COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

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January 28, 2009

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20502-0001

VIA: Mr. Major P. May, Regional Administrator
FEMA Region IV
3003 Chamblee Tucker Road
Atlanta, Georgia 30341

Dear President Obama:

Under the provisions of Section 501(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§5121-5206 (Stafford Act), and implemented by 44 CFR §206.35, I request that you declare an emergency for the Commonwealth of Kentucky for the incident period beginning on January 27, 2009 and continuing. Ice/snow storms hit across the Commonwealth, storms that continue to cause sub-freezing temperatures and seriously threaten the health, safety and well-being of citizens in all areas of the state.

Debilitating levels of ice, snow and rain are expected to continue adding an immense amount of pressure to communities already crippled by a large number of fallen trees and power outages in more than sixty-one (61) counties and twenty-eight (28) cities, leaving large groups of people, including the elderly and medically fragile, in the dark without essential services. Seventy-seven (77) shelters are currently open and over 473,000 citizens are without power at this time. Seven (7) wastewater treatment plants are in by-pass mode due to power outages and/or flooding. Additionally, at least twenty (20) outstanding generator requests remain unmet.

Kentucky is requesting Direct Federal Assistance for the following counties – Allen, Anderson, Barren, Bath, Boyd, Boyle, Breathitt, Breckinridge, Butler, Caldwell, Calloway, Carlisle, Clark, Crittenden, Daviess, Edmonson, Elliott, Estill, Fayette, Floyd, Fulton, Garrard, Graves, Grayson, Hardin, Harrison, Hart, Hickman, Hopkins, Jackson, Jessamine, Johnson, Larue, Lincoln, Logan, Lyon, Madison, Magoffin, Marion, Marshall, Mason, McCracken, Meade, Mercer, Metcalfe, Morgan, Muhlenberg, Nelson, Nicholas, Ohio, Owsley, Perry, Powell, Shelby, Todd, Trigg, Union, Washington, Webster, Wolfe, and Woodford - to include the following Category A and Category B support. Generators in order to support operations, wastewater treatment plants, pump stations, and emergency shelters; communications equipment; five (5) emergency communication vans capable of supporting regional operation centers in western Kentucky; debris removal equipment and operators; chain saws with operators and trucks with drivers. Kentucky is also evaluating the need for water resources to support communities with failed systems.

I request joint preliminary damage assessments to begin no earlier than Friday, January 30, 2009.

In accordance with 44 CFR §206.208(b)(1), the Commonwealth of Kentucky agrees that it will, with respect to Direct Federal Assistance:

(a) provide without cost to the United States all lands, easements and right-of-ways necessary to accomplish the approved work;

(b) 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;

(c) provide reimbursement to FEMA for the non-federal share of the cost of such work in accordance with the provisions of the FEMA State Agreement; and

(d) assist the performing federal agency in all support and local jurisdictional matters.

In response to the situation, I have taken appropriate action under State law, issuing an Executive Order for a State of Emergency, and directing the execution of the Kentucky Emergency Operations Plan on January 27, 2009, in accordance with Section 401 of the Stafford Act. Local officials in multiple counties and cities across the Commonwealth have issued emergency declarations and are taking all appropriate actions necessary to assure a timely emergency response, including evacuations, shelter operations, feeding points, and restoration of vital public services.

I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the Commonwealth and the affected local governments and that supplementary federal assistance is necessary. The following information is furnished on the nature and extent of state and local resources that have alleviated the conditions of this disaster. Kentucky Emergency Operations Center coordinated the response and relief activities of all State agencies and private relief organizations to this emergency.

Local Emergency Operations Centers across the Commonwealth have been activated in support of warming centers/shelters, however many of the centers are currently unheated. The Kentucky Department of Transportation has deployed various district personnel to assist with road damages and debris removal. The Kentucky State Police and Department of Vehicle Enforcement are supporting road closures and traffic control. The Kentucky Environmental and Public Protection Agency and State Fire Marshal's Office will deploy inspectors to each area to provide technical assistance, to conduct inspections and issue permits.

Volunteer organizations responding include the American Red Cross, which has shelters in multiple counties. The Cabinet for Health and Family Services and other state agencies are addressing injuries, monitoring medical needs and assessing damages to affected facilities. Local response and assistance includes county Emergency Management personnel, county and city work crews, rescue squads, fire departments, law enforcement and others.

I certify for this emergency that the Commonwealth and local governments will assume all applicable non-federal shares of costs required by the Stafford Act. Total expenditures are expected to far exceed $5,011,793.56.

Pursuant to Sections 403 and 407 of the Stafford Act, 42 U.S.C. §5170(b) and §5173, the State 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 agrees debris removal from public and private property will not occur until the owner signs an unconditional authorization for the removal of debris.

I have designated BG John W. Heltzel as the State Coordinating Officer for this request to make Public Assistance available for Kentucky's disaster. He will work with the Federal Emergency Management Agency and may provide further information or justification on my behalf.

Sincerely,

Steven L. Beshear

Enclosure

ENCLOSURE A TO EMERGENCY REQUEST

(Estimated Requirements)

Estimated requirements for other Federal agency programs:

Agency:	Kentucky Division of Emergency Management
Assistance Required:	Public Assistance
Totals:	$43,150,000.00

Estimated Requirements for assistance under the Stafford Act:

	AMOUNT
Coordination	
Technical and advisory assistance	
Debris removal	$30,000,000.00
Emergency protective measures	12,500,000.00
Individuals and Households Program (IHP)	
Distribution of emergency supplies	500,000.00
Other (specify): Shelters	150,000.00
Totals:	
Grand Total:	$43,150,000.00

Note: Estimates are to reflect total eligible costs before any cost sharing.