

Webinar on Declaration Request Form and Cover Letter

**Held on July 2, 2012
2:06 pm CT**

Coordinator: Welcome and thank you for standing by, at this time. All participants are on a listen-only mode until the question-and-answer session of today's conference. At that time you may press * one if you'd like to ask a question. I'd like to inform all parties this call is being recorded, if you have any objections you may disconnect at this time. I now would like to turn the call over to Ms. Robyn Ruffo, Intergovernmental Affairs, you may begin.

FEMA Intergovernmental Affairs:

Thank you everyone for joining us today to participate in the webinar on the New Declaration Request Form and Cover Letter. There will be a question and answer session at the end of all the briefs that we're having today. Please hold all your questions until then.

Today, Beth Zimmerman, FEMA's Deputy Associate Administrator for Response and Recovery will open the call and then we will continue on with a brief from Jotham Allen from the Office of Chief Counsel and Ms. Peggy Miller our Declaration's Unit Chief. Without further ado, I will turn the brief over to Ms. Beth Zimmerman.

Deputy Associate Administrator for Response and Recovery:

Great. Thank you, Robyn. Welcome to all of you on the telephone. We're happy that you could join us today. As several of you may have been on our calls and meetings the past year, we've been looking at the declarations process as

a whole and also looking at the items that go into the Governor's [declaration] request. The new form and cover letter were updated based on the information we've received from states, territories, and various individuals and groups throughout the collaboration process as they presented items for consideration as well as information we've received while processing Governor's request.

As we looked at [the] request process, our goal was to make it as effective and efficient as legally possible. Our goal was to best address any issues and to ensure every request would come in and state agencies would not have to go back to the Governor's Office to develop a second letter; and [help] eliminate as much of the going back-and-forth as possible.

What we've done here is put together a form that provides everything that we legally require in a declaration request as well as a modified cover letter. Feel free to add as much information as possible to the cover letter to be able to present the declaration request and the disaster impacts that it's made throughout the state, as we move that forward.

Today, we're going to walk you through the form that's been created and Jotham Allen from our Office of Chief Counsel will begin. Peggy Miller, who a number of you are familiar with, will then walk us through the revised template letter. You'll notice when [you] review the forms that it has been reduced to just one template letter and one form that's good for whether or not you're requesting a major disaster declaration or an emergency declaration.

Our goal is to speed up the processing as these items go all the way up to the President who makes the ultimate decision on whether or not to declare a disaster. We are really looking for the letter and form to be filled out completely to allow everyone to have the true picture of what has happened in the states. On that note, I'm going to turn it over to Jotham Allen.

Office of Chief Counsel:

Thank you Beth. I am going to go over the new form, going through each box in order.

1. The first box is the **request date**, which is the date that the Governor is making the request on per our regulations. It should be within 30 days of the incident date or the end of the incident period. If it's later than that, there should have been a request for an extension that was approved within that first 30 days.

Moving down, there's the Burden Disclosure Notice which tells you approximately how long it should take to fill out the form. The following portion states that completion of the form, including the applicable attachment, satisfies the legal requirements for emergency or major disaster request. We now have all of the certifications and assurances that we (used) to be looking for in the Governor's letter, placed in this form. Failure to complete the form could delay processing or require us to go back to the state to get additional information or certifications.

2a. Box Number 2, State requesting the declaration. That is state as it's defined in the Stafford Act which includes territories and the District of Columbia.

2b. State Population - This is where you put the state population that is reported by the 2010 Census.

3. Number 3 is the Governor's name or in the case of [Washington,] DC it's the mayor.

4a – b These are places for you to designate your State Coordinating Officer and/or Governor's authorized representative and to include a contact phone number for them.

We understand that those names might not always be available. You might have one or the other or neither. However, if available, it is good for us to have the names and contact information available so that if there are any questions we now can reach back for full clarification.

6. Number 6 -This is where you will check if you're requesting a major disaster or an emergency. This form is only for *initial* requests for major disasters or emergencies. It is not for Fire Management Assistance Grant (FMAG) requests - those continue under the standard process that you follow now.

7. Number 7 is where you'll indicate the incident period - I should note anywhere on here where you see dates in the Adobe form version or the PDF versions, there will be drop-down calendars where you can flag the date or you can insert the date on your own. It works either way, but you'll put the beginning date and end date.

If the event is still ongoing you can check continuing. However, if you are requesting a continuance in a period, you should include information preferably from the National Weather Service or some other authority establishing that the event is still ongoing.

7b. Box 7B is where you will check the incident type. You [should] check any or all that apply.

Listed are the events in the Stafford Act definition of a major disaster, plus some other additional events which we commonly receive. You'll note that

snowstorm is listed. If you are requesting snow assistance, you should check the snowstorm event and include Enclosure D which is the location to add the historic and current snowfall data.

There's also a box to check Other, if it is an event that you don't think falls within those other categories. If you check other, please specify what the specific event is.

8. Number 8 is where you provide a short description of the impacts of the disaster on the affected area and population. This box has approximately 3000 characters.

If additional space is needed, that information can always go in the Governor's cover letter. [The Governor's cover letter is] a place where you can provide as much narrative needed in addition to this form. The form is designed to ensure that the minimum requirements for your requests are represented.

9. Number 9 is where you should provide a description of the nature and amount of state and local resources which have been or will be provided. This box will hold about 3000 characters, but if you need to provide any additional information, add it into the Governor's cover letter.

10. At the top of the page, Number 10 is the Joint Preliminary Damage Assessments section. You'll notice an asterisk by the joint preliminary damage assessments. This notes at the bottom that the preliminary damage assessments are not required for [an] emergency [declaration] request as those are generally faster and the Preliminary Damage Assessments (PDAs) often come later or after the event.

If you are requesting Individual Assistance, there should be Individual Assistance PDA's performed. You will check the Individual Assistance box, insert the dates requested and the start and end dates for when the PDAs were performed. Below that is a box to provide any information regarding accessibility issues. If there were counties or areas of counties that the PDA teams could not reach due to various circumstances such as continued flooding or other hazardous conditions, note that in the box so it can be accounted for.

The next is Public Assistance. If you're requesting Public Assistance the PDA's should have been performed for that as well. You will check there and insert the requested date and the start and end dates. Provide information regarding accessibility issues in the box below.

11. Number 11, this is where you will indicate the programs and the areas that you are requesting. The first section is for Individual Assistance.

If you are not requesting Individual Assistance, you can check N/A (not applicable). If you are requesting Individual Assistance, you can check all boxes if you would like all programs that define FEMA's Individual Assistance program. Note that you can check any and/or all and below that you will put the jurisdictions that you are requesting. Specify the counties, parishes, [census-defined geographical areas like Rural Educational Attendance Areas in Alaska] or for some states, there are independent cities where you are requesting Individual Assistance.

Also, below the Individual Assistance jurisdiction section, we are now asking that you identify any federally recognized tribes that are in those requested counties. This is simply so that we ensure we know where the tribes are and that we are aware of all tribes, especially those that cross county lines. This is

for our awareness so that we know where the tribes are within your jurisdiction.

And, of course, if you are requesting Individual Assistance, you'll need to include Enclosure A which will have your preliminary damage assessment information and all data related to Individual Assistance.

Continuing with 11, top of the next page is for Public Assistance. If you're not requesting Public Assistance, you can select not applicable. If you are requesting Public Assistance, you can check any or all of the boxes.

For example, if you are only requesting debris removal, just check debris removal, if you want all three, you can check all three. If it's just Categories A and B, you can just check those two. Similar to the Individual Assistance section, you will include the jurisdictions that you are requesting and identifying federally recognized tribes that are within those counties. For Public Assistance, you'll need to include Enclosure B which is the supplemental information for Public Assistance which will include the preliminary damage assessment data related to Public Assistance.

Within Public Assistance, if you are requesting debris removal, most of you should be aware there is a required **Indemnification for Debris Removal Activity** certification. If you are requesting it, you should check – “I anticipate the need for debris removal.” The language identifies the regulatory requirements for providing debris removal.

Below that includes the Direct Federal Assistance box. If you're not requesting it, you can check [the box] that [indicates that]. If you are requesting it, you should identify the types of assistance that you are requesting.

In Part A and in Part B, explain why those resources are not available to you and why you can't contract for them, essentially why you need direct federal assistance for them instead of being able to do them through [your own] contracts. Box C includes the required indemnification language for Direct Federal Assistance which again FEMA requires before any Assistance may be performed.

Finally, within Public Assistance, if you are requesting Snow Assistance, you will check, "I request snow assistance," and identify the jurisdictions which you are requesting. When requesting snow assistance you must meet our record or near record of snowfall requirements and therefore need to include Enclosure D which will have the historic and current snowfall data from the [National Weather Service] and the National Climatic Data Center.

At the top of the next page is the Hazard Mitigation section. Generally, you will be requesting it statewide, but it is possible to request it on a more limited basis. If you are requesting it on a more limited basis, list the jurisdictions for which you are requesting.

12. Number 12 is where you'll put information regarding your state mitigation plan. There's a dropdown menu for the expiration date and also a place to check whether you have an enhanced or standard plan.

13. Number 13 is to indicate whether you anticipate requirements from other federal agencies. If you do anticipate disaster requirements from other federal agencies you'll need to fill out Enclosure C.

14. Number 14 includes the legal language that was previously included in the Governor's letter. Now it is located in this form to prevent concerns with accidentally leaving it out of the cover letter template.

14.b In section B it also includes a drop-down date box in the blank which is where you will identify when the execution of the state emergency plan was directed.

14.c. And, finally, C is the certification that the state and local governments will assume the applicable non-federal cost share.

15. Box 15 is a checklist to ensure that you have provided all the required information. This includes the cover letter which Peggy will be talking about shortly and the various enclosures which are required, depending on what you are requesting.

If you're providing any additional supporting documentation, you can check that box and list the enclosures.

The bottom box is the space for the Governor's signature and date. You'll note below that if anyone other than the Governor is signing the document, you must provide documentation that establishes that they have the legal authority to act on behalf of the Governor. Generally, this may be an executive order of some sort providing the authority to the Lieutenant Governor.

That concludes the form portion, we'll be opening up for questions afterwards, but, first, Peggy Miller will discuss the new template letter.

Declarations Unit Chief:

Thank you, Jotham. The new Governor's request cover letter template, for those of you who have submitted one before, looks quite similar to the existing request templates. While it is very similar, what isn't in there is the requirements by Stafford Act and the 44 CFR Regulations which is now included in the form.

On the title, first thing to point out is where it says major disaster or emergency declaration. Delete the one not applicable, only leaving the one you are requesting. Also, if it's for an *expedited* major disaster declaration, then you would just insert the word expedited above - right before the word major.

The first paragraph should include the request to the President for a major disaster or emergency declaration. Remove whichever section of that paragraph is not applicable. Include the name of the incident as it was in the form. If doing the form first, it should be easier to complete the cover letter.

As Jotham indicated, while filling out the form use the narrative spaces that include 3000 characters. If you need to expand on that, the Governor's request cover letter is where you can do that. What we've included in this new cover letter form is the information denoted in blue. We're asking you to indicate the information that is listed below for all requests - Individual Assistance, Public Assistance, Hazard Mitigation or a combination thereof.

Know that even if it's an emergency declaration request, a report out to the President still needs to include a description of death, injuries, shelters, and voluntary agency information that has been expended to alleviate the impacts of the request. Moving down, the paragraph that starts with, "Indicate whether a state of emergency has been declared," this is also included in the form under section 14 and is a requirement of the Stafford Act where as the

Governor has to indicate when there was an execution of the state emergency plan.

It's also very helpful for FEMA and the President to determine if there's been a state of emergency declared in the counties and local areas. This gives a clearer indication of the severity and magnitude. If that hasn't been done, or you don't have that information it's not critical but it's very helpful in evaluating the request if the information is provided.

The next two paragraphs provide the opportunity to expound on the damage to the local communities, critical facilities, and destruction of normal community function. If you did not have enough room in the form when elaborating on damages, this is the area to do so.

On Page 2 of the cover letter you will see where there is space to provide additional information related to the Preliminary Damage Assessment findings and the information on the nature of the state and local resources that have been used to alleviate the events. If there was not enough information on the form this is where you can do that. The next section which is very critical in evaluating the state's request is the disaster history in the state in the past 12 months. It is very important to list the counties and jurisdictions that have been impacted in those 12 months repeatedly.

Also, include information on the state's ability to respond, such as information on the economy, the terrain in the area and accessibility, the capability of voluntary needs to respond, and the status of your voluntary agency resources if they've responded to adjoining states or several events during the course of a short period of time.

Moving to Individual Assistance, in this section there is not anything new that was not in the existing cover letter. Demographic information that defines special needs populations, the impacts on elderly, tribal, low-income residents should be including. This information can be obtained from the 2010 Census Bureau.

For Public Assistance, you [should] provide a damage description for each category of Public Assistance. These details are essential and may include how much debris you have, the damages to roads and bridges, including closures, and utilities, such as if a water system down

Moving down to the next page, include the current county-wide per capita level and the level of insurance. To highlight the final paragraph, this is a new paragraph. In the event of a coastal storm, include information on non-engineered dune restoration estimates.

Below this, add any concluding statements that the Governor may wish to include and ensure the appropriate enclosures are included - Individual Assistance Preliminary Damage Assessment worksheet, Public Assistance Preliminary Damage Assessment worksheet, requirements for other Federal Agencies, and Historic and Current Snowfall Data.

FEMA Intergovernmental Affairs:

That concludes the prepared briefings. Now we will open it up to questions. Operator, we would appreciate your assistance.

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