



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE GOVERNOR

STEVEN L. BESHEAR  
GOVERNOR

700 CAPITOL AVENUE  
SUITE 100  
FRANKFORT, KY 40601  
(502) 564-2611  
FAX: (502) 564-2517

May 3, 2010

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

Through: Mr. Major P May  
Regional Administrator  
FEMA Region IV  
3003 Chamblee Tucker Road  
Atlanta, Georgia, 30341  
Via e-mail: [majorphillip.may@dhs.gov](mailto:majorphillip.may@dhs.gov)

Dear President Obama:

This is my letter requesting a Major Declaration dated May 1, 2010. Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C §§ 5121-5207 (the Stafford Act), and implemented by 44 CFR § 206.36, I request you declare a major disaster, Public Assistance and Individual Assistance for the Commonwealth of Kentucky as a result of heavy rains, flooding, high winds, tornadoes, mudslides and flood damage beginning on May 1, 2010. Additionally, I am requesting that this major disaster declaration be cost shared at 100% for public assistance categories A-G and direct federal assistance for the first seven (7) days. The request for the 100% cost share is due to the magnitude of devastation being experienced in this event, impacting practically the entire state, and the overall economic status of the Commonwealth in general.

Beginning on May 1, 2010, severe thunderstorms came across the Commonwealth causing damaging winds, torrential rain and flooding that paralyzed many counties of the Commonwealth. Fallen trees, debris, and power outages left large groups of people, including the elderly and medically fragile without essential services. Multiple fatalities occurred with strong preliminary evidence directly attributing them to this disaster. Heavy rains and swollen streams from the storms earlier in the same week overwhelmed the capacity of the commonwealth's rivers and streams and resulted in even more widespread flooding.

In response to this situation, I have taken appropriate action under State law, issuing Executive Order 2010-286 for a State of Emergency for the Commonwealth of Kentucky and directed the execution of the Kentucky Emergency Operations Plan, in accordance with Section 401 of the Stafford Act. Forty eight (48) counties have declared states of emergency: Adair, Allen, Barren, Bath, Boyd, Boyle, Breckinridge, Bulter, Carter,

Casey, Clark, Cumberland, Elliott, Estill, Fleming, Fulton, Garrard, Grayson, Greenup, Harrison, Hart, Jessamine, Knott, Knox, Lee, Lewis, Lincoln, Livingston, Logan, Madison, Marion, Mercer, Menifee, Mercer, Metcalfe, Monroe, Morgan, Montgomery, Nicholas, Owsley, Powell, Rockcastle, Rowan, Scott, Taylor, Warren, Washington, and Woodford; and fifteen (15) cities: Berea, Columbia, Edmonton, Frenchburg, Georgetown, Grayson, Greensburg, Hickman, Lancaster, Morehead, Olive Hill, Richmond, Russellville, Sadieville and Stamping Ground.

Local officials in counties and cities across the Commonwealth issued emergency declarations and have taken all appropriate actions to assure a timely emergency response, including evacuations, shelter operations, feeding points, and restoration of vital public services.

The Commonwealth requests that FEMA Region IV conduct Joint Damage Assessments to determine the eligibility for FEMA Assistance in seven (7) counties for Public Assistance and seven (7) counties for Individual Assistance.

Based on the preliminary damage assessments, I am requesting a Major Declaration for Individual Assistance to include the Individual and Household Program, Disaster Unemployment Assistance, Disaster Legal Services, Crisis Counseling, and Small Business Administration Disaster loans in the following seven (7) counties: Allen, Hart, Logan, Lewis, Metcalfe, Monroe and Rockcastle; and for Public Assistance categories A-G in the following seven (7) counties: Allen, Hart, Logan, Lewis, Metcalfe, Monroe and Rockcastle. I also request Hazard Mitigation for the entire state. The Commonwealth of Kentucky has an enhanced State Mitigation Plan which was approved on June 16, 2008.

I request direct Federal Assistance for work and services to save lives and protect property. In accordance with 44 CFR § 206.208 the Commonwealth of Kentucky 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 Agreement; and
4. Assist the performing Federal agency in all support and local jurisdictional matters.

I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the Commonwealth and 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 are attempting to alleviate the damages of this disaster.

- The Kentucky Emergency Operations Center is coordinating response and relief activities among state agencies and private relief organizations for this emergency.
- Local Emergency Operations Centers across the Commonwealth are activated in support of shelters, road closures, and evacuations.

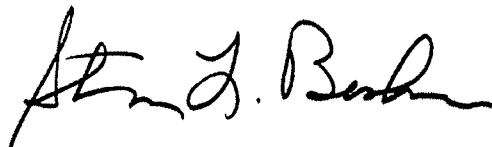
- Kentucky's Adjutant General authorized activation of the Kentucky Army National Guard to support ongoing local emergency protective measures such as preliminary damage assessments, evacuation of people, transportation and security.
- The Department of Transportation continues to deploy resources to assist with delivering supplies to affected areas, transporting food and bottled water to impacted areas, clearing debris from roadways and doing emergency road repairs.
- The Kentucky State Police and the Department of Motor Vehicle Enforcement continue to provide security, traffic control, and management of road closures.
- The Department of Fish and Wildlife has supported Search and Rescue Operations as well as provided security assistance.
- The Department of Forestry is assisting the Commonwealth with road clearance operations.
- The Department for Environmental Protection continues assessing the status of drinking water facilities.
- The volunteer organizations responding, including the American Red Cross, have assisted with shelters to provide food and drinking water.
- The Kentucky Community Crisis Response Board activated its network personnel to assist shelter managers and residents with crisis intervention and disaster behavioral health services due to stress and strain from this event.
- The Cabinet for Health and Family Services is providing emergency officials guidance related to food safety, public health issues related to flooding and power outages, and medical advice regarding health issues at shelters.
- Additional state agencies are addressing injuries and monitoring damages to affected facilities.

I certify for this major disaster 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 exceed \$5,325,000.00 and per capita of \$1.29.

In addition, I anticipate the need for debris removal and emergency transportation repairs, which pose 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 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 that 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 Individual Assistance, Public Assistance and the Hazard Mitigation Grant Program 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 A TO MAJOR DISASTER REQUEST

### GOVERNOR'S CERTIFICATION

I certify that for this current disaster, State and local government expenditures and obligations will include the non-federal share of costs required by the Stafford Act. As stated in my basic letter, and based on information available at this time, tabulation of these estimated expenditures and obligations are as follows:

CATEGORY OF ASSISTANCE	AMOUNT			
	TOTAL DAMAGE	FEMA	STATE	LOCAL
Individual Assistance:				
Housing				
Individual and Family Grants				
Other (specify)				
<b>Total:</b>				
Public Assistance:				
Category A - Debris Removal	\$40,000.00	\$30,000.00	\$4,800.00	\$5,200.00
Category B - Emergency Protective Measures	\$5,000.00	\$3,750.00	\$600.00	\$650.00
Category C - Roads and Bridges	\$5,325,000.00	\$3,993,750.00	\$639,000.00	\$692,250.00
Category D - Water Control Facilities	\$2,500.00	\$1,875.00	\$300.00	\$325.00
Category E - Buildings and Equipment	\$750,000.00	\$562,500.00	\$90,000.00	97,500.00
Category F - Utilities	\$0.00	\$0.00	\$0.00	\$0.00
Category G - Other (Park's, Recreational Facilities, etc.)	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total:</b>	\$6,122,500.00	\$4,591,875.00	\$734,700.00	\$795,925.00
<b>Grand Total:</b>	\$6,122,500.00	\$4,591,875.00	\$734,700.00	\$795,925.00

Enclosure A