

Summary of Tribal Input
CalSTA Consultation Policy Listening Forum
September 4, 2013

Collaboration

This must be a partnership.

It is important to have collaboration and cooperation through good communication.

Tribes and the state should look for ways to partner on projects and other endeavors.

Incorporate consultation and other tribal concerns into state policies. Include tribes in the decision making process for those policies.

Tribes should be brought into the regional planning process.

Communication

Communication should take place early and often -- when decisions are made -- not afterwards when it is difficult to change course.

Identify department contacts.

CalSTA and its departments should meet with tribes quarterly to discuss issues and invite tribal input. Dialogue needs to be ongoing (hold regular meetings; identify dates for follow-up).

Liaisons should meet on a regular basis in the office of the Secretary to review tribal consultation efforts and opportunities in the departments to share information.

Education

State agency and department staff should partake in education programs on tribal cultures, laws and policies.

It is important to understand tribal sovereignty when working with tribes. State staff must understand that consultation is government-to-government, not government to citizen or stakeholder.

Training should include the knowledge, skills and tools necessary for collaborative engagement to Tribal, Agency and Departmental staff engaged in the process with attention to the unique distinctions within Indian Country.

CalSTA should provide training to tribal liaisons, executive staff, managers, supervisors and employees on the implementation of the tribal consultation policy.

Transportation and other staff need to attend conferences held by tribal representatives. Educate department staff about what is going on in Indian Country.

Encourage tribes to come from reservations to state forums and meetings.

Process

Specify what triggers consultation (something that causes tribes to exercise sovereignty; NEPA/CEQA planning projects, etc.).

Establish a process that everyone can count on when an issue arises that has tribal implications so parties involved know what to do/expect.

There should be three levels of Consultation: executive level, management and field.

Meetings should be documented so there is a record of the discussion.

Timelines

Provide adequate timelines for notices and responses.

Adequate notice is important, as are timelines for process and possible outcomes.

Consultation should occur "early and often." When agencies engage after planning, it is too late; input is needed in the pre-planning stage.

Provide timely notice on projected state policy language, particularly on the development of consultation policy with tribes.