



NEW YORK STATE SENATOR

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## Expedited Federal Disaster Declaration

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Andrew M. Cuomo - Governor

### **Governor Cuomo Requests Expedited Federal Major Disaster Declaration for New York State**

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Albany, NY (August 30, 2011)

Governor Andrew M. Cuomo today formally requested an expedited major disaster declaration from the federal government.

The public assistance would reimburse communities for the costs incurred for debris removal and emergency protective actions taken in response to Hurricane Irene.

The Individual Assistance program would provide the following aid to homeowners, renters and small businesses: the Individuals and Households Program, Crisis Counseling, Disaster Unemployment Assistance, USDA food coupons and distribution, USDA food commodities, Disaster Legal Services, the Disaster Supplemental Nutrition Assistance Program, and Small

Business Administration disaster loans. The Governor is also statewide seeking implementation of FEMA's Hazard Mitigation program.

Governor Cuomo's letter to President Obama is below:

Dear Mr. President:

Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (Stafford Act), and implemented by 44 CFR §§ 206.36, I request that you declare an Expedited Major Disaster for the State of New York as a result of Hurricane Irene that began impacting the state on August 27, 2011 and continues.

As of today, at least 26 counties in New York continue to see devastating effects from Hurricane Irene including flooding, power outages, road and bridge closures, and infrastructure damages. Those counties include: Albany, Bronx, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington and Westchester.

At least six confirmed fatalities have occurred statewide due to Hurricane Irene. Areas within these counties are experiencing record flooding because of torrential rains and storm surge. Other rivers such as the Hudson and Mohawk, and the Schoharie Creek continue to impact communities. At least four towns and villages are or were underwater: Fleischmanns, Margaretville, Prattsville and Windham. Also, towns of Middleburgh and Schoharie were completely inundated and underwater with the Middleburgh High School being completely destroyed.

Several dams are being monitored due to rising water levels and two dams had previously been classified as being close to failure. Evacuations occurred in communities and villages that may be affected by these potential failures.

The State of New York continues to try to assist shelters in areas that are isolated because of flooded roadways. Officials are air lifting supplies into isolated areas to continue ongoing shelter operations. NYS Department of Transportation is reporting that some areas are inaccessible for assessment and may remain so for the immediate future.

The State Office of Emergency Management's Region II office in Poughkeepsie was completely flooded requiring an evacuation of the regional operations center.

In response to Hurricane Irene, I have exercised all State resources, including using the Emergency Management Assistance Compact to use resources from the following states:

California, Colorado, Florida, Illinois, Michigan, Mississippi, Minnesota, Ohio, and Washington.

In response to the situation, I have taken appropriate action under State law and, on August 25, 2011, directed the execution of the New York State Comprehensive Emergency Management Plan in accordance with New York State law and section 401 of the Stafford Act:

I declared a State of Emergency on August 25, 2011 for Hurricane Irene, to assist local governments with evacuations of threatened populations and to help provide State resources to local governments that would be unable to respond adequately due to the size and magnitude of this storm system. The State of Emergency specifically cited Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk counties and other contiguous areas. However, Hurricane Irene has impacted at least 24 counties where life-saving measures have been taking place for a minimum of three days.

The New York State Standard Multi-Hazard Mitigation Plan was approved by FEMA on January 4, 2011.

Preliminary damage assessments are impossible to perform at this time in these counties due to ongoing life-saving response activities and due to both State and local resources being overwhelmed. I have, however, flown over these areas and saw hundreds of private homes

either destroyed or with major damage and an enormous amount of public infrastructure damage that far surpasses the State of New York's threshold of \$25 million. I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and affected local governments, and that supplementary Federal assistance is necessary. I am specifically requesting:

- Public Assistance for Categories A - G for the following counties: Albany, Bronx, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, and Westchester.
- Individual Assistance including the Individuals and Households Program, Crisis Counseling, Disaster Unemployment Assistance, USDA food coupons and distribution, USDA food commodities, Disaster Legal Services, the Disaster Supplemental Nutrition Assistance Program, and Small Business Administration disaster loans for Albany, Bronx, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Kings, Montgomery, Nassau, New York, Orange, Putnam, Queens, Rensselaer, Richmond, Rockland, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, and Westchester.
- Hazard Mitigation Grant Program statewide.

Additional counties may be added to the above requests if assessments show necessary.

Below is a summary of state and local resources that have been or will be used to alleviate the conditions of this disaster:

- State search and rescue efforts have occurred and are continuing throughout parts of Albany, Delaware, Greene, Rockland, Schoharie, Ulster and Westchester counties. Swift water rescue missions continue in towns and villages that are underwater.
- FEMA staff is working with New York State and local personnel to provide critical shelter commodities. More than 70 known shelters remain open statewide with more than 4,800 occupants. Several shelters are isolated because of flood waters and cannot be reached to provide critical supplies such as food and water.
- The New York State Emergency Support Function #3 has worked major dam concerns through the past 24 hours including the possible overflow/compromise of the Gilboa Dam, Summit St. Dam/Philmont Dam, Potake Lake Dam, Warwick Lower Reservoir Dam, Batavia Kill Watershed Dam, Vischers Ferry Dam and Pepacton Dam. Both Gilboa and Vischers have been classified as being close to catastrophic failure and are being closely monitored.
- The New York State Division of Military and Naval Affairs began conducting search and rescue missions on August 28 and continue to do so.
- New York State, local and federal resources were used to evacuate health care facilities that were in the direct predicted path of Hurricane Irene. More than 3,100 patients were evacuated from more than 80 hospitals, nursing homes and adult care facilities.
- The State Emergency Operations Center has received reports that several farms were impacted by the flood waters causing a large number of dead livestock and potential hazardous waste material due to those deaths. The New York State Emergency Operations Center is working to determine actual number of dead livestock.
- The New York State Agriculture and Markets is receiving reports of sufficient crops and feed loss at impacted farms. Many farms are in need of new feed supplies and fuel to help isolated farms keep livestock alive.

- The State is working with FEMA to try to determine the fastest way to conduct bridge and roadway inspections due to damages from flood waters and debris.
- The State Emergency Operations Center deployed more than 79 personnel from Incident Management Teams and Emergency Operations Center support teams to local governments.
- The State is working with local governments to determine the number of schools that were heavily impacted from flood waters and debris.
- The State is working with local governments to determine the number of contaminated water wells and sewage systems.
- The New York State Department of Corrections and Community Supervision has provided generators to State Police stations in Dover Plains and East Fishkill.
- Both the State and Federal resources have pre-staged and are using more than 100 ambulances to assist local 911 centers as needed for life-safety calls.

I request direct Federal assistance for work and services to save lives and property.

In accordance with 44 CFR §§ 206.208, the State of New York agrees that it will, with respect to direct Federal assistance:

1. Provide without cost to the United States all lands, easements and rights-of-way necessary to accomplish the approved work;
2. Hold and save the United States free from damages due to the requested work, and shall

- indemnify the Federal Government against any claims arising from such work;
3. Provide reimbursement to FEMA for the non-Federal share of the cost of such work in accordance with the provisions of the FEMA-State Agreement; and
  4. Assist the performing Federal agency in all support and local jurisdictional matters.

In addition, I anticipate the need for debris removal, which poses an immediate threat to lives, public health, and safety.

Pursuant to Sections 403 and 407 of the Stafford Act, 42 U.S.C. §§ 5170b & 5173, the State agrees to indemnify and hold harmless the United States of America for any claims arising from the removal of debris or wreckage for this disaster. That State agrees that debris removal from public and private property will not occur until the landowner signs an unconditional authorization for the removal of debris.

I have designated Andrew X. Feeney, Director of the State Office of Emergency Management, as the State Coordinating Officer for this request. He will work with the Federal Emergency Management Agency in damage assessments and may provide further information or justification on my behalf.

Sincerely,



ANDREW M. CUOMO