



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 20-39

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965;

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government;

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe;

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe;

WHEREAS, the Squaxin Island Court wishes to adopt an Emergency Management Code that acknowledges the need for an Emergency Management Office, including the established Squaxin Island Tribe Emergency Operations Center (EOC) to carry out emergency management and homeland security functions and to provide for the preparation and implementation of all emergency management plans;

WHEREAS, the Squaxin Island Tribal Council believes it is in the best interest of the Tribe, its enterprises, and its community to mitigate and protect from, and respond to emergencies and disasters, and adopts this code to govern and regulate the Squaxin Island Tribe's Emergency Management Office and Emergency Operations Center on the Tribe's Indian Lands;

NOW THEREFORE BE IT RESOLVED, the Squaxin Island Tribal Council hereby adopts the attached Emergency Management Code, effective ~~July~~ Aug, 2020.

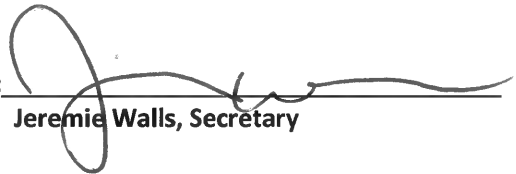
Aug 6

CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 6 day of August, 2020, at which time a quorum was present and was passed by a vote of 5 for and 0 against, with 0 abstentions.



Kristopher Peters, Chairman

Attested by: 

Jeremie Walls, Secretary



Charlene Krise, Vice Chairman

Chapter XX.XX EMERGENCY MANAGEMENT ACT

xx.xx.xxx Authority

The Tribal Council of the Squaxin Island Tribe ("Tribe") empowered by the Tribe's Constitution and other sovereign and governing authority to enact ordinances, hereby enacts the resolution in order to govern and regulate the Squaxin Island Tribe's Emergency Management Office and Emergency Operations Center (EOC) on the Tribe's Indian lands.

The following laws are adopted under the inherent authority of the Squaxin Island Tribe and Article III, § 1(h) of the Constitution and Bylaws of the Squaxin Island Tribe, which provides that the Squaxin Island Tribal Council has the authority to promulgate and enforce ordinances governing the conduct of members of the Squaxin Island Tribe.

xx.xx.xxx Purposes

This Chapter enacts code to acknowledge the need for an Emergency Management Office, including the Squaxin Island Tribe Emergency Operations Center (EOC) to carry out emergency management and homeland security functions, and to provide for the preparation and implementation of all emergency management plans to mitigate, prepare for, respond to, and recover from injury and damage to persons or property resulting from emergencies or disasters, whether natural or man-made. In support of these necessary goals, this code establishes an Emergency Management Homeland Security Committee to provide guidance and support to meet these responsibilities.

xx.xx.xxx Definitions

"Chairman" means the Chairman of the Squaxin Island Tribal Council.

"Comprehensive Emergency Management Plan" means a written basic plan with elements that address all natural and man-made emergencies and disasters to which the Tribe is vulnerable. This plan specifies the purpose, organization, responsibilities, capabilities and facilities of agencies, departments, and officials of the Tribe in the mitigation of, preparation for, response to, and recovery from emergencies and disasters.

"Disaster" or "State of Emergency" means a sudden event, such as an accident or a natural catastrophe that causes great damage, loss of life, or threatens major damage, loss of life, or a hazardous material incident, exceeding the capability of the impacted government and its mutual aid partners.

"Emergency" means when government goes beyond its ability to respond with its own assets. Depending on the magnitude of the incident, could transition to a Disaster/State of Emergency.

"Emergency Management Homeland Security Committee" is the advisory group that will provide guidance to, participate in preparation, and implementation of a Tribal Comprehensive Emergency Management Plan and all other emergency preparedness plans.

“Plans” means any emergency preparedness or mitigation plan that will help tribal government during an event. For example, Comprehensive Emergency Management Plan (CEMP), Hazard Mitigation Plan, Continuity of Government Plan, Continuity of Operations Plan (COOP), Wildland Fire and Evacuation Plan, Vulnerable Population Plan, Public Health Response Plan, Disaster Recovery Plan, Debris Management Plan.

“Squaxin Island Facilities” mean all buildings, structures or other areas utilized for operating the Squaxin Island Tribal government or Tribally-managed businesses, enterprises, or services, whether the facility is owned by the Tribe, or held in trust by the Federal government for the Tribe, or any member of the Tribe.

“Squaxin Island Tribal Lands” mean all property and lands, including running waters, lakes, airspace and natural resources within the exterior boundaries of the Squaxin Island Indian Reservation, and lands now or hereafter held in trust by the Federal government for the Tribe, or any member of the Tribe. This term also means all property and territory reserved or granted to the Tribe by treaty or by the Constitution and laws of the United States.

“Tribe” means the Squaxin Island Indian Tribe.

xx.xx.xxx Emergency Management Office/Emergency Operations Center (EOC)

- A. The Emergency Operations Center (“EOC”) is the Tribal office authorized to perform local emergency management and homeland security functions.
- B. The EOC shall remain an office of the Tribe and shall consist of such officers and employees as specified in the Plans required by this Chapter and supported by Squaxin Island Tribal government.
- C. The EOC is headed by an emergency manager or Emergency and Safety Manager. The Manager shall be directly responsible for the organization, administration and operation of the EOC.

xx.xx.xxx Emergency Management Plans

The Emergency and Safety Manager shall prepare, or cause to be prepared, at a minimum, but not limited to, Comprehensive Emergency Management Plan (CEMP), Hazard Mitigation Plan, Continuity of Operations Plan, Wildland Fire and Evacuation Plan, At-Risk Population Plan, Public Health Response Plan, Disaster Recovery Plan, Debris Management Plan hereafter know as “Plans”. The Plans shall be prepared in conformity with all applicable laws, regulations, and requirements.

The Squaxin Island Emergency Management Homeland Security Committee shall review, comment, provide guidance and approval before a final version is presented for approval by leadership.

xx.xx.xxx Disaster; Emergency Powers of the Chairman

If an emergency occurs the Chairman has the authority to undertake:

- A. To make and issue emergency rules, regulations and orders on matters reasonably related to protecting life and property affected by such emergency or disaster, including but not limited to orders

relating to closure or restriction of access to and evacuation of Squaxin Island Tribal lands and Squaxin Island Tribal facilities affected by the emergency or disaster, provided the Chairman shall obtain the approval of such emergency rules, regulations and orders by Tribal Council within 24 hours;

- B. To issue a Tribal emergency proclamation and to request that the Tribe issue a proclamation of a state of emergency when, in the Chairman's opinion, the resources of the Tribe are inadequate to cope with the emergency or disaster;
- C. To obtain supplies, equipment and services found lacking and needed for protecting life or public property, and to bind the Tribe for the costs associated therewith, without regard to standard approval procedures (except for mandatory constitutional requirements), including but not limited to the Chapter 2.36 Budget Ordinance, and Tribal Finance Department Policies and Procedures;
- D. To control and direct the efforts of the EOC, in consultation with the Emergency and Safety Manager, the Tribal Administrator and the EMHSC;
- E. To requisition necessary personnel or material of any other Tribal department or enterprise;
- F. To require the emergency services of any Tribal officer, employee or member;
- G. To command the service and equipment of as many members or employees of the Tribe as may be deemed necessary in light of the emergency or disaster proclaimed;
- H. To execute the special powers conferred upon the Chairman as outlined in the Robert T. Stafford Act; and
- I. To establish and maintain continuity of the Tribal government, by ensuring proper provisions for succession of authority according to Tribal law, as specified in the All-Hazards emergency management plans.

xx.xx.xxx Duties and Powers of the Emergency and Safety Manager

The Emergency and Safety Manager, or his/her designee, shall:

- A. Prepare and present to the EMHSC and Tribal Council all plans, annexes, attachments, program papers, and all other documents required under the plans or other applicable law or regulation;
- B. To review and update any such documents prepared under subsection A of this section annually;
- C. To represent the Tribe in all inter-jurisdictional matters relating to emergency management;
- D. To conduct emergency operations exercises as required under the plans or other applicable law or federal guidance that includes an After-Action Review with essential personnel at least annually and within one week of an event on tribal lands;

- E. To inspect the Tribe's emergency facilities and systems, including but not limited to, an emergency operations center and communications system and to determine their state of readiness;
- F. To monitor the Tribe's compliance with appropriate laws and regulations;
- G. To enroll and provide training to personnel and Community Emergency Response Team (CERT) members and to notify personnel and CERT members of training opportunities offered at other locations.
- H. The ability to recommend that the Chairman proclaim the existence of an emergency or disaster, and the termination thereof;
- I. To provide guidance for coordination and cooperation between Tribal departments and necessary personnel, and to seek resolution of questions of authority and responsibility through tribal Administration as needed; and
- J. To exercise all other powers conferred by specific resolutions of the Tribal Council.

xx.xx.xxx Severability

If any section of this Chapter or the application of any section of this Chapter to any person under any circumstances deemed to be invalid by any court of competent jurisdiction, such invalidity shall not affect the continued effect of any other provision in this Chapter.

xx.xx.xxx Sovereign Immunity

Nothing within this Chapter shall be deemed a waiver of the Squaxin Island Tribe's sovereign immunity.