



RESEARCH TEAM: Tribes and new institutional means of participation in regional planning and development

Grand Challenge: Tribal Participation in Regional Planning Processes

Key Terms:

Tribal transportation planning, environmental justice, conservation, culture, participation

Student Leader/Data entered by: [Maria Sotero](#)

Student Members/Student Research Project Titles:

- [Maria Sotero](#) The Architecture of Equitable Participation: Space, History, and Culture in Tribal/ MPO Relations
- [Greg Greenberg](#) Tribal Efforts in Planning and Cultural Heritage Conservation
- [Cecilia LaVariega](#) The Tribal Consortium Enhances Tribal/State Coordination Efforts

Mentor(s) Leader:

- Jane Clough-Riquelme
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Research Team Narrative

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The U.S. Constitution and treaties recognize Native American communities as sovereign nations (i.e. separate and independent political communities) within the territorial boundaries of the United States. In the San Diego region, there are 18 federally-recognized Tribal nations – the most in any county in the United States. In our region, Tribal nations face many unique and complex challenges ranging from economic

development, access to basic infrastructure and health services to greater vulnerability from exposure to environmental hazards and toxics, issues which are often magnified by a lack of communication with local and regional government agencies (Stigler and Sarabia 2007; UCSD SBRP 2007). Over the years, Tribal governments have been frustrated by the complexity of working with various local entities and being overlooked in the regional planning processes, which may affect their communities.

The current government-to-government relationship is a federal/Tribal relationship, the origin of which flows from historical treaties, federal statutes and U.S. Supreme Court decisions. Government-to-government relations between regional planning agencies, local governments, and counties is voluntary, however regional transportation agencies are required by federal law to consult with tribes in the development of the various planning processes, including the Regional Transportation Plan (RTP). Tribes are surrounded by local and county governments; each jurisdiction impacts the other in the regional landscape. As land use authorities within their own nations, Tribal governments involvement in regional planning processes is imperative.

In March of 2006 the Southern California Tribal Chairmen's Association (SCTCA) and San Diego Association of Governments (SANDAG) co-hosted the San Diego Regional Tribal Summit to discuss issues of mutual concern. Discussions included the identification of needs and priorities in the areas of government relations, development and transportation planning, environment, public health and cultural preservation, among many others.

At that Summit, the Tribal nations requested that SANDAG hold discussions to include Tribal representation at the regional planning agency. The leadership of the SCTCA and SANDAG met and agreed upon a plan for including representation of Tribal interests within their agency. In January of 2007 the SCTCA and SANDAG signed a Memorandum of Understanding (MOU) in which the two agencies agreed to have the SCTCA join SANDAG. The SCTCA sits as an advisory member on the SANDAG Board of Directors and its four Policy Advisory Committees (Transportation, Regional Planning, Public Safety, and Borders), providing a Tribal voice in regional planning efforts.

Research Team Activities

The purpose of this internship was to assist the SCTCA representatives in their involvement on SANDAG Policy Advisory Committees. On October 16, 2008 the research team students attended the SCTCA Board meeting on the Barona Reservation and were introduced to the Tribal leaders. At a luncheon following the meeting, the team was able to meet directly with the SCTCA representatives to SANDAG and discuss possible topic areas for their research that would be beneficial to the SCTCA.

At the end of October, San Diego was devastated by a firestorm which ravaged several Tribal reservations, including La Jolla, Rincon and Mesa Grande. The recovery process became the priority for the SCTCA Board in the months that ensued, therefore the UCSD students focused on policy issues they could pursue with relative autonomy in order to keep with their academic schedule.

The USP students participated in the November meeting of the Borders Policy Advisory Committee that focused entirely on Tribal issues. Although not formally involved in the research team, USP student *Midori Wong* did conduct timely research on the 2007 Firestorm and its impact on the Tribal reservations. She prepared speaking points and a map of the fires overlaid with the reservations in support of Chairman Chris Devers (Pauma), the SCTCA representative to the Borders Committee. The Borders Committee agenda also included a presentation by Hon. Anthony Pico, former Chairman of the Viejas Band of Kumeyaay Indians. Chairman Pico provided an overview of Tribal sovereignty issues and the importance of collaborative planning. In addition, reports were presented on various Tribal transportation planning projects that the Interagency Technical Working Group on Tribal Transportation Issues oversees, including the Tribal Transit Feasibility Study and the Tribal Transportation Demand Management Outreach Project. The Committee meeting was filmed by USP Professor, Keith Pezzoli, for the USP Web site.

Maria Sotero focused her research project on the development of the government-to-government framework that SANDAG and the SCTCA are building. There are no specific guidelines for Metropolitan Planning Organizations (MPOs) to follow with regard to Tribal relationships. The SCTCA has traditionally been an intertribal council that has focused on the needs among the Tribal community rather than between tribes and non-Tribal communities. Using a framework of equitable participation, Maria looked at the relationship between the two entities in terms of history, space, and culture. Staff and elected officials -from both the Tribal and non-tribal side- have been successfully developing a way to work together. Maria determined that SANDAG and SCTCA are steadily building an institutional basis for collaboration and becoming more effective at addressing mutual needs and priorities. She concluded that this was a true collaboration beyond the minimal federal requirement; however there is still room for improvement.

Cecilia LaVariega's research focused on a specific aspect of the Tribal-MPO relationship – transportation. This was highlighted at the 2006 San Diego Regional Tribal Summit as a key issue for both agencies to discuss and find possible solutions to various issues raised. Her project was based on participant observation of an environmental justice project in which SANDAG and the Reservation Transportation Authority (RTA) have partnered to look at how Tribal enterprises can develop Transportation Demand Management (TDM) programs for their employees. Cecilia formed part of the Project Development Team during the training stage of the project. Her observations turned on the unique situation of Tribal governments as potential participants in TDM programs, as well as the dynamics of developing a Tribal model for a Transportation Management Association (TMA). TDM is one potential bridge to help reconcile the transportation needs of tribes that are located in rural unincorporated areas of San Diego. Projects such as this, with an environmental justice focus, improve access to jobs, help promote good air quality, and strengthen neighborhoods. Overall, her research found that this type of project can serve as a catalyst for Tribal enterprises to work together and with the regional transportation planning agency to reduce congestion, support their employees by increasing their commuting options, and contribute to reducing their carbon footprint through less vehicles on the road.

Greg Greenberg's research focused on the archeological equity issues of cultural preservation. When examining Tribal cultural heritage preservation in the region, it can be seen that there have been significant challenges. Greg selected two case studies to examine how agencies interact to resolve cultural resource issues: Kuuchamaa Mountain and the Chancellor's House at UCSD. The main element of success in the Kuuchamaa Mountain case of cultural preservation – the most sacred site of the Kumeyaay people—was the degree of strong communication between the agency and the tribe, as well as collaboration with a professional anthropologist. The Tribe was able to clearly demonstrate the significance of the sacred site to their people and the Bureau of Land Management was able to respect their perspective. On the other hand, in the case of UCSD's Chancellor's house there was a major lack of communication on the part of the agency involved. In addition, there still appears to be strong differences that come in to play between anthropologists and tribes in the region. His findings were that divisions and complex religious beliefs within the Kumeyaay Nation itself may be preventing a more successful approach to collaboratively and proactively preserving sites.

Concluding Thoughts

Building a solid institutional structure for government-to-government relationships that results in solid policies and tangible results is a long process. This research team focused on just three aspects of a complex relationship between SANDAG as a Metropolitan Planning Organization (MPO) and the SCTCA. It will be critical for the next generation of the USP Senior Sequence to continue to build on this body of research, exploring other aspects of this relationship and the planning issues that are critical to Tribal nations in the region. Future student research may focus on other Tribal priorities including those dealing with environmental health.

References:

Douglass, John G., Cindi Alvitre, and Jeffrey H. Altschul. 2005. The Politics of Archaeology. Society of American Archaeologists. 5: 11-15.

King, Thomas F. 2003. Places That Count. Walnut Creek, CA: AltaMira Press.

Stapp, Darby C. and Michael S. Burney. 2002. Tribal Cultural Resource Management. Walnut Creek, CA: AltaMira Press. Lane, Marcus, and Michael Hibbard. "Doing It For Themselves: Transformative Planning by Indigenous People," Journal of Planning Education and Research Vol. 25: 172-184. (Association of Collegiate Schools of Planning, 2005)

California Department of Transportation. "SR-76 East Corridor Study." Paper presented at the November tribal transportation meeting. San Diego, November 30, 2007

Links:

1. SANDAG
Available at: <http://www.sandag.org/index.asp>

2. WAN Conservancy
Available at: <http://www.wanconservancy.org/pr/>
3. County of San Diego Guidelines for Determining Significance
Available at:
http://sdcountry.ca.gov/dplu/Resource/docs/3~pdf/Cultural_Guidelines.pdf
4. 2004 LRDP Environmental Impact Report
Available at:
<http://physicalplanning.ucsd.edu/LRDP2004/EIR/default.htm#LRDP>
5. About SANDAG
Available at: <http://www.sandag.org/index.asp?fuseaction=about.home>