



2017 TRIBAL SELF-GOVERNANCE ANNUAL CONSULTATION CONFERENCE

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PROGRESSIVE PARTNERSHIPS: INVESTING IN TRIBAL NATION BUILDING

Recorder Form

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Recorder: Clyde Romero

Date: 4/25/17

Session Title: FEMA New Tribal Pilot Declarations Guidance

Panelists:

Milo Booth, National Tribal Affairs Advisor, Office of External Affairs, Intergovernmental Affairs, FEMA, DHS

Sharon Loper, Region X Acting Regional Administrator, FEMA, DHS

J. Michael Chavarria, Governor, Santa Clara Pueblo

Danny Martinez, Tribal Emergency Manager, Confederated Tribes of Warm Springs

Summary of Issues and Items Discussed:

- There are FEMA Regional Tribal Liaisons in ten regions throughout the United States providing assistance to Indian Tribes in multiple areas including emergency declarations.
- A Tribal Pilot Declarations Guide was posted to the Federal Register on January 10, 2017 after 54 listening sessions where 500 Tribal officials participated representing 178 federally recognized Tribes. 800 comments were received.
- The rulemaking process began with the Sandy Recovery Improvement Act. Following the act, draft guidance was written and FEMA is in the final guidance and pilot period. The next steps will be the posting of the notice of proposed rulemaking and final rule.
- The declaration process is initiated when a request is submitted within 30 days of the incident. A Tribal initial damage assessment is completed and a request is submitted to the President through the regional director who will make a FEMA recommendation to the White House who will make the final determination approving or denying the emergency declaration.
- There are two types of assistance available. Public assistance includes emergency work and permanent work that addresses the needs of a community such as emergency debris removal, repair of bridges and roadways. Public utilities and building are also included. Individual assistance is provided to individuals and household in the form of grants for rental assistance, home repairs to those whose homes were damaged. Individuals can also apply for assistance to replace personal property, transportation, medical and funeral expenses.
- FEMA's Tribal Consultation Policy will expire in August of 2017 and Tribal consultations will begin in May 2017 for the new Tribal Consultation Policy. There will be listening sessions to include in-person meetings, webinars, and conference calls to review and solicit input from Tribes.
- FEMA provides opportunities for youth to participate in FEMA Corps and FEMA Youth Preparedness Council. There has been an increase in enrollment and FEMA encourages Tribal youth to participate as more can be accommodated. The PowerPoint presentation has links to both these programs. Participants receive a stipend that they can use for educational purposes.
- There are FEMA trainings for Tribal employees that take place at the Emergency Management Institute (EMI) in Emmitsburg, Maryland. There are 21 courses in various areas scheduled for calendar year 2017. Travel costs are reimbursable if you participate.
- Additional FEMA trainings occur at the Center for Domestic Preparedness (CPD) in Anniston, Alabama during the week of March 19-25, 2017. There have been 157 tribal attendees from 41 Tribes. Travel costs are paid for upfront for participants.

- There is a FEMA app for Android and iPhones if you are interested in getting alerts, safety tips, shelters and photos.
- The focus areas of FEMA's Region X include getting into the field getting to know Tribes and assisting them with access to programs and to assist in building capacity for Tribal communities in that region.
- There are 42 Tribal Nations in lower 48 states and over 100 in Alaska that are part of Region X.
- There are tribal liaisons and staff in the regions working with Tribes in the field. There is an awareness of the need to have cultural awareness regarding the different Tribes because Tribes operate and plan in ways that are different than local/municipal governments and sometimes even other Tribal government. Tribal nations also have a depth of knowledge of the local environmental history in their regions that provides valuable knowledge to FEMA.
- FEMA prefers to engage and work directly with Tribes, it is the best way to learn about Tribal needs when it comes to performing damage assessments when emergencies or disaster occur. There is assistance for public infrastructure in the communities and assistance for individual to help repair homes or provide support for those who may have lost personal property and possessions.
- There is technical assistance available to Tribes in a variety of areas, Tribes are encouraged to reach out to FEMA if they need any kind of emergency assistance. If FEMA cannot help, they will assist Tribes to find the proper agency who may be able to provide assistance.
- As mentioned above, there are training opportunities that occur at FEMA training sites; however, FEMA Region X knows the importance of providing trainings within Tribal communities where Tribes do not have absorb travel costs and training can take place in a real-world setting.
- Communication with Tribes is key in Region X and in other regions with a focus on building government-to-government relationships through meetings with Tribal leadership. Communication and coordination with Tribes should occur before an emergency or disaster occurs. Preparedness through communication, coordination and planning will make the emergency declaration process easier because there is a plan in place when an emergencies or disasters occur.
- FEMA wants to build an effective emergency management strategy in Tribal Communities to help them plan for all events and mostly to address emergencies that do not rise to the level of Declarations. Building capability in Tribal communities will help Tribal mover through the emergency declaration process easier to submit a request, receive payment and close-out the process.
- FEMA would like to encourage Tribes to contact their regional liaisons because there are Tribal set asides but Tribes are not accessing funds and tribal liaisons can help Tribes understand what these funds are for and if the Tribe is eligible or not. There are FEMA resources and resources from other Federal agencies and tribal liaisons can help navigate they system which is more helpful than a listing of available programs and funds.
- FEMA is always looking for feedback from Tribes in how they approach and engage tribes, any feedback Tribes may have, is appreciated.
- Santa Clara Pueblo in northern New Mexico experienced three major wildfires since 1998 that have resulted in flooding of downstream communities and the loss of Tribal resources such as cultural sites and ceremonial areas located within the Santa Clara canyon watershed.
- The Santa Clara Pueblo is dependent on the watershed for irrigation, hunting, fishing and plants used for ceremonial purposes and for consumption.
- The watershed is a spiritual sanctuary for Tribal members that includes many species of birds and animals in a setting that has streams, lakes, ponds and sacred sites.
- The three fires over the years and the most recent fire have resulted in major flooding events with debris flows that contain timber, boulders the size of small cars and debris have posed a danger to workers and Tribal members and is the reason the area is still closed today.
- Governor Chavarria of Santa Clara Pueblo provided an excellent PowerPoint presentation showing before and after photos, maps and visual aids describing the impact and process the Santa Clara Pueblo engaged in with FEMA to declare an emergency to address current challenges resulting from the fires and flooding -of the Santa Clara Canyon Watershed and Santa Clara Pueblo community infrastructure.
- Please review the PowerPoint, it contains detailed information about impacts, community support, maximizing internal Tribal resources, seeking disaster declarations, the FEMA/State funding process, cost match requirements, the national disaster recovery framework, recovery support strategy, building internal capacity, best practices and funding sources from philanthropic organizations.
- The Santa Clara Pueblo is fortunate to have knowledgeable, dependable, hard-working staff, departments and leadership who have educated themselves to understand their roles and responsibilities to meet the challenges that occur when emergencies or natural disasters occur.

- There is an enormous sense of loss to the entire community because the Santa Clara Canyon Watershed for generations has been the core of the Peoples' identity and the People and Tribal leadership must remain resilient in the face of enormous challenges.
- Tribes and Tribal leaders can help educate FEMA agency staff because they have local knowledge.
- Preparing for emergencies and natural disasters is key through coordination and planning internal and with the assistance of FEMA whose tribal liaisons are a resource even if there is not direct funding. Tribes are the ones who know best how to prepare and FEMA is there as a resource.
- The process of declaring emergencies and disasters is not perfect and there can be frustrations in the process and FEMA does seek input to help make the process better.
- Tribes must not forget about the effects of Climate Change that are becoming more apparent, Tribes must be proactive to address climate changes in their preparedness plans.

Questions from the Audience:

1. Is there a place or a list of funds that are not being utilized by Tribes?

Need to begin work on a national framework that can identify pots of money available to Tribes however tribal liaisons are the best resource to help Tribes navigate the various pots of money available to Tribes.

2. States receive money for Tribes but a lot of times that funding is not directed to tribal needs. How is FEMA working with Tribes to address this situation?

The Stafford Act was designed for states and not tribes and we are going to pilot a process in rulemaking to identify areas that need changes and even though changes to the act are not coming down there needs to be tracking of tribal issues that pose challenges to Tribes including how funds are directed and received. Only Congress can change grant programs and Tribes can advocate for changes.

Follow Materials, Documents, Websites for Reference:

" Department of Homeland Security Federal Emergency Management Agency" PowerPoint Presentation by Milo Booth, National Tribal Affairs Advisor.

" The Art of Working with FEMA, DHSEM and BHEM" PowerPoint Presentation by J. Michael Chavarria, Governor, Pueblo of Santa Clara.

Website address for various resources are listed in the PowerPoint presentations.