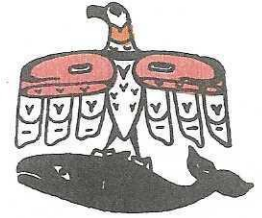


# MAKAH TRIBAL COUNCIL

P.O. BOX 115 • NEAH BAY, WA 98357 • 360-645-2201



IN REPLY REFER TO:

Dennis Engel, Multimodal Planner  
Washington State Department of Transportation  
Olympic Region office

**DATE**

**RE:** Public Authority Letter of Acknowledgement

To: Dennis Engel,  
The Makah Tribe has identified portions of the WSDOT transportation system in the Olympic Region they wish enter into an Intergovernmental Memorandum of Agreement (MOA).

In 2001 the Makah Tribal Council added the 23 miles of SR 112 to the Makah Tribe Federal Highway Administration National Tribal Transportation Facility Inventory (NTTFI). The attached strip maps provide details on the specific location of the transportation facilities. The Makah Tribe purposes to enter into an Intergovernmental Memorandum of Agreement with WSDOT. These transportation facilities are crucial to Tribal member's access to goods and services, existing and potential economic development as well as emergency evacuation and response. Tribal members use these transportation facilities for daily living and access to schools, employment, shopping, healthcare, and traditional and recreational activities.

The Makah Tribal Council acknowledges, WSDOT is responsible for the maintenance of these transportation facilities and the Tribe ensures this MOA will not impact that responsibility in any manner. In sanctioning the MOA, will however, enable this transportation facility eligible for additional federal funding opportunities which currently are not accessible. In no way does this action render WSDOT less responsible for the roads or in any way impact roadway jurisdiction, ownership, or maintenance responsibility. Your jurisdiction's ability to continue to include this transportation facility in (and receive funds from) other inventory systems or programs will remain.

WSDOT understands the importance of this route to the Makah Tribe and is aware that these roads may need maintenance or improvement at present and in the future to maintain public safety. If the Tribe, with full approval from, and in full coordination with, WSDOT, does perform roadway improvements to any of these transportation facilities, Clallam County agrees to continue the required maintenance on the roads as it is presently WSDOT's responsibility.

Therefore, in accordance with 25 CFR, Part 170, the Makah Tribe in conjunction with WSDOT is acknowledging the BIA DOT route(s) from the NTTFI.

Sincerely,

---

Timothy J. Greene, Sr., Chairman

---

WSDOT Representative

## Letter of Acknowledgement

This document describes the intent and purpose of the presented Letter of Acknowledgement (LOA) document. This is a required attachment as detailed in regulations (Federal Register 25 CFR, Part 170.446) which govern the Tribal Transportation Program (TTP) and the National Tribal Transportation Facility Inventory (NTTFI). This program is jointly administered by the Bureau of Indian Affairs Department of Transportation (BIA-DOT), the Federal Highway Administration (FHWA), and Tribal Transportation Departments across the Nation. The TTP is a federal funding set aside program established in the National Highway Bill, currently the FAST Act, which provides funds for Tribes to maintain, improve, and develop new transportation facilities.

The TTP System is not just an inventory of BIA and tribally owned roads within tribal land boundaries, other jurisdictional roads are eligible for inclusion. The TTP Inventory is comprehensive of all transportation facilities including State, County, City, and Federal roads that are within tribal land boundaries and tribal properties or provide primary access to those properties and are open to the public.

The purpose of the LOA is to document the authorization of the jurisdiction with maintenance responsibility or ownership, and acknowledging the Tribal NTTFI. These routes provide access to goods and services, existing and potential economic development, as well as emergency evacuation and response. Tribal members use these routes for daily living and access to schools, employment, mail, shopping, healthcare, traditional, and recreational activities.

### **What this document does:**

- Acknowledges inclusion of the specified agency-owned and/or maintained roadways from the Tribe's TTP NTTFI inventory, a federal system.
- Acknowledging this facility from the NTTFI federal system officially provides access to a new level of potential funding. These funding sources, which the road is currently not eligible for, include TTP Funding, Emergency Relief (ER and ERFO) Funding, Federal Grant Opportunities, and other federal facility funding. These funds may supplement your existing funding opportunities in the case of emergency failure.
- Provides an opportunity for collaborative roadway system maintenance and improvement between the Agency and the Tribe.

### **This document does NOT:**

- Have any impact on the continued inclusion of this route on other systems/inventories.
- Have any impact on the current funding received by the Jurisdiction for the facility.
- Define or determine roadway ownership or maintenance responsibility
- Transfer any authority over roadway facility jurisdiction either to or from an agency or Tribe
- Legally obligate any party to accept or abandon any roadway ownership or maintenance responsibility

- Obligate the Tribe to provide funding for this route
- Obligate the Jurisdiction to change in any way the current oversight, maintenance, and administration of the facility.
- Allow the Tribe to perform any activities on the facility without the direct written approval of, and required coordination with, the facility owner.

#### **How can this agreement benefit a cooperating agency?**

It provides an opportunity for additional funding for roadway network improvement and a more cooperative regional approach to transportation system management. It can also provide emergency funding in case of natural disaster or major failure.

An example of this is the 2014 Oso Mudslide in Washington State, impacting State Route 530 (SR 530) west of the town of Darrington.

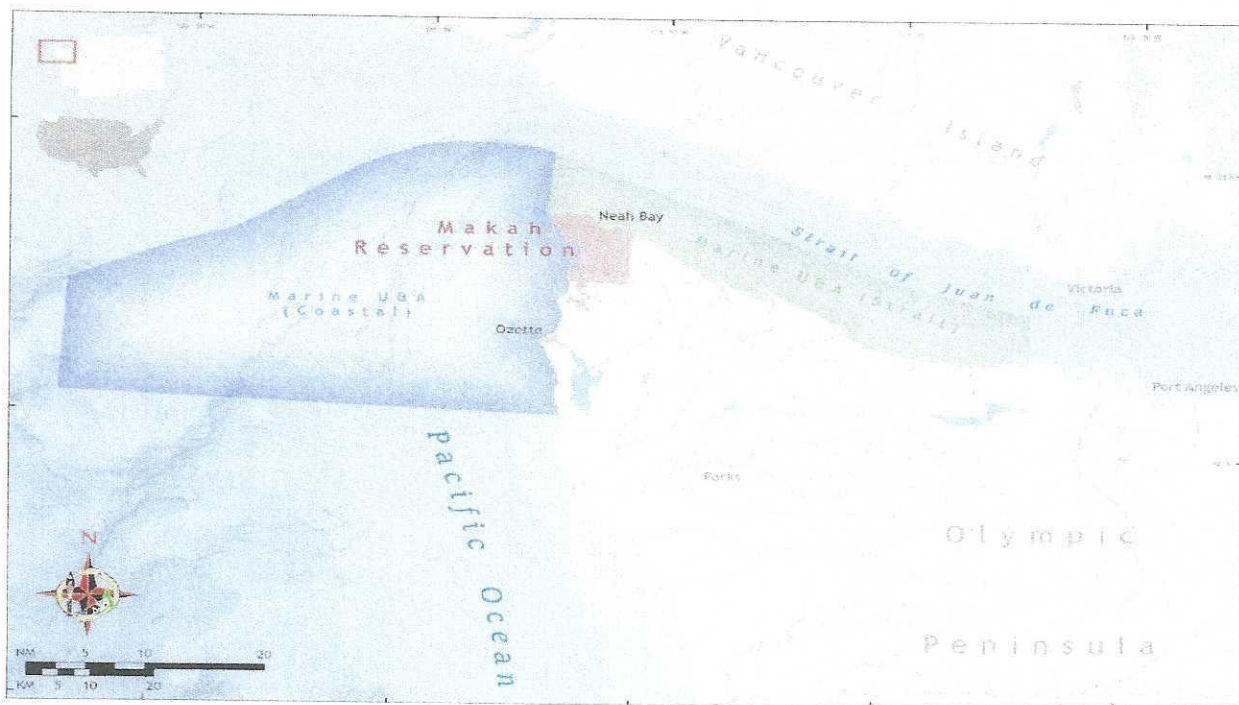
SR 530 is the primary east/west route to and from the Puget Sound for many small communities in the region, some tribal, and was included as part of a Tribal NTTFI. On March 22, 2014 a massive landslide engulfed a rural neighborhood, dammed the Stillaguamish River and blocked SR 530. As part of the recovery and rebuilding efforts, the Washington State Department of Transportation (WSDOT) worked closely with the FHWA to secure *Emergency Relief for Federally Owned Roads* (ERFO) funding, a fund established to assist federal agencies with the repair or reconstruction of federal transportation facilities, including tribal, which are found to have suffered serious damage by a natural disaster over a wide area or by a catastrophic failure.

Due to SR 530 being designated as a Tribal Transportation Facility through the TTP for a local tribe, it allowed the Federal funding share to increase from 86.5% to 100% for the final contract, saving WSDOT approximately \$6 million in matching funds that were instead provided by the Federal Government.

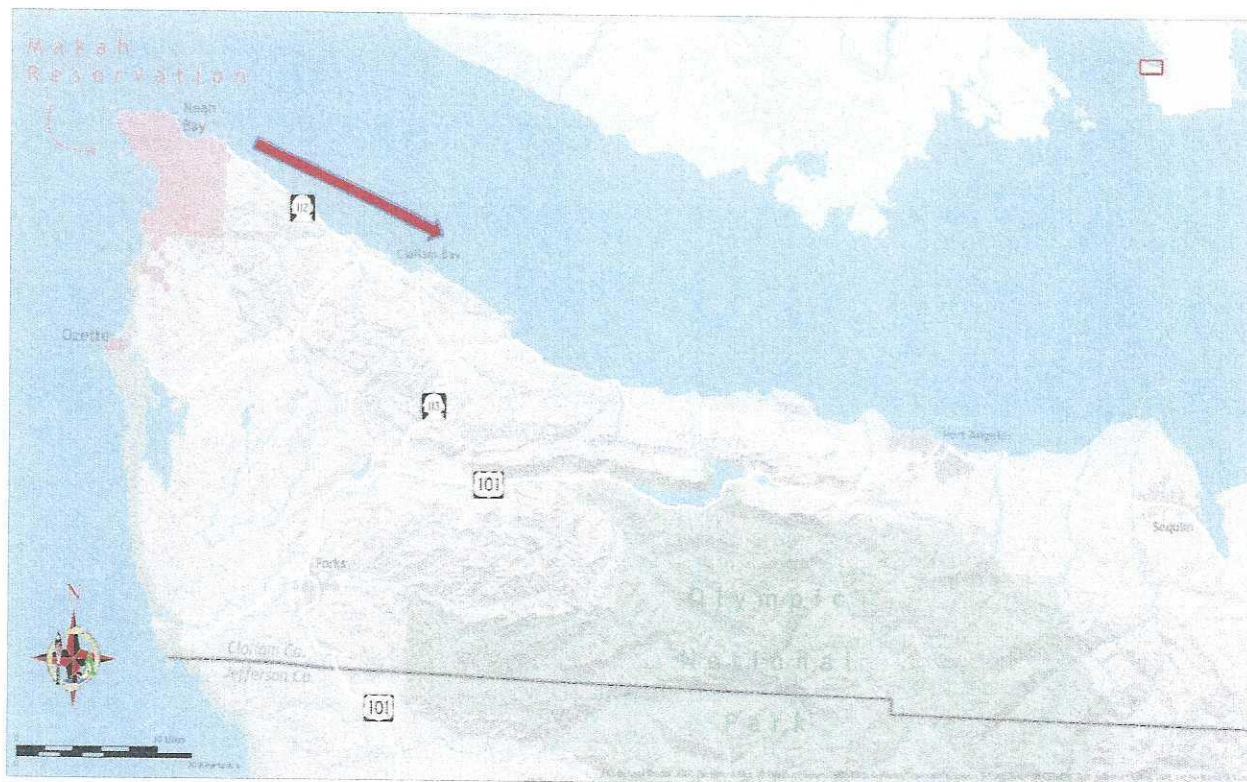
This is one example of many that highlight the potential benefits of this agreement.



## Makah Usual & Accustom Fishing and Hunting Territory



Makah Tribes' Eastern Boundary Line at Mile Marker -O- connecting to 23 miles along the Scenic Byway on SR 112, provides the sole public road access to the Makah Reservation.





# Indian Reservation Roads Program Inventory Data Sheet (ver2)

FY 2021 Inventory

For construction costs use  
the Greenbook Report

Filter Criteria			
P	2021	16	108

Italicized fields are direct update data  
and bold fields are derived data.

Location ID	P16108	P16108	P16108	P16108	P16108	P16108	P16108	P16108
Region	Northwes	Northwes	Northwes	Northwes	Northwes	Northwes	Northwes	Northwes
Agency	Makah	Makah	Makah	Makah	Makah	Makah	Makah	Makah
Reservation	Resort D	Makah Ba	Makah	Si-112	Ozette L	Elkum H	Waadah P	Ball Str
Road Name	0027	0027	0113	0112	0113	0171	0181	0181
4-IRR Route Number	20	30	810	810	10	10	10	10
5-Section Number	5	5	23.0	23.0	4	3	3	3
10-Class	0.1	0.1	23.0	23.0	21.2	0.3	0.1	0.1
15-Length of Section								
18-Bridge Number								
19-Bridge Condition								
20-Bridge Length								
32-County	008	008	008	008	008	008	008	008
33-Congressional District	06	06	06	06	06	06	06	06
7-State	WA	WA	WA	WA	WA	WA	WA	WA
8-Ownership	2	2	2	2	2	2	2	2
12-Construction Need	2	2	2	2	2	2	2	2
11-Terrain	1	1	1	1	1	1	1	1
25-Roadbed Condition	4	4	4	4	4	4	4	4
24-Surface Condition Index	75	63	75	75	75	40	50	68
16-Surface Width	24	30	24	24	24	24	24	24
13-Surface Type	4	4	4	4	4	4	4	4
9-Federal Aid Category	1	1	1	1	1	1	1	1
28-Right of Way Status	7	7	7	7	7	7	7	7
29-Right of Way Width								
TTAM BIA Share	100	100	0	13.9	100	100	100	100
30-Additional Incident Percent								
17-Shoulder Width		20	0	0	1	0	0	0
14-Shoulder Type								
22-Existing ADT				1432				
21-ADT Year				2013				
23-Percent Trucks				25				
34-Owner Route Number								
Roadway Width	24	70		24	28	24	24	26
TTAM Future ADT	74	74		2127	74	37	37	37
TTAM ADS Number	13	13		11	11	18	18	18
TTAM Future Surface Type	G	G		P	G	B	B	B
35-Drainage Condition								
36-Shoulder Condition								
37-38 # RR XING/RR XING TYPE								
39-Right of Way Utility								
40-Right of Way Cost								
26-Level of Maintenance								
27-Snow & Ice Control								
41-Begin Latitude	48.34770000	48.34770000				48.36910000	48.37060000	
42-End Latitude	48.34890000	48.34700000				48.36710000	48.37110000	
43-Begin Longitude	-124.66630000	-124.66630000				-124.63070000	-124.69440000	
44-End Longitude	-124.66630000	-124.66570000				-124.63400000	-124.59280000	
45-Atlas Map Number 1991								
46-50 Grade/Sight/Curve/Stop/ Safe								
51-Road Category								
52-Year of Construction Change	1990	1990	2001	2001	2000	1990	1982	1982
Update Year	2016	2016	2001	2016	2016	2017	2017	2017
Status	OFFICIAL	OFFICIAL	OFFICIAL	RETURNED-TO-FIB	RETURNED-TO-FIB	OFFICIAL	OFFICIAL	IN-PROCESS

21-JUN-21

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# Indian Reservation Roads Program Ownership by Route (Road Owner) FY 2021 Inventory

Region - P - Northwest

Agency - 16 - Makah

Inventory Location - 108 - Makah

Route No.	Class	Bridge		Ownership	Owner No.	Section Number	Section Length (mi)	Route Total (mi)
		ID Number	Length (ft)					
0023	3			1 - BIA		10	0.3	0.3
0024	3			1 - BIA		10	0.6	0.7
0024	3			1 - BIA		20	0.1	
0026	3			2 - TRIBE		10	0.5	0.9
0026	3			2 - TRIBE		20	0.2	
0026	3			2 - TRIBE		30	0.2	
0027	5			2 - TRIBE		10	0.1	0.3
0027	5			2 - TRIBE		20	0.1	
0027	5			2 - TRIBE		30	0.1	
0112				3 - STATE		810	23.0	23.0
0171	3			1 - BIA		10	0.3	0.3
0181	3			1 - BIA		10	0.1	0.1
0191	3			1 - BIA		10	0.1	0.1
0211	3			1 - BIA		10	0.1	0.1
1102	2			1 - BIA		10	3.6	7.9
1102	2			1 - BIA		20	0.8	
1102	2			1 - BIA		30	1.7	
1102	2	0000P16108BP082	350	1 - BIA		40		
1102	2			1 - BIA		50	1.1	
1102	2			1 - BIA		60	0.7	
1103	4			1 - BIA		10	1.0	1.0
1104	5			2 - TRIBE		10	0.7	2.2
1104	5			2 - TRIBE		20	1.2	
1104	4			2 - TRIBE		30	0.3	
2000	8			2 - TRIBE		10	1.8	1.8
2100	8			2 - TRIBE		10	0.6	0.6
5309				2 - TRIBE	10000	810	6.8	6.8



Washington State  
Department of Transportation  
Douglas B. MacDonald  
Secretary of Transportation

Transportation Building  
310 Maple Park Avenue S.E.  
P.O. Box 47300  
Olympia, WA 98504-7300  
360-705-7000  
TTY: 1-800-833-6388  
[www.wsdot.wa.gov](http://www.wsdot.wa.gov)

March 27, 2007

The Honorable Frances Charles  
Tribal Chairwoman  
Lower Elwha Klallam Tribe  
2851 Lower Elwha Rd  
Port Angeles, Washington 98363

Re: Letter of Understanding regarding designation of SR 112 between US 101 and Place Road as a part of the Indian Reservation Road (IRR) System

Dear Chairwoman Charles:

The Lower Elwha Klallam Tribe has identified SR 112, between US 101 and Place Road as being located within or providing access to your Indian reservation, Indian trust land or restricted Indian land and so intends to include it in your Indian Reservation Road (IRR) inventory.


State System Designation	IRR System Designation
SR 112 MP 50.34 to 58.90	Route Number 9112 Section 010
SR 112 MP 58.90 to 61.08	Route Number 9112 Section 020

As a state highway, these sections of SR 112, also known as IRR 9112 sections 010 through 020 are eligible for federal funds. WSDOT certifies that we have funding programmed for portions of these sections of the state highway.

The attached excerpt from our legislated budget (known as the TEIS) designates the programmed project for the next 10 years.

WSDOT also certifies that, to the extent we are currently responsible for maintenance of these sections of SR 112 we will continue to meet our maintenance responsibilities now and in the future.

Sincerely,

  
Brian J. Smith, AICP  
Director, Strategic Planning and Programming

Enclosure

cc: Carol Brown, Lower Elwha Klallam Tribe