

Session 10: Building Collaboration and Dialogue with Native Nations

NYSAMPO CONFERENCE 2023

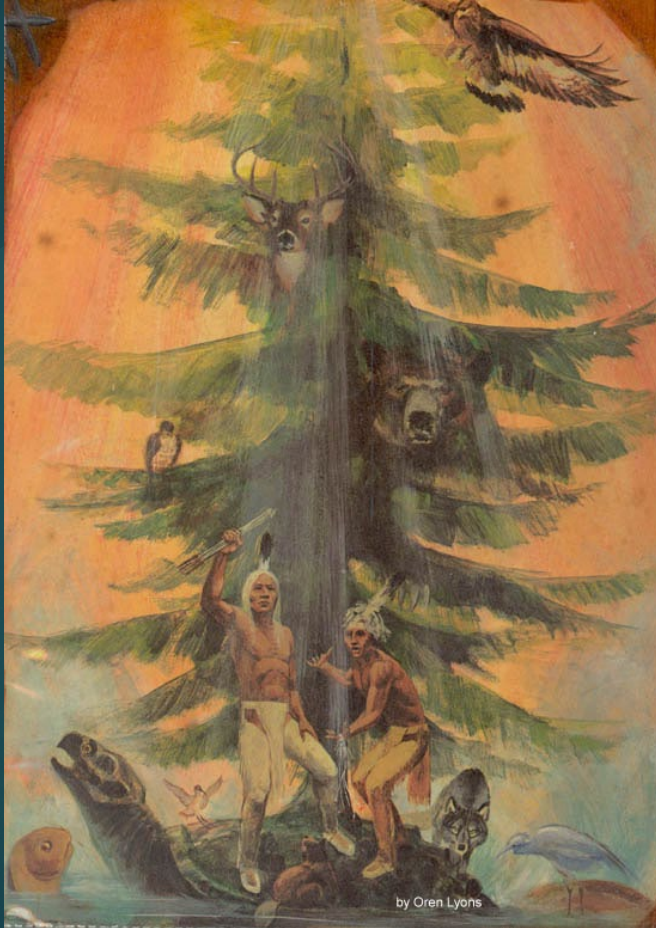
WEDNESDAY, MAY 10, 2023 9:30-10:30 A.M.

Understanding and Relating to Native Nations

- History of the Haudenosaunee
- Haudenosaunee Traditional Governance Systems
- Traditional Territories and The Canandaigua Treaty of 1794
- Building Collaboration and Dialogue with Native Nations



Haudenosaunee - People of The Longhouse



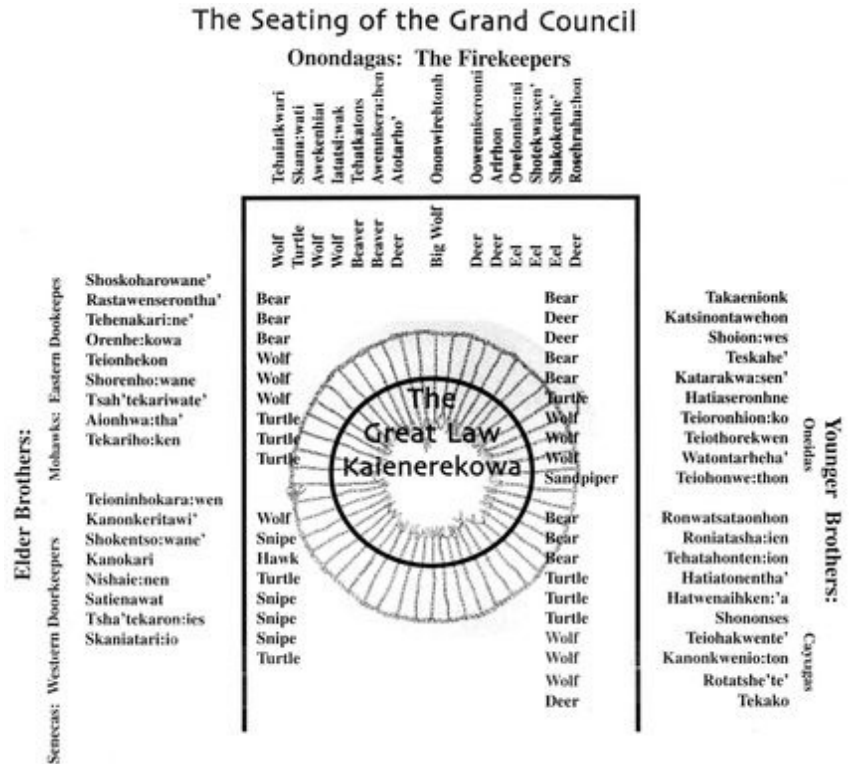
History of the Haudenosaunee and guiding principals

- Becoming Haudenosaunee - The arrival of the good mind and establishing The Great Law of Peace
- 5 original member nations and the joining of Tuscarora
- Principals of The Great Law of Peace - Peace, Power, and Righteousness, White Roots of Peace, The Faces yet born.

Haudenosaunee Traditional Governance System

The Haudenosaunee govern themselves through an ancient process set for by the Great Law of Peace.

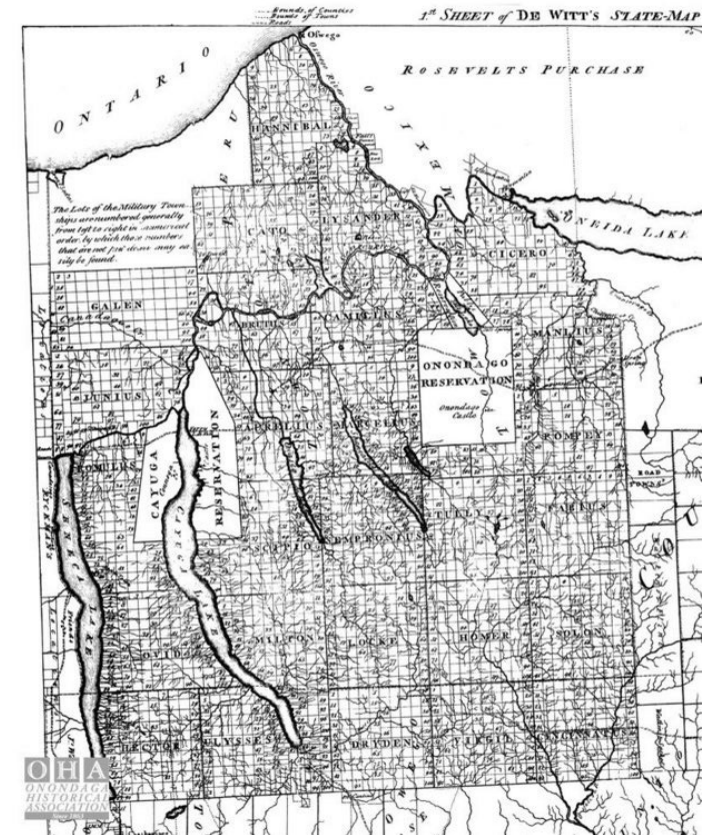
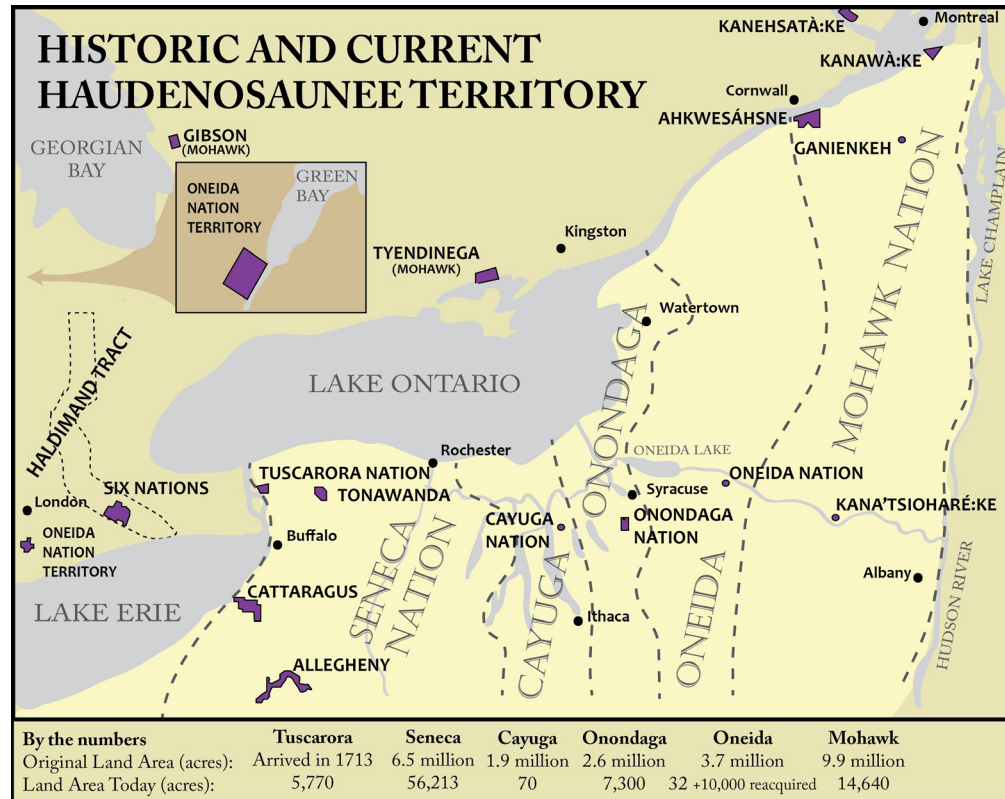
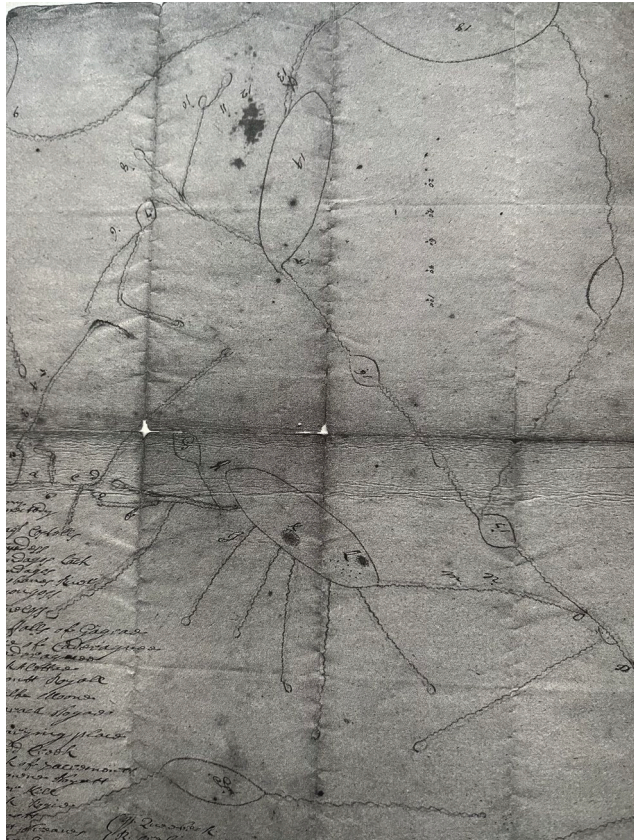
- The Grand Council / Confederacy Council - This is the highest form of government for the Haudenosaunee. Grand Council is made up of all member Nations.
- Nation Councils - Nation councils have a certain amount of autonomy to govern themselves, and address more localized issues.
- The Clan system - Every nation is made up of Clan families. The Clan representatives are responsible to carry the voices and concerns of the clan family into the council setting.



Traditional Lands and Treaties

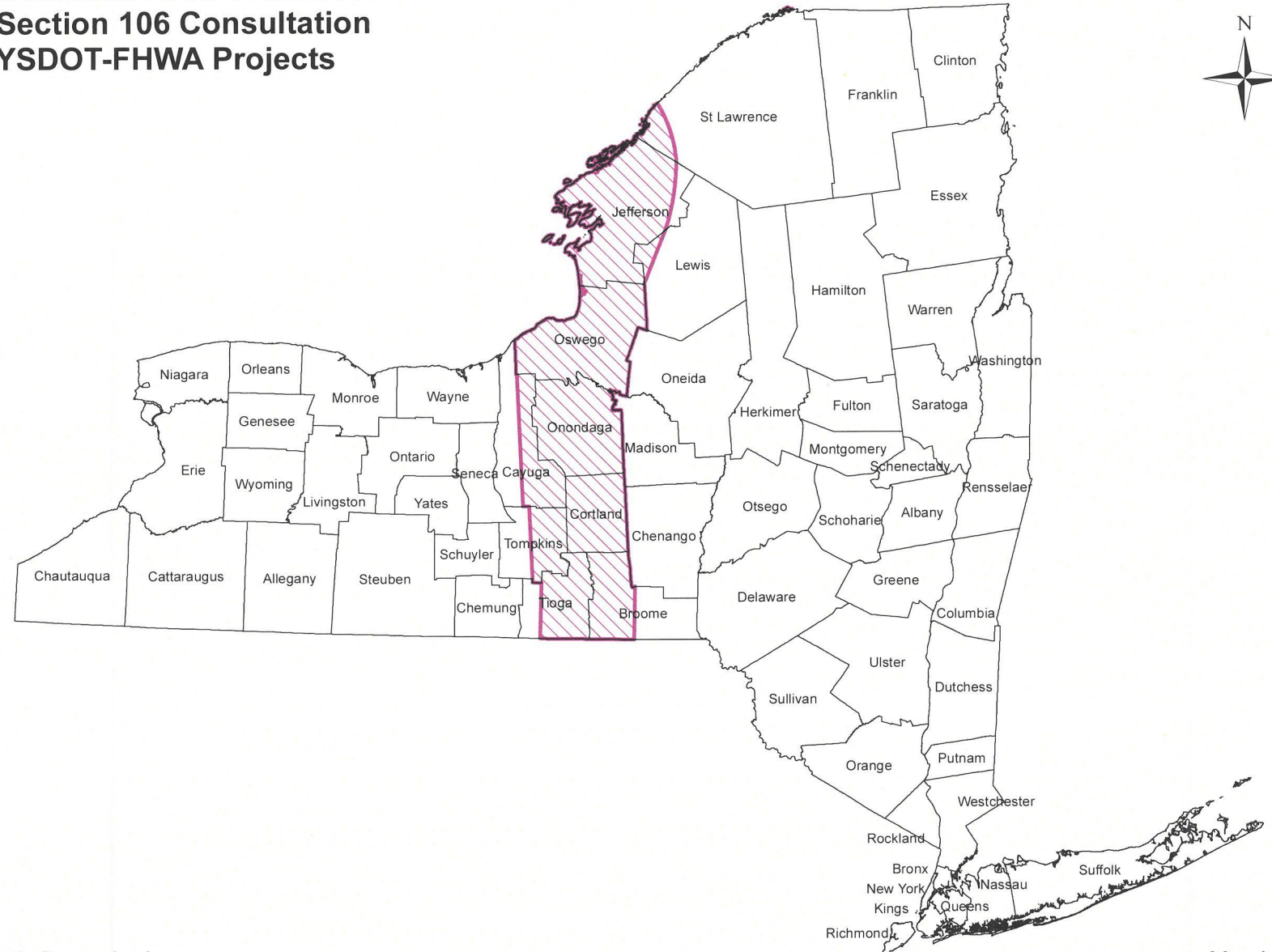
- One Dish - first agreement of the Haudenosaunee amongst themselves. All have the right to live peacefully and enjoy shared resources. There are no solid lines or land boundaries.
- “Treaties are the supreme law of the land” - United States Constitution
- 1790 Non-Intercourse Act, Only the federal government is able to negotiate in land issues with Native Nations.
- Canandaigua Treaty of 1794 - Establishes territory boundaries and codifies the rights of self determination for the Haudenosaunee as well as “free and clear use and enjoyment” on ceded and unceded territory.

Historic and Current Territory



- Onondaga territory originally 2.6 million acres.
- Today, 7,300 acres south of Syracuse.

**Tribal Nations Area of Interest
For Section 106 Consultation
NYSDOT-FHWA Projects**



**Federally Recognized
Tribal Nations**

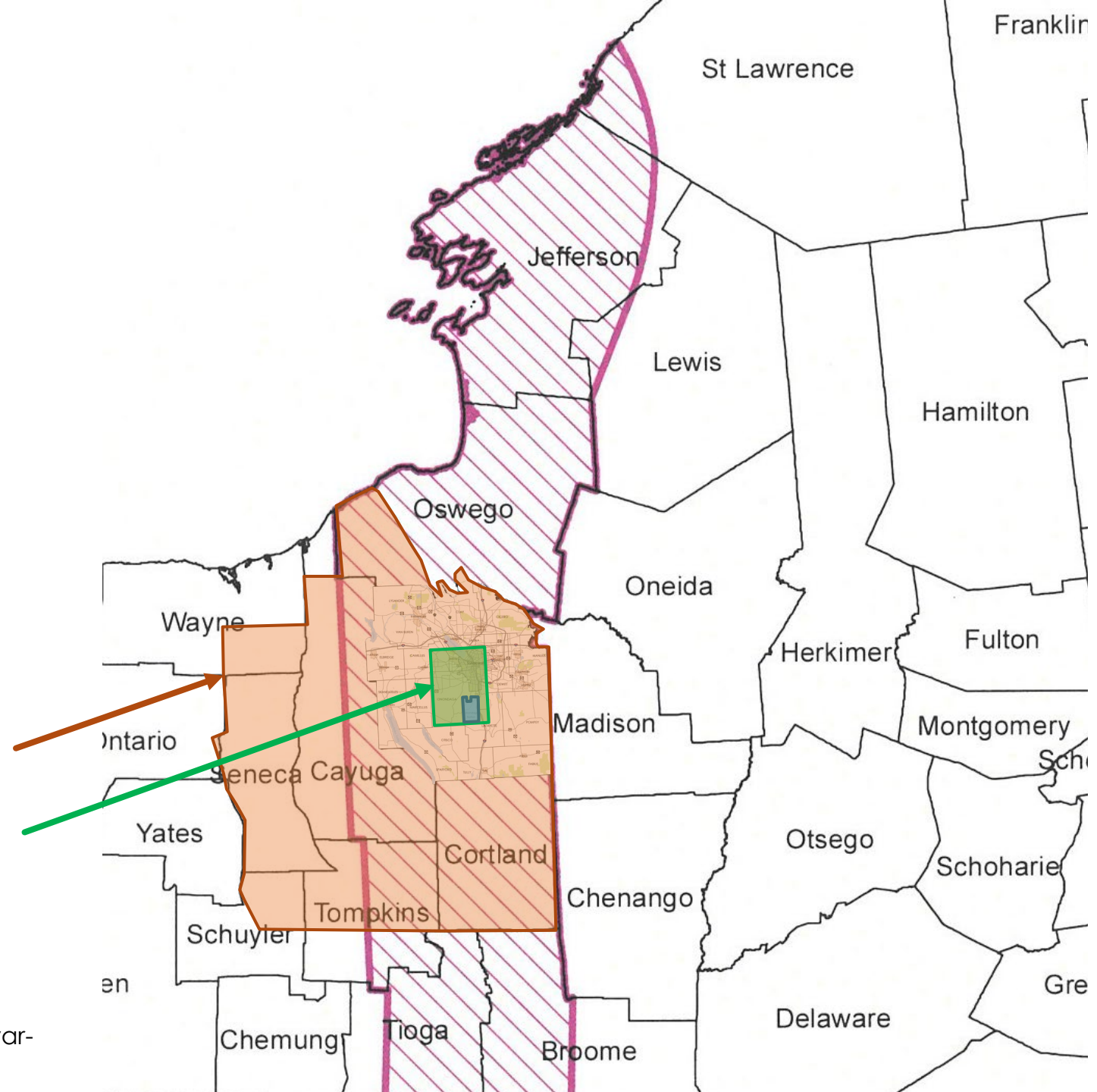
 Onondaga Nation

March 2018
NYSDOT Office of Environment

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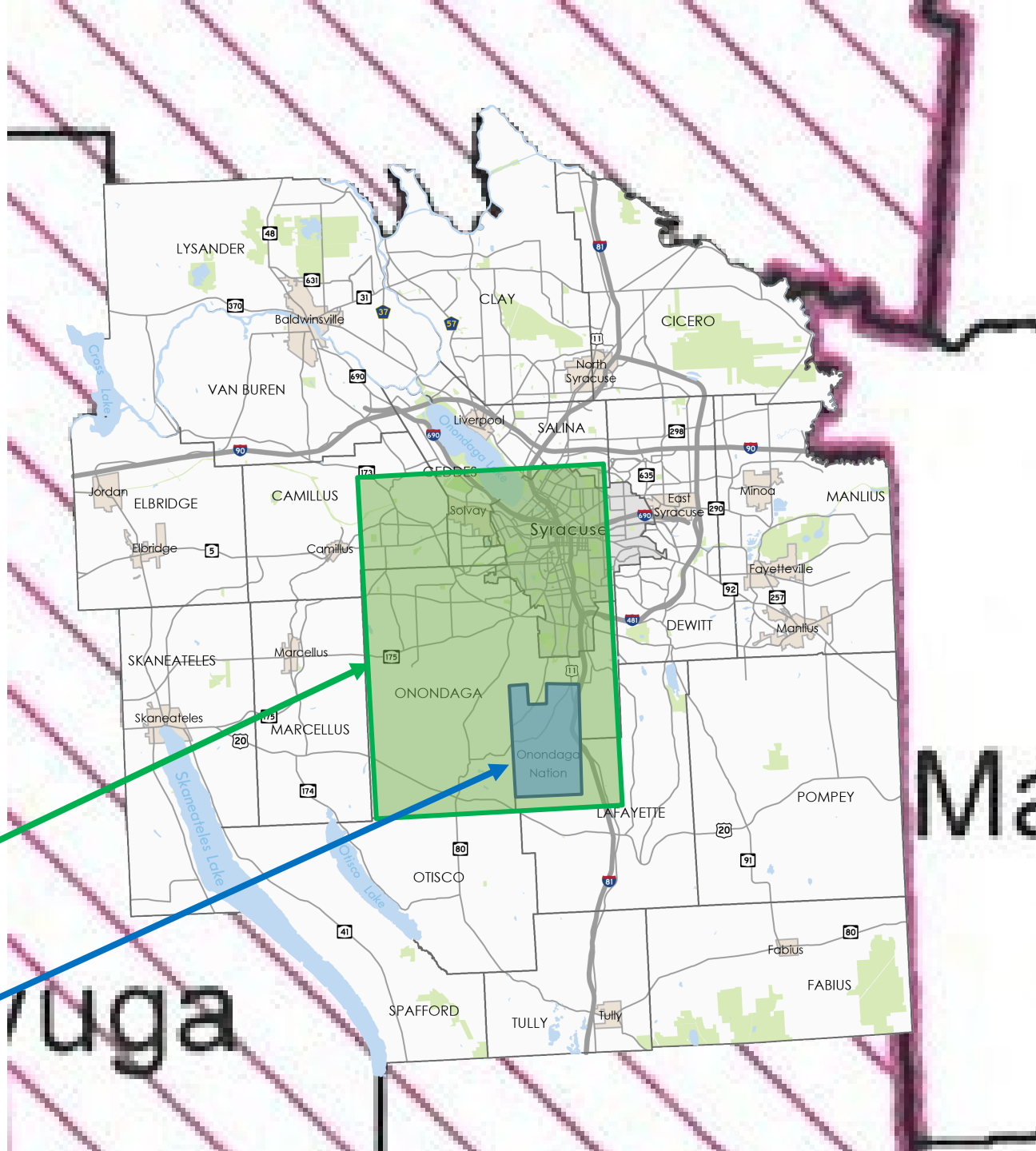
Approx. boundary of Military Tract

Approx. boundary of "Onondaga Reservation" as identified in Military Tract map

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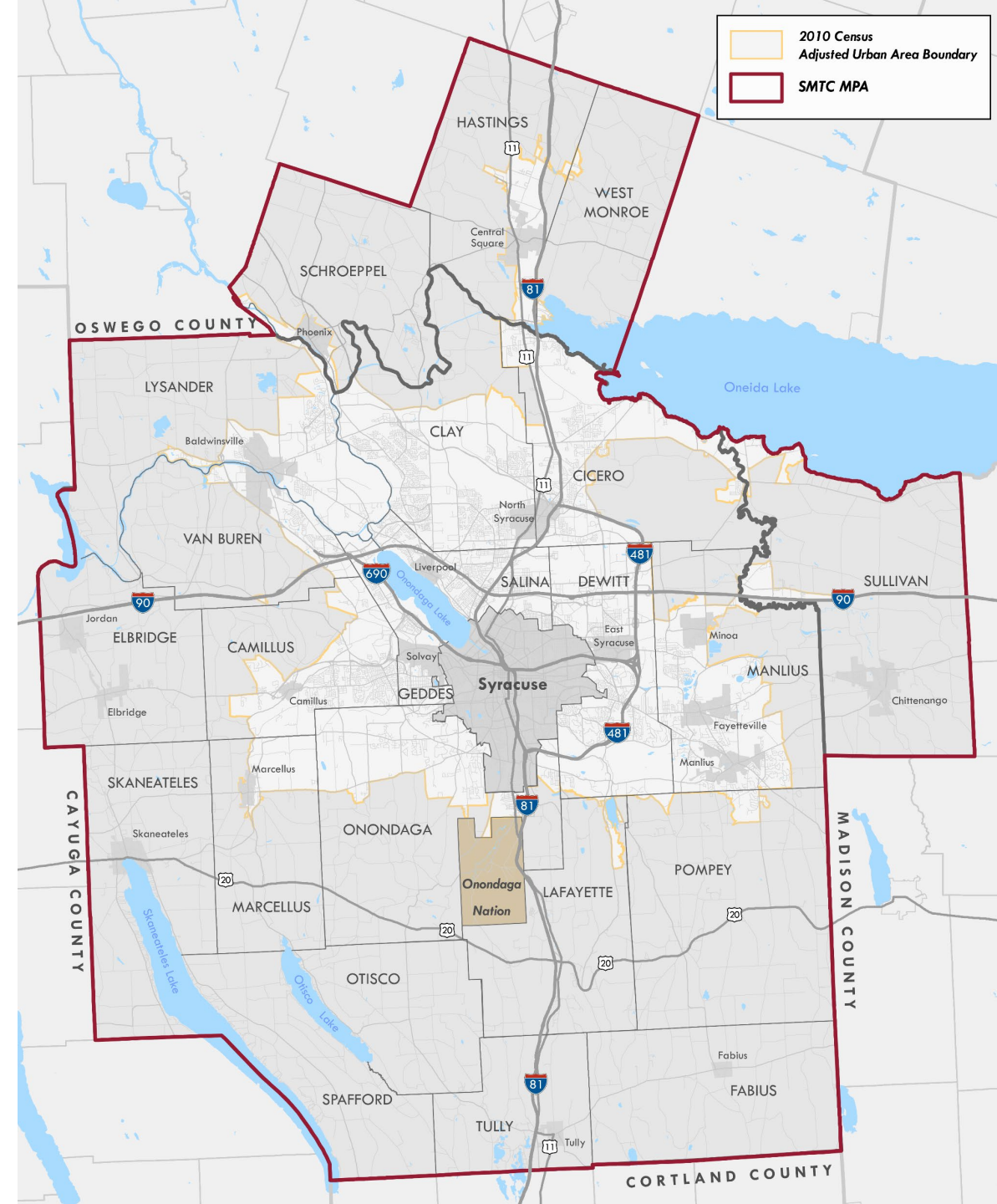
Approx. boundary of "Onondaga Reservation" as identified in Military Tract map

Onondaga Nation today



The SMTC planning area

- Our Metropolitan Planning Area (MPA) includes:
 - All of Onondaga County
 - Town of Sullivan in Madison County
 - Towns of West Monroe, Hastings, Schroepfel, and small portion of Town of Granby in Oswego County



Connecting with the Haudenosaunee and The Onondaga Nation

- Haudenosaunee Environmental Task Force (HETF)-
<http://www.hetf.org/>
- Haudenosaunee External Relations Committee
- Haudenosaunee Documentation Committee-
<https://www.haudenosauneeconfederacy.com/departments/haudenosaunee-documentation-committee/>
- Onondaga Administration Building and Nation website -
<https://www.onondagation.org/> 315-469-0302

MPO responsibilities

23 CFR 450.316 Interested parties, participation, and consultation.

(c) When the MPA includes Indian Tribal lands, **the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.**

(e) MPOs shall, to the extent practicable, **develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies**, as defined in [paragraphs \(b\), \(c\), and \(d\)](#) of this section, which may be included in the agreement(s) developed under [§ 450.314](#). *(Note part c, above, specifies “Indian Tribal governments”)*

23 CFR 450.324 Development and content of the metropolitan transportation plan.

(f)(10) A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan. The discussion may focus on policies, programs, or strategies, rather than at the project level. **The MPO shall develop the discussion in consultation with applicable Federal, State, and Tribal land management, wildlife, and regulatory agencies.** The MPO may establish reasonable timeframes for performing this consultation

Consultation

means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken.

23 CFR 450.104 “Consultation”

[https://www.ecfr.gov/current/title-23/chapter-I/subchapter-E/part-450#p-450.104\(Consultation\)](https://www.ecfr.gov/current/title-23/chapter-I/subchapter-E/part-450#p-450.104(Consultation))

Consultation

- Is more than just making information available or providing an opportunity to comment
- Includes two-way communication between all parties
- Involves consideration of all ideas and viewpoints

Consultation vs. Public Involvement

- **Public involvement**

- Typically associated with a specific action and for a set period of time (ex: public comment period on the TIP, public meeting for the LRTP, etc.).
- Audience is individuals.

- **Consultation**

- An on-going process, but separate from other public involvement efforts (i.e. separate from MPO committee meetings and public meetings/engagements).
- Audience is tribal government.
- Consult with tribal leadership about most effective ways to seek involvement from individual tribal members in the public involvement process.

NYSDOT Native Nations Planning Consultation Procedures

- Drafted with FHWA, as a starting point for collaboration
- Shared with 8 federally-recognized Native Nations in the State
- Shared with MPOs in late March 2023.

“Projects impacting tribal land within the boundary of an MPO Metropolitan Planning Area (MPA) are coordinated through the MPO with involvement from the appropriate NYSDOT Regional office(s).”

SMTC Committee Membership

POLICY

CenterState Corporation for Economic Opportunity
CNY Regional Planning & Development Board
CNY Regional Transportation Authority
City of Syracuse - Office of the Mayor
City of Syracuse Common Council President
City of Syracuse Planning Commission
Empire State Development Corporation
NYS Department of Environmental Conservation
NYS Department of Transportation
NYS Thruway Authority
Onondaga County - Office of the County Executive
Onondaga County Legislature – Chair
Onondaga County Planning Board
Non-Voting / Advisory Agencies
Federal Aviation Administration
Federal Highway Administration
Federal Transit Administration
Madison County Board of Supervisors – Chair
Onondaga Nation
Oswego County Legislature - Chair

PLANNING

CenterState Corporation for Economic Opportunity
CNY Regional Planning & Development Board
CNY Regional Transportation Authority
City of Syracuse Administration
City of Syracuse Division of Planning
City of Syracuse Dept. of Public Works & Engineering
Empire State Development Corporation
NYS Department of Environmental Conservation
NYS Department of Transportation
NYS Thruway Authority
Onondaga County Department of Transportation
Onondaga County Legislature
Syracuse-Onondaga County Planning Agency
Non-voting / Advisory Agencies
Madison County Planning Department
Onondaga Nation
Oswego County Community Development, Tourism, and Planning Department

EXECUTIVE

CNY Regional Planning & Development Board
CNY Regional Transportation Authority
City of Syracuse
NYS Department of Transportation
Onondaga County
Syracuse-Onondaga County Planning Agency

Route 11 Onondaga Nation – Nedrow Mobility Study

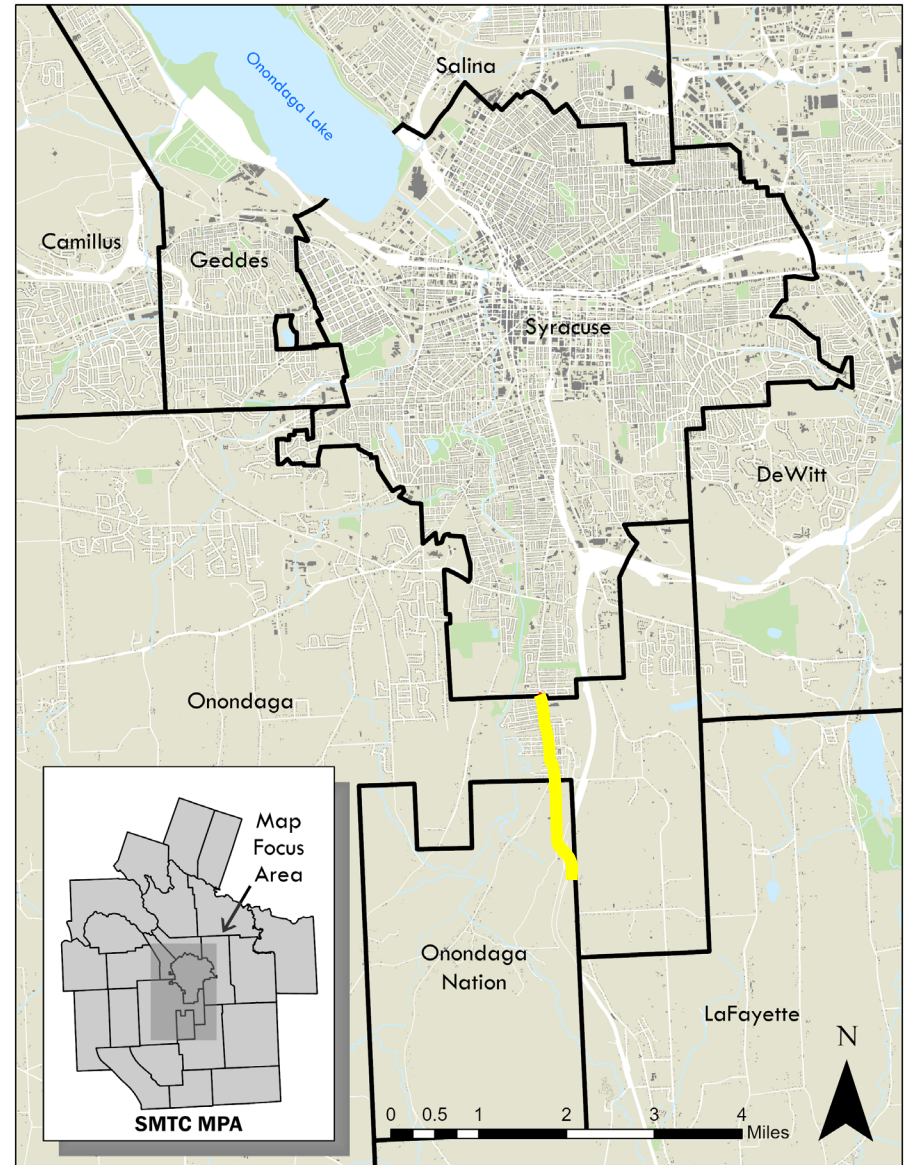
Study Advisory Committee

- Onondaga Nation
- Town of Onondaga
- SOCPA
- NYSDOT
- Centro

Public Meeting Focus Area

Full Study Area

Context



Improving Consultation

New York City metropolitan region



Algonquian

Always Sovereign

SHINNECOCK INDIAN NATION

THE GREAT SEAL OF



Shinnecock Bay

Introduction & Acknowledgement

Lauryn Randall, Transportation Coordinator, Shinnecock Indian Nation

LOCATION

The Shinnecock, the People of the Stony Shore, have lived on East End of Long Island, New York since time immemorial.

Today, the Shinnecock Territory consists of “The Neck”, an 800-acre peninsula that juts into the Shinnecock Bay and is about two miles west of Southampton, NY, and

“West Woods”, a 100-acre parcel overlooking the Peconic Bay, east of Hampton Bays, NY.

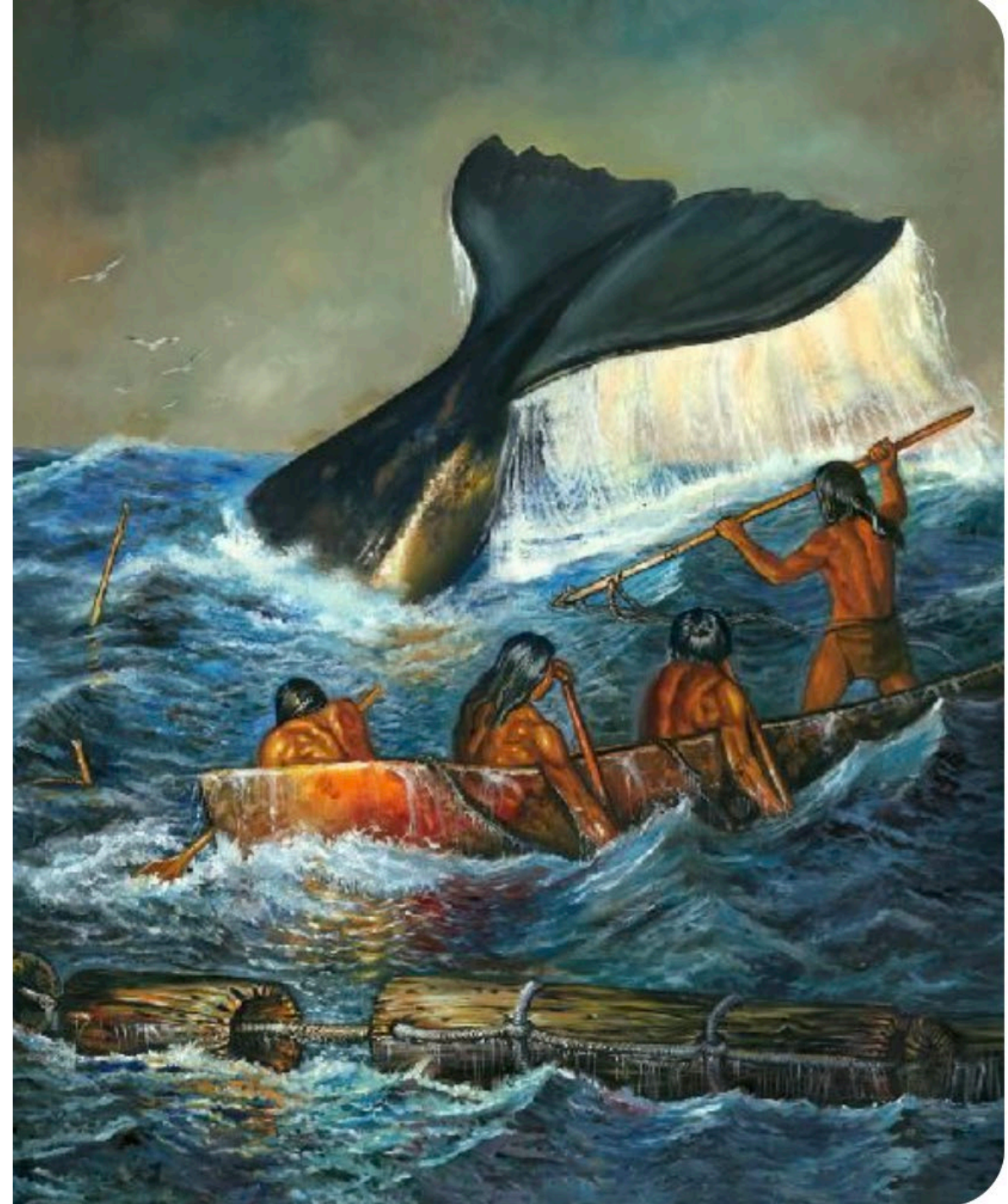




SHINNECOCK HISTORY

- LANGUAGE: ALGONQUIAN
- DWELLINGS: WIQÁM
- TRAVEL: DUGOUT CANOE
- SUSTENANCE: WHALING, HUNTING, GATHERING, FARMERS OF THE LAND AND SEA
- WAMPUM MAKERS

Paintings by David Martine, Shinnecock



Governance

- The Shinnecock People used a consensus form of governance that included both men and women.
- In 1792, the Proprietors of Southampton and New York State imposed a trustee system of three men, elected yearly by the men of the Tribe, 21 years and older. Women were completely disenfranchised.
- This system stayed place for 200 years. In 1992 women regained the right to speak in Tribe meetings. In 1994 women gained the right to vote for Tribal Trustees and in Tribe Meetings.
- Majority rule (voting) was used for Trustee elections, but consensus decision continued to be used in Tribe Meetings.
- In 2013, the Trustee Board was increased to seven members.

NYSDOT

- Prior to 2010, the Shinnecock Nation (Nation) was a state recognized tribe.
- Nearly 80 years ago by NYSDOT built tar roads on the territory. Over the decades NYSDOT repaired and replaced the roads with oil and sand, oil and blue stone and finally with blacktop asphalt.
- Over the decades NYSDOT maintained the roadways, the rudimentary drains, controlled vegetation and conducted snow and ice removal.
- In 2016, NYSDOT abruptly stopped all road maintenance activities. The Nation has struggled to maintain the deteriorating roadways and overgrown road shoulders.
- Recently, NYSDOT has invited the Nation to collaborate and formalize a planning process to address its needs and concerns.



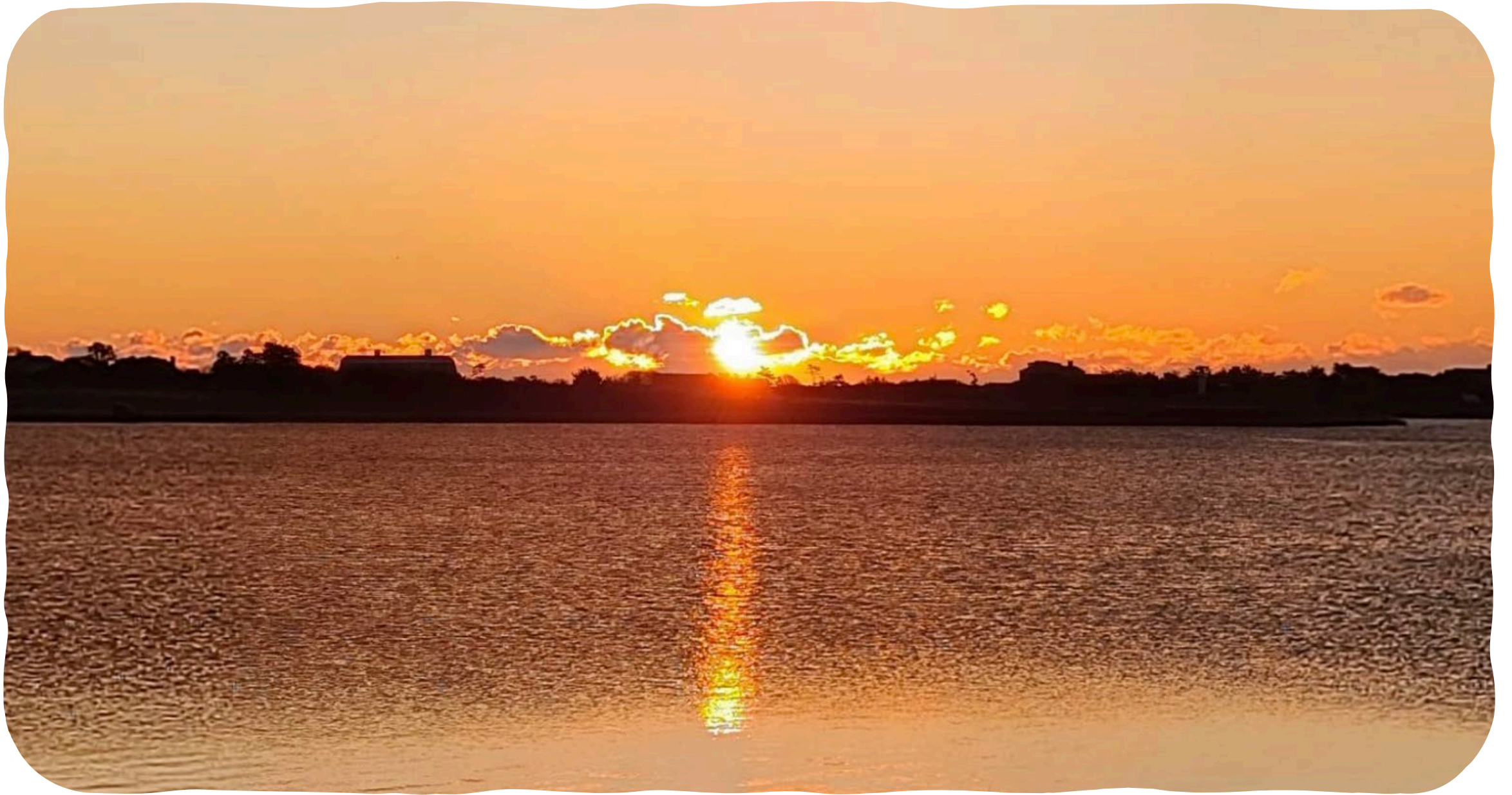
SHINNECOCK INDIAN NATION

Comprehensive Roadway Infrastructure Planning and Design Project

NYMTC

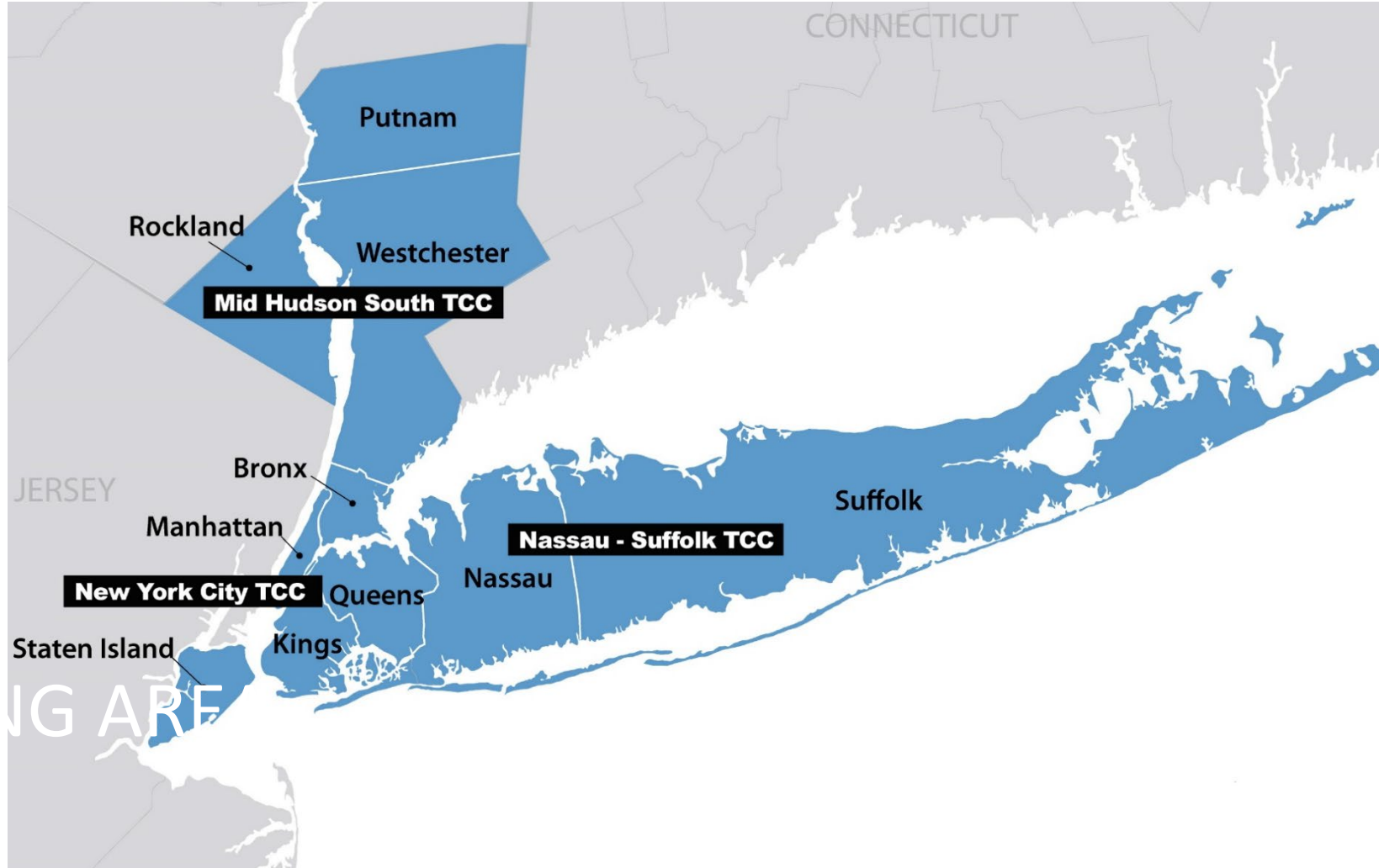
- In 2010, the Shinnecock Nation was Federally Acknowledged, meaning the United States of America and the Shinnecock Nation established a government-to-government relationship.
- Subsequently the Nation contracted with the Bureau of Indian Affairs (BIA), for funding to conduct Tribal Transportation Planning (TTP).
- In 2018 the Nation and NYMTC began a dialogue in accordance with 25 CFR 170.
- In 2022 the Nation was awarded a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant and is working NYMTC to program the funding.





WUNNISH

NYMTC's Planning Area



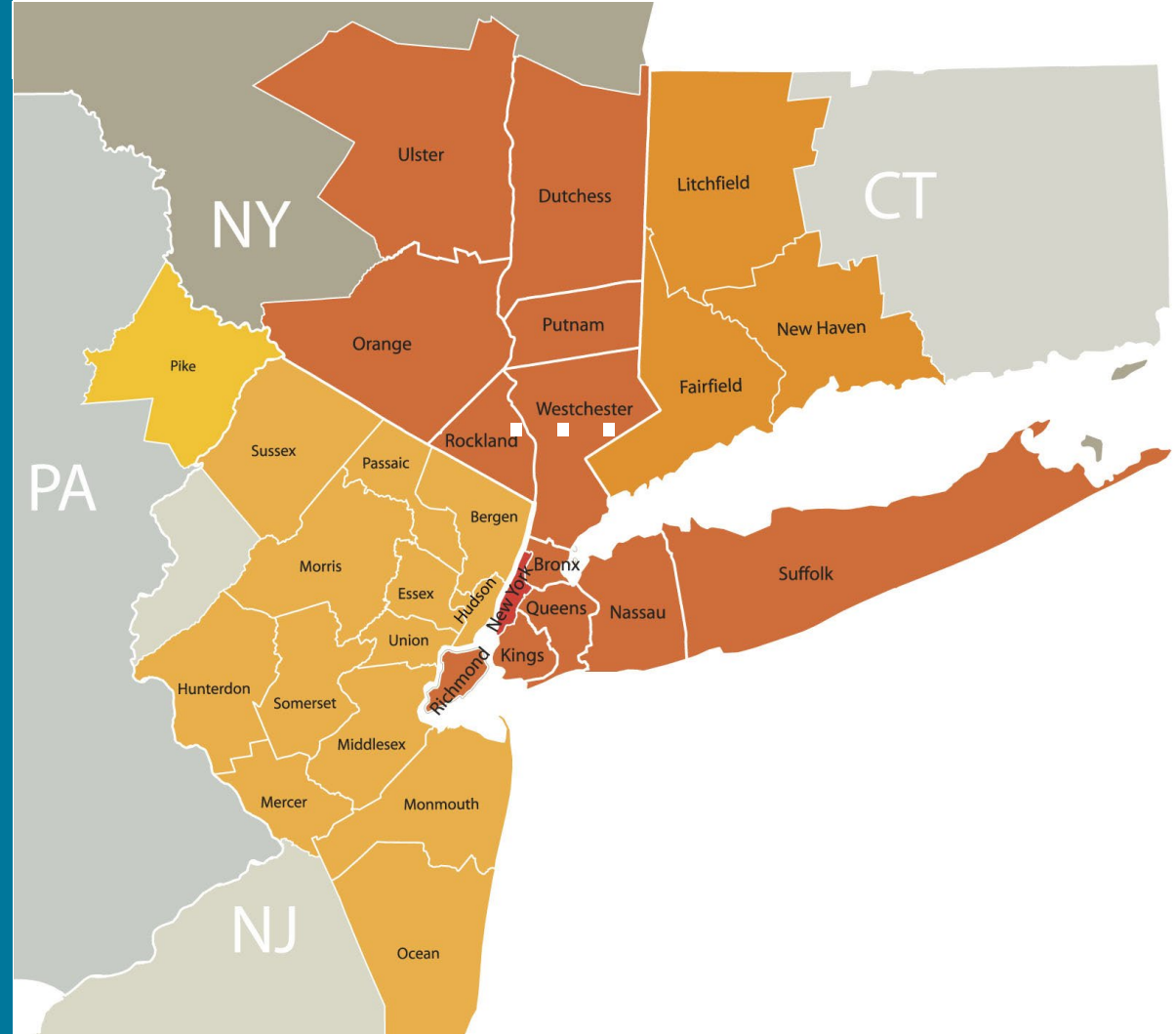
NYMTC Membership



Advisory



*A large, complex
multi-state region . .*



Ancestral Lands of Indigenous Nations



Ancestral Lands of Indigenous Nations





Lenape-Delaware Forced Migration

Communication and Consultation

An Evolving Process

Official communication upon federal recognition

Addition to distribution list

Native Nations coordinator

Information sharing with Shinnecock transportation coordinator

Enhanced Consultation

- 2022 Public Involvement Plan
- Participation in most recent federal Certification Review
 - Native Nations operating procedures and consultation plan
 - Speakers' Bureau: "MPO 101" presentation
- NYMTC staff Native Nations coordinator
 - Information sharing & regular meetings with Shinnecock transportation coordinator
- Shinnecoeks' involvement in –
 - Planning product development,
 - Relevant technical and subarea studies,
 - Advsiory Working Groups (initially the Safety Advisory Working Group)

Thank you!!

