



**RICK SCOTT**  
GOVERNOR

September 10, 2017

The Honorable Donald J. Trump  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Through: Gracia B. Szczech, Regional Administrator  
FEMA Region IV  
3003 Chamblee-Tucker Road  
Atlanta, GA 30341

RE: Request for Major Disaster Declaration  
Hurricane Irma

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 (the "Stafford Act"), as implemented by 44 C.F.R. §206.36, I request that you declare a Major Disaster for the State of Florida as a result of Hurricane Irma to include Individual Assistance, Public Assistance, and Hazard Mitigation. This request is timely under 44 CFR §206.36(a).

On September 5, 2017, I requested a pre-landfall Emergency Declaration because of the threat posed by the storm. That same day, the President granted the request and declared EM-3385, which covers all 67 counties in the State of Florida.

I request that the incident period for this disaster start on September 4, 2017, the beginning date for EM-3385. And as with the Emergency Declaration, I request that the Major Disaster Declaration include every county in the State of Florida.

**I. The Disaster is So Extraordinary that a Higher Federal Cost Share is Warranted  
- 44 CFR §206.47**

Given the size, strength, and track of the storm, and given the fact that Florida communities are still recovering from Hurricane Hermine (DR-4280 declared September

28, 2016) and Hurricane Matthew (DR-4283 declared October 8, 2016), I specifically request the following:

- 100% Federal cost share for Categories A and B (Debris Removal and Emergency Protective Measures) for the first 30 days, with a 90% Federal cost share thereafter – see 44 CFR §206.47(d); and,
- 90% Federal cost share for all other categories of Public Assistance (Permanent Work Categories C-G) – see 44 CFR §206.47(b).

Enacted by Congress, the Stafford Act directs that the Federal cost share for these forms of assistance “shall be not less than 75 percent of the eligible cost of such assistance.” To the extent that 44 CFR 206.47 lists criteria that a State must satisfy in order to receive a greater cost share, the President enjoys the authority to disregard the limitations of any Federal administrative rule when making a decision regarding a disaster declaration. *See generally South Florida Water Management District v. Federal Emergency Management Agency, et al.*, No. 13-80533-CIV, p.1, n.2 (S.D. Fla. 15), citing 42 U.S.C. § 5170 (“The [Stafford] Act provides the President with unlimited discretion to determine whether to declare a disaster.”).

## **II. The Disaster is a Catastrophe of Unusual Severity and Magnitude When Field Damage Assessments are not Necessary – 44 CFR §206.36(d)**

Given the size, strength, and track of the storm, I specifically request the following:

- Expedited processing; and,
- A disaster declaration without the use of any damage assessments - see 44 C.F.R. §206.36(d).

For this disaster, there is no need for damage assessments. The destruction from a major hurricane that travels all the way up the West Coast of the Florida peninsula should be more than sufficient to satisfy the per capita threshold for State or county damages.

Regarding the statewide per capita indicator, the impacts to Monroe and Collier counties alone should be more than enough to meet the \$27 million threshold for Public Assistance; and, the needs of the survivors in those counties should paint a sufficient picture for an Individual Assistance declaration.

Regarding the countywide per capita indicator, even if a county were to be included as part of the declaration without meeting its threshold, Federal assistance would only be possible if:

- For Public Assistance - the applicant can tie damage/expenses to the storm; and,
- For Individual Assistance - the survivor can demonstrate a need caused by the storm.

Consequently, the risk that a lightly impacted county would receive unnecessary Federal assistance is minimal, at best. Given these considerations, damage assessments would be a clear waste of resources during a time of critical need.

### **III. The Situation is of Such Severity and Magnitude that Effective Response is Beyond the Capability of the State and the Affected Local Governments - 44 CFR §206.36(b)(1)**

#### **A. Hurricane Irma**

At 9:10 this morning, the center of Hurricane Irma made landfall at Cudjoe Key in the lower Florida Keys as a Category 4 hurricane. With maximum sustained winds of 130 miles per hour and storm surge of 5 to 10 feet, Hurricane Irma inflicted catastrophic damage on Florida's southernmost community.

Currently, Hurricane Irma is travelling north as a Major Hurricane, bringing high winds and devastating storm surge to Naples, Ft. Myers, Sarasota, Tampa, and the neighboring communities on the Florida Gulf Coast. Forecasts call for up to 10 to 15 feet of storm surge in portions of Southwest Florida.

Given the size of the storm, the communities in Central Florida along with those on the East Coast of Florida will experience significant impacts as well. Of note, many of these cities and towns already faced devastating storm surge as a result of Hurricane Matthew.

After ravaging the Gulf Coast, Hurricane Irma is forecast to travel through the Big Bend region of Florida, exiting the State as a possible Category 2 Hurricane. As with the East Coast communities and Hurricane Matthew, many of Big Bend cities and towns are still recovering from Hurricane Hermine.

Finally, the forecast calls for Hurricane Irma to stall out over Tennessee as a Tropical Depression. This could lead to significant tropical moisture flowing north out of the Gulf of Mexico ("training"), bringing heavy rainfall to the Florida panhandle.

#### **B. State of Florida Government**

As of the date of this request, the State of Florida has expended over \$75 million on response costs alone.

On Thursday, September 7, I ordered that the closure all State offices, all public schools, and all state colleges and public universities until Monday, September 11.

To date, I have activated 7,000 members of the Florida National Guard.

Additionally, I have requested the following resources through the Emergency Management Assistance Compact:

- EMAC A TEAM
- Infrastructure staff for Branch Desk
- Indiana Type 3 AHIMT for EOC support
- Type 3 AHIMT to provide EOC support
- GIS supervisor
- A-Team to assist with EMAC staff
- Four - Type II Urban Search & Rescue Teams
- Request for ESF6 Mass Care from Mississippi
- North Carolina to Med Evac Monroe County
- Two - Support staff personnel to assist with State EOC Response
- ESF 12 requests support for National Guard support
- Human Services Branch EMAC support
- Four - Type III Urban Search & Rescue Teams
- One - Type III AHIMT with Command and general staff
- One - Air Operations Support Branch to provide air field operations and direct field operations
- Two - 5 Person IMT Teams to support ESF 8
- ESF8 IMT augmentation teams
- Light truck company support -National Guard
- Special Needs shelter (40 nurses)
- 5 ambulance strike teams from Tennessee
- UPAD Incident Awareness and Assessment (virtual/remote)
- Nurses to augment Special Needs Shelter
- ESF 8 requests leadership/command augmentation support
- EOC Support Team with Command and General Staff
- Qty of 64 Swiftwater Rescue Personnel + 20 Boats / Texas Teams
- Request to have Army Dawson from LA, for ESF6 Mass Care
- Request FOUR (4) Type III Urban Search and Rescue Teams
- EOC Support Team with Command and General Staff
- One (1) EOC Support Teams with Command and General Staff
- Four (4) Type III Urban Search and Rescue Teams with water rescue capabilities
- Multipurpose BN Task force to provide security

- 1x Military Police Battalion for area security
- Provide Aviation capabilities for National Guard Civil Support
- MS Provide reinforcing National Guard Civil support
- 1x Truck Company FLNG convoy to support troop and equipment movement
- Provide reinforcing National Guard Civil Support
- Four (4) Type II Urban Search and Rescue Teams with water rescue
- 28 Swiftwater Rescue Personnel + Shallow Draft Boats and ATVs as needed/ Arkansas Teams will be paired with FWC Officers during SAR Missions.
- Louisiana Department of Wildlife and Fisheries support
- 26 Mississippi Special Response Team personnel+Equipment to function in support of ESF 16/Mississippi Teams will be paired with FWC officers during SAR missions.
- One (1) EOC Support Teams with Command and General Staff
- Four (4) Type III Urban Search and Rescue Teams with water rescue
- 32n IBCT provide wide area security and humanitarian assistance
- 37th IBCT to provide wide area security and humanitarian assistance
- 38th ID to provide security and humanitarian
- 176th SB assigned to Sustainment BDE to push resupply to all BSAs in AO South and North and standby to provide support to the 164th ADA
- Deputy Commanding General Support for DIV TAC CP to provide command and control of Multiple Maneuver BDE's 1 Pax.
- 149th SB to establish and control BSA in 164th. Conduct resupply operations and standby to support Sustainment BDE.
- One Task Force consisting of 145th CM BN, 440th CM CO (both CERFP trained units); 778th MAINT CO and 167th IN FSC (-) for a total of 275 pax.
- 1-125th IN BN (MI) with current MTOE to provide wide area security and humanitarian assistance.
- 230th to provide C2 of RSO and sustainment ops throughout Florida.
- Request Light-Medium Truck Company IAW current MTOE.
- (4) LUH-72A with aircrews (RCM and NRCMs). Hoist capable aircraft with qualified /current crews.
- (2) CH-47D/F with aircrews (RCM and NRCMS). Hoist capable aircraft with qualified/current crews.
- 63TAB HQs staff capable of augmenting mission command for 30+ aircraft.
- (4) LUH-72A with aircrews (RCM and NRCMs). Hoist capable aircraft with qualified /current crews.
- (10) UH-60A/L with aircrews (RCM and NRCMs).
- GSAB AVUM (-) to provide Mx Support to a GSAB's mix of airframes.

- (2) CH-47D/F with aircrews (RCM and NRCMS). Hoist capable aircraft with qualified/current crews.
- NE S&SBn (-) HQs staff capable of augmenting mission command for 30+ aircraft.
- One (1) EOC Support Teams with Command and General Staff
- 10 teams of 10 per team Florida is requesting nurses Special Needs Shelters.
- MN provide reinforcing National Guard Civil Support(NGCS)
- IA provide reinforcing National Guard Civil Support(NGCS) aviation
- FDEM Recovery Bureau Chief Requests AL Public Assistance Team
- Type 3 All Hazards Incident Management Team
- Indiana District 5 Type 3 All Hazards Incident Management Team
- Florida Dept. of Transportation requests 500 cut and toss crews
- Florida is requesting the Kentucky Department of Health Federal Medical Station
- South Carolina Department of Natural Resources Qty of 50 Swiftwater
- 10 teams of 10 per team Florida is requesting shelter teams/nurses
- One Engineer CO (LA) with current MTOE to provide mission command
- Unclassified Processing Analysis and Dissemination (UPAD)

### C. Local Governments

As of the date of this request, 63 of the 67 counties in the State of Florida declared local states of emergency. Additionally, at least 42 counties opened shelters; and, at least 25 counties ordered mandatory evacuations.

### IV. **Federal Assistance Under the Stafford Act is Necessary to Supplement the Efforts and Available Resources of the State, Local Governments, Disaster Relief Organizations, and Compensation by Insurance for Disaster-Related Losses - 44 CFR §206.36(b)(2)**

As of the date of this request, the State has requested the following forms of Direct Federal Assistance through Resource Request Forms ("RRF's):

- IMT Incident Management Team
- 100,000 40x40 Disaster Tarps
- Three 25 tractor shuttle fleets plus one FEMA Coordinator per proposed LSA Site.
- FEMA Type I Incident Support Team
- Four - Type I Urban Search & Rescue Teams
- 4.1 Million Shelf Stable Meals for Survivors of Hurricane Irma
- Baby Food Formula & Supplies

- 873 - Truck Loads of Water
- 3 DMAT teams
- Special Needs Shelter Operations staff
- Type 1 Urban Search and Rescue Team
- Pre and Post landfall Special Needs Operation staff
- Pre and Post Landfall Federal Medical Stations (FMS) cots and supplies
- Post landfall Mortuary Operation Response Team
- Pre and post landfall medical transport and support evac
- Pre and post landfall deployable medical assistance teams
- Amphibious capability for first responder
- Request USACE Pre-position the Management Cell temp roofing
- Request USACE Deploy the temp roofing Planning & Response Team
- USACE Activate and preposition infrastructure Assessment PRT
- Request DOD activate and deploy Aerial Port Operations team(s)
- Request DOD Airfield Survey Teams
- Request CUSI for Functional Needs Support Services
- Federal Hazard Team
- Power Units (tractors to support SLRC)
- Florida Department of Agriculture
- Roadway and Bridge Inspections
- 700,000 liters of water and 1000,000 meals
- 51 Dallas Fort Worth
- Federal Medical Stations (FMS) and supplies for Special Needs Shelter
- DOD to provide bridging
- Fixed and Tilt-Rotar air support (combined mission: 1241, 1247, 1249, 1013)
- Use of Homestead AFB, 60 acres
- Five truckloads of tarps

Additionally, I specifically request Critical Needs Assistance as well as Transitional Sheltering Assistance.

In addition to the assistance listed above, I anticipate a significant need for other forms of supplementary Federal assistance in the days and weeks to come.

**V. Confirmation That the Governor Has Taken Appropriate Action Under State Law and Directed the Execution of the State Emergency Plan - 44 CFR §206.36(c)(1)**

On September 4, 2017, I issued Executive Order 17-235 and directed the State Coordinating Officer to execute the State's Comprehensive Emergency Management Plan.

**VI. Information Describing the Nature and Amount of State and Local Resources Which Have Been or Will Be Committed to Alleviate the Results of the Disaster - 44 CFR §206.36(c)(3)**

On September 4, 2017, the State Emergency Response Team ("SERT") activated to a Level 2 - with Emergency Support Functions staffed on an as needed basis. On September 5, the SERT activation level increased to Level 1 - with all Emergency Support Functions fully staffed.

To date, State agencies have expended over \$75 million in response costs for Hurricane Irma. Given the timing of this request, accurate figures from impacted local governments are not yet available.

**VII. Certification by the Governor That State and Local Government Obligations and Expenditures for the Current Disaster Will Comply With All Applicable Cost Sharing Requirements of the Stafford Act - 44 CFR §206.36(c)(5)**

Please see the enclosure, FEMA Form 010-0-13.

**VIII. Conclusion**

I have designated Bryan W. Koon, Director of the Florida Division of Emergency Management, as the State Coordinating Officer for this emergency. He is authorized to provide any further information, assurances, requests, or justification on my behalf.

Sincerely,



Rick Scott  
Governor

Enclosures:  
FEMA Form 010-0-13



**REQUEST FOR PRESIDENTIAL DISASTER DECLARATION  
MAJOR DISASTER OR EMERGENCY**

1. Request Date Sep 10, 2017

**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. State of Florida	2b. Population (as reported by 2010 Census) or estimated population of Indian tribal government's damaged area(s). 18,801,310
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3. Governor's or Tribal Chief Executive's Name The Honorable Rick Scott, Governor	4. Designation of State or Tribal Coordinating Officer upon declaration (if available) and phone number Director - FL Division of Emergency Management (850) 413-9969
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5. Designation of Governor's Authorized Representative or Tribal Chief Executive Representative upon declaration (if available) and phone number  
Director - FL Division of Emergency Management (850) 413-9969

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

7. Incident Period: Beginning Date Sep 4, 2017 End Date \_\_\_\_\_ 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.

Please see Cover Letter.

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.

Please see Cover Letter.

10. Joint Preliminary Damage Assessment\*

Individual Assistance    Dates Performed    Requested \_\_\_\_\_    Start \_\_\_\_\_    End \_\_\_\_\_

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

Hurricane Irma is a disaster of unusual magnitude and severity; therefore, damage assessments are not required under 44 CFR §206.36(d).

Public Assistance    Dates Performed    Requested \_\_\_\_\_    Start \_\_\_\_\_    End \_\_\_\_\_

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

Hurricane Irma is a disaster of unusual magnitude and severity; therefore, damage assessments are not required under 44 CFR §206.36(d).

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

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).

Please see Cover Letter.

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.

Please see Cover Letter.

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

According to the Bureau of Indian Affairs' Tribal Land Map, there are small areas of Miccosukee and Seminole Tribal Lands within the area for which this request is being made (all 67 counties in the State of Florida).

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.

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:

Please see Cover Letter.

b. List of reasons why State and local or Indian tribal government cannot perform, or contract for, required work and services.  
Please see Cover Letter.

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).

n/a

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.

Please see Cover Letter.

12. Mitigation Plan Information\*

a. Mitigation Plan Expiration Date August 23, 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 Sep 4, 2017 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 This is a request for expedited processing under 44 CFR §206.36(d).

  
\_\_\_\_\_  
Governor's or Tribal Chief Executive's Signature

Sep 10, 2017  
\_\_\_\_\_  
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