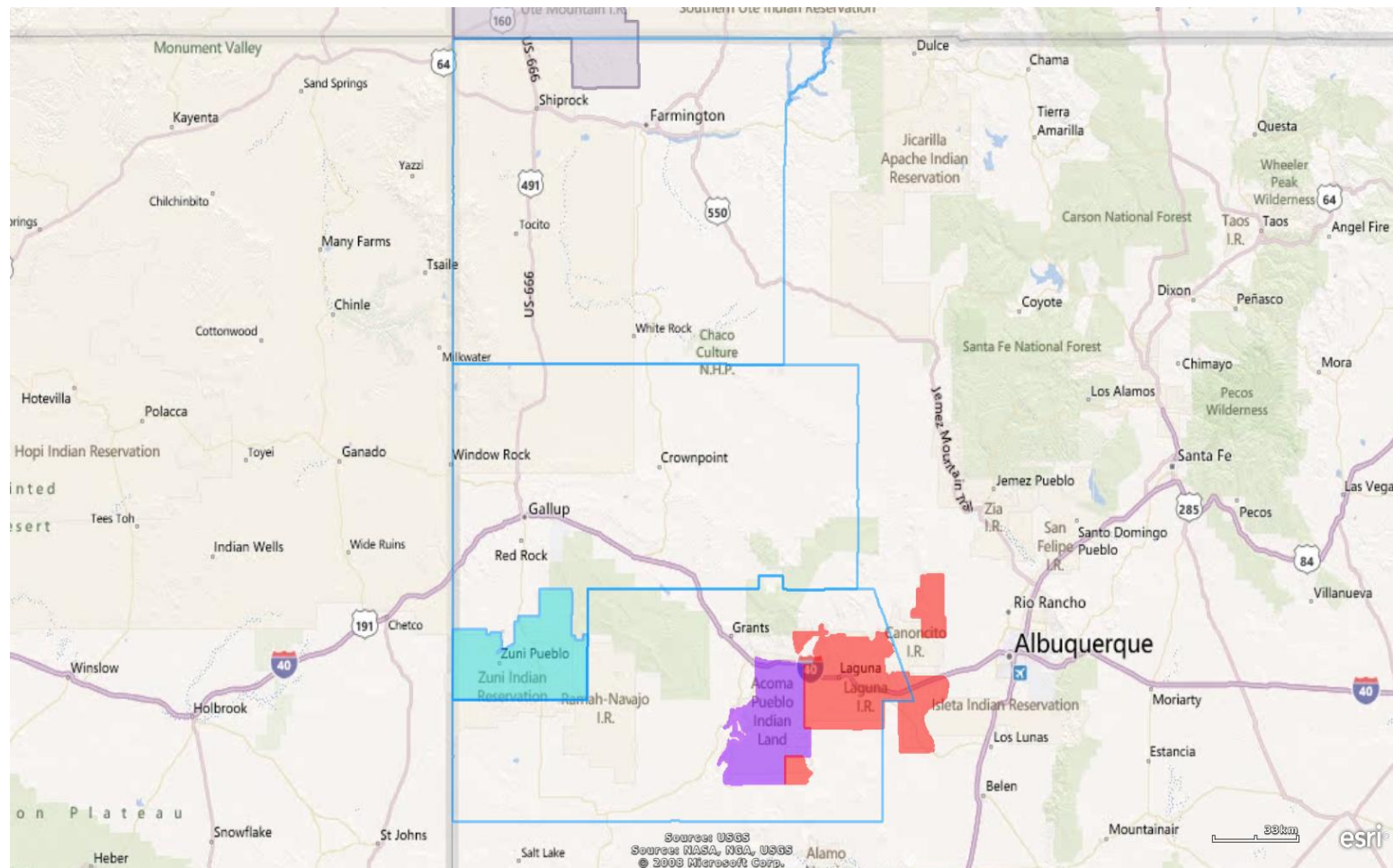


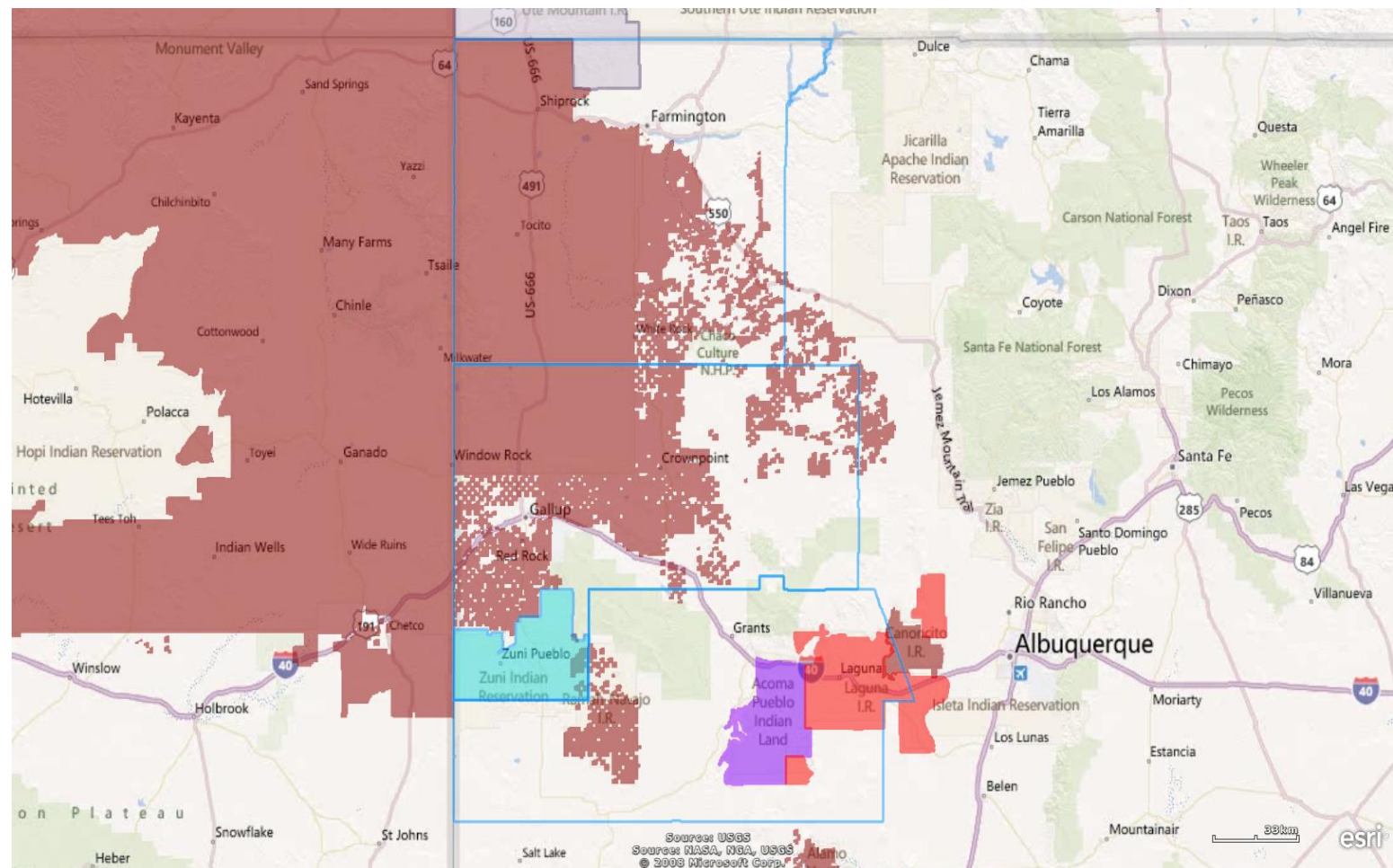














# Challenges for Rural Counties, Small Towns, & Tribal Governments:

- **Low population density**
- **Limited tax revenues**
- **Lack of local match funding**
- **Low Federal Funding**
  - Indian Reservation Roads (IRR) Funding from the BIA: 535 Tribes share \$450 million nationwide (lower than even a small state's federal allocation)
- **Low Eligibility**
  - Insufficient average daily traffic counts on most roads to qualify for federal funding, in spite of the roads' strategic value to the rural communities.
- **Lack of trained human resources**
  - A lack of local technical expertise & personnel to move projects efficiently & effectively.
- **Sovereignty issues**
  - The need to respect Tribal sovereignty, jurisdictional boundaries, land status, rights-of-way, etc.



# Collaboration for Solutions



## ★ Regional Impact

All jurisdictions are impacted by transportation. Coordinated planning helps improve project development & funding.

## ★ Role of the RTPO

- **INCLUSION:** New Mexico’s “Northwest Regional Transportation Planning Organization” includes cities, counties and tribes, with technical participation by the State’s District Engineers & other agencies.
- **FACILITATION:** The RTPO is a process & a forum for collaborative planning, training, information-sharing and strategizing.
- **PARTNERSHIP:** The State DOT’s District Engineer’s Office staff have provided leadership in strengthening State and local collaboration with participating Tribes.
- **PROBLEM-SOLVING:** Most of the region’s rural roads are not competitive – or do not qualify -- for Federal funding; the RTPO and District Office work to identify and patch together alternative funding sources to meet local and regional transportation needs and priorities.
- **TECHNICAL ASSISTANCE:** The RTPO assists local governments with project development, financial planning, readiness packaging & other “projecteering” pieces.

# COLLABORATION 101:

## Consultation \*\* Relationship \*\* Partnership

- USDOT Executive Order 5301.1, on TRIBAL SOVEREIGNTY:  
“tribes exercising inherent sovereign powers over their members and territory”
- USDOT Executive Order 13084:  
requires consultation and coordination with Tribal Government
- USDOT Executive Order 12875:  
encourages enhancing intergovernmental partnership & cross-jurisdictional collaboration
- ISTEA (*Intermodal Surface Transportation Efficiency Act*) & TEA-21 (*Transportation Equity Act for the 21<sup>st</sup> Century*):  
require that Tribal Governments having jurisdiction over lands within the boundaries of the State must be included in the State planning process.





# Consultation

- **CONSULTATION** is “respectful, effective communication in a cooperative process” (FHWA)
- **CONSULTATION** is
  - Required to build a relationship, partnership or joint project
  - Respectful, authentic, continuous, patient, and documented
  - Working toward consensus before a decision is made
  - More than simply informing affected Tribes about what the County or State DOT is going to do
  - A process, not a guaranteed outcome
  - Forming a tribal–county–state–RPO team together
  - Jointly creating & following guidelines for communication.



# Consultation should result in:

- Incorporating suggested changes in local, regional & state plans.
- Joint training information-sharing about:
  - ✓ Values
  - ✓ Culture
  - ✓ Beliefs
  - ✓ Laws
  - ✓ Directives
  - ✓ projects
  - ✓ Orders
  - ✓ Policies
  - ✓ concerns
  - ✓ Challenges
  - ✓ Transportation jargon
  - ✓ Transportation issues
- Durable working relationships.



*Northwest New Mexico Regional  
Transportation Planning Organization*

# Building Relationship:

- Building a relationship is required before planning, scoping, designing or beginning a project
- Relationships should be:
  - Continuous
  - Durable
  - Mutually supportive & respectful
  - Inclusive
  - Open to continuous feedback
  - Committed to promoting partnership



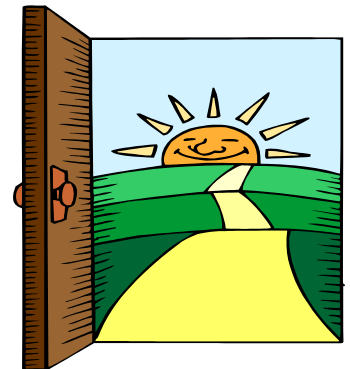
**Partnership:** “A relationship **involving close cooperation** between parties having specified and joint rights and responsibilities.

(Webster’s 9<sup>th</sup> New Collegiate Dictionary)

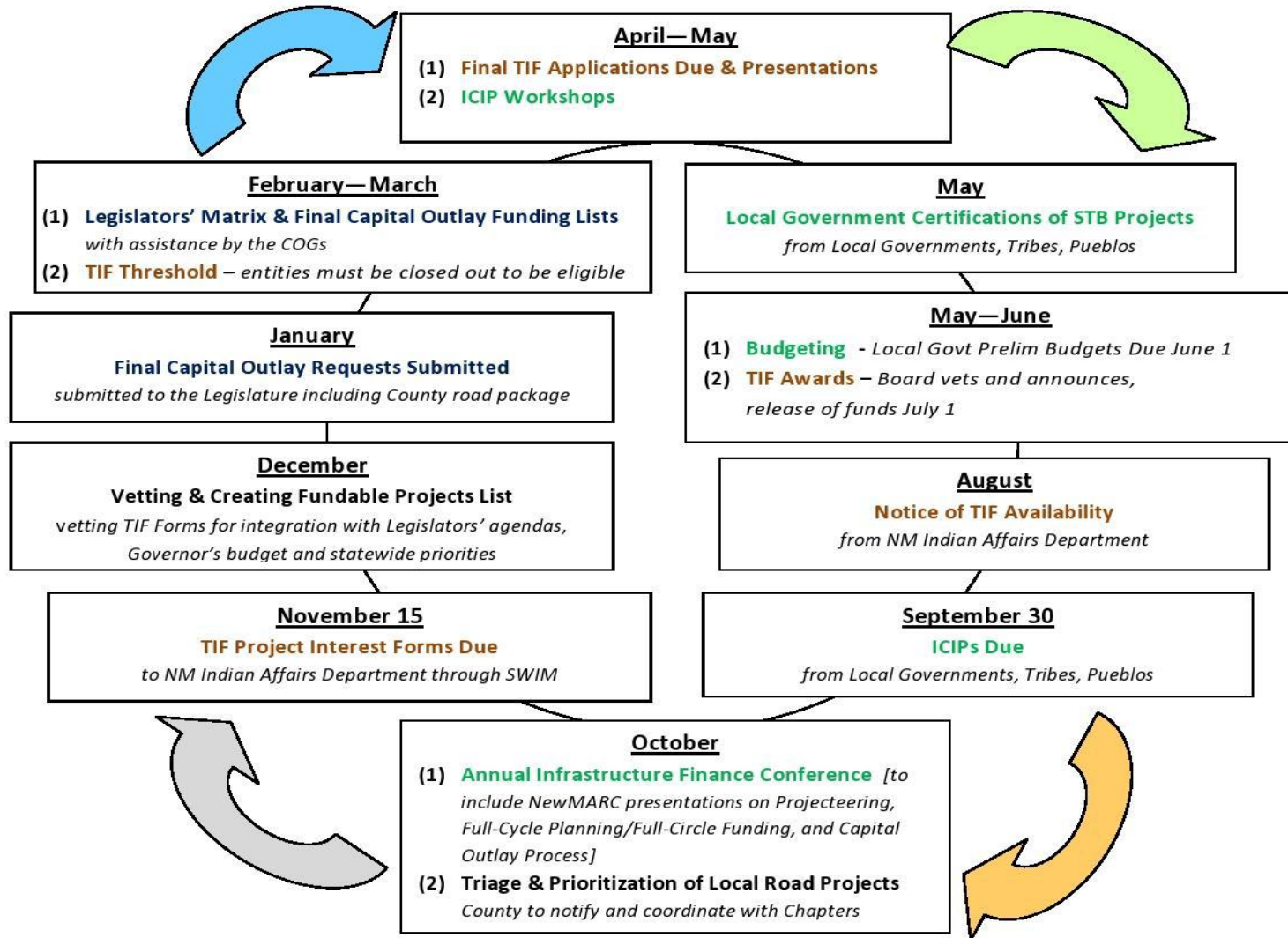


# Collaborative Solutions in Northwest New Mexico

1. **Memoranda of Agreement:** County and DOT-District MOAs with participating Tribes:
  - Provide for Project Lead and Fiscal Agency options, along with mutual project development, to expedite projects more efficiently & effectively
  - Respectfully work out cross-jurisdictional regulations, issues & protocols to achieve the most cost & time efficient options for project development
2. **RTPO Collaboration & Coordination:**
  - Mutual support for project planning, funding, resources, & collective leveraging, with Tribes engaged as full voting participants
  - Cooperation in raising public awareness of the need for sustainable transportation funding
  - State study on functional classification & funding alternatives for tribes, small communities and rural counties to leverage funding for projects
3. **Full Circle Funding:** Seeking & engaging a variety of local, state, and federal funding sources year-round, to effectively blend funding, and to make larger rural & tribal transportation projects feasible, one or more phases at a time



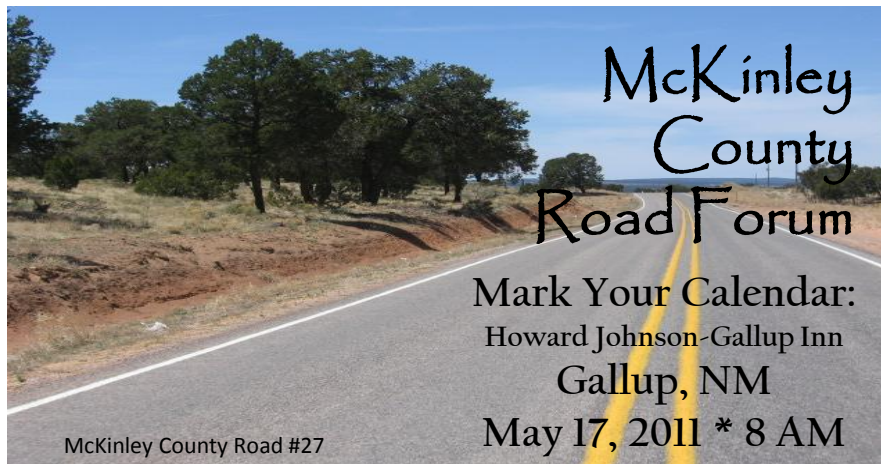
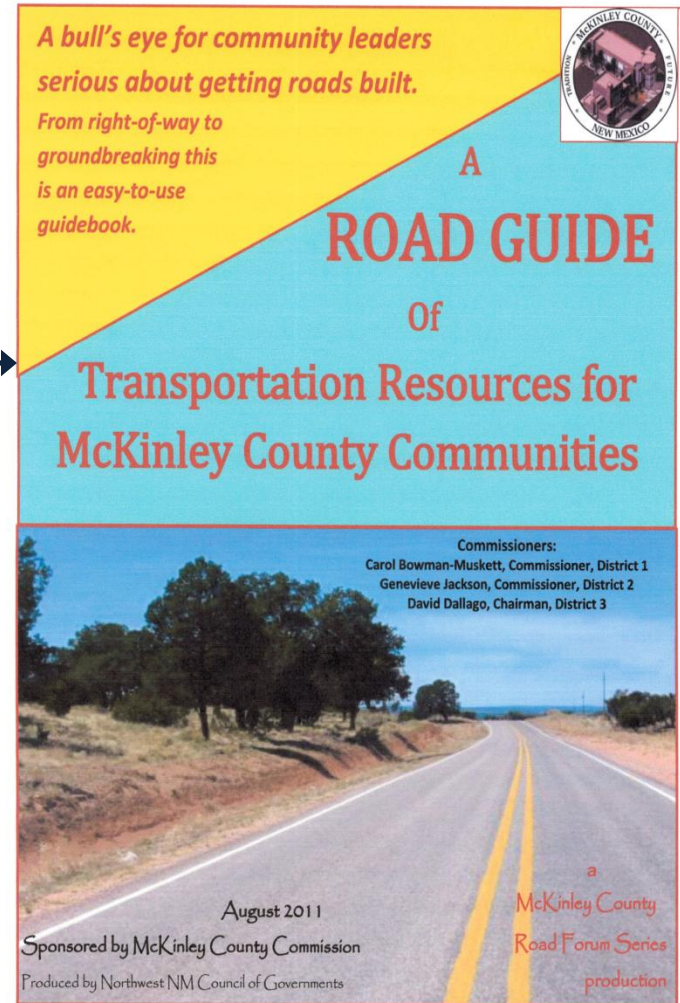
## “Full-Cycle Planning/Full-Circle Funding”



# McKINLEY COUNTY ROAD FORUMS – May 17 & August 16, 2011

## Full Cycle Planning, Prioritization & Project Readiness

- ★ The County invited all 33 Navajo Chapter communities to participate.
- ★ Training & consultation on all phases of project development
- ★ Technical advice by transportation officials from COG/RTPO, County, Navajo DOT, State DOT & BIA + the **Road Guide**
- ★ Local Navajo Chapter reps described & discussed their projects, gaining new knowledge on cost estimation, timelines, readiness factors & resources available





# BUILDING READINESS & COMPETITIVENESS: the McKinley County Road Application



## McKINLEY COUNTY ROAD APPLICATION

FOR USE AT ROAD FORUM SERIES AND BY COMMISSIONERS & STAFF

**INSTRUCTIONS:** Please complete all sections thoroughly.  
Each Community is allowed to submit 2 projects – one application per project.  
If you need help in filling out this form, please contact Bob Kuipers at the RPO: (505)722-4327.  
Submit by fax to (505) 722-9211 or email to [kuipers@nwnmcog.com](mailto:kuipers@nwnmcog.com).

Date of Submittal: \_\_\_\_\_ Check Priority: Priority 1 ☐ OR Priority 2: ☐

Community Name: \_\_\_\_\_ Project/Road Name: \_\_\_\_\_

County: \_\_\_\_\_ Project/Road Jurisdiction  
(County, BIA, Navajo, etc.): \_\_\_\_\_

NM House District: \_\_\_\_\_ NM Senate District: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

RPO: ☒ or MPO: \_\_\_\_\_ NMDOT District #: \_\_\_\_\_

In ICIP? Yes \_\_\_\_\_ No \_\_\_\_\_ If "yes," Year? \_\_\_\_\_ Priority number \_\_\_\_\_

Chapter Resolution? Yes \_\_\_\_\_ No \_\_\_\_\_

### PROJECT DESCRIPTION

#### Project Description, Purpose and Need

In the space below, please provide a narrative describing the Project and its Purpose and Need, i.e., the rationale behind the project (the space will expand as needed), or feel free to attach narrative separately. Please limit to 500 words or less.

Project Type		
Check all that apply to this Project or Phase		
JURISDICTION	PRE-CONSTRUCTION	CONSTRUCTION TYPE
BIA Road	Study & Planning	Bridge
Navajo Nation Road	Design & Engineering	Culverts
State Highway	Assessments & Clearances	Parking Lot
McKinley County Road	Other (specify): _____	Maintenance Project
National Highway System		Improvement Project
Private/Other		New Road Construction

Project Scope			
Check all factors that apply to this project			
New Roadway (specify # of miles)	mi	Chip Sealing	Base Course
Road Maintenance (specify # of miles)	mi	Pothole Repairs	Blading/Graveling of Dirt Roads
Acquire Right-of-Way	Replace bridge	New bridge	Culvert Replacement(s)
Planning, Engineering, & Design	Drainage & Maintenance	Feasibility Study	Centerline Survey
Sidewalks	Parking Lot	Lighting/Street Lights	Access Roads
Traffic Signal/Signalization	Base Course	Chip Seal	Bike lanes
Environmental Assessment	Bus Stops	School Bus Route Improvements	Access lanes
Cultural/Archaeological Assessment	Others	(List): _____	

### Readiness:

Please rate the readiness of your project, if items are complete – please list date of completion.  
If this project is at the idea stage, please skip the rest of the application, and submit as is.

CODE	FACTOR	1 – 2 – 3 – N/A	If Complete, List Completion Date
	Public Involvement/ Chapter Resolution		
Right-of-Way			
Centerline Survey			
Planning, Design, & Engineering			
Cost Estimate			
Environmental Clearances			
Cultural/Archaeological Clearances			
Design			
Matching Funds Availability			

### Specific Cost Information:

If cost estimate is complete, please fill in the following.

Planning	Design/Engineering	Construction	Other (specify)
\$ _____	\$ _____	\$ _____	\$ _____ ( _____ )

### Matching Funds

(List all sources, amounts, and describe as pending or secured)

Source	Amount	Pending or Secured (if secured, put date)
<b>Total</b>		

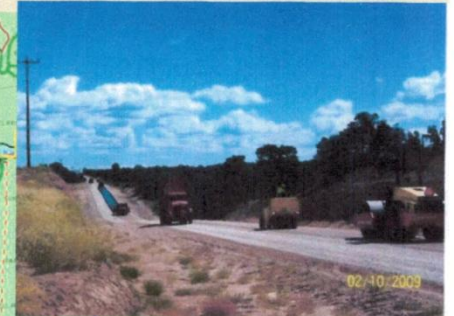
Chichiltah Chapter, Navajo Nation, & McKinley County

# Tribal Best Practices Award: County Road #6 Improvement Project

**Description:** This project is unique because it was completed on time and utilized multiple funding sources that were leveraged together, resulting in a project that benefits over 1,700 members of the Chapter. The project improved a dirt road into chip and seal roadway. It also set a precedent of partnership between the Chapter and Navajo Nation and the County acting as fiscal agent and contractor.

Funding Source	Amount
Tribal Infrastructure Fund	\$650,000.00
Severance Tax Bonds/ State of NM Capital Outlay	\$125,000.00
County School Bus Route Funding (FHWA)	\$273,500.00
Navajo Nation Fuel Excise Tax	\$254,946.00
County Labor & Equipment/ Force Account	\$320,000.00
<b>Total</b>	<b>\$1,623,446.00</b>

**BEFORE:** County Road #6 was  
an unimproved dirt road;



**County Road #6  
Project Area**



**AFTER**



# ERASING BOUNDARIES \*\* COLLABORATING \*\* FINDING SOLUTIONS

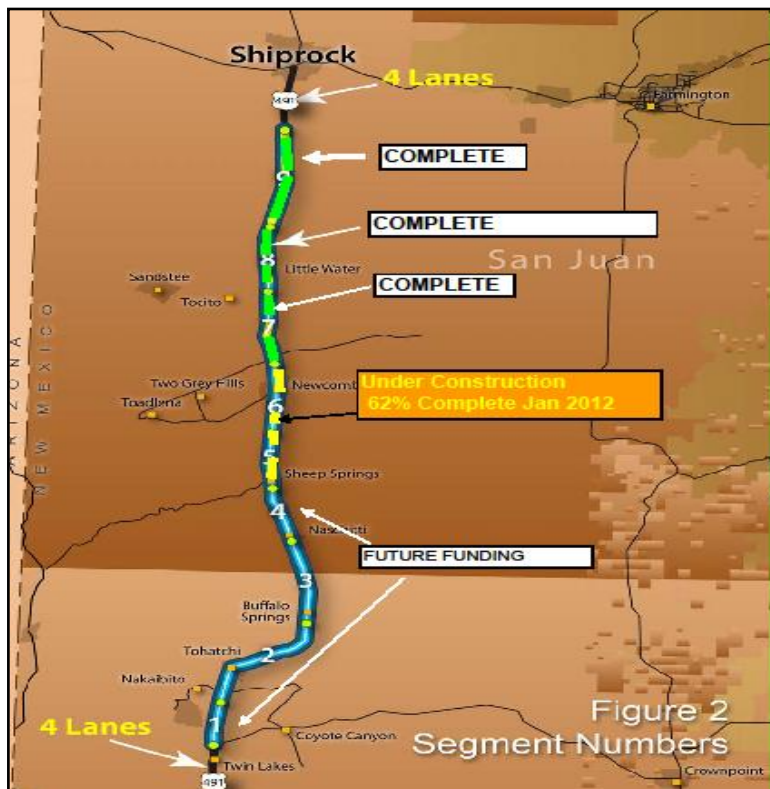
## Success Story



**Celebrating the  
Tribal-County-Federal-State-RTPO  
Collaborative on US 491  
Transportation Commissioner, State Senator,  
State Governor, Navajo Nation Councilman,  
State House Representative, DOT District Engineer,  
Navajo DOT Representative**

## Success Story: US 491

- Vital North-South corridor in the Four Corners ... but one of the country's deadliest.
- Historic partnership between the Navajo Nation & the State of New Mexico: ROW agreement!
- Half of construction completed via State bond financing and FHWA Tiger II grant
- Dovetails with \$1 billion water project – Navajo-Gallup Water Supply Project – with new prospects for economic development along the corridor.



## US 491 Construction Project STATUS REPORT: January 2012

		Cost
<b><u>TOTAL ESTIMATED PROJECT COST</u></b>		
<b>US 491 reconstruction—all phases as designed</b>		<b>\$230,114,000</b>
<b><u>FUNDED</u></b>		Cost, Completed & Current
<b><u>Project Phases/Segments Funded--Completed &amp; Current:</u></b>		
Nov. 2008:	Repavement, MP 30 to 59	\$13,300,000
Oct. 2009:	Repavement, MP 15 to 30	\$11,200,000
Oct. 2009:	Segment 9 Constr, MP 77 to 84.7	\$22,420,000
Oct. 2010:	Repavement, MP 67 to 84.7	\$4,800,000
July 2011:	Segment 7 Constr, MP 59 to 67	\$21,594,000
April 2012:	Segment 8 Constr, MP 67 to 77	\$25,000,000
Nov. 2012:	Segments 5 & 6 Constr, MP 46 to 59	\$28,900,000
<b>TOTAL, Funded Segments/Phases:</b>		<b>\$127,214,000</b>
<b><u>UNFUNDED</u></b>		Cost Estimate
<b><u>Balance of Estimated Project Cost/Unfunded:</u></b>		<b>\$102,900,000</b>
<b><u>Project Phases/Segments Not Yet Funded:</u></b>		
	Segment 1a, MP 15.1 to 19.6	\$19,000,000
	Segment 1b, MP 17	\$3,000,000
	Segment 2, MP 19.6 – 30.9	\$31,700,000
	Segment 3, MP 30.9 to 42	\$34,700,000
	Segment 4, MP 42 to 46	\$12,000,000
	Data Recovery, MP 15.7 to 46	\$2,500,000
<b>TOTAL, Unfunded Segments/Phases:</b>		<b>\$102,900,000</b>

Compiled by Northwest RPO

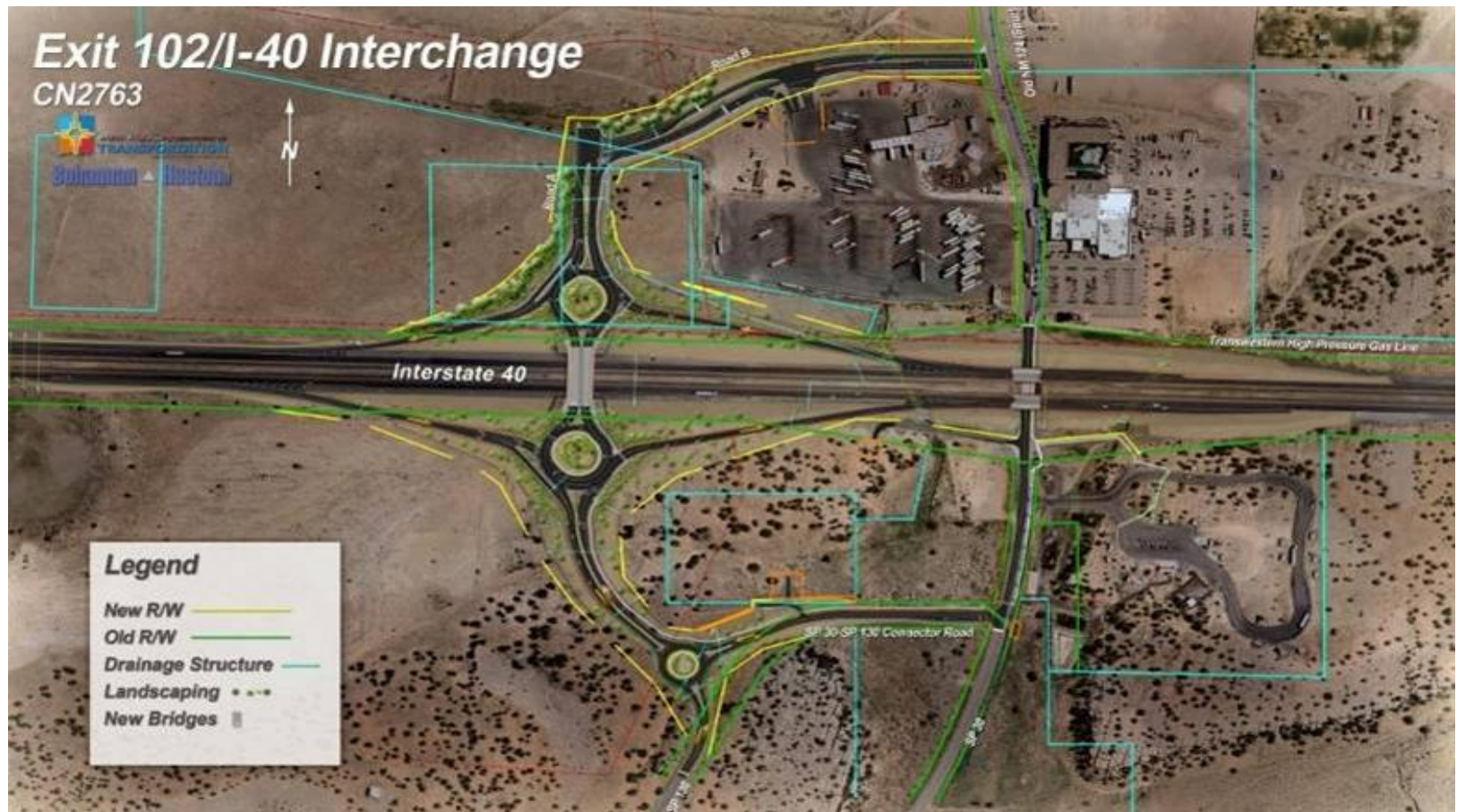
based on data provided by NMDOT, District 6



## Success Story: Acoma Exit 102

- 1999 – 2010 for completion
- \$16.8 million funded thru State, Acoma, FHWA
- Jointly developed thru MOA: NMDOT & Acoma

- Am. Council of Engineering Co's Award
- Am. Road & Trans Builders Assoc Award
- AASHTO Award



# LEARNINGS

## Inter-sovereign Collaboration in Northwest New Mexico

- **RELATIONSHIPS:** Collaboration with Sovereign Tribal Nations must be founded on relationship building; no amount of funding or time pressure can replace the trust that is built through patient & mutually respectful collaboration over time.
- **VALUES:** Tribal communities represent long-standing, continuous, indigenous cultures with unique values, priorities & approaches. As a general theme, tribal leaders and citizens look at things holistically, & seek consensus on actions that benefit the community as a whole. On joint projects with other communities, agreements will not happen until tribal benefit is assured and the project “fits.”
- **EQUALITY & MUTUALITY:** Essential to approach mutual projects on the basis of equal engagement & balance of interests, not with an 11<sup>th</sup>-hour “have I got a deal for you” approach!
- **ALLIES:** Tribal nations & communities bring historical, political, cultural and financial assets to the table. They have unique government-to-government relations with state and federal governments, and can be powerful allies on projects of common benefit.



# Why Collaboration?



## 1. Access = QUALITY OF LIFE

- Regional Economic Competitiveness in the global market
- Community Economic Development
- Multimodal access to Education and Employment
- Access to Health Care, Mobility for seniors & disabled

## 2. Coordinated Planning & Development = QUALITY OF PLACE

- All perspectives considered
- Tribal sovereignty honored
- Maximizes utility & sustainability
- Promotes multimodal/multi-use
- Improves safety
- Blends economic opportunity with quality environment



NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS  
GALLUP, NEW MEXICO

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