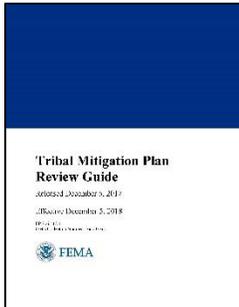




TRIBAL MITIGATION PLAN REVIEW GUIDE



On December 5, 2017, the Federal Emergency Management Agency (FEMA) released the Tribal Mitigation Plan Review Guide (Tribal Guide). This Guide, which went effective on December 5, 2018, is FEMA's official policy on the natural hazard mitigation planning requirements for tribal hazard mitigation plans in accordance with the

Robert T. Stafford Act and Title 44 Code of Federal Regulations (CFR) Part 201. The Tribal Guide is available in the FEMA library at <https://www.fema.gov/media-library/assets/documents/18355>.

Indian tribal governments¹ engage in the mitigation planning process to identify risks and vulnerabilities associated with natural disasters and establish a long-term strategy for protecting people and property in future hazard events. A FEMA-approved tribal mitigation plan is one of the conditions of eligibility for certain FEMA assistance, such as Public Assistance Categories C through G and Hazard Mitigation Assistance (HMA) grants.

The primary purpose of the Tribal Guide is to help FEMA officials assess tribal mitigation plans in a fair and consistent manner and to ensure that approved tribal mitigation plans meet the requirements of the Stafford Act and the CFR. The Tribal Guide supersedes the March 2010 Multi-Hazard Mitigation Planning Guidance.

Tribal Guide Highlights

The Tribal Guide is a comprehensive update to FEMA's Tribal Mitigation Planning Policy. The major highlights of the Tribal Guide include:

- **Focusing the Tribal Policy.** The current Tribal Guidance contains both policy provisions interpreting 44 CFR Section 201.7 and other guidance, best practices, and examples. The updated

Engagement with Tribal Governments on the Tribal Guide

FEMA engaged tribal governments throughout the development of the Tribal Guide, including tribal consultations in 2016 and 2017.

The first consultation focused feedback on four key concepts. In all, FEMA received more than 300 comments from 23 separate events – three in-person meetings, five webinars, two conference presentations, two listening sessions, and one mitigation training course. Six sets of comments were emailed by tribes and individuals.

The second consultation provided tribes the opportunity to review the full Tribal Guide. This consultation yielded nearly 60 comments via email and during listening sessions.

¹ According to 44 CFR 201.2, *Indian tribal government* means any federally recognized governing body of an Indian or Alaska Native Tribe, band, nation, pueblo, village, or community that the Secretary of Interior acknowledges to exist as an Indian Tribe under the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a. This does not include Alaska Native corporations, the ownership of which is vested in private individuals.

policy is simplified and focuses on interpreting the regulatory requirements for review and approval of tribal mitigation plans as described above.

- **Introducing Guiding Principles.** FEMA has included Guiding Principles in the Tribal Guide to reinforce key aspects of plan development that FEMA encourages, and how FEMA and the Federal Government relate to Indian Tribal governments in this and other matters. The Guiding Principles are also intended to advance consistent, fair tribal mitigation plan reviews.
- **Clarifying the requirement to address the probability of future hazard events.** Current regulations state that tribal mitigation plans must include information on the probability of future hazard events. The Tribal Guide clarifies that this needs to include considerations of future conditions, including long-term changes in weather patterns.
- **Interpreting requirements for enhanced tribal mitigation plans.** Enhanced tribal mitigation plans document a sustained and proven commitment to hazard mitigation and result in eligibility for increased funding under the Hazard Mitigation Grant Program. The regulations in 44 CFR Section 201.3 allow for tribal governments to pursue enhanced mitigation plan status by meeting the state requirements for enhanced plans established in 44 CFR Section 201.5. The Tribal Guide interprets some of these requirements for tribal governments.
- **Documenting tribal mitigation plan review and submittal procedures.** The Tribal Guide describes tribal mitigation plan review procedures for plans submitted directly to FEMA as well as plan reviews coordinated through the state, establishes general submittal requirements, and outlines communication procedures during the plan review process. In addition, the Tribal Guide establishes enhanced tribal mitigation plan review procedures and timelines, including Hazard Mitigation Assistance Grants Management Performance Review, FEMA Regional Review, and National Review Panels.

Additional Resources and Assistance

For general information about mitigation planning, please visit <https://www.fema.gov/hazard-mitigation-planning>. FEMA provides a variety of guidance, tools, and resources to help tribal governments develop hazard mitigation plans. These resources and more can be found online at: <https://www.fema.gov/tribal-mitigation-planning-resources>.

For additional questions regarding FEMA's Mitigation Planning Program, tribal officials can contact the Lead Mitigation Planner in the Mitigation Division, Risk Analysis Branch of the appropriate FEMA Regional Office or their Regional Tribal Liaison. Contacts for the FEMA Regional offices and the Regional Tribal Liaisons are available at <https://www.fema.gov/hazard-mitigation-planning-contacts>.

"FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards."