



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
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LT. GOVERNOR

November 2, 2021

The Honorable Joseph R. Biden
President of the United States
The White House
Washington, D.C. 20500

Through: Mr. Moises Dugan, Acting Regional Administrator
FEMA Region V
536 South Clark Street, 6th Floor
Chicago, Illinois 60605

Dear Mr. President:

In response to the letter dated October 8, 2021, in which Acting FEMA Associate Administrator for Response and Recovery David Bibo indicated that the State of Michigan has been denied the activation of Public Assistance (PA) program, Categories A-G, for the counties of Ionia, Washtenaw, and Wayne under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and related to Major Disaster FEMA-DR-4607, I submit this letter of appeal. I request this reconsideration of your decision in accordance with the provisions set forth in 44 CFR § 206.46.

The state of Michigan was impacted by a severe weather event that included widespread and severe storms on June 25 and 26 and resulted in damages from flooding and tornadoes. In response to these conditions, you declared Major Disaster FEMA-DR-4607, and activated Individual Assistance (IA) programs for the counties of Macomb, Oakland, Washtenaw, and Wayne. The counties of Ionia, Washtenaw, and Wayne also sustained significant public damages, and it is apparent that federal assistance is critically needed to support the disaster recovery of public entities in these counties. Therefore, I requested the activation of the PA program for these counties on August 27.

My appeal of your decision to deny activation of the PA program, Categories A-G, for the counties of Ionia, Washtenaw, and Wayne is based on the following factors, which are established in 44 CFR § 206.48 as the basis for the evaluation of PA program requests:

Estimated cost of assistance

Following your denial of my August 27 request, an additional Joint Preliminary Damage Assessment (PDA) was conducted between October 19 and 27. Based on the assessed damages and documentation, FEMA was able to verify \$26,634,549 in total eligible cost. This is an additional \$12,128,069 in damages compared to the initial cost confirmed during the first Joint PDA that occurred in August. Over the course of both Joint PDAs, a statewide per-capita loss of \$2.69 was established that significantly exceeds the \$1.55 per-capita impact indicator threshold for activation of the PA program.

With over \$25.8 million in verified damages (\$14.18 in per-capita losses), the largest amount of damage was sustained in Wayne County. Significant damages were also sustained in the counties of Ionia (\$673,563 in total verified damages, \$10.54 per capita) and Washtenaw (\$150.661 total, \$0.44 per capita).

With over \$16 million in verified damages, Category A – Debris Removal was the category with the highest share of eligible cost (62.01 percent of all verified costs). The Great Lakes Water Authority, which is a regional water authority that provides drinking water to nearly 40 percent of Michigan residents, and sewer and wastewater services to almost 30 percent of the state's population, sustained over \$8.6 million in costs for the removal of debris from 142,000 linear feet of impacted sewer line.

Particularly hard-hit municipalities under Category A included the cities of Dearborn (over \$1.86 million in debris management costs) and Detroit (over \$3.95 million in costs) in Wayne County. The City of Dearborn estimates that over 20,000 homes in a municipality with approximately 33,000 housing units required removal of flood-related debris. Many jurisdictions in the area reported that residents had so much debris in their homes that they were not able to fully remove and place it at the curb by the time that debris removal crews visited their areas, requiring multiple debris collection passthroughs through the same areas in the following weeks.

Additionally, 19.22 percent of eligible costs were identified under Category B – Emergency Protective Measures (over \$5 million total). The majority of these costs were borne by the Detroit Water and Sewerage Department for emergency response actions they were required to take (over \$3.37 million).

Category E – Buildings and Equipment accounts for 5.87 percent of statewide eligible damages (over \$2.28 million). It is important to note that damage in this category did not only impact administrative facilities or government equipment, but also institutions that have significant social value, promote community cohesion, and facilitate educational opportunities. Damaged facilities, for example, include the Charles H. Wright Museum of African American History in the City of Detroit and buildings of the Detroit Public Library system. Also impacted under Category E were institutions of higher learning, such as the University of Michigan-Dearborn in Wayne County, and Eastern Michigan University in Washtenaw County. The social impact of the damage to these facilities far exceeds the cost required to make necessary repairs, and it is imperative to restore them as quickly as possible to ensure that they can fully resume their important functions within their communities.

With over \$1.47 million in damages, Category D – Water Control Facilities accounts for 5.55 percent of eligible costs. Costs for damages to sewer and water control systems were mostly borne by the Great Lakes Water Authority. Some verified damage to water control facilities were also sustained in Garden City in Wayne County.

Under Category C – Roads and Bridges, \$913,025 in cost for the counties of Ionia and Wayne were confirmed (3.43 percent of all eligible cost). This is the only PA category in which Ionia County sustained eligible damages. Their verified cost of approximately \$675,000 account for impacts to roads that included damage to bridges and culverts, and gravel washouts. Some residences in the county were temporarily inaccessible in the days following the severe weather event due to the inaccessibility of roads.

Eligible damages were also verified for Categories F – Utilities (over \$220,000 borne by the City of Westland in Wayne County; 0.83 percent of all eligible costs) and G - Parks, Recreational, Other (over \$100,000 borne by the City of Dearborn in Wayne County; 0.39 percent).

I want to emphasize that impacted jurisdictions estimated that local costs for emergency response and repairs to public facilities and infrastructure exceed \$120 million. While only a fraction of these costs has been found eligible for reimbursement under the requirements of the PA program, and a portion of them will be covered by insurance policies, these estimates still reflect real damage to the impacted communities. Remaining cost will have to be covered by local and state governments, which will ultimately put further fiscal strain on budgets and negatively impact the ability to deliver other government services.

Localized impacts

Extraordinary concentrations of public damages were sustained particularly in the counties of Ionia and Wayne. This is illustrated by the high per-capita losses that were verified for both counties. In Ionia County, the per-capita loss of \$10.54 exceeded the PA program county per-capita impact indicator of \$3.89 by a factor of over 2.7. Wayne County's per capita loss of \$14.18 was even more severe, exceeding FEMA's threshold by a factor of over 3.6.

Within Wayne County, the City of Detroit was hit particularly hard. Even without considering damages to the Great Lakes Water Authority, the Detroit city government, sewer and water department, public school district, and other stakeholders in the city collectively sustained damages that add up to almost \$10 million in eligible cost.

Insurance coverage in force

The verified cost of assistance for each county noted in the categories above already considers applicable insurance coverage and only accounts for uninsured impacts or the insurance deductibles that stakeholders are required to pay toward insured damages. For example, the Detroit Public Schools Community District initially incurred over \$7 million in cost for emergency measures. However, past a deductible of \$1 million, these costs are covered by insurance.

Hazard Mitigation

All three counties included in this appeal have made a considerable commitment to ensuring their communities are prepared for potential hazards through the implementation of mitigation projects. In Wayne County, over \$18 million have been invested through 33 Hazard Mitigation Assistance (HMA) grant-supported projects. In Washtenaw County, over \$5 million were spent on six projects, while four projects have been implemented in Ionia County at a cost of approximately \$365,000.

Many of these investments focused on flood risk reduction through a variety of project types including sewer infrastructure upgrades, floodplain acquisition and demolition, localized flood control, and sewer backup prevention. Undoubtedly, these efforts prevented additional damages from occurring in areas impacted by flooding in these counties.

In my prior letters, I emphasized the example of Oakwood Hospital in the City of Dearborn, where new storm sewers were constructed in the biggest HMA-project implemented in the State of Michigan to date at a cost of over \$7 million. During the 2014 flooding incident that resulted in the declaration of Major Disaster FEMA-4195-DR, the hospital suffered damages of over \$45 million. Following the implementation of the mitigation project, the hospital did not report any damages during this incident. The overwhelming success of this project has led FEMA to include Oakwood Hospital in its catalog of Mitigation Best Practices. This acknowledgement illustrates how the mitigation efforts undertaken in the disaster area averted significant additional damages.

Recent multiple disasters

Unfortunately, Major Disaster FEMA-DR-4607 has impacted our state at a time of an unprecedented accumulation of other disasters and emergencies. In the weeks following this incident, I was required to issue a total of five additional state of emergency declarations under the Michigan Emergency Management Act, No. 390 of the Michigan Public Acts of 1976. Over the course of this summer, a total of six state-level declarations had to be issued in less than 10 weeks.

In the 24 months before this incident, I declared three states of emergency. One of these incidents resulted in the federal Emergency declaration FEMA-3525-EM for the counties of Gladwin and Midland, and Major Disaster declaration FEMA-4547-DR for the counties of Arenac, Gladwin, Iosco, Midland, and Saginaw. All parts of Michigan also remain under the federal declarations of a national emergency and Major Disaster FEMA-4494-DR, which were issued in response to the Coronavirus pandemic.

In addition to the multitude of incidents that resulted in declarations at the state and federal level, I also activated Michigan's State Emergency Operations Center (SEOC) on five occasions without issuing a state-level declaration since January 2020. Currently, the SEOC is not only involved in the recovery from Major Disaster FEMA-4607-DR, but also continues to coordinate aspects of the state response to the Coronavirus pandemic, and SEOC personnel supports the settlement of Afghan nationals that have fled the humanitarian conditions in their home country and are being welcomed in our state.

Other local emergencies have also occurred that did not require state- or federal-level responses, but still contributed to the collective exhaustion of resources available to respond to and recover from this multitude of incidents.

Programs of other Federal Assistance

Except for home and business loans through the U.S. Small Business Administration (SBA), other federal non-Stafford Act assistance has not become available to date. This further illustrates the critical need for assistance under the PA program to ensure that local jurisdictions can effectively recover from this incident.

As you can see, the criteria for activation of the PA program outlined in the Code of Federal Regulations have been met. Affected local jurisdictions do not have the financial resources available to fully recover from this disaster in a timely manner, or potentially at all in some cases, without receiving supplemental assistance from the federal government. State law mandates that the Michigan Disaster and Emergency Contingency Fund be capped at \$10 million and that grants awarded to individual jurisdictions for reimbursement of public damages do not exceed between \$250,000 and \$1 million, depending on population size. This cannot adequately cover the damages incurred during this disaster.

Therefore, activation of Categories A-G of the PA program for the counties of Ionia, Washtenaw, and Wayne is critically needed. An overview of verified eligible public damages for these counties is included in Attachment A.

I certify that for this Major Disaster and the requested amendments, the state and local governments will continue to assume the applicable non-federal share of costs required under the Stafford Act. Inspector Michele Sosinski remains the State Coordinating Officer for this incident. She will work with the Federal Emergency Management Agency on recovery program implementation and may provide further information or justification on my behalf.

Sincerely,



Gretchen Whitmer
Governor

Attachments:
Attachment 1 – Summary of eligible Public Assistance

ATTACHMENT 1 TO MAJOR DISASTER APPEAL

Summary of eligible Public Assistance



FEMA

**TABLE A-1 SUMMARY OF ELIGIBLE PUBLIC ASSISTANCE
APPEAL PDA CONDUCTED *October 19th - 27th***

Applicant		A	B	C	D	E	F	G	TOTAL	Population	Per/Cap Loss
County of Ionia		\$0	\$0	\$673,563	\$0	\$0	\$0	\$0	\$673,563	63,905	\$10.54
County of Wayne		\$16,509,197	\$5,077,733	\$239,462	\$1,477,611	\$2,182,188	\$220,200	\$103,933	\$25,810,325	1,820,584	\$14.18
County of Washtenaw		\$7,954	\$42,707	\$0	\$0	\$100,000	\$0	\$0	\$150,661	344,791	\$0.44
County of Huron		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	33,118	\$0.00
TOTAL		\$16,517,151	\$5,120,440	\$913,025	#####	\$2,282,188	\$220,200	\$103,933	\$26,634,549	9,883,640	2.694811686

Category Percentage	A	B	C	D	E	F	G	federal share (75%)
	62.01%	19.22%	3.43%	5.55%	8.57%	0.83%	0.39%	\$19,975,911.43

