

SECTION V
IMPLEMENTATION AND MAINTENANCE



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Capability Assessment

This section will discuss the pre- and post-disaster hazard management policies, programs, and mitigation capabilities of the Tulalip Tribes. This discussion will include an evaluation of Tulalip Tribal laws, regulations, policies, and programs that are related to hazard mitigation and to development activity in hazard-prone areas. Funding capabilities for hazard mitigation projects are also discussed. The local capability assessment includes a general description of the capabilities of Tulalip's local jurisdiction, Quil Ceda Village.

Tribal Capabilities

Planning

Tulalip Tribes Comprehensive Land Use Plan, 2010

The 2010 Tulalip Tribes Comprehensive Land Use Plan discusses Environment, including sensitive areas, hazard zones and wetlands in Chapter 4. As the draft was completed prior to the Hazard Mitigation Plan update, the findings of this plan (such as tsunami hazard areas) are not referenced in the Land Use Plan. Currently the Comprehensive Land Use Plan is awaiting approval by the Tribal Council.

Tulalip Tribes Comprehensive Emergency Management Plan

The Tulalip Tribal government has the responsibility for protecting life, property and environment threatened by natural or manmade disasters. Tribal emergency responders provide services such as rescue and medical treatment of the injured, evacuation of Tribal members at risk, initial isolation of an area, and identification of hazard. Tribal responders also notify other local, state, Tribal, and Federal agencies per applicable laws, regulations, plans and mutual aid agreements.

The current Comprehensive Emergency Management Plan is outdated; the update process will begin before the end of this year.

2005 Hazardous Materials Commodity Flow Assessment

This study was conducted by Washington State University's Department of Political Science & Criminal Justice. It was a joint project with the Lummi Nation. Its purpose was to identify hazardous materials located on the Tulalip Reservation and haz-mat that is transported to and through the Reservation.

Regulations

Tulalip Zoning Ordinance, Ordinance No. 80

The Tulalip Zoning Ordinance, Ordinance No. 80, Section 23 regulates development in environmentally sensitive lands. These regulations include buffers around streams and wetlands to protect the environment and prevent damage to property. Steep slopes are also regulated. Section 25.2 discusses regulations in regards to hydraulic projects. Section 4.3, Conformity with Uniform Codes, mandates that all structures on the Tulalip Indian Reservation



shall be built consistent with the most recent editions of the Uniform Building Code (UBC), Uniform Fire Code, and the Uniform Plumbing Code.

Tulalip Tidelands Management Policies, Ordinance No. 129

The Tulalip Reservation includes all tidelands within its borders. Tribal people have depended on the shoreline to such an extent that the tidelands, together with all of Tulalip Bay, are reserved for the use and benefit of the Tribe.

A staff team representing the Community Development, Legal, Environmental, Fisheries, Fish and Wildlife Enforcement, Leasing, and Forestry Departments prepared Tidelands Management Policies. The purpose of the policies is to establish management requirements for the development regulation, and leasing of that portion of tribally owned tidelands included within the definition of “Tidelands” in Part IV of these policies. The policies lay the groundwork for legislative and policy reform on issues affecting Tribal tidelands. The “implementation measures” included with the policies will guide future modifications to land use controls, leasing practices, intergovernmental coordination, and the regulation, enforcement, protection and conservation of Tribal tidelands. Ultimately, the Tribe will also prepare a more detailed, comprehensive shoreline management plan, regulating the use and development of the Reservation shorelines, as called for in the future implementation measures.

Agencies and programs

Tulalip Office of Emergency Management

The purpose of the Tulalip Tribes Office of Emergency Management is to provide:

- A leadership role in facilitating and coordinating a regional approach to emergency planning and response on the Tulalip Reservation and surrounding communities.
- Guidance and coordination in the planning, mitigation, response, and recovery efforts of the Tulalip Reservation before, during, and after an emergency or disaster.
- Acquire, allocate and coordinate the appropriate resources in response to emergencies of disasters.

Tulalip OEM assists with environmental and hazards planning, Department of Homeland Security and FEMA grant writing, disaster relief training and NIMS compliance training. The Tulalip OEM also is a leading partner in the Northwest Tribal Emergency Management Council.

Tulalip Police Department

It is the mission of the Tribal Police services is to support, through our words, deeds and actions the visions of the Tulalip Tribes, the tribal constitution, the tribal council, the tribal members, the tribal elders, the tribal youth, and honor the customs and heritage of the tribe and to support the treaties and sovereignty of the tribe.

Tulalip Fire Department (Snohomish County Fire District 15)

This facility is located at 7812 Waterworks Road near Tulalip Bay and is responsible for providing protection to the western part of the Tulalip Reservation. Although not a Tribal department, the Tulalip Fire Department provides critical capabilities for Tribal Emergency services.

Marysville Fire District (Snohomish County Fire District 12)

This district is headquartered at 1635 Grove Street in Marysville, Washington and provides services to Quil Ceda Village and the eastern part of the Tulalip Reservation.

Tulalip Health Clinic

The Tulalip Health Clinic opened in August 2003 and offers state-of-the-art health services to tribal members.

The mission of the Health and Social Services Department is to provide a premier integrated healthcare delivery system that is culturally relevant and addresses the physical, mental, spiritual, and emotional needs of all Tulalip Tribal Members.

The Health Clinic will be able to provide immediate assistance to those injured immediately following a natural disaster.

Tulalip Office of Community Development

The Tulalip Office of Community Development is responsible for developing land use and zoning regulations for the Tulalip Tribes. They also play a critical role in developing regulations related to hazards mitigation, such as critical areas ordinances and regulations, such as the newly adopted Tidelands Management Policy.

see-yaht-sub/Communications

The See-yaht-sub is the Tulalip Tribes community newspaper. They can provide information on natural hazards including awareness and preparedness. The Tulalip Tribes also own and operates a cable TV service and can provide emergency/disaster information.

Tulalip Natural Resources

The Tribe, along with the State of Washington, have comanagement responsibility and authority over fish and wildlife resources. The mission of the Tulalip Natural Resources program is to carry out the Tribe's comanagement responsibilities in a manner consistent with treaty rights as well as protection and perpetuation of the resources upon which the people have depended for over ten thousand years.

Northwest Tribal Emergency Management Council

Led by efforts of the Tulalip Tribes, the eight tribes of Washington State Homeland Security Region 1 (a region composing Snohomish, Skagit, Whatcom, Island and San Juan Counties) formed the Northwest Tribal Emergency Management Council (NWTEMC) to address homeland security and emergency management issues each tribe faces.

The development of the Northwest Tribal Emergency Management Council not only better prepares Tribal entities for emergency incidents, but will also provide more opportunities for the tribes to work collaboratively to assist one another in meeting the mandates of related emergency management programs and foster partnerships with their neighboring counties and municipalities. The Department of Homeland Security's guidance identifies tribal entities as key stakeholders in partnerships with state, local and private sectors.



Disaster Relief Training

Sponsored by Tulalip Office of Emergency Management and Tulalip TERO (Tribal Employment Rights Office), this program will allow tribal members to be able to assist in disaster relief efforts for the Tulalip Tribes and at any disaster location nationally.

National Incident Management System (NIMS) compliance training

The Tulalip Office of Emergency Management is coordinating the training of all tribal police officers, department heads, Board members and relevant staff in the National Incident Management System so they are compliant with NIMS.

Local Capabilities (Quil Ceda Village)

The tribal capabilities discussed in the previous section also apply to Quil Ceda Village. At this time, Quil Ceda Village does not have any specific capabilities that relate to hazard management, although there are plans in place to implement local capabilities. The first steps to implementing local capabilities will be to establish a Quil Ceda Village Office of Emergency Management and to prepare a local level hazard mitigation plan for the Village.

Current and Potential Funding Sources

This section identifies current and potential sources of federal, tribal, state, local and private funding to implement mitigation actions and activities. Due to the Tulalip's situation as a sovereign Indian reservation with a limited revenue base, most funding to implement mitigation measures will come from the federal government through grant programs. Limited funding is also possible from the State of Washington and Snohomish County as well as matching funds for grants from the Tulalip Tribes.

Federal

Below are listed the primary federal programs and agencies that can potentially fund mitigation actions and planning. Additional programs and agencies can also be found in the capability assessment and in Appendix F, Sources of Funding.

- Pre-Disaster Mitigation Program, which provides funds to develop mitigation plans and implement mitigation projects, is administered by FEMA (by submitting a state level plan, the Tulalip Tribes will qualify as a direct grantee);
- Hazard Mitigation Grant Program, which provides post-disaster funds for hazard reduction projects (e.g., elevation, relocation, or buyout of structures), is administered by FEMA and the Washington State Emergency Management Division;
- Flood Control Assistance Account Program, which provides funds for developing flood hazard management plans, for flood damage reduction projects and studies, and for emergency flood projects is administered by the Washington State Department of Ecology (Ecology);
- Flood Mitigation Assistance Program, which provides funds for flood mitigation on buildings that carry flood insurance and have been damaged by floods, is administered by FEMA;
- Department of Homeland Security funding, in addition to FEMA programs;
- U.S. Fire Administration, which provides wildfire program funds;
- Environmental Protection Agency, which could provide funds for projects with dual hazard mitigation and environmental protection goals as well as updates to this HMP and related planning efforts such as spill prevention and response planning;
- Indian Health Service, which could provide funds for hazard mitigation projects that address public health and safety;
- Rural Development Agency, USDA, which provides loan and grant funds for housing assistance, business assistance, community development, and emergency community water and wastewater assistance in areas covered by a federal disaster declaration;
- Community Development Block Grant, which provides funds for a variety of community development projects, is administered by the Department of Housing and Urban Development;
- Small Business Administration Loans, which help businesses recover from disaster damages, is administered by the Small Business Administration; and
- Bureau of Indian Affairs, which provides funds to support tribal activities.



Tribal

The Tulalip Tribes is fully committed to the public safety and welfare of its residents and tribal members and to the goals of the Tulalip Hazard Mitigation Plan. The Tribe has only limited resources to devote to mitigation planning. Tribal Funding sources generally come from the revenue generated by tribally owned businesses, such as the Quil Ceda and Tulalip Casinos, the Tulalip bingo hall, and from the leasing of trust land to businesses and home owners.

Nonetheless the Tribe may be willing to match grant funding, either through direct monies or through the allocation of resources, such as labor and expertise, in order to implement the actions discussed in this plan.

State/Local

In some cases, funding may be available from the State of Washington and/or Snohomish County, especially on mitigation actions that overlap jurisdictions, such as road and flood mitigation projects. The main resource for funding opportunities from the state of Washington is from the Washington State Emergency Management Division, which helps fund mitigation projects. The Tulalip Tribes is currently building relationships with the state of Washington, its departments and Snohomish County, as well as local communities, in order to develop partnerships to implement mitigation measures that are regional in scale.

Private

No potential funding from the private sector is currently identified. Nonetheless local businesses and residents located within the Tulalip Reservation will be encouraged to participate and contribute to the mitigation effort.

Coordination of Local Mitigation Planning

The consolidated borough of Quil Ceda Village is the only local jurisdiction within the Tulalip Reservation. Nonetheless the Tulalip Tribes will work with other local agencies and jurisdictions, such as the Marysville School District and the Tulalip Fire Department in helping to implement the mitigation actions described in Section 5 and in preparing and coordinating their own mitigation planning activities. The following sections will describe how the Tulalip Tribes will support the development of the Quil Ceda Village Hazard Mitigation Plan, and other local mitigation plans, if applicable. Furthermore the process to integrate the local plan and evaluate and prioritize local mitigation actions using a FEMA approved benefit-cost analysis will be described.

Local Funding and Technical Assistance

The Tulalip Office of Emergency Management (OEM) will be the lead agency in the coordination of developing mitigation planning for the Quil Ceda Village (QCV) and other local agencies within the Tulalip Reservation.

The Tulalip Office of Emergency Management can provide various types of assistance to local agencies, businesses, or individuals that are trying to identify appropriate mitigation measures for their facilities and homes. These include providing current hazard vulnerability estimates and technical information, improving communications between local organizations and hazard-related agencies, and coordinating hazard mitigation training. In addition, the Tulalip OEM can provide public education materials or presentations to organizations or residents on the Reservation. The Tulalip OEM will proactively identify appropriate mitigation measures and present them to local agencies, businesses, and/or individuals.

The Tulalip Tribes currently has limited funds to provide direct funding of mitigation measures to local agencies and jurisdictions. However, the Tulalip Tribes Board of Directors, through the Tulalip OEM, can apply for and pass on funds from outside sources to local entities and/or implement activities that directly or indirectly help local organizations, businesses, and/or individuals implement mitigation measures.

With adoption and approval of the Tulalip Tribal-level Hazard Mitigation Plan, the Tulalip OEM will apply for a pre-disaster mitigation grant in order for the Quil Ceda Village OEM to develop its own local mitigation plan.



Local Plan Integration Process

The Tulalip Office of Emergency Management will work closely with the Quil Ceda Village OEM to ensure that the QCV Hazard Mitigation Plan is consistent with the goals of the Tulalip Tribes Tribal-level Hazard mitigation and that local mitigation actions and strategies do not contradict those of the Tribal-level plan. The Tulalip OEM will also ensure that the QCV HMP fulfills all FEMA requirements for successful approval. Efforts to ensure that integration of local planning is successful will include:

- Frequent meetings between the Tulalip and QCV OEMs, especially during the planning process.
- The Tulalip OEM will share all available resources to the QCV OEM, such as staff assistance, technical assistance and expertise and the use of computers, printers and software that will lead to the successful adoption and implementation of the local mitigation plan.
- The Tulalip OEM will share all available hazard data, plans, and maps and will coordinate with other agencies, including those outside the Reservation in order to collect and disseminate relevant information.
- The Tulalip OEM will work closely with the QCV OEM in order to better map and develop risk assessments for critical facilities and infrastructure.
- The Tulalip OEM will help review the QCV mitigation plan at least once a year as part of the implementation and monitoring process.
- The Tulalip OEM will assist the QCV OEM at least once every five years in order to update the local plan.

Local Assistance Prioritization Criteria

With only one local jurisdiction, the Tulalip Tribes will not have to prioritize among local jurisdictions' grant applications for planning and projects. However, in order to use its limited resources and funding most efficiently and effectively, the Tulalip Tribes will require that the Quil Ceda Village prioritize areas and critical facilities and infrastructure most vulnerable to hazards and the projects that are most appropriate and effective in mitigating those hazards.

In general, the following criteria will be used to prioritize mitigation actions and to seek potential funding for projects:

- Projects that provide the greatest enhancement to public health and safety;
- Projects in which the benefits are maximized according to a benefit-cost review of proposed projects and their associated costs;
- Agencies and facilities with or projects that address the highest risks of hazard damage;
- Projects that involve repetitive loss properties; and
- Projects that address the most intense development pressures.

Section V: Implementation and Maintenance

The Tulalip OEM will develop a ranking system that weights various factors and provides a relative score that reflects the importance of a project to the Tulalip Tribes and the residents of the Reservation. The Tulalip OEM and QCV OEM will use these scores to rank proposed mitigation projects and to prioritize mitigation activities for action. The ranking system will include the following criteria:

- Reduction of threats to public health and safety;
- Reduction of potential structural damages;
- Reduction of potential economic losses;
- Effects on environmental and cultural resources;
- Degree of support for the Tulalip Tribes goals and objectives; and
- The benefit/cost ratio of the project.

Since most hazard mitigation funding from federal and state sources requires a benefit/cost ratio greater than one, this ratio will be an important factor in the assessment of projects. Unless a project involves overriding public health and safety or cultural factors, the Tulalip OEM will only consider projects in which project benefits at least exceed project costs. In seeking to maximize public benefits, the Tulalip OEM and/or the QCV OEM will acquire the information and/or assistance necessary to determine the best possible benefit-cost ratio for high priority projects before submitting applications for these projects to funding agencies. Projects that are recommended for funding will be those that best document their ability to reduce future impacts of natural disasters as well as demonstrate cost effectiveness through a benefit-cost review.



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Plan Maintenance Process

The Federal hazard mitigation planning regulations (44 CFR 201.4) have been updated to state that all Tribal plans to meet the new Tribal Mitigation Plan requirements, and that these plans be reviewed, revised, and submitted for approval to the FEMA Regional Director every five years. The regulations require a plan maintenance process that includes an established method and schedule for monitoring, evaluating, and updating the plan; a system for monitoring implementation of mitigation measures and project closeouts; and a system for reviewing progress on achieving goals as well as specific activities and projects identified in the mitigation plan.

The Tulalip Tribes Tribal-level Hazard Mitigation Plan is a living document that is intended to provide a guide for hazard mitigation to the Tulalip Tribes. The Plan can be revised more frequently than five years if the conditions under which it was developed change significantly (e.g., a major disaster occurs or funding availability changes). This section details the Tulalip Tribes' method and schedule for monitoring, evaluating, and updating the HMP and for monitoring the progress of mitigation actions.

Responsibility for Plan Maintenance

The Tulalip Board of Directors has final authority and responsibility over the Tulalip Hazard Mitigation Plan. Responsibility for plan maintenance and coordinating implementation of mitigation measures will be delegated to the Tulalip Office of Emergency Management. The Tulalip OEM will also be responsible for annual progress reports to the Tulalip Board of Directors and for the five-year update to be submitted to the Board and subsequently to FEMA for approval.



Monitoring, Evaluating and Updating the Plan

The Tulalip OEM will review this HMP annually and will update the HMP every five years. Semi-annual reviews with the Mitigation Planning Team will identify progress made on the implementation of mitigation measures and projects. These reviews will also assess the impacts of disasters in the Reservation region to determine whether the HMP should be revised based on the new information. The semi-annual review will occur during the second and last quarter of each calendar year to coincide with the tribal fiscal year and to prepare for PDM grant deadlines.

The effectiveness of projects and other actions will be evaluated at appropriate, project specific intervals or, at a minimum, when the HMP is updated every five years as required for Tribal plans submitted directly to FEMA. The process of updating the HMP will include a review of hazard assessments, vulnerability assessments, potential losses, tribal capability, and coordination with other planning efforts, funding sources, and recommended and potential new mitigation measures. In support of the five-year update, the Tulalip OEM will:

- Examine and revise the Hazard Risk Assessment as necessary to ensure that it describes the current understanding of hazard risks;
- Examine progress on and determine the effectiveness of the mitigation actions and projects recommended in this HMP;
- Identify implementation problems (technical, political, legal, and financial) and develop recommendations to overcome them;
- Recommend ways to increase participation by Tulalip Tribes departments and to improve coordination with other jurisdictions and agencies; and
- Review and, if desirable, revise the Tulalip HMP Action Plan.

The updated HMP will be presented to the Tulalip Board of Directors for approval and adoption before it is submitted to FEMA for re-approval.

Monitoring Progress of Mitigation Actions

The Tulalip Tribes Office of Emergency will frequently review progress on the implementation of mitigation actions. The Tulalip OEM will also meet with representatives from Tribal Departments, as the Mitigation Planning Team, to discuss progress of mitigation activities. The implementation of all short-term mitigation actions will be monitored by the Tulalip OEM on an ongoing basis until implementation is complete. Long-term actions being actively implemented will be monitored on an ongoing basis, or at least annually as needed. Long-term actions planned for the future will be reviewed during plan updates every five years.

The system for reviewing progress on achieving goals, objectives, and specific actions included in the mitigation strategy will be based on a checklist of all objectives and actions. This checklist will be reviewed annually by the Tulalip OEM. As described in the previous section, progress on mitigation actions will be described in an annual report to Tulalip Board of Directors and in the five-year update of the Hazard Mitigation Plan.

In addition to the work products described in approved work plans for projects funded by the Pre-Disaster Mitigation Program, the Hazard Mitigation Grant Program, the Flood Mitigation Assistance Program, or other grant programs, quarterly or semi-annual (depending on reporting requirements of funding agencies) performance reports that identify

accomplishments toward completing the work plan commitments, a discussion of the work performed for all work plan components, a discussion of any existing or potential problem areas that could affect project completion, budget status, and planned activities for the subsequent quarter will be submitted to the funding agency by the assigned Tulalip Project Officer. The agency-specific final grant closeout documents will also be prepared by the Tulalip Project Officer at the conclusion of the performance period and submitted to the funding agency.

The previous plan's mitigation strategy would have been more effective had there not been major staffing changes within the Office of Emergency Management that began almost immediately after the completion of the previous plan. With consistent staffing and the inclusion of the Mitigation Planning Team as an oversight body, these methods should be more effective over the next five years.

Ongoing Public Participation

The plan will be available on the Office of Emergency Management website for download, along with an e-mail address inviting comment. A physical copy will be available at the OEM Office and at the Administration Building with the Community Development Department. During outreach activities designed to educate the public about safety and natural hazards, information regarding the plan and how to obtain a copy will be made available at public events and on literature created by the OEM.

Ongoing Mitigation Planning Team meetings will be open to the public and planning team members will be asked to suggest interested members of the public who should be invited to the meetings. When a schedule is confirmed for these meetings, information will be available via the OEM website.

Future update processes will strive to include public input whenever possible, including surveys and opportunities to review new data created for the plan.

Compliance with Federal Statutes

The Tulalip Tribes will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding, in compliance with 13.11(c) of 44 CFR 201.7. The Tulalip Tribes will amend this plan whenever necessary to reflect changes in tribal or Federal laws and statutes as required in 44 CFR 201.7(d).



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