



MIKE DEWINE

GOVERNOR OF OHIO



July 19, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Through: Thomas Sivak, Regional Administrator
FEMA Region V
Chicago, Illinois 60605

Dear President Biden,

Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (Stafford Act), and implemented by 44 CFR §206.46, I am appealing the denial of my June 3, 2024, request for a Major Disaster Declaration for the State of Ohio. This request was submitted as a result of flooding, landslides, severe storms and tornadoes from April 1-4, 2024, that damaged critical infrastructure, such as roads and culverts, in multiple counties. On June 19, 2024, this request was denied stating that the damage was not of such severity and magnitude as to be beyond the capabilities of the state and affected local governments. The purpose of this letter and its attachments is to supplement the information provided to you in my original request. Upon reconsideration you will see that the totality of the circumstances in the disaster affected areas are beyond the State's capabilities, and federal aid is necessary.

The State is confident that the statewide per capita has been met, and further evidence of that is provided in the attachments. Taken together, FEMA's validated damage amount, state and local mitigation measures, the State's disaster history in the last two years, and availability of resources, require a Major Disaster Declaration to assist recovery efforts in these rural Appalachian communities.

Prior to this disaster, the State and local communities utilized FEMA's Hazard Mitigation Grant Program and other mitigation grants to install floodwalls and purchase land located in high-risk areas. As a result of these efforts, homes and businesses along the Ohio River no longer sustain the kind of devastating impacts they once did. Additionally, during the event, individuals, businesses, and local governments took efforts to mitigate losses by relocating items from first floors and evacuating low-lying areas.

Ohio is fortunate in that we enjoy both largely populated urban areas and rural Appalachian areas. The downside of this is that the per capita indicator for Ohio does not always produce an equitable outcome for the State's most underserved and rural counties which do not have the population or tax base of the larger urban areas. This is why it is imperative your evaluation of this disaster focus on equity and the totality of all factors, not simply the State's per capita indicator. For example, the population in the eight impacted counties is only 2.4 percent of the State's total population, and it does not seem logical to apply the entire statewide per capita requirement to this localized event. In this event, the county-wide per capita impacts in the eight counties ranges from \$7.57 to \$204.86, which far exceed the \$4.60 county per capita threshold.

The State also finds itself stretched thin after suffering multiple disasters over the last twenty-four months, some of them impacting this same geographical area (Jefferson, Monroe, Guernsey, Noble and Meigs). Since 1985, Ohio EMA has administered the State Disaster Relief Program for 91 incidents totaling over \$113 million. Upon conclusion of the Joint Preliminary Damage Assessment (Joint PDA) for the April 1-4, 2024 incident, FEMA estimated \$17.4 million in damages. Funding even 75% of this damage through our state program would far exceed our typical cost contribution to smaller incidents by itself.

As indicated in our original request, when there was a \$33 million dollar discrepancy between the State/Local Preliminary Damage Assessment and the Joint PDA, the State went back to review previous validated damage. Upon review, the State does understand some of the reductions made by FEMA during the Joint PDA. Now I am respectfully requesting that FEMA review some of its assessments, as we are confident that the additional documentation we are providing will validate damage above our per capita threshold. Attached to this letter you will find additional and more specific information and documentation from our local governments and Ohio EMA. The additional records are intended to supplement the aerial images and site visits utilized by FEMA in its assessment.

For the reasons outlined above and detailed to FEMA in the attached documentation, 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 governments and that supplementary federal assistance is necessary. The greatest impact is damage to critical infrastructure in low tax revenue areas, making the expensive repairs needed with their own budgets not feasible. The State undertook hazard mitigation and has suffered multiple disasters in the months preceding this event totaling an estimated \$28 million. I am specifically requesting a Major Disaster Declaration for the Public Assistance Program, all categories, for the following counties: Belmont, Monroe, Washington, Morgan, Meigs, Noble, Guernsey and Jefferson counties. I am also requesting the Hazard Mitigation Grant Program statewide.

Very respectfully yours,

A handwritten signature in blue ink that reads "Mike DeWine". The signature is written in a cursive, flowing style.

Mike DeWine
Governor