

# PENNSYLVANIA

## TRANSPORTATION and TRIBAL CONSULTATION

### NEWSLETTER

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Issue 8

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### **Tribal Consultation Memorandum of Understanding**

PennDOT and the FHWA, Pennsylvania Division are happy to announce that the Shawnee Tribe of Oklahoma has become the fourth Nation to sign a Tribal Consultation Memorandum of Understanding (MOU). This MOU formally puts into writing the process that PennDOT and FHWA have been and will continue to follow regarding Nation to Nation Consultation with the Shawnee Tribe. The Shawnee Tribe of Oklahoma join the Seneca-Cayuga Nation of Oklahoma, Oneida Nation of Wisconsin, and Stockbridge-Munsee Band of the Mohican Nation of Wisconsin as the other Nations and Tribes that have signed an MOU. You can view MOUs on the PennDOT CRM website, [www.penndotcrm.org](http://www.penndotcrm.org). PennDOT and FHWA are very interested in developing MOUs to fit the needs of any of the other Nations or Tribes that have not yet developed or signed an MOU. Please contact either Michael Stanilla at 717-214-8713 or Ira Beckerman at 717 772-0830 for more information.

### **PennDOT Project Development Process — Current and Future**

When SAFETEA-LU was signed in 2005 it established a new environmental review process that expands public participation and accessibility as a project evolves from concept to implementation. The change provides further opportunity for public interest groups and interagency involvement in transportation planning. For those states with tribal lands, additional consultative responsibilities are defined (not discussed here). For the project development process, a new category of “participating agencies” was added, defining state, local, and tribal nation’s opportunity to participate in an additional formal capacity during the environmental process. SAFETEA-LU also codified the integration of the transportation planning and environmental process in Linking Planning and NEPA.

#### **Planning**

In the planning process, the states and Metropolitan Planning Organizations (MPO) and Rural Planning Organizations (RPO) are required to produce two separate documents, namely a long range transportation plan (LRTP) and a statewide transportation improvement plan (STIP) or metropolitan transportation improvement plan (TIP). You may recall that a LRTP includes a minimum 20-year time horizon and the STIP and/or TIP incorporates a 4-year period. SAFETEA-LU differentiates the consultation and participation requirements for both of these mandated documents. During the development process of a LRTP, as appropriate, a consultative discussion is required which may be a reasonable opportunity for tribal or nation participation. The LRTP development will involve a comparison of the transportation plans with state conservation plans, as well as, inventories of natural or historic resources, if available. The end result of the collaborative LRTP discussion is the identification and documentation of potential environmental mitigation activities and potential land areas to carry out these activities. Per SAFETEA-LU, other interested parties (as defined by the State or MPO/RPO in their public participation plan), shall be provided a reasonable opportunity to review and comment on the contents of the LRTP before approval.

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## We're Still Here

By Wendy Gonyea, Onondaga

The Haudenosaunee exist-thrive-today in pockets on ancestral land. Our occupation predates 'American History' as the general public knows it. Our people once dominated the hills, trails, forests of Pennsylvania, New York, Canada and much of the woodlands of the northeast. History also reveals how much of Haudenosaunee lands were divided up by newcomers to America. The paths of our ancestors became superhighways and canals. Hunting grounds have given way to industry, mills, towns, malls, and suburbs. Despite the obvious, the Haudenosaunee still exist, still hunt, plant and carry on ancient ceremonies to this day.

We are Haudenosaunee, meaning 'the People of the Longhouse.' Some know us as the Iroquois, or the Five Nations. We are Mohawk, Oneida, Onondaga, Cayuga and Seneca, Tuscaroras were added in 1722, thus the Six Nations. Our ancestors were unified into a Confederation when our Peacemaker brought a message of unity-the Great Law-over a thousand years ago. This law became the foundation of democratic principles with a balance of duties among leaders. Chiefs and Clanmothers share duties with specific mandates of governance, ceremonies and communal life.

At the core of this life is a Thanksgiving that acknowledges all the elements that sustain us; the trees grasses, animals, birds, air, sun, moon, stars, rains, the Creator, and one another. An oral Thanksgiving is given daily by individuals, and at the beginning and end of all ceremonies, meetings, and other gatherings. The minds of those present are brought together in common thought, a calming reminder of our place in the universe. We are not a force to subjugate others, but a part of this whole life plan to live in balance with the rest of creation. We are to be thankful for our food and waters. This is much like the American holiday of Thanksgiving, but much more frequent.

At Onondaga, my community located minutes south of Syracuse in Central New York State, we just finished six days of ceremony to give Thanksgiving for this year's Harvest. Each day of ceremony has an important purpose and follows ancient protocol. During this time, the people gather at our Longhouse-a log building in the heart of our village. During ceremonies, individuals give personal Thanksgiving in speeches and songs, babies are named, foods are shared, sacred songs sung, sacred dances carried on, and our ancient games are played. We use wampum, drums and rattles in all our ceremonies. Throughout the year we will take this time out from work, school and other activities to attend and participate. We gather in ceremony when the sap flows from the maple tree in the early Spring, when it is time to plant, when the strawberries ripen, when the beans and corn are ready, when harvesting is done, and in the Midwinter. Some of our ceremonies are one day, not six like harvest. All of the Haudenosaunee communities carry on their ceremonies as handed down to them by their elders, and their elders before them.

When we are in ceremony at Onondaga, there are no meetings or business events held. This is one of the cultural differences that can be misunderstood by the general public. Our leaders will not be available, or even likely to return a phone call because this time has a spiritual purpose, and they are an integral part of perpetuating our way of life.

The Onondaga Nation is one of the last traditional forms of indigenous governments continuing to function in this country. Our leaders are chosen by a system of Clans. We have a Clanmother who works alongside of each Chief. The Clanmother will 'stand up' a Chief in a formal ceremony after deciding he is capable of leadership. We do not have elections. Our Council of Chiefs sits to discuss and decide every kind of issue-whether it's a domestic internal issue, or a meeting with state or federal agencies on a government to government basis. Our Council must be 'of one mind'-or reach a consensus on an issue for it to be passed, or become law.

We value our system of governance as it has served us well throughout history. Another important aspect of our decisions making process-as well as ceremonies-they are carried on in our native tongue, in Onondaga language. Today, we work hard to preserve Onondaga, because the English language has permeated all of our lives.

Our people work in many jobs as engineers, teachers, technicians, we constantly adjust to the fast paced world outside of our territory. But we also have an identity stemming from a long line of ancestors, for we are all a part of that way of life that has quietly survived the ages, and we are looking to hold the line for the generations yet coming

Skanoñh, that means 'Peace'.

## Meeting with Nations From New York

Since the last issue of the newsletter PennDOT and FHWA have met twice to consult with several of the Nations residing in New York state. Representatives of the Onondaga Nation, Tuscarora Nation, and Tonawanda Seneca Nation were able to make both meetings. The first meeting took place in June in Warren, Pennsylvania. The meeting was a chance to get to know each other better and to present some of the online electronic tools that are available to assist the Nations in their review of PennDOT project areas. The participating Nations took the opportunity to educate PennDOT and FHWA to some of the issues and opportunities to improve consultation and information sharing. Information about how PennDOT transportation projects are identified and developed was also presented.

The second consultation took place in October in Wellsboro, Pennsylvania. Again the Onondaga Nation, Tuscarora Nation, and the Tonawanda Seneca Nation were able to attend. A large segment of this meeting was again devoted to how PennDOT transportation projects are developed and where in that process Nation to Nations (Tribal) Consultation presently takes place. A new project planning and development process called Linking Planning and NEPA is being developed for roll out in early 2008 that will result in some Tribal Consultation occurring very early on in opportunities for consultation with the Nations much earlier in the planning/development of a project. As mentioned in the article on the first page this process will most likely result with the Nations and/or Tribes receiving additional information about the intent to develop a project from several new organizations in Pennsylvania. PennDOT and FHWA hope to continue to consult with the Onondaga, Tuscarora, and Tonawanda Seneca Nations and plan to initiate future consultations with the other Nations and Tribes in New York and will be consulting with the resident Nations and Tribes in Oklahoma and Wisconsin regarding the need for or appropriateness of future visits from FHWA and PennDOT to those states.

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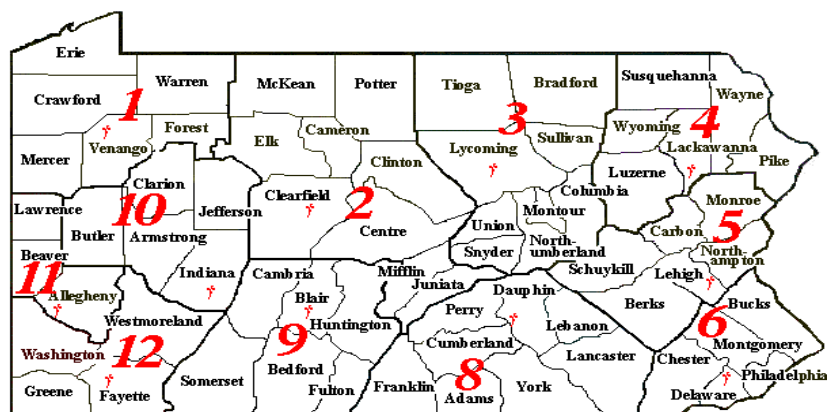
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## Announcements

The annual meeting for the **Transportation Research Board** will take place in Washington D.C. on January 13-17, 2008. During the meeting the **ADC-50-Archaeological Preservation in Transportation**, along with the sub-committee, **Tribal Issues in Historic Preservation** will meet. Visit [www.trb.org](http://www.trb.org) for a full list of meeting sessions or the committee's website at [www.itre.ncsu.edu/ADC50/index.htm](http://www.itre.ncsu.edu/ADC50/index.htm) for more information in the coming months.

As a reminder the **PA Tribal Consultation Handbook (Pub 591)** and **PA Tribal Consultation Handbook Appendix (Pub 592)** can be found at the following addresses:

Handbook:

<ftp://ftp.dot.state.pa.us/public/bureaus/BEQ/thb.pdf>

Appendix

<ftp://ftp.dot.state.pa.us/public/bureaus/BEQ/thpa.pdf>

The **Handbook** and **Appendix** are also available from PennDOT's website at [www.dot.state.pa.us](http://www.dot.state.pa.us). If you would like a hardcopy or a CD, please contact Michael Stanilla at 717-214-8713 or [c-mstanill@state.pa.us](mailto:c-mstanill@state.pa.us).

The **Advisory Council on Historic Preservation** : Native American Program offers training courses. They can be contacted directly for dates and locations. Valerie Hauser, Coordinator (202) 606-8530 [vhauser@achp.gov](mailto:vhauser@achp.gov)

The **Tribal Consultation Website** is up and running at <http://www.penndotcrm.org>. This page contains copies of the signed MOUs, a brief description of the consultation process, helpful publications, a list of tribal websites, and miscellaneous useful links. Once again, comments, criticisms, and suggestions are welcomed. New links, information, or corrections would be particularly useful. Please address any concerns to Joe Baker at [josebaker@state.pa.us](mailto:josebaker@state.pa.us).

### Continued from Page 1.

In developing the STIP and TIP, the State and MPOs/RPOs, shall provide an opportunity for participation by other interested parties in the development of the program prior to the final adoption by the STIP and TIP. The STIP and TIP must be consistent with the approved LRTP.

### Project Development

PennDOT and FHWA have been pursuing better integration of planning and project development. The MPOs and RPOs are required to take a closer look at the potential environmental impact of a project before it is listed on an approved TIP. While this environmental review will still be very preliminary, (i.e. archaeological survey work will not take place) the quality of the review will rely, in part, on earlier input from the Federally Recognized Tribes with an interest in a region. As PennDOT and FHWA continue to develop the Linking Planning and NEPA process Federally Recognized Tribes may receive request from the MPOs and RPOs asking them to share any information or concerns regarding the project location(s).

How and who would send the information to the Tribes and Nations, and when, are topics still being discussed between PennDOT and FHWA. In the recent consultations with the Onondaga Nation, the Tuscarora Nation, and the Tonawanda Seneca Nation, PennDOT and FHWA have discussed how Tribal Consultation might take place in the new process. We would like to participate in further consultation with all the Tribes and Nations to ensure that as Linking Planning and NEPA evolves, the interests of the Federally Recognized Tribes are incorporated in that process.

## Cultural Resources Geographic Information System

About five years ago PennDOT and the Pennsylvania Historic and Museum Commission (PHMC) created the Cultural Resources Geographic Information System (CRGIS). The CRGIS is a password protected database that depicts on USGS topographic maps, prehistoric sites, historic resources, and completed archaeological surveys. PennDOT and the PHMC are granting access for the 14 Federally Recognized Nations and Tribes that we consult with on transportation projects. The contact names we have will be provided to the PHMC. Please follow the link or cut and past this link to register <https://www.dot7.state.pa.us/ce/SelectWelcome.asp>

Is there a topic or a story you would like to include in the next issue of this newsletter? Please contact:

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### **FHWA Pennsylvania Division Administrator Announcement**

Renee Sigel has been named to the Pennsylvania Division Administrator position, effective March 2008. Renee currently serves as the Idaho Assistant Division Administrator for the Federal Highway Administration (FHWA), a position she has held since 2004.

In 2003 Renee served as the Community Planning Quality Coordinator in Central Federal Lands Highway Division, Lakewood, Colorado, where she was responsible for developing strategic objectives, measures, and activities in helping the National Park Service reduce congestion within National Parks. She also gained valuable experience while working in various Divisions including Utah and Maryland. She joined the FHWA in 1991 as an Environmental Protection Specialist in Harrisburg, Pennsylvania.