



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Transportation and
Public Facilities**

OFFICE OF THE COMMISSIONER
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Dear Tribal Leaders,

March 27, 2026

Alaska DOT&PF developed a draft update to its Tribal Relations Policy, originally adopted in 2002, to strengthen how we consult and build long-term relationships with Tribes. Developing infrastructure improvements in collaboration with local communities frequently results in better projects that serve Alaskans well into the future. This update is intended to ensure that our work with Tribes is guided by respectful, effective engagement and acknowledges the priorities of Alaska Native communities.

DOT&PF is initiating a 45-day Tribal review period for this draft policy, from March 27, 2026, through May 11, 2026. Your participation is essential to ensuring the policy reflects a meaningful and practical way of working.

The department developed this draft after statewide outreach conducted with the Alaska Native Chamber, including five Tribal engagement sessions and a detailed questionnaire designed to gather rich, experience-based insights with over 250 Alaska Native participants. Engagement was coordinated with key partners, including the Alaska Federation of Natives, Alaska Tribal Administrators Association, ANCSA CEO group, and Alaska Native Village Corporation Association, and reached Tribal leadership, Alaska Native corporations, and community members across urban, regional, rural, and remote communities statewide. While not required by statute, this outreach reflects our commitment to accurately capturing Tribal perspectives and incorporating them into the policy.

We invite your input during this review period. Comments may be submitted through the Tribal Relations Policy Public Input site publicinput.com/tribalrelationspolicy and by texting 73224, or by calling 855-925-2801 (Project Code 4045). You may also contact the DOT&PF Tribal Team at dot.tribal.team@alaska.gov or Danielle Tessen at 907-347-8358.


For more information, resources, and best practices related to the department's work with Alaska Native Tribes, please visit our Tribal Relations website: <https://dot.alaska.gov/tribalrelations/>

Enclosed for your review are the Draft Updated Tribal Relations Policy and the 2002 Tribal Relations Policy for reference.

Sincerely,

Handwritten signature of Ryan Anderson in blue ink.

Ryan Anderson, P.E., Commissioner
Alaska Department of Transportation & Public Facilities

 <p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">Policy and Procedure</p>		POLICY AND PROCEDURE NUMBER 01.03.010	PAGE 1 of 5
		EFFECTIVE DATE TBD	
SUBJECT Tribal Consultation Policy		SUPERSEDES Government to Government Relations with the Federally Recognized Tribes of Alaska (3/18/2002)	DATED
TITLE Commissioner's Office	CHAPTER Interagency/Intra-Agency Actions	APPROVED BY Signature on File	

PURPOSE

The Alaska Department of Transportation and Public Facilities (DOT&PF) establishes this policy to provide a consistent, statewide framework for government-to-government consultation with federally recognized Tribes on matters of mutual concern.

This policy ensures consultation occurs early, consistently, and in a manner that meaningfully informs DOT&PF decision-making. Early consultation improves project delivery, reduces risk, and supports better outcomes for communities, infrastructure, and operations.

This policy applies to all DOT&PF employees, contractors, and representatives involved in Departmental actions that could significantly or uniquely affect a Tribe, or Tribal actions that could significantly or uniquely affect DOT&PF.

POLICY

Consistent with Administrative Order 186, DOT&PF is committed to building and sustaining strong government-to-government relationships with federally recognized Tribes. This policy implements the principles of Administrative Order 186 by establishing consistent procedures for government-to-government consultation within DOT&PF.

Consultation is a government-to-government process intended to inform decision-making. It does not require agreement or consent as a result.

Consultation will be conducted in accordance with the following principles:

- Early Engagement: Consultation will begin early enough to inform planning and

decision-making.

- Respect for Tribal Sovereignty: Consultation will respect Tribal self-governance and leadership authority.
- Good-faith consideration of Tribal input: DOT&PF will consider Tribal input in good faith prior to decision-making.
- Transparency: DOT&PF will clearly communicate decision points, schedules, and how input is addressed.
- Cultural Awareness: Consultation will respect Tribal protocols and local conditions.
- Follow-Through: Commitments made during consultation will be documented and tracked.

This policy establishes minimum statewide standards. Divisions may adopt stronger practices but may not reduce these requirements. This policy complements, and does not replace, consultation requirements under applicable state and federal laws.

PROCEDURE

1. Responsibilities

- Commissioner: Provides Department-wide leadership and accountability.
- Deputy Commissioner: Supports consistent implementation.
- Division Directors: Ensure implementation and designate a Tribal Team Lead for actions requiring consultation.
- DOT&PF Tribal Team: Provides statewide coordination and maintains consultation records.
- Division Tribal Liaison: Coordinates consultation logistics and documentation.
- Tribal Team Lead: Ensures consultation occurs early and documentation is complete.
- Program/Project Managers: Identify actions with Tribal implications and initiate consultation.
- Environmental/Cultural Resources Staff: Coordinate consultations required by state and federal environmental laws, which may raise issues to be addressed in separate government-to-government consultations.
- Civil Rights Office: Supports coordination for Title VI and Environmental Justice requirements.

2. Consultation Triggers and Early Screening

DOT&PF will screen actions early to determine whether consultation should be initiated. DOT&PF will initiate consultation when:

- Requested by a Tribe or suggested by an ANCSA Corporation (ANC) for issues that

- significantly or uniquely affect a Tribe; or,
- Departmental action may significantly or uniquely affect a Tribe.

When in doubt, consultation should be initiated.

3. Consultation Levels

Consultation will be proportional to the scale and impact of the action:

Level 1 – Informal Consultation

For limited or short-term impacts. May include direct contact, phone discussion, brief written notice, and documentation in the Consultation Log.

Level 2 – Standard Consultation

For projects affecting access to a community or that may be designed to encourage use of public lands (e.g., turnouts) or discourage use of ANC lands or sensitive areas (e.g., rock placement or preserving vegetative buffers) . Includes formal notice, opportunity for meetings, written follow-up, and a Consultation Record.

Level 3 – Enhanced Consultation

For statewide, multi-community, or high-impact actions. May include a Consultation Plan, multiple meetings, leadership participation, and formal close-out communication. The Tribal Team Lead, in coordination with the Division Director, determines the appropriate level.

Level 4 – Emergency Response Consultation

For emergency response actions where immediate action is required to protect life, safety, property, or critical infrastructure.

Formal consultation may not be feasible prior to action. In these situations, DOT&PF will make reasonable efforts to notify and coordinate with affected Tribes and ANCs as soon as practicable.

As conditions stabilize, DOT&PF will initiate or resume consultation to address impacts, recovery actions, and any longer-term considerations.

4. Consultation Process

DOT&PF will:

- Provide timely notice to affected Tribes;
- Share relevant information;

- Offer opportunities for meetings and dialogue;
- Document input and responses; and
- Communicate how input informed decisions.

Decision-Making

Consultation informs DOT&PF decision-making. Final decisions regarding DOT&PF's projects remain with DOT&PF consistent with law and safety responsibilities.

Consultation is not a formality. Tribal input must be genuinely considered.

Only authorized DOT&PF leadership may make binding commitments.

When practicable, DOT&PF will provide advance notice of proposed decisions and explain how Tribal input was considered.

Policy Effect

This policy guides internal operations and does not create enforceable rights, substantive or procedural, or a private right of action.

Documentation

A Consultation Record will be created at the start of consultation and maintained in accordance with records retention laws. Culturally sensitive information, location information, and other information required to be kept confidential by state or federal law will be protected.

Records will include notices, meeting summaries, written comments, DOT&PF responses, commitments, and final decision communications.

An internal Consultation Log will track consultation activity statewide.

Dispute Resolution

If concerns arise, DOT&PF will work in good faith to resolve them through discussion and problem-solving.

If unresolved at the project or division level, the matter may be elevated to the Division Director and, if needed, Department leadership.

A Tribe may submit a written consultation concern to the Tribal Team or Division Director. DOT&PF will review the concern and provide a written response within a reasonable timeframe.

Any dispute resolution or other conclusion to a government-to-government consultation process is not a final agency action, and this section does not create a formal appeals process.

Confidentiality

DOT&PF understands consultation may involve sensitive information. DOT&PF will work with Tribes and ANCs to protect confidential information through secure handling and restricted access, consistent with law.

When disclosure questions arise, DOT&PF will coordinate internally and, when feasible, notify affected Tribes before releasing non-confidential sensitive information.

Indigenous Knowledge

If a Tribe voluntarily shares Indigenous Knowledge, DOT&PF will consider it in decision-making, consistent with Tribal direction and applicable law. Indigenous Knowledge means place-based knowledge and experience developed and maintained by Tribes over time, including cultural, environmental, subsistence, and historical knowledge. DOT&PF will work with the Tribe to determine appropriate use and protection.

Training

DOT&PF employees and contractors involved in consultation will receive training on this Policy, Tribal consultation best practices, and confidentiality.

Continuous Improvement

DOT&PF will periodically evaluate this Policy and improve procedures, templates, and training as needed.

AUTHORITY


This policy implements Administrative Order 186, which establishes the State of Alaska's commitment to government-to-government relations with federally recognized Tribes.

IMPLEMENTATION RESPONSIBILITY

Division Directors and Department Leadership

DISTRIBUTION

All holders of the DOT/PF Policy and Procedures Manual.

 STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES Policy and Procedure		POLICY AND PROCEDURE NUMBER 01.03.010	PAGE 1 of 5
		EFFECTIVE DATE 3/18/02	
SUBJECT Government-To-Government Relations with the Federally Recognized Tribes of Alaska		SUPERSEDES New	DATED
TITLE Commissioner's Office	CHAPTER Interagency/Intra-Agency Actions	APPROVED BY Signature on File	

PURPOSE

This policy reinforces government-to-government relationships between the Department of Transportation and Public Facilities (department) and the tribes in Alaska through consultation on significant matters of mutual concern.

This policy provides guidance to all employees of the department involved in any departmental action(s) that significantly or uniquely affect a tribe in Alaska, and pertaining to any tribal action that significantly or uniquely affects this department. It also reinforces the foundation for establishing and maintaining effective government-to-government communications between the department and the tribes in Alaska, and promotes consultation and coordination with these tribes, with the goal of ensuring that the Department conducts consultation in a culturally sensitive manner.

POLICY

The department is committed to consulting with tribes in Alaska as early in the department's decision-making process as practicable, and as permitted by law, prior to taking action or undertaking activities that significantly or uniquely affect a tribe. Department actions shall favor maximum participation of the affected tribes(s), with the goal of achieving informed decision-making through mutual consultation.

PROCEDURE

Responsibilities, Process, and Protocols

To ensure that the department's processes and procedures throughout all of Alaska are generally uniform and consistent, while maintaining necessary flexibility, the department will adhere to the following steps when consulting with a tribe:

1. Notice to Affected Tribe The department will make a good faith effort to notify a tribe, at the earliest practicable time, of any proposed departmental actions that significantly or uniquely affect the tribe. When circumstances permit, the department will afford the tribe reasonable time to respond to any notification and to participate

in consultation with the department. Consultation will be initiated as early in the decision-making process as practicable. Consultation will continue throughout the department's decision-making process except where expressly prohibited by law. If the department determines that any state or federal law expressly prohibits continued consultation at a specified point in the decision-making process, the department will so inform the tribe at the outset of the consultation process, or as soon as possible after the department becomes aware of the prohibition. The department is not obligated to notify a tribe of any departmental actions identified in the Exclusions provision.

2. Dissemination of Information At the outset of the consultation process, prior to the first consultation meeting, the department will provide the affected tribe(s) with sufficient information about the proposed action(s) to ensure that the tribe(s) can properly assess and respond to such proposed action(s).
3. Identification of the Participants The department and the affected tribe(s) will identify their respective representatives for the consultation process. The department will work with the tribal representative(s) of the affected tribe(s) to identify any other affected tribes that should be involved in the consultation.
4. Authorized Initiators Any member of the department with decision-making authority regarding an action that significantly or uniquely affects a tribe(s) is authorized to initiate a request for consultation with the affected tribe(s). The department will likewise accept an unsolicited request for consultation from any representative of a tribe who has decision-making authority on behalf of that tribe. The department member will provide timely notification to the department's "Key Contact" regarding any consultation.
5. Consultation Process Consultation will incorporate processes for ongoing communications between the parties that will be established by mutual agreement whenever possible. The department will, at the beginning of the consultation, work with the affected tribe(s) to develop a mutually agreed upon list of participants, establish a timeline, and establish the method and frequency of communication to be used during the consultation. At the conclusion of the consultation the department will notify the tribe(s) of any final decisions on a proposed action within a reasonable time period and prior to the time that the decision takes effect, unless extraordinary or emergency circumstances preclude it.
6. Tribal Request for Consultation The department will maintain a list of its "Key Contacts" and will provide a copy of this list to the tribes. This list will include any information that the tribes may need to contact the "Key Contacts." Any time a tribe desires to request government-to-government consultation regarding a matter that significantly or uniquely affects the tribe, or to notify the department of any tribal action that significantly or uniquely affects the department, the tribe should provide one of the "Key Contacts" with this information.
7. Inter-departmental Cooperation The department will work cooperatively with other state agencies, and as appropriate, with other federal agencies, to accomplish the goals and responsibilities outline within this policy. Requests for consultation that

are determined to be outside of the department's jurisdiction will be referred to the appropriate "Key Contact" of another state department.

8. Working Group Participation The department recognizes the importance of participating in the Working Groups established within the State-Tribal Forum to facilitate meaningful dialogue between the departments and the tribes regarding issues of mutual concern, as well as inter-departmental communication on issues that are relevant to more than one state department or agency. The department will make a good faith effort to ensure that its "Key Contacts" actively participate in all meetings of any Working Group that includes the department.
9. Exclusions The department has an obligation to enforce the statutes and regulations of the State of Alaska and to provide services that protect the safety and wellbeing of its peoples. Departmental activities relating to actual or suspected violations of state law, or to criminal investigations or initiation of the criminal justice process, civil law enforcement investigations, initiation of the civil law enforcement process, or civil litigation are exempt from this policy. Nothing in this policy is intended to prohibit communication between authorized representatives of parties in litigation.

General Provisions:

1. This policy is intended to assure consistency within the different divisions and offices of the department and to improve the internal management of the department.
2. This policy clarifies the department's protocol for consulting with federally-recognized tribes in Alaska in a government-to-government relationship.
3. This policy will be effective upon signature of the Commissioner of the Department of Transportation and Public Facilities.
4. This policy is not intended to expand, contract, or otherwise diminish or limit the sovereignty held by the state or any federally-recognized tribe in Alaska.

Definitions: For the purposes of this Policy:

1. "Tribe" means any tribe in Alaska that is on the list of federally-recognized tribes published by the federal Bureau of Indian Affairs.
2. "Consultation" means the timely process of meaningful inter-government dialogue between departmental divisions and/or offices and federally-recognized tribes in Alaska regarding a proposed departmental action(s) that significantly or uniquely affects a tribe(s). When assessing what action will be subject to consultation, the department shall take into account the cultural and traditional activities of the tribe that could be significantly or uniquely affected by the proposed action, as well as any relevant state and/or federal law. "Consultation" may take place by in-person meeting, teleconference, videoconference, and exchange of written documents, e-mail, or other means appropriate to the circumstances.

3. "Departmental Action" means any proposed actions, activities, decisions, legislation submitted by the Governor to the Legislature, development of regulations, plans, policy, procedures, programs, projects, services, or other actions that significantly or uniquely affect a tribe in Alaska other than those described below under the Exclusions provision.
4. "Department" means the State of Alaska, Department of Transportation and Public Facilities and its divisions and regions, including offices, officials, and/or employees.

AUTHORITY

Administrative Order 186

IMPLEMENTATION RESPONSIBILITY

Regional and Headquarter Directors

DISTRIBUTION

All holders of the DOT/PF Policy and Procedures Manual.

State of Alaska
Department of Transportation and Public Facilities

REQUEST FOR CONSULTATION

Tribe:

Tribal Representative:

DOT/PF Representative:

Requestor:

Date of Request:

Narrative-Departmental Action:

Narrative-How does this action significantly affect the Tribe(s), or the State of Alaska - Department of Transportation and Public Facilities?

Consultation Participants:

Time line, frequency, method of consultation: How long, how many times to meet, by conference call, meeting in person, etc.

Outcome: Decision made, solutions, referral, rejected, etc.

Notification to Tribe of Outcome: To whom, what format; letter, phone call, date-time.