



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

June 16, 2014

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Through: Regional Administrator Jerome Hatfield
FEMA Region II
New York, NY

Dear Mr. President:

Under the provisions of Section 401 of the Robert T. Stafford Act Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (Stafford Act) as implemented by 44 CFR 206.36, I request you declare a major disaster for the State of New York as a result of severe storms and major flash flooding that began impacting our State starting on May 15th and continue as I write this request. An extremely slow moving weather system brought a seemingly endless volley of storms, including an F3 tornado, that pummeled the State repeatedly from mid-May through early June causing catastrophic damage to impoverished rural communities in some of our most economically challenged areas. Torrential rains in excess of one inch per hour repeatedly moved through the same areas, wiping out emergency repairs. Residents had to evacuate their homes not once, but multiple times.

On May 14, 2014 I declared a State Disaster Emergency within the impacted areas and implemented the State's Emergency Plan to provide immediate direct support from State assets to impacted jurisdictions within the counties of Allegany, Cattaraugus, Chautauqua, Delaware, Herkimer, Lewis, Livingston, Ontario, Otsego, Steuben and Yates. Local States of Emergency were declared by Yates and Cattaraugus counties, the Villages of Penn Yan and Gowanda and the Towns of Jerusalem and Sanford. The impact of this flooding was catastrophic to these rural counties, with per capita impacts in excess of 110 times the threshold in Yates County, 22 times the threshold for Cattaraugus, 19 times the threshold in Livingston, 11 times the threshold in Lewis and nine times the threshold in Allegany. The economic blows to these communities are devastating, and in many instances the damages are concentrated in the smallest areas of their communities, thereby magnifying the effects.

Virtually all the damage in Lewis County is in the Village of Port Leyden, (population 672). In three hours seven inches of rain deluged an area of only 5 miles in length and ¼ of a mile in width, completely destroying the village's sewer lines and devastating their streets. With approximately \$1 million in damage, this is a cost of \$1,488 to every individual in the village. Additionally, 30 homes sustained uninsured damages from flooding, adding more stress to residents already struggling economically.

In the Yates County Village of Penn Yan (population 5,159), people were awoken by shattering glass as an eight foot wall of water crashed through their homes, forcing evacuations of terrified residents. One home has collapsed into the nearby stream and several others have been condemned. Rainfall at the airport equaled the county's total monthly average for precipitation in just a few hours. The County 911 Center handled more than 2,000 calls during the incident, an exponential increase in volume, which overwhelmed local first responders. With more than \$9.7 million in validated preliminary damages the County burden is in excess of \$348 per resident.

At the height of the storms more than 6,500 customers were out of power. The Red Cross opened two shelters in the impacted area, distributed 238 clean up kits, served 374 meals and provided 35 mental health contacts. The Salvation Army distributed 569 clean up kits, served 5,066 meals and provided mental health counseling to 308 individuals. The Red Cross reports more than 130 families who sustained significant property damage, ranging from severely flooded basements, first floor flooding and loss of furnaces, hot water heaters, driveways and electrical systems to homes that were completely destroyed. In response to this immediate need, I ordered the creation of a State assistance program for individuals.

State agency support provided to local governments includes:

- The New York State Department of Transportation provided more than \$7 million in emergency infrastructure assistance utilizing a combination of State assets and contract support.
- The New York State Division of State Police deployed troopers to the impacted counties to assist in EOC and field operations.
- The Office of Fire Prevention and Control (OFPC) coordinated the deployment of Swift Water Rescue teams to Yates County and activated the State Fire Mobilization Mutual Aid Plan. OFPC also deployed Storm Emergency Fire Units to assist in dewatering operations in the impacted counties.
- The New York Division of Homeland Security and Emergency Services deployed response staff to Cattaraugus, Yates, Lewis and other impacted counties to assist in coordination of State resources and conduct of damage estimates and assessments.
- State Department of Financial Services deployed their Mobile Command Center to Penn Yan and other locations in Yates and Allegany counties to assist in implementation of the Governor's direct assistance to impacted homeowners.
- The New York State Department of Correctional Services and Community Supervision deployed work crews and corrections officers to support debris removal operations throughout the impacted area.

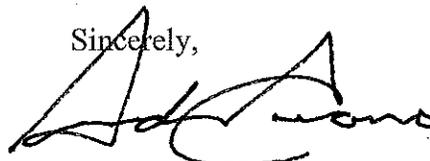
In response to this unfolding disaster, I requested Technical Assistance in the form of a Joint Preliminary Damage Assessment (PDA) which was completed on June 11, 2014. The PDA has validated more than \$28.2 million in debris removal, emergency response and infrastructure damage, which exceeds the State threshold, established in 44 CFR. Based on the findings of the PDA, I am requesting Public Assistance, Categories A-G in the following counties; Allegany, Cattaraugus, Chautauqua, Delaware, Herkimer, Lewis, Livingston, Ontario, Otsego, Steuben, and Yates.

Our State is still reeling from the combined effects of the most massive disasters to ever strike us, Hurricane Irene, Tropical Storm Lee, and Superstorm Sandy, along with the record breaking snows of Winter Storm Nemo (DR-4111) and the massive 2013 summer flooding in the Mohawk Valley (DR-4129). These events have impacted us in a span of less than four years, requiring an unprecedented level of response and recovery effort, the like of which this State has never before had to face. We continue to contend with the immense challenges of rebuilding not only our remote rural villages and their supporting road networks, sewage treatment and drinking water systems, but also the most densely populated and complex urban infrastructure in the nation. While the support of the federal government in responding to and recovering from these disasters is deeply appreciated, the sheer scale and compressed time frame of these events has the State struggling to meet the non-federal cost sharing requirements needed to complete the restoration of our public infrastructure.

In addition to these federally declared disasters, the State has also been impacted by events that did not rise to the established thresholds. I have twice implemented State individual assistance programs in the past year to assist individuals in dealing with severe, localized flooding, and as recently as April of this year Franklin and St. Lawrence counties were struck by a single storm that produced torrential rainfall, resulting in more than \$5 million in infrastructure damages. As these events did not rise to the levels that trigger federal assistance, the State and local governments carry the burden of making these repairs with budgets that are stretched to the breaking point.

Without the relief afforded under the Stafford Act, the additional burdens from this event will significantly degrade not only the ability of the State to restore our public infrastructure, but our ability to provide for the health and safety of our citizens. The frequency, intensity and scale of the storms that impact our State continue to increase. We once again are faced with the challenge of entering another hurricane season with major infrastructure held together with emergency repairs and still undergoing permanent restoration. The Disaster Assistance authorized by the Stafford Act is not only warranted; it is absolutely critical for the continued safety, physical and economic recovery of our State.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew M. Cuomo', written over a white background.

ANDREW M. CUOMO

DEPARTMENT OF HOMELAND SECURITY
 FEDERAL EMERGENCY MANAGEMENT AGENCY
**REQUEST FOR PRESIDENTIAL DISASTER DECLARATION
 MAJOR DISASTER OR EMERGENCY**

OMB No. 1660-0009 Expires March 31, 2015

1. Request Date 13 June 2014

Burden Disclosure Notice

Public reporting burden for this form is estimated to average 9 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting the form. This collection of information is required to obtain a benefit. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, Paperwork Reduction Project (1660-0009). **NOTE: Do not send your completed form to this address.**

Completion of this form including applicable attachments satisfies legal requirements for emergency and major disaster declaration requests under 42 U.S.C. §§ 5170 and 5191, respectively, as implemented at 44 C.F.R., §§ 206.35 and 206.36. Failure to use this form may result in a failure to meet these requirements and/or a delay in processing the request.

2a. Name of State (as defined in Stafford Act 102, 42 U.S.C. § 5122) or Indian tribal government requesting declaration. New York State	2b. Population (as reported by 2010 Census) or estimated population of Indian tribal government's damaged area(s). 19,378,101
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3. Governor's or Tribal Chief Executive's Name Andrew Cuomo	4. Designation of State or Tribal Coordinating Officer upon declaration (if available) and phone number Jerome Hauer, Commissioner Division of Homeland Security and Emergency Services
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5. Designation of Governor's Authorized Representative or Tribal Chief Executive Representative upon declaration (if available) and phone number
 Jeromé Hauer, (518) 242-5000

6. Declaration Request For: Major Disaster (Stafford Act Sec. 401) Emergency (Stafford Act Sec. 501(a))

7. Incident Period: Beginning Date End Date or Continuing *If requesting a "continuing" incident period, enclose an official statement from a qualified Federal Government agency acknowledged as a national authority in a specific incident field (e.g., United States Geological Survey for seismic incidents, the National Weather Service for flooding).*

14 May 2014 _____

7b. Type of Incident (Check all that apply)

<input type="checkbox"/> Drought	<input type="checkbox"/> Earthquake	<input type="checkbox"/> Explosion	<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Flood	<input type="checkbox"/> Hurricane	<input type="checkbox"/> Landslide	<input type="checkbox"/> Mudslide
<input checked="" type="checkbox"/> Severe Storm (rain, high water, wind-driven rain, hail, lightning)	<input type="checkbox"/> Snowstorm (Must include Enclosure D: Historic and Current Snowfall Data)			<input checked="" type="checkbox"/> Straight-Line Winds			
<input type="checkbox"/> Tidal Wave	<input type="checkbox"/> Tornado	<input type="checkbox"/> Tropical Depression	<input type="checkbox"/> Tropical Storm	<input type="checkbox"/> Tsunami	<input type="checkbox"/> Volcanic Eruption	<input type="checkbox"/> Winter Storm	
<input type="checkbox"/> Other (please specify) _____							

8. Description of damages (Short description of impacts of disaster on affected area and population). Include additional details in enclosed Governor's or Tribal Chief Executive's cover letter.

Torrential rain and winds caused flash-flooding, devastating rural communities public infrastructure, including, but not limited to roads, municipal sewer systems, water delivery systems, municipal buildings, bridges, parks and recreational facilities. The flooding required the emergency evacuation of residents and deployment of State resources to assist in emergency repairs to transportation infrastructure.

9. Description of the nature and amount of State and local or Indian tribal government resources which have been or will be committed. Include additional details in enclosed Governor's or Tribal Chief Executive's cover letter.

New York State deployed resources from the State Department of Transportation, State Police, Office of Fire Prevention and Control, Division of Homeland Security and Emergency Services, Department of Correctional Services and Community Supervision, and Division of Financial Services to provide immediate direct support to local governments and impacted individuals.

10. Joint Preliminary Damage Assessment*

Individual Assistance Dates Performed Requested _____ Start _____ End _____

Individual Assistance Accessibility Problems (Areas that could not be accessed, and why)

Public Assistance Dates Performed Requested 22 May 2014 Start 28 May, 2014 End 11 June, 2014

Public Assistance Accessibility Problems (Areas that could not be accessed, and why)

N/A

11. Programs and Areas Requested

Individual Assistance N/A Individuals and Households Crisis Counseling Program Disaster Unemployment Assistance Program
 All Disaster Case Management Disaster Legal Services

For the following jurisdictions, specify programs and areas (counties, parishes, independent cities; for Indian tribal government, list tribe(s) and/or tribal area(s)) If additional space is needed, please enclose additional documentation).

For States, identify Federally-recognized Tribes in the requested counties (if applicable).

Please see Enclosure A: Supplemental Information for Individual Assistance for additional information in support of this request*.

*Not Required for Emergency Declaration Request

11. Programs and Areas Requested (Continued)

Public Assistance N/A Debris Removal (Category A) Emergency Protective Measures (Category B) Permanent Work (Categories C-G)* (not available for Emergency Declaration Requests)

For the following jurisdictions, specify programs and areas (counties, parishes, independent cities; for Indian tribal government, list tribe(s) and/or tribal area(s)). If additional space is needed or your request includes different categories of work for different jurisdictions; please enclose additional documentation.

I request Public Assistance, Categories A-G in Allegany, Cattaraugus, Chautauqua, Delaware, Herkimer, Lewis, Livingston, Ontario, Otsego, Steuben and Yates counties

For States, identify Federally-recognized Tribes included in the requested counties (if applicable).

Seneca

Please see Enclosure B: Supplemental Information for Public Assistance for additional information in support of this request*.

Indemnification for Debris Removal Activity

I do not anticipate the need for debris removal.

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 or Indian tribal government 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. The State or Indian tribal government agrees that debris removal from public and private property will not occur until the landowner signs an unconditional authorization for the removal of debris.

Request for Direct Federal Assistance

I do not request direct Federal assistance at this time.

I request direct Federal assistance for work and services to save lives and protect property, and:

a. I request the following type(s) of assistance:

b. List of reasons why State and local or Indian tribal government cannot perform, or contract for, required work and services.

c. In accordance with 44 C.F.R. § 206.208, the State or Indian tribal government agrees that it will, with respect to direct Federal assistance: (1) Provide without cost to the United States all lands, easements, and rights-of-ways 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 or FEMA-Tribe Agreement; and (4) Assist the performing Federal agency in all support and local jurisdictional matters.

Request for Snow Assistance

N/A I request snow assistance.

Snow assistance for the following jurisdictions (Specify counties, independent cities or tribes and/or tribal areas).

Please see Enclosure D: Historic and Current Snowfall Data for additional information in support of this request*.

*Not Required for Emergency Declaration Request

11. Programs and Areas Requested (Continued)

Hazard Mitigation* Statewide OR

For the following specific counties, parishes, independent cities or tribes and/or tribal areas.

12. Mitigation Plan Information*

a. Mitigation Plan Expiration Date December 18, 2018 b. Type of Plan Enhanced Standard

13. Other Federal Agency Programs

I do not anticipate requirements from Other Federal Agencies I do anticipate requirements from Other Federal Agencies

Please see **Enclosure C: Requirements for Other Federal Agency Programs** for additional information in support of this request*.

14. Findings and Certifications

I certify the following:

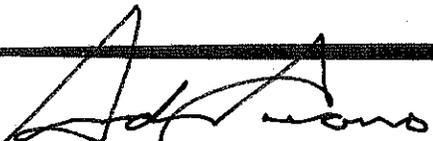
a. I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local government or Indian tribal government and that supplementary federal assistance is necessary.

b. In response to this incident, I have taken appropriate action under State or tribal law and have directed the execution of the State or Tribal Emergency Plan on 14 May 2014 in accordance with the Stafford Act.

c. The State and local governments, or Indian tribal government will assume all applicable non-Federal share of costs required by the Stafford Act.

15. List of Enclosures and Supporting Documentation

- Cover Letter Enclosure A (Individual Assistance)* Enclosure B (Public Assistance)*
 Enclosure C (Requirements for Other Federal Agency Programs) Enclosure D (Historic and Current Snowfall Data)
 Additional Supporting Documentation National Weather Service Summary



Governor's or Tribal Chief Executive's Signature

Date

If anyone except the Governor or Tribal Chief Executive signs this document, please provide the documentation that establishes that this individual has the legal authority to act on behalf of the Governor or Tribal Chief Executive.

*Not Required for Emergency Declaration Request