



Tribal Mitigation Planning

Hazard mitigation planning is the process State, Indian Tribal, and local governments use to identify risks and vulnerabilities associated with natural disasters, and to develop long-term strategies for protecting people and property from future hazard events.

The Stafford Act, as amended by the Disaster Mitigation Act of 2000, provides a way for States, federally recognized Indian Tribal governments, and local governments to undertake mitigation planning to reduce risks to natural hazards.

Mitigation plans also help Tribes meet grant eligibility requirements for Federal Emergency Management Agency (FEMA) grant programs. Tribes can develop their own mitigation plan or participate in multi-jurisdictional plans with other Tribes and/or local governments.



Mitigation Planning Raises Awareness and Support

The planning process is as important as the resulting plan because it creates a framework and includes the following elements:

Public Involvement – Planning creates an opportunity to involve Tribal officials, emergency managers, Tribal members, and elders, and consider their input and risk assessment data regarding multiple hazards such as flooding, wildfires, earthquakes, and tornadoes. Tribes may also want to involve others, usually called stakeholders, who may be affected such as nearby business owners or non-Tribal members living on or near the reservation. In addition to emergency managers, the planning process generally involves other agencies (e.g., health care, environmental, zoning, public works), businesses, senior centers, and schools. Under the regulations, Tribal governments have the option of defining “the public” and should work with their FEMA Regional office to determine how they will involve their members and other stakeholders throughout the planning process.

Special Consideration for Extraordinary Circumstances

The FEMA Regional Administrators may grant an exception to the Tribal Mitigation Plan requirement in extraordinary circumstances, such as in a small and impoverished community, when justification is provided and the Tribe is interested in subgrantee status for that disaster. In these cases, a plan must be completed within 12 months of the project grant award.

Risk Assessment – Mitigation plans identify natural hazards and risks based on history, estimate the potential frequency and magnitude of disasters, and assess the potential losses of life and property. The risk assessment identifies vulnerabilities to the built environment, including the type and numbers of existing and future buildings, infrastructure, and critical facilities relative to identified hazard areas. The risk assessment may include data from other Tribal, Federal, State, and local agencies and may also include man-made threats if the Tribe wishes to include them. Culturally significant and sacred sites can also be addressed in the risk assessment.





Develop and Implement a Tribal Mitigation Plan – Once the risk assessment is complete, the Tribe will develop a mitigation strategy, establish priorities to reduce risk, and identify mitigation actions and projects to implement the plan. Grant funding may be available to help a Tribe develop or update a mitigation plan, and for implementing mitigation projects identified in the plan.

How Tribal Mitigation Plans Can Provide Flexibility

Prior to October 1, 2008, Indian Tribal governments could either meet the requirements of a State Mitigation Plan to be eligible for FEMA grant programs as a Grantee or meet the requirements of a Local Mitigation Plan to be eligible for these grant programs as a subgrantee. The Tribal Mitigation Plan was created under 44 CFR §201.7 to give Tribes more flexibility and the ability to meet the eligibility requirements of a Grantee or subgrantee. All mitigation plans approved for Indian Tribal governments prior to October 1, 2008, will remain in effect as approved (for either three or five years, depending on the type of plan adopted). After October 1, 2008, Indian Tribal governments must meet the requirements of a Tribal Mitigation Plan. These plans will be valid for five years. When FEMA approves a Tribal Mitigation Plan, the Tribe will be eligible for Grantee status; if the Tribe also coordinates with the State for plan review, then the Tribe will also have the option to request subgrantee status. This process promotes flexibility for Tribes to request either Grantee or subgrantee status for each program under each Presidential Disaster Declaration.

In addition, Indian Tribal governments acting as Grantees may elect to develop Enhanced Mitigation Plans. When a disaster is declared, an Indian Tribal government with an Enhanced Mitigation Plan is eligible to receive up to 20 percent of available funds under the Hazard Mitigation Grant Program, as opposed to the 15 percent maximum possible with a standard Tribal Mitigation Plan.

Mitigation Planning Requirements for FEMA Grant Programs

Enabling Legislation	Program	State	Local	Tribal
Stafford Act	Individual Assistance (IA)	No Mitigation Plan Requirement		
	Public Assistance (PA) (Categories A and B: e.g., debris removal, emergency protective measures)	No Mitigation Plan Requirement		
	Public Assistance (Categories C through G: e.g., repairs to damaged infrastructure, publicly owned buildings)	✓	N	✓ (ONLY if Grantee)
	Fire Management Assistance Grants	✓	N	✓ (ONLY if Grantee)
	Hazard Mitigation Grant Program (HMGP) Planning Grant (\$)	✓	✓	✓
	Pre-Disaster Mitigation (PDM) Planning Grant (\$)	✓	✓	✓
National Flood Insurance Act	Flood Mitigation Assistance (FMA) (\$)	✓	✓	✓
	Severe Repetitive Loss (SRL)	✓	✓	✓
	Repetitive Flood Claims (RFC)	✓	N	N

(\$) = Grant funds available to develop mitigation plans ✓ = Mitigation Plan required N = No plan required

Find additional information about FEMA’s Mitigation Planning at www.fema.gov/plan/mitplanning/index.shtm.

Download the resources electronically from the FEMA Library at www.fema.gov/library.