



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

**KATHY HOCHUL**  
GOVERNOR

September 2, 2021

The Honorable Joseph R. Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Through: Chad Gorman  
Acting Regional Administrator  
Federal Emergency Management Agency Region II  
1 World Trade Center  
New York, NY 10007

RE: Request for Emergency Declaration  
Post-Tropical Depression Ida

Dear Mr. President:

Under the provisions of Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (the "Stafford Act"), and implemented by 44 C.F.R. § 206.35, I request that you declare an emergency for the State of New York for the widespread damage caused by the remnants of Hurricane Ida. This request is in anticipation of the continued response, rescue, and recovery efforts necessary to save lives and protect public health and safety.

Based upon the significant impacts of the storm, I request an Emergency Declaration for the following counties: Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester. Specifically, I am requesting assistance for Category A and B, including Direct Federal Assistance ("DFA"), and Individual Assistance, including but not limited to temporary housing and funeral assistance, to provide support beyond the capabilities of the State of New York and affected tribal and/or local governments.

This morning, I declared a State Disaster Emergency for the counties of: Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester. In addition, I directed implementation of the State

Comprehensive State Emergency Management Plan and activation of the New York State Emergency Operation Center effective September 1, 2021.

**I. The Situation is of Such Severity and Magnitude that Effective Response is Beyond the Capability of the State - 44 C.F.R. § 206.35(b)(1).**

Post-Tropical Depression Ida has produced torrential rainfall, and flooding. These conditions caused at least 9 deaths within New York State, in excess of 52,000 power outages, downed trees, localized flash flooding, road closures, travel disruptions, and damage to public and private property. The impacts of Post-Tropical Depression Ida are of such severity and magnitude that an effective response is beyond the capability of New York State as it continues to respond to the Covid-19 pandemic and recover from Hurricane Henri and Tropical Storm Isaias.

The preparation and response to Post-Tropical Depression Ida was concurrent with the unprecedented and ongoing COVID-19 disaster, where New York State continues to undertake emergency protective measures to respond to the pandemic. Costs under DR-4480 are expected to grow significantly under this open-ended major disaster declaration. Post-Tropical Depression Ida compounds the ongoing impacts of Hurricane Henri (3565-EM) and Tropical Storm Isaias (DR-4567), which affected New York City and Long Island. Repetitive, severe flooding along Lake Ontario in the summers of 2017 and 2019 brought flooding to eight counties. The flooding in 2017 resulted in a federal major disaster declaration, however, the State and local governments continue to bear the financial burden of the subsequent flooding in 2019. In 2018, New York was impacted by three significant Nor'easters in March and severe storms in May which were responded to and managed with State and local resources. In August 2018, severe storms and flooding occurred in the Finger Lakes and Southern Tier regions resulting in a federal major disaster declaration. On October 31, 2019, severe storms impacted 18 counties across New York State, particularly in the Mohawk Valley, resulting in a federal major disaster declaration. The response and recovery efforts undertaken by State and local governments during these events, including ongoing efforts under DR-4480, have severely strained State and local governments' ability to respond to Post-Tropical Depression Ida.

**II. The Situation Requires Supplementary Federal Emergency Assistance to Save Lives and to Protect Property, Public Health and Safety, or to Lessen or Avert the Threat of a Disaster - 44 C.F.R. § 206.35(b)(2).**

I have determined that this incident is of such severity and magnitude that an effective response is beyond the capabilities of New York State's resources, and that supplemental federal assistance is necessary to save lives, protect property, public health and safety, and to lessen or avert the threat of a major disaster.

**III. Confirmation that the Governor has taken Appropriate Action Under State Law and Directed the Execution of the State Emergency Plan—44 C.F.R. § 206.35(c)(1).**



I have taken appropriate action under New York State Law and directed implementation of the State Comprehensive Emergency Management Plan and activation of the New York State Emergency Operation Center effective September 1, 2021.

**IV. Information Describing the State's Efforts and Resources Which Have Been or Will Be Used to Alleviate the Emergency--44 C.F.R. §206.35(c)(2).**

I directed state agencies and the American Red Cross to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health and safety. New York State response agencies, including Division of Homeland Security and Emergency Services, Department of Transportation, Department of Public Service, Department of Environmental Conservation, Office of Parks, Recreation and Historic Preservation, Department of Health, and Division of State Police have deployed staff and resources to affected counties.

**V. Information Describing Other Federal Agency Efforts and Resources Which Have Been or Will Be Used in Responding to This Incident--44 C.F.R. § 206.35(c)(3).**

FEMA's Category B grant assistance and DFA is required to meet the threat posed by the storm. Non-congregate sheltering is particularly relevant and necessary to alleviate threats to New York State as COVID-19 precludes the ability of disaster survivors to be able to congregate in conventional, congregate sheltering. U.S. Army Corps, under a FEMA mission assignment, may be needed to assist with debris removal.

**VI. Identification of the Type and Extent of Additional Federal Aid Required - 44 C.F.R. § 206.35(c)(4).**

In order to save and protect lives, I request DFA in the form of personnel, equipment and supplies. Additionally, I request financial assistance in the form of reimbursement for eligible Category A and B expenses under FEMA's Public Assistance Program. Category A (debris removal) and Category B (emergency protective measures) support should be included in the emergency declaration to address the impacts of the storm. Specific to Category A, significant debris accumulated in these communities as a result of flash flooding.

Emergency protective measures are required for the continued response, rescue, and recovery efforts necessary to save lives and to protect public health and safety. The damages caused by this storm require timely actions to be taken to protect the communities, critical infrastructure, and the general welfare of the residents of the State of New York.

Individual Assistance is needed to address the hardships experienced by individuals as a direct result of the extensive flooding caused by Post-Tropical Depression Ida.

With the ongoing transmission of COVID-19, we anticipate the need for non-congregate sheltering as well traditional sheltering with mitigation measures in place. This requires

increased resources. Any persons sheltered in traditional congregate shelters will require PPE and the implementation of mitigation measures against the spread of COVID-19. Special needs shelters and isolation facilities will be used in greater numbers than for previous events due to the prevalence of COVID-19 in New York State.

I have designated Patrick A. Murphy, Commissioner of the New York State Homeland Security and Emergency Services to serve as the State Coordinating Officer and the Governor's Authorized Representative. Further, I designate Anne Bink, Deputy Commissioner for Recovery Programs as the Alternate Governor's Authorized Representative.

Thank you for your consideration of this request for an Emergency Declaration.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hochul". The signature is fluid and cursive, with the first name "Kathy" and last name "Hochul" clearly distinguishable.

Kathy Hochul  
Governor

Enclosures:

FEMA Form 010-0-13



DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency  
**REQUEST FOR PRESIDENTIAL DISASTER DECLARATION**  
**MAJOR DISASTER OR EMERGENCY**

OMB Control Number 1660-0009  
Expires 09/30/2019

1. Request Date Sep 2, 2021

**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). <u>19,378,102</u>
--	--

3. Governor's or Tribal Chief Executive's Name Kathy Hochul	4. Designation of State or Tribal Coordinating Officer upon declaration (if available) and phone number Patrick A. Murphy 518-242-5000
--	---

5. Designation of Governor's Authorized Representative or Tribal Chief Executive Representative upon declaration (if available) and phone number  
 Patrick A. Murphy 518-242-5000

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

7. Incident Period: Beginning Date Sep 1, 2021 End Date TBD 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                      Snowstorm  
☒ (rain, high water, wind-driven, rain, hail, lightning)    ☐ (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.  
 Post-Tropical Depression Ida has produced torrential rainfall, and flooding. These conditions caused in excess of 52,000 power outages, downed trees, localized flash flooding, road closures, travel disruptions, and damage to public and private property. Tragically, nine people lost their lives due to the flash flooding.

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.  
 On September 2, 2021 I issued a State Disaster Emergency Declarations and directed state agencies and the American Red Cross to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health and safety. New York State response agencies, including Division of Homeland Security and Emergency Services, Department of Transportation, Department of Public Service, Department of Environmental Conservation, Office of Parks, Recreation and Historic Preservation, Department of Health, and Division of State Police have deployed staff and resources to affected counties. State Fire, State Police, State Park Police, DEC Participated in Approximately 100 Rescues in Rockland and Westchester Counties.

**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 \_\_\_\_\_ Start \_\_\_\_\_ End \_\_\_\_\_

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

**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      ☒ Small Business Administration (SBA) Disaster Assistance

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.  
 Temporary housing and funeral assistance for the counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester.

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

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	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Debris Removal (Category A)	<input checked="" type="checkbox"/> Emergency Protective Measures (Category B) <input type="checkbox"/> Permanent Work (Categories C-G)* <small>(not available for Emergency Declaration Requests)</small>
<p>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.</p> <p>Category A and B, including Direct Federal Assistance in Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester counties.</p>			
<p>For States, identify Federally-recognized Tribes included in the requested counties (if applicable).</p> <p>Shinnecock Tribe</p>			
<p>Please see <b>Enclosure B: Supplemental Information for Public Assistance</b> for additional information in support of this request*.</p>			
<b>Indemnification for Debris Removal Activity</b>			
<input type="checkbox"/> I do not anticipate the need for debris removal.			
<input checked="" type="checkbox"/> 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.			
<b>Request for Direct Federal Assistance</b>			
<input type="checkbox"/> I do not request direct Federal assistance at this time.			
<input checked="" type="checkbox"/> I request direct Federal assistance for work and services to save lives and protect property, and:			
<p>a. I request the following type(s) of assistance:            Non-congregate sheltering is particularly relevant and necessary to alleviate threats to New York State as COVID-19 precludes the ability of disaster survivors to be able to congregate in conventional, congregate sheltering. U.S. Army Corps, under a FEMA mission assignment, may be needed to assist with debris removal.</p>			
<p>b. List of reasons why State and local or Indian tribal government cannot perform, or contract for, required work and services.            Post-Tropical Depression Ida was concurrent with the unprecedented and ongoing COVID-19 disaster, where New York State continues to undertake emergency protective measures to respond to the pandemic. Costs under DR-4480 are expected to grow significantly under this open-ended major disaster declaration. Post-Tropical Depression Ida compounds the ongoing impacts of Hurricane Henri (3565-EM) and Tropical Storm Isaias (DR-4567), which affected New York City and Long Island.</p>			
<p>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.</p>			
<b>Request for Snow Assistance</b>			
<input checked="" type="checkbox"/> N/A <input type="checkbox"/> I request snow assistance.			
<p>Snow assistance for the following jurisdictions (Specify counties, independent cities or tribes and/or tribal areas).</p>			
<p>Please see <b>Enclosure D: Historic and Current Snowfall Data</b> for additional information in support of this request*.</p>			
<p>*Not Required for Emergency Declaration Request</p>			

# 11. Programs and Areas Requested (Continued)

Hazard Mitigation\* ☐ Statewide **OR**

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

## 12. Mitigation Plan Information\*

a. Mitigation Plan Expiration Date December 16, 2023 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 Sep 1, 2021 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

Sep 2, 2021

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