

DOT&PF  
Tribal  
Transportation  
Training

Tribal Consultation  
Practical Engagement  
& Best Practices  
for Alaska  
Transportation  
Projects

# Practical Engagement Best Practices Aligned with DOT&PF Tribal Consultation Policy



OPERATIONAL  
BEST  
PRACTICES  
GROUNDED IN  
THE STATEWIDE  
TRIBAL  
CONSULTATION  
POLICY



FOCUS ON HOW  
STAFF  
IMPLEMENT  
CONSULTATION  
REQUIREMENTS  
IN REAL  
PROJECTS



APPLIES TO ALL  
DEPARTMENTAL  
ACTIONS WITH  
TRIBAL  
IMPLICATIONS

## Purpose & Applicability

Consultation is a core decision-support process, not a procedural add-on

Applies to DOT&PF employees, contractors, and consultants

Minimum statewide standards, regions may strengthen, not waive

# Consultation Principles

## → Best Practices

### Engage

Engage early and proactively, before options are narrowed

### Respect

Respect government-to-government relationships

### Ensure

Ensure a meaningful opportunity to influence decisions

### Practice

Practice transparency, cultural competence & follow-through

# Early Screening & Presumption in Close Cases

Screen for Tribal implications at project initiation

Consider impacts beyond the project footprint

Err on the side of consultation when uncertainty exists

Early screening prevents redesign, delay, and conflict

# Recognizing Consultation Triggers

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Tribal or ANC request for consultation

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Impacts to access, subsistence, cultural resources, or safety

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ROW, easements, utilities, or construction access decisions

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Programmatic, multi-region, or time-sensitive actions

# Align Consultation with Decision Points

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Planning and project initiation

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Alternatives development and selection

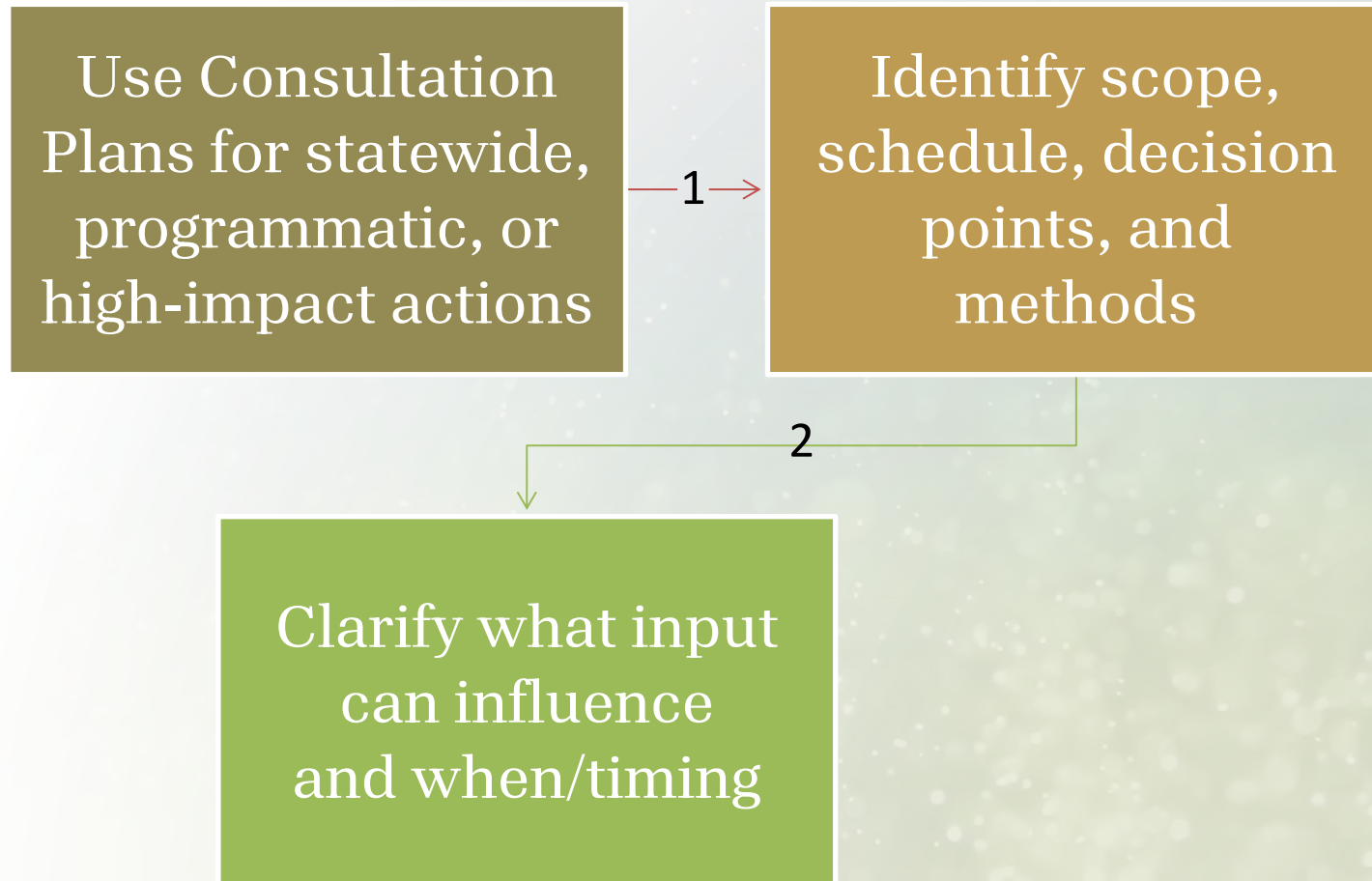
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Environmental review and design decisions

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Construction scheduling and operations

# Consultation Planning for Major Actions





## Roles, Accountability, and Internal Coordination

- Regional Leaders:  
decision accountability
- Tribal Team & Regional  
Tribal Liaisons:  
coordination and  
consistency
- Tribal Team Lead:  
accountable owner for  
each action
- Avoid mixed messages  
through internal  
alignment

# Engage Early

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**INITIATE BEFORE  
DECISIONS ARE LOCKED**



**ENGAGE FIRST DURING  
PLANNING, NOT AFTER**

Prepare  
Thoughtfully



Understand  
community context



Clarify scope  
and flexibility

# Respect Time & Capacity

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Recognize that  
seasonality matters

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Allow time for internal  
Tribal decision-making



## Communicate Clearly

- Plain language
- Avoid jargon
- Confirm understanding



# Listen Actively

- Silence is not disengagement
- Stories convey meaning

# Follow Through



**Document  
commitments**



**Report back  
consistently**

# Coordinate Internally

Align DOT staff  
and FHWA

Avoid mixed  
messages

# Close the Loop

- Explain how input informed decisions
- If not adopted, explain why

# Engagement Practices That Strengthen Consultation

- Village or field-based consultation when requested and feasible
- Support elder and knowledge-holder participation
- Respect Tribal protocols and meeting practices
- Coordinate logistics to reduce burden on Tribes

# Clear Communication & Authority Boundaries

- Use plain language  
avoid regulatory  
shorthand
- Be explicit about  
what is decided vs.  
under consideration
- Do not make  
commitments  
outside delegated  
authority

# Documentation & Follow-Through

- Create Consultation Records at initiation, not retroactively
- Track commitments, responses, and close-out communications
- Documentation supports accountability and defensible decisions

# Handling Sensitive & Indigenous Knowledge

- Identify confidential or culturally sensitive information early
- Follow Tribal direction on use and disclosure
- Coordinate internally before public release

# Emergency & Time-Sensitive Actions

- Immediate action permitted for safety needs
- Notify Tribes as soon as practicable
- Document why advance consultation could not occur
- Provide follow-up consultation when impacts continue

# Continuous Improvement & Quality Assurance

- Track consultation activity and performance internally
- Identify recurring issues and update training
- Consultation quality improves project durability over time

# Key Takeaways

- Consultation is a decision-making practice, not a box to check
- Early engagement preserves options and reduces risk
- Clear roles, documentation, and follow-through matter
- Best practices make consultation lawful, durable, and credible

# Key Takeaways

- Early, respectful, and consistent engagement
- Practice builds trust



**THANK YOU**

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## **DOT&PF Tribal Consultation Best Practices – Presenter Script**

### **Opening & Orientation**

This training brings together DOT&PF’s Statewide Tribal Consultation Policy and practical engagement best practices into a single, integrated framework. It is designed to help staff understand not only what the Policy requires, but how consultation should be carried out in real projects, in real time.

This session builds directly on the Legal Framework and Cultural Awareness trainings. Those sessions explain why consultation is required and how historical, cultural, and legal context shapes engagement. This session focuses on implementation: how consultation actually functions across project phases, decisions, and day-to-day work.

A key theme throughout this training is that most consultation failures do not result from bad intent. They occur because consultation happens too late, is not aligned with decision points, or is poorly documented. The Policy and best practices are designed to prevent those failures by embedding consultation into how DOT&PF plans, decides, and delivers projects.

### **Purpose & Applicability**

The Policy establishes consultation as a core internal decision-support process, not a courtesy or an add-on at the end of a project. It applies to all DOT&PF staff, contractors, and consultants when carrying out Departmental Actions with Tribal implications.

A critical point for staff to understand is that these are minimum statewide standards. Regions may strengthen consultation practices based on Tribal preferences or local context, but they may not waive or reduce the minimum requirements. This ensures consistency, predictability, and accountability across the Department.

### **Consultation Principles → Best Practices**

The Policy principles describe what meaningful consultation looks like in practice. Early and proactive engagement means consultation begins while options are still open. Government-to-government respect means engaging Tribes as sovereign governments through their authorized leadership. A meaningful opportunity to influence means Tribal input has a real chance to shape outcomes, even though DOT&PF retains final decision authority. Transparency, cultural competence, and follow-through are not abstract values. They show up in how clearly decisions are explained, how schedules and constraints are communicated, how Tribal protocols are respected, and whether commitments are tracked and closed.

### **Early Screening & Presumption in Close Cases**

Early screening is where consultation succeeds or fails. Program and Project Managers are responsible for evaluating Tribal implications as early as practicable, during concept development, scoping, or initiation, before decisions are materially narrowed.

Screening requires looking beyond the project footprint. Subsistence use areas, access routes, cultural landscapes, and community safety impacts often extend well beyond mapped boundaries.

The Policy is explicit: when uncertainty exists, DOT&PF errs on the side of initiating consultation. Early engagement reduces redesign, delay, and conflict later and strengthens both projects and relationships.

### **Recognizing Consultation Triggers**

Consultation is required when a Tribe or ANC requests it, when required by law or funding conditions, or when a Departmental Action may significantly or uniquely affect a Tribe or ANC.

Common triggers include impacts to access, subsistence, cultural resources, community safety, right-of-way or easement decisions, construction access, staging, and time-sensitive or programmatic actions.

Staff should understand that triggers are intentionally broad. The standard is not certainty of impact, but potential to affect Tribal interests. Waiting for impacts to be proven is often legally too late.

### **Aligning Consultation with Decision Points**

Consultation must be aligned with decision points where Tribal input can actually influence outcomes. These include planning and project initiation, alternatives development, environmental review, design and right-of-way decisions, construction scheduling, and operational changes.

If consultation occurs after these decisions are effectively locked, the opportunity for meaningful influence is lost. Aligning consultation with decision points protects DOT&PF from rework and legal vulnerability.

### **Consultation Planning for Major Actions**

For statewide, programmatic, multi-region, or otherwise high-impact actions, DOT&PF prepares a Consultation Plan. Consultation Plans clarify the purpose and scope of the action, affected Tribes or ANCs, methods and schedules for consultation, key decision points, confidentiality considerations, and how Tribal input will be tracked, responded to, and addressed.

From a best-practices perspective, Consultation Plans reduce confusion, set expectations, and create transparency about how engagement will occur.

### **Practical Engagement Behaviors (Day-to-Day Best Practices)**

Practical engagement is Policy in practice. Best practices include engaging early, preparing thoughtfully, respecting time and capacity, communicating clearly, listening actively, following through, coordinating internally, and closing the loop.

For example, engaging early means consulting during corridor planning rather than after a preferred alignment is selected. Preparing thoughtfully means understanding community context, seasonality, and governance structures before scheduling meetings. Respecting time and capacity means recognizing subsistence seasons and limited staffing.

Listening actively means understanding that silence or storytelling may convey meaning. Following through means documenting commitments and reporting back, even when Tribal input cannot be adopted. Closing the loop means explaining how input informed decisions or why it could not.

### **Roles, Accountability & Internal Coordination**

Clear roles prevent confusion and mixed messages. Regional Leaders are accountable decision-leads. The DOT&PF Tribal Team provides central coordination and consistency. Regional Tribal Liaisons coordinate logistics and documentation. The Tribal Team Lead is the accountable owner for each Departmental Action requiring consultation.

Internal coordination is essential. If consultants or staff convey flexibility that does not exist, or suggest decisions are final when they are not, consultation credibility is undermined.

### **Documentation & Follow-Through**

Consultation Records must be created at initiation and may not be created retroactively. They document notices, meetings, input received, DOT&PF responses, commitments, and close-out communications.

Documentation is not about volume. It is about traceability, showing how Tribal input was considered and how decisions were made. Strong documentation supports accountability and defensible decision-making.

### **Sensitive Information, Indigenous Knowledge & Emergencies**

Consultation may involve confidential or culturally sensitive information. DOT&PF works with Tribes to identify such information and applies appropriate safeguards consistent with law and Tribal direction.

In emergencies, DOT&PF may take immediate action to protect public safety. When advance consultation is not possible, DOT&PF documents why and provides notice and follow-up consultation as soon as practicable.

### **Closing & Key Takeaways**

Consultation is a decision-making practice, not a checked box. Early engagement preserves options, reduces risk, and strengthens relationships. Clear roles, alignment with decision points, and consistent documentation make consultation lawful, robust, and credible. When Policy and best practices are applied together, DOT&PF decisions are stronger and more durable, projects are more resilient, and consultation fulfills both legal obligations and government-to-government commitments.