



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

**ANDREW M. CUOMO**  
GOVERNOR

July 1, 2013

The Honorable Barack Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

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), as implemented by 44 C.F.R. § 206.36, I request that you declare a major disaster for the State of New York as a result of severe storms and major flooding which impacted our State on June 27, 2013 and June 28, 2013.

On June 28, 2013, I declared a State Disaster Emergency within the impacted areas, including the counties of Broome, Chenango, Clinton, Essex, Delaware, Franklin, Herkimer, Madison, Montgomery, Oneida, Otsego, Schoharie, St. Lawrence, Tioga, and Warren. The counties of Chenango, Essex, Herkimer, Montgomery, Oneida, Schoharie, and Warren and 15 municipalities also declared local states of emergency because of the severity of this storm. One person was swept away by the flood waters and is presumed dead. At the height of the storm, more than 13,000 people were without power.

The American Red Cross (ARC) opened four shelters at the height of the event and placed one additional shelter on stand-by. More than 85 people were sheltered. ARC staff members in the shelters met with clients to assess their unmet needs. ARC Disaster Assessment Teams deployed to Montgomery and Herkimer Counties to assess damage and service delivery in those counties. The Bulk Distribution Team distributed clean-up kits, food and water in Montgomery and Herkimer Counties. In total, ARC served 70 meals and 153 snacks on Friday, June 28, 2013. The local community, Linda's Place Consignments and the United Methodists assisted ARC with the distribution of clothing

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and shoes to residents of Montgomery County. The Amateur Radio Relay Group in Montgomery County deployed to transmit tactical messages and situational awareness among the mobile Red Cross units, the shelters, and the county emergency operations center.

The Salvation Army assisted the ARC with mass feeding in the Village of Fort Plain (two meals a day for approximately 500 residents). Emergency service vans were deployed with tents for feeding and emergency supply distribution. In Herkimer County, the Salvation Army is providing meals to more than 100 responders and residents. The Salvation Army will also deploy four to six roving canteens in the Herkimer/Mohawk region. It is also distributing clean-up kits to residents.

The Village of Mohawk in Herkimer County, which has a population of 3500, is entirely without power because the substation there was inundated with ten feet of water. The Village's water system was damaged, leaving residents with no potable water. As a result, a senior assisted living facility had to be evacuated and residents moved to a shelter. The Village of Fort Plain, in Montgomery County, also sustained major damage as a result of the flooding. There is no access to twelve homes in the Village as the road is blocked with debris and 2500 feet of the roadway was washed away by rushing flood waters. At the height of the storm, there were numerous road closures because of flooding. In addition, at least four bridges have been closed because of potential undermining by debris and rushing flood waters.

As a result of a levee failure in the City of Oneida, a twelve block area was evacuated and all electric and gas was turned off to those homes. The Mayor issued Emergency Orders restricting access to the flooded area and established a curfew in order to protect public safety. The City's waste water treatment plant is completely under water.

The New York State Canal System has been severely affected by debris and flooding. The Canal was closed between Locks E-2 and E-22 (more than 100 miles) for several days and at least six locks sustained damage. The New York State Canal Corporation has deployed 40 personnel to assess the damage to the locks and to begin debris removal and repairs.

In addition to the infrastructure damage, this event adversely affected many citizens of the State of New York. In four municipalities, there are 44 destroyed homes, 75 with major damage and more than 757 with minor damage. These numbers do not reflect damage in the City of Oneida, where we cannot begin to assess homes because the flood waters have yet to recede.

The following information is furnished on the nature and amount of State, local, or Indian tribal government resources that have been or will be used to alleviate the conditions of this disaster:

- The New York State Division of State Police (DSP) deployed K-9 and aviation units to support search and rescue mission. Additionally, DSP deployed troopers to Madison County to support the county Sheriff with patrols throughout the county.
- The New York State Division of Homeland Security and Emergency Services deployed two strategic communications vehicles and staff to support these resources.
- The New York State Office of Fire Prevention and Control deployed Storm Emergency Fire Units to assist local fire departments with dewatering missions and tree removal. The Office has also deployed its Damage Assessment Response Team to perform damage assessments of approximately 800 structures in Herkimer and Madison Counties. The State Fire Mobilization Mutual Aid Plan was activated and fire companies from across the state have been deployed to Herkimer County to assist with pumping water from homes.
- The New York State Department of Environmental Conservation (DEC) deployed two Rangers to the Herkimer County Emergency Operations Center and three Rangers and one Ranger Lieutenant to assist with a search and rescue mission in the Village of Fort Plain. DEC also staged one Ranger with an airboat to Essex County and five Rangers with ATVs in Herkimer County.
- The New York State Department of Corrections and Community Supervision deployed ten personnel to Essex County to assist with debris removal.
- The New York State Division of Military and Naval Affairs deployed personnel to the affected counties to assist with welfare checks. They also deployed 19 personnel and eight vehicles to Herkimer County to assist with water and MRE distribution.

In response to this unfolding disaster, I requested technical assistance in the form of a joint Preliminary Damage Assessment (PDA) which will be conducted starting July 1, 2013. Results of these PDAs will validate the State's preassessment numbers and capture any additional damages that the State's teams were not able to see because of continuing flooding. After one day of State preassessment of damages, we have estimated that there is already \$13,069,457 in damages in nine out of twelve affected counties, and much of that represents only one or two communities in each county. There are many other municipalities that cannot yet begin to assess damages as flood waters have not receded. This number also does not affect damages to State owned property, such as the Canal System, nor does it capture the cost of debris removal or emergency protective measures. The true cost of this disaster will only be known once the waters recede in all affected areas and all of the damage becomes evident. We are

confident that once we complete damage assessments in these areas, it will far exceed the State's per capita threshold of \$26.7 million.

Both the State and the affected counties are still struggling with the devastation caused by Hurricane Irene and Tropical Storm Lee, which destroyed lives and caused catastrophic damage to public and private infrastructure. These two storms occurred less than 18 months earlier and devastated the same communities now struggling with the additional burdens of the damage caused by this recent devastating flooding. It is no exaggeration to state that our citizens are reeling from the physical, emotional and economic tolls of the past two years. Additionally, the State is still grappling with the lingering effects of Superstorm Sandy, the largest and most devastating disaster in New York State history. Sandy forever changed the lives of our citizens. This unprecedented storm caused record long term impacts and recovery costs estimated in the billions. Less than 100 days later the State struggled to respond to Winter Storm Nemo.

Without the support authorized under the Stafford Act, the additional burdens from this event will further undermine our ability to recover from the unrelenting impacts of Winter Storm Nemo, Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The risk to the safety of our citizens and the infrastructure of our State is ever present, especially as we approach another hurricane season. Disaster Assistance allowed for under the Stafford Act is essential and warranted.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo". The signature is stylized and fluid, with a large initial "A" and "C".

Andrew M. Cuomo  
Governor

Enclosure: OMB No. 1660-0009/FEMA Form 010-0-13

CC: FEMA Region II Regional Administrator Maryann Tierney

**REQUEST FOR PRESIDENTIAL DISASTER DECLARATION  
 MAJOR DISASTER OR EMERGENCY**

1. Request Date June 30, 2013

**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	2b. Population (as reported by 2010 Census) or estimated population of Indian tribal government's damaged area(s). 19,378,102
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3. Governor's or Tribal Chief Executive's Name Andrew M. Cuomo	4. Designation of State or Tribal Coordinating Officer upon declaration (if available) and phone number Jerome M. Hauer
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5. Designation of Governor's Authorized Representative or Tribal Chief Executive Representative upon declaration (if available) and phone number  
Jerome M. Hauer

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

7. Incident Period: Beginning Date June 28, 2013 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).*

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

Drought  Earthquake  Explosion  Fire  Flood  Hurricane  Landslide  Mudslide

Severe Storm (rain, high water, wind-driven rain, hail, lightning)  Snowstorm (Must include Enclosure D: Historic and Current Snowfall Data)  Straight-Line Winds

Tidal Wave  Tornado  Tropical Depression  Tropical Storm  Tsunami  Volcanic Eruption  Winter Storm

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.

Record flooding in the affected counties destroyed homes, washed away road ways, damaged water and sewer treatment plants, bridges, and damaged the New York State Canal system. Despite State and local efforts the effects of this storm have overwhelmed State and local resources, and continue to threaten public health and safety.

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.

State Division of Homeland and Emergency Services has deployed more than 15 personnel to the affected regions. The State Division of State Police has provided air and water assets and has provided assistance with patrols in the worst hit areas. The State Division of Military and Naval Affairs provided personnel to assist with the distribution of MREs and water in the affected communities.

10. Joint Preliminary Damage Assessment\*

Individual Assistance      Dates Performed      Requested June 29, 2013      Start July 1, 2013      End \_\_\_\_\_

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

The City of Oneida (Madison County), affected still inaccessible due to flood waters.  
Herkimer and Montgomery Counties, flood waters have not receded in all areas.

Public Assistance      Dates Performed      Requested June 29, 2013      Start July 1, 2013      End \_\_\_\_\_

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

City of Oneida (Madison County) - water treatment facility still inundated with flood waters.  
NYS Canal System - high water has yet to recede  
Herkimer and Montgomery Counties - public infrastructure still inundated with flood waters in some areas.

11. Programs and Areas Requested

Individual Assistance     N/A     Individuals and Households Program     Crisis Counseling Program     Disaster Unemployment Assistance  
 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).

Herkimer  
Oneida  
Madison  
Montgomery

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.

Chenango, Delaware  
 Essex  
 Franklin  
 Herkimer  
 Madison  
 Montgomery  
 Oneida  
 Otsego

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

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 January 4, 2014 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:

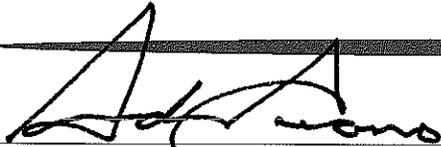
a. I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local government or Indian tribal government and that supplementary federal assistance is necessary.

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 June 28, 2013 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 \_\_\_\_\_



\_\_\_\_\_  
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