



## OFFICE OF THE GOVERNOR

July 13, 2011

The President  
The White House  
Washington, DC 20500

Through: Ms. Nancy Ward  
Regional Administrator, Region IX  
Federal Emergency Management Agency  
1111 Broadway, Suite 1200  
Oakland, California 94607-4052

Dear Mr. President:

On June 21, 2011, the Federal Emergency Management Agency (FEMA) denied the major federal disaster declaration I requested for the State of California. I made the request because of the results of a severe storm system that struck California between March 15 and March 27, 2011. I am appealing the FEMA denial of my request for Public Assistance and direct federal assistance for the significantly-impacted counties, as well as statewide Hazard Mitigation Grant Program (HMGP) funding.

The March storm system caused significant financial impacts to the state and the affected local jurisdictions that are of such severity and magnitude that recovery efforts remain beyond our capabilities. And the damage estimates continue to increase, with the current estimates exceeding \$51 million. This critical need for federal help prompted my requests for assistance through various programs, including a request for a major disaster declaration.

***The damages sustained were the result of a single event.***

FEMA's denial letter stated its opinion that the storm incident was comprised of three separate storms. However, the National Weather Service and the California Department of Water Resources have concluded that the series of severe winter storms was part of the same parent intense low-pressure system. The system, which temporarily set up over the region for nearly two weeks, had a persistently active jet stream and associated atmospheric rivers<sup>1</sup> that shifted from north to south and back again across the state. Its main weather impacts were extreme

---

<sup>1</sup> Atmospheric rivers are narrow regions in the atmosphere that transport large amounts of water vapor across the Pacific. In one day, an average atmospheric river transports an amount of water vapor equivalent to a foot of liquid water covering 10 million acres (roughly the size of

precipitation, with heavy rain in the low elevations and snow in the high elevations, and strong winds, especially in the Central Valley and at higher elevations. As the jet stream and atmospheric rivers shifted, the focus of the heavy precipitation changed with never more than two days between heavy precipitations in any single declared area in the state.

During the evaluation process of a request for a major disaster declaration late last year that was a result of an atmospheric river, FEMA Region IX's Regional Administrator indicated that, "a Stafford Act major disaster declaration for a storm event is limited to (1) a single storm, or (2) a series of storms that are deemed to be part of the same storm system that impact the same geographical areas, such that the impacts from the separate storms are indistinguishable, and are separated by three days or less."<sup>2</sup> The March storm system satisfies the second category.

Further, the conditions of the March storm system are the same type of occurrence that the state experienced in December of last year in which a federal major disaster declaration was granted. Also, atmospheric rivers have been present in several California weather-related major disaster declarations. See December 2010 (DR-1952), December 2004/January 2005 (DR-1577), February 1998 (DR-1203), January 1997 (DR-1155), and February 1986 (DR-758).

The precipitation levels of the March storm system event indicate it was the third-wettest storm event in 90 years. The average statewide snow water equivalent (SWE) on March 1, 2011, was 32 inches and 109 percent of average. On April 1, 2011, following the March storm system event, the SWE significantly increased to 48 inches and 165 percent of average. The gain of 16 inches of SWE in one month is significant as it equates to half of an entire winter season's gain.

Because the damages sustained were the result of the same storm system my request for a major federal disaster declaration should be granted.

***Additional factors support the major federal disaster declaration.***

*Estimated Cost of Assistance (44 C.F.R. § 206.48(a)(1))*

Under the regulations, a per capita figure measures the impact of a disaster within a state. California's impact indicator is \$44 million. Based upon the joint FEMA-State preliminary damage assessment, our damages exceed that amount. And subsequent damages have been reported, resulting in current damage estimates exceeding \$51 million.

*Localized Impacts (44 C.F.R. § 206.48(a)(2))*

The impacts at the local level are significant and overwhelming. In Santa Cruz County the current damage estimates have reached nearly \$19 million, which exceeds the county's threshold for assistance as prescribed by FEMA by more than 2,200 percent. Other counties also exceed the threshold: Sierra County by nearly 4,000 percent, Mendocino and Sutter counties by nearly 2,000 percent each, and Amador and Trinity counties by more than 1,200 percent each.

In addition to an extraordinary concentration of damages in many counties, the fierce storm system stressed California's mutual aid system and exhausted local resources in many areas of

---

<sup>2</sup> Nancy Ward, December 30, 2010, letter to the California Lieutenant Governor (copy attached).

the state. For example, Del Norte County has recently reported that it has completely exhausted its road department resources. And in Monterey County the storm system event altered the Carmel River Channel alignment because of the combination of high river flows and extremely high surf. Elsewhere conditions of extreme peril to the safety of persons and property still exist due to progressive landslide activity.

For Mariposa County, which hosts more than three million Yosemite National Park visitors annually, the March storm system event remains an operational and financial disaster beyond the County's ability to recover. The storm caused the closure of Yosemite National Park and nearly 100 young campers were stranded at a snowed-in campground until crews were able to clear the snow impacted roadways. Also, the storm caused significant power losses and a lack of potable water, and downed power and phone lines throughout most of the county. Due to the inability to deliver water and sewer services, Yosemite visitors and residents were evacuated. Every available snow plow, tree removal crew, firefighter, law enforcement officer, and dispatcher was mobilized to preserve life and property. Also, numerous state entities worked to remedy the downed power lines, including the California Highway Patrol and the California Department of Transportation, which assisted by airlifting workers into the impacted sites via helicopter to repair the damaged transmission lines.

State and local resources were also deployed in California's coastal communities to alleviate the impacts of the storm system. For instance, in Santa Cruz County, local responders constructed an 850-foot long emergency temporary bypass road to enable access to residences that were completely inaccessible to emergency vehicles and essential services due to a debris flow. However, the temporary bypass was constructed through private property in a riparian corridor and is insufficient to withstand the next winter season. The debris flow is so significant and unstable that the County has not yet been able to begin removing the debris and it had to contract with an engineering geologist to evaluate the site and to offer recommendations for removal and restoration.

State and local resources were also activated in the inland areas of California due to this severe storm system. In Sutter County, the California Department of Water Resources, the California Conservation Corps, county staff, and volunteers were deployed to guard against a possible complete and catastrophic failure of a levee that protects local agricultural operations, homes, and schools. As reiterated in a recent letter I received from Sutter County's Office of Emergency Management, a complete failure of the levee has the potential to cause "billions of dollars in additional damages and the possible loss of lives and livelihood." Although all damages will not be eligible under a major disaster declaration, Sutter County, a small county with less than one hundred thousand residents, has experienced more than \$23 million in extreme storm related damages due to this disaster.

*Hazard Mitigation (44 C.F.R. § 206.48(a)(4))*

California has been aggressive in implementing mitigation efforts and has an enhanced Multi-Hazard Mitigation Plan that was approved by FEMA in October 2010. Specifically, in the counties impacted by the March storm system event, 41 flood mitigation projects have been completed, which equates to more than \$83 million in estimated losses avoided. In addition to the tens of millions of dollars in avoided losses, we firmly believe that these aggressive proactive mitigation efforts have also resulted in lives being saved in the affected areas.

July 13, 2011

Page 4

*Recent Multiple Disasters (44 C.F.R. § 206.48(a)(5))*

California has suffered multiple disasters in the last 18 months due to severe winter storms, flooding, mudslides, fires, drought, heavy rains, and earthquakes. Since January 2010, California has received four major federal disaster declarations, had six fires declared under FEMA's Fire Management Assistance Grant Program, endured twenty events for which funds under the California Disaster Assistance Act were issued, and received four disaster designations from the U.S. Department of Agriculture and ten U.S. Small Business Administration designations. More than 75 percent of California's population is covered under at least one of the recent federal disaster declarations with a combined total of more than \$236 million in eligible damages statewide, which equates to approximately \$7 per capita statewide. As a result of the significant number of recent disasters, California continues to struggle to cope with the financial impacts of these disasters. Additionally, the impact at the local level during the last three months alone is even more daunting; for example, damages in Santa Cruz County have exceeded \$45 million, which is \$178 per capita, and damages in Del Norte County have exceeded \$21 million, which is \$778 per capita.

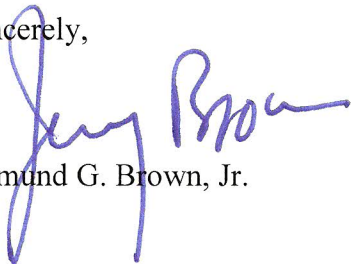
*Other Federal Assistance (44 C.F.R. § 206.48(a)(6))*

In addition to the federal Public Assistance program and statewide funding under HMGP, I have specifically sought assistance through other appropriate federal programs, including the U.S. Small Business Administration Disaster Loans program, the U.S. Army Corps of Engineers, the Federal Highway Administration, the Natural Resources Conservation Service, and the U.S. Department of Agriculture's Emergency Loan Program.

California has met the eligibility criteria for a major disaster declaration. We have provided additional supporting information from the National Weather Service and the California Department of Water Resources validating the original assertion that the damages sustained were the result of a single event. Also, we have substantiated that the magnitude of the damages and the monetary cost to the state, as well as the economic impact on local governments, exceeds our combined capabilities.

I respectfully seek your favorable consideration of this appeal and request that you declare a major disaster for California as a result of the March storm system event.

Sincerely,

A handwritten signature in blue ink, appearing to read "Edmund G. Brown, Jr.", is written over the typed name.

Edmund G. Brown, Jr.

Enclosures