

Jim Justice
Governor of West Virginia

June 28, 2018

The Honorable Donald Trump
President of the United States
The White House
Washington, D. C.

Through: Regional Administrator MaryAnn Tierney
FEMA Region III
One Independence Mall, Sixth Floor
615 Chestnut Street
Philadelphia, PA 19106-4404

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 a major disaster for the State of West Virginia for the severe storms that caused flooding, landslides, mudslides and wind damage in eight (8) counties beginning May 28, 2018 and concluding June 3, 2018.

This year has been marked by a series of flooding events that have caused at least minor flooding in various parts of West Virginia. The most notable event prior to this disaster was in February when major flooding resulted in your making a Major Disaster Declaration for 20 counties to the west and northwest of the area affected by this event. Over Memorial Day weekend storms affected this area, but major damage did not occur until late in the week when two heavy rain events caused destruction in the counties for which I am requesting assistance.

According to the Joint Preliminary Damage Assessment Hampshire County was the center of the affected area with over 40% of the verified damage. One unofficial report estimated that 10" of rain fell in that county in a very short time period leading to severe flash and river flooding that necessitated swift water rescues and destroyed several roads. Reports from the Martinsburg, West Virginia area indicate that a thunderstorm began at that location, east of Hampshire County, at approximately 2:45 PM on May 31, 2018, and that "heavy" thunderstorm activity with heavy rain also occurred at times during the next three days.

Fortunately, this most recent disaster did not result in any reported injuries or deaths. However, this disaster could have had far more tragic consequences had it not been for the local responders and National Guard personnel who effected eighteen (18) swift water rescues. Damage

OFFICE OF THE GOVERNOR

to personal property was limited, and there were few requests for voluntary agency or American Red Cross assistance, but the Red Cross did open ten cases to assist families.

Emergency protective measures, debris removal and emergency repairs to public infrastructure have been conducted professionally and as rapidly as circumstances have permitted. Long-term repairs and mitigation measures to lessen future damage will be essential for the affected communities in the eight (8) counties for which I am requesting Public Assistance. The required joint Preliminary Damage Assessment has identified over \$4,500,000 in eligible costs and damage in the affected counties.

On May 31, 2018, I implemented the State Emergency Operations Plan, and ordered all state agencies to respond to the situation with all available and required resources. Because of my deep concern that serious flooding could occur anywhere in the state because of the saturated conditions I also proclaimed a State of Emergency on June 3, 2018, to remain in effect for thirty days unless terminated earlier or extended.

The state and local governmental resources as well as the non-governmental resources that have been or will be used to alleviate the conditions of this disaster include:

- Local, state, and volunteer entities immediately responded to the disaster by taking all required steps, including evacuations, blocking roads, and rescues, to provide for the safety and well-being of the threatened and affected citizens;
- The West Virginia Division of Homeland Security and Emergency Management coordinated, under my direction, the State's response to the disaster;
- The Division of Highways immediately responded to maintain highway access by removing debris and implementing emergency protective measures;
- The West Virginia Conservation Agency responded to all requests for stream evaluations; and
- The West Virginia National Guard provided liaison personnel and assisted with swift water rescues.

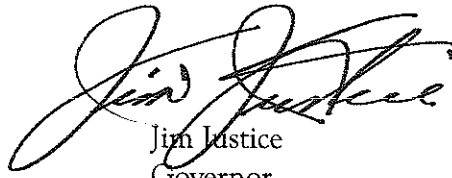
The Joint State/FEMA Public Assistance Preliminary Damage Assessment (PDA) was completed in a timely and thorough manner. There were no access issues in the areas surveyed. However, I reserve the right to request other counties and other forms of federal assistance under the Stafford Act should additional damages be reported to me.

In summary, I am requesting all categories of Public Assistance for Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton Counties; and Hazard Mitigation for the entire state in accordance with the Stafford Act.

OFFICE OF THE GOVERNOR

This disaster is an unfortunate continuation of the series of storms that have continued to plague portions of West Virginia with severe storms, flash flooding and river flooding since the February disaster (FEMA-DR-4359) that you declared earlier this year. None of these events, although they caused damage to personal and public property across the state, rose to the level that they appeared to warrant a Presidential Emergency or Major Disaster Declaration. However, I believe this event created conditions that are beyond local and state capability to effectively respond, and that West Virginia absolutely requires Stafford Act and other federal agency assistance that can only be provided by your declaring this event a Major Disaster to recover from this disaster and mitigate future losses.

Sincerely,



Jim Justice
Governor

Enclosures

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

B: Public Assistance

C: Requirements for Other Federal Agency Programs

ENCLOSURE C TO MAJOR DISASTER REQUEST

Estimated Assistance from Other Federal Agency Programs

County	SBA Home Loans	SBA Business Loans	FSA Loans	NRCS	FHWA	USACE	BIA	OTHER
Berkeley					\$5,000			
Grant					\$25,000			
Hampshire					\$649,000			
Hardy					\$253,000			
Jefferson					\$6,000			
Mineral					\$960,000			
Morgan					\$409,000			
Pendleton					\$10,000			
TOTAL					\$2,317,000			

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 Jun 28, 2018

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.

<p>2a. Name of State (as defined in Stafford Act 102, 42 U.S.C. § 5122) or Indian tribal government requesting declaration.</p> <p>West Virginia</p>	<p>2b. Population (as reported by 2010 Census) or estimated population of Indian tribal government's damaged area(s). <u>1,852,994</u></p>
--	--

<p>3. Governor's or Tribal Chief Executive's Name</p> <p>Jim Justice</p>	<p>4. Designation of State or Tribal Coordinating Officer upon declaration (if available) and phone number</p> <p>Jimmy J. Gianato (304) 558-5380</p>
--	---

5. Designation of Governor's Authorized Representative or Tribal Chief Executive Representative upon declaration (if available) and phone number
Jimmy J. Gianato (304) 558-5380

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

7. Incident Period: Beginning Date May 28, 2018 End Date Jun 3, 2018 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.

Several episodes of rain interspersed with clear days left much of West Virginia with very saturated ground. Beginning May 31, 2018, more rain, very heavy at times, caused major damage to infrastructure and private property in our Eastern Panhandle. The majority of damage was to public infrastructure including roads, utilities and parks. The current estimate of approximately \$4.5 million is very conservative, and is expected to grow substantially as more detailed engineering design work is completed. These storms caused damages that have closed roads to emergency vehicles, caused concern regarding the safety of bus routes when school resumes and damaged historical treasures such as the C&O Canal. The hardest hit counties appear to be Hampshire and Morgan. One local, unofficial report is that 10" of rain fell in one particular valley where much of the most severe damage occurred.

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.

Local agencies, supported by mutual aid and state coordinated resources, performed eighteen (18) swift water rescues that prevented loss of life. In addition, all state agencies responded to the disaster as requested and needed. Emergency protective measures such as warning people, blocking roads, and rescuing those threatened by the rising waters were conducted by local agencies supported by state agencies. As the water receded, then the local governments, with the assistance of state agencies such as the West Virginia Division of Highways, cleared the debris that blocked roads and prevented access to flooded areas. The Division of Highways and affected local governments then began emergency repairs to damaged roads, streets and other infrastructure to allow a measure of normalcy to return as soon as possible. The next step will be permanent repairs.

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 Jun 12, 2018 Start Jun 18, 2018 End Jun 21, 2018

Public Assistance Accessibility Problems (Areas that could not be accessed, and why)
None

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.

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

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.

Berkeley County, Grant County, Hampshire County, Hardy County, Mineral County, Morgan County, Jefferson County and Pendleton County.

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

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 October 17, 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:

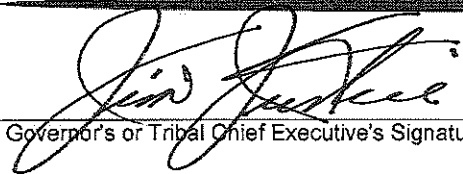
a. I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local government or Indian tribal government and that supplementary federal assistance is necessary.

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 May 31, 2018 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

ENCLOSURE B TO MAJOR DISASTER REQUEST

Estimated Stafford Act Requirements for Public Assistance

Jurisdiction	Category A Debris Removal	Category B Emergency Protective Measures	Category C Roads and Bridges	Category D Water Control Facilities	Category E Buildings and Equipment	Category F Utilities	Category G Parks & Recreation	TOTAL	Population	Per/Cap Loss
Berkeley	\$ 9,050	\$ 5,700	\$ 24,700	\$ -	\$ -	\$ -	\$ -	\$ 39,450	104,169	\$ 0.38
Grant	\$ 17,500	\$ 3,500	\$ 7,518	\$ -	\$ -	\$ -	\$ 369,936	\$ 398,453	11,937	\$ 33.38
Hampshire	\$ 345,185	\$ 326,342	\$ 1,158,624	\$ -	\$ 30,920	\$ -	\$ -	\$ 1,861,070	23,964	\$ 77.66
Hardy	\$ 57,500	\$ 48,132	\$ 7,800	\$ -	\$ 76,000	\$ -	\$ -	\$ 189,432	14,025	\$ 13.51
Jefferson	\$ 21,900	\$ 26,589	\$ 559,580	\$ -	\$ -	\$ -	\$ -	\$ 608,069	53,498	\$ 11.37
Mineral	\$ -	\$ -	\$ 544,302	\$ -	\$ -	\$ -	\$ -	\$ 544,302	28,212	\$ 19.29
Morgan	\$ 30,143	\$ 23,392	\$ 489,500	\$ -	\$ -	\$ 62,000	\$ 18,274	\$ 623,309	17,541	\$ 35.53
Pendleton	\$ 30,000	\$ 30,000	\$ 215,000	\$ -	\$ -	\$ -	\$ -	\$ 275,000	7,695	\$ 35.74
TOTALS	\$ 511,278	\$ 463,655	\$ 3,007,024	\$ -	\$ 106,920	\$ 62,000	\$ 388,210	\$ 4,539,085	1,852,994	\$ 2.45