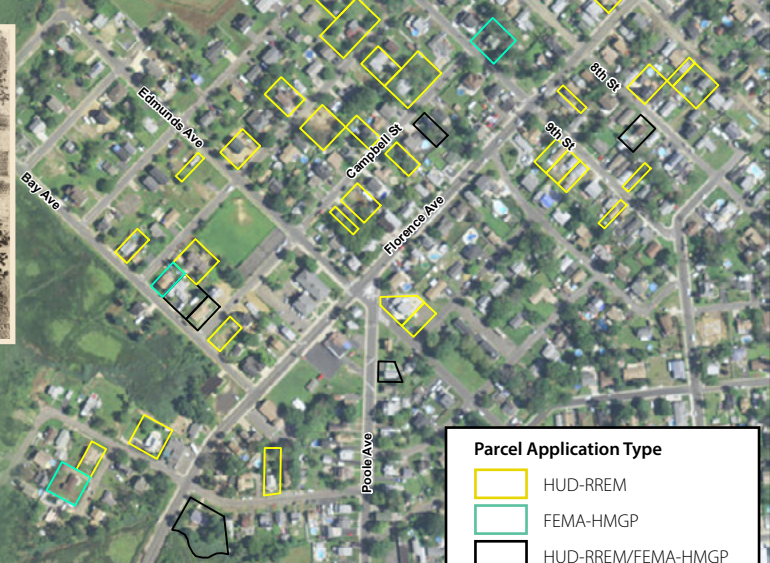


Tribal Engagement for True Partnership in Superstorm Sandy Recovery

Translating the language of disaster recovery



Above: An Indian village of the Mannhattans, prior to the occupation of the Dutch. Source, Valentine 1858.



Right: The yellow, green, and black outlines are the locations of the affected grantees.

The Tribes Involved in Section 106

All Counties in New Jersey:

- Delaware Tribe of Indians
- Delaware Nation
- Shawnee Tribe of Oklahoma



Burlington, Camden, Cumberland, Gloucester, Hunterdon, Mercer, Salem, Sussex and Warren Counties:

- Absentee Shawnee Tribe of Indians of Oklahoma



Burlington, Sussex and Warren Counties:

- Stockbridge-Munsee Band of Mohicans



Need

In the wake of Superstorm Sandy, comprehensive management of many competing priorities required close coordination between federal and state agencies. The complexity of federal regulations, however, can sometimes become a barrier to the timely administration of disaster recovery funds. As an example, Section 106 of the National Historic Preservation Act requires that effects on historic properties—such as historic buildings, archaeological sites, and properties with religious and cultural significance—be taken into account before approval of funds. In New Jersey, ICF discovered that 75 federal grants to homeowners were being held up, because the properties in question were located on a large Native American habitation site identified in 1865. Section 106 required that the tribes whose ancestors lived in this part of the state during the Colonial era be consulted before the grants could be released, acknowledging that only the tribes have the expertise to identify properties with cultural and religious significance to them.

Solution

ICF International was retained by the New Jersey Department of Environmental Protection (NJDEP) NJDEP to monitor and assist the state in its compliance with Section 106 of the Historic Preservation Act and subsequently to develop Tribal Consultation Guidance to ensure effective tribal outreach. ICF worked closely with the New Jersey Department of Community Affairs (NJCA), which served as the U.S. Department of Housing and Urban Development (HUD) delegate for implementing Section 106 during Superstorm Sandy recovery. The names of potentially impacted tribes and conditions for tribal consultation were available, however, none of the tribes had yet been actively consulted.

Contact

ICF Disaster Recovery and Community Rebuilding

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ICF established a framework for tribal notification stipulating that NJDCA informs tribe(s) when a project is in a geographic area of concern or a project scope involves “extensive land disturbance,” and Environmental Assessment Field (EAF) Contractors use templates developed by ICF for outreach to verified tribal contacts.

For the 75 held-up grants, ICF developed the EAF Contractor scope for testing, which the tribes were asked to review. Following very active consultation and sharing of testing results with the tribes, the 75 FEMA/ HUD grants moved forward.

Benefit

New Jersey’s post-Superstorm Sandy tribal consultation exemplifies the importance of working with an experienced partner in disaster recovery. State officials may be overwhelmed by the massive scale of emergency work required, but easily overlooked details can bring down much bigger efforts and exacerbate bureaucratic delays. Working with ICF helped NJDCA overcome these challenges while isolating areas of non-compliance requiring attention. With its guidance engaging native tribes, ICF helped NJDCA fulfill its Section 106 legal obligations to the letter of the law and in the spirit intended.

Instead of relying on form letters sent to unverified contacts, ICF carefully crafted letters that were respectful and provided context so that the tribes were interested and successfully engaged. With in-depth knowledge of the many moving parts required for successful disaster recovery, an experienced partner like ICF can help focus efforts and ensure that no details are missed.

About ICF International

ICF International (NASDAQ:ICFI) provides professional services and technology solutions that deliver beneficial impact in areas critical to the world’s future. ICF is fluent in the language of change, whether driven by markets, technology, or policy. Since 1969, we have combined a passion for our work with deep industry expertise to tackle our clients’ most important challenges. We partner with clients around the globe—advising, executing, innovating—to help them define and achieve success. Our more than 5,000 employees serve government and commercial clients from more than 70 offices worldwide. ICF’s website is www.icfi.com.