

PHILIP B. SCOTT
GOVERNOR



State of Vermont
OFFICE OF THE GOVERNOR

**REQUEST FOR MAJOR DISASTER DECLARATION
GOVERNOR'S REQUEST COVER LETTER**

September 27, 2023

The Honorable Joseph Robinette Biden, Jr.
President of the United States
The White House
Washington, DC

Through: Ms. Lori Ehrlich
Regional Administrator
FEMA Region I
220 Binney Street
Cambridge, MA 02142

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 (Stafford Act), and implemented by 44 C.F.R. § 206.36, I request you declare a Major Disaster for the State of Vermont for heavy rainfall and severe flooding that occurred in Addison and Rutland Counties August 3-5, 2023. I'm requesting Public Assistance for Addison and Rutland Counties and Hazard Mitigation Assistance statewide.

This flooding occurred as a direct extension and aftermath of the catastrophic flooding of July 7-21, 2023, which has been declared as DR4720-VT. The Vermont State Emergency Operations Center remained in full activation July 7, 2023 through August 5, 2023.

National Weather Service:

Refer below to Preliminary Weather Summary, Enclosure C: **PRELIMINARY* Weather Summary for the August 2023 Heavy Rainfall Events*

State Emergency Operations Center Activation:

Partners participating in the ongoing SEOC activation included: Agency of Agriculture, Agency of Human Services, Agency of Transportation, Agency of Digital Services, Public Service Department, Radio Technology Services, Department of Health, Vermont State Police, Division of Fire Safety, Department of Labor, Buildings and General Services, Agency of Education, Urban Search and Rescue, Department of Environmental Conservation, Department Forest Parks & Recreation, Vermont National Guard, American Red Cross, SerVermont and Vermont-211.

Impact Summary

Fortunately, there were no casualties, injuries, or missing persons reported as a result of this storm. Critical infrastructure damage occurred at the Middlebury Wastewater Treatment Facility. There was severe damage to the municipal road network in Hancock, Vermont.

Addison County:

On August 3, 2023, the Town of Middlebury received over six inches of rain within a three-hour window. According to NOAA Atlas 14 (https://hdsc.nws.noaa.gov/pfds/pfds_map_cont.html?bkmrk=vt), **this equates to a 1000+ year storm (0.1% chance of occurrence in the region). It is important to note that event came on the heels of excessive precipitation which began on July 7, 2023 which was declared as VT-4720-DR, and has a FEMA-determined incident period through July 21, 2023. The July storms resulted in heavy rainfall amounts of over five inches of rain in a 12-hour period** (this type of rainfall is classified as a 100-year storm). Due to the track of the polar jet-stream in the days following the storms of July, Vermont soils did not have a chance to dry out, Vermont received successive rains, and soils remained saturated. The Middlebury Wastewater Treatment Facility recorded 23 days of rain recorded during the month of July, totaling 10.92 inches. East Middlebury and Ripton received even higher amounts.

Because soils were so saturated and it rained so much so fast in Middlebury, sheet run-off caused extensive flooding. More than 250 Middlebury households called Vermont-211 to report flood damage, mostly to basements including many with damage to furnaces and electrical systems.

Bridport reported two washed out roads and major flooding issues. Cornwall reported major flooding issues and three washed out roads. Other notable damage locations included New Haven and Ripton. Several buildings flooded in Starksboro. Weybridge reported major flooding with three roads washed out, flooded basements and lightning strikes at a campground which caused a fire requiring emergency response.

Hardest hit of all the rural Addison County communities was Hancock, situated in the mountains, where major damages to multiple roads far exceeded local resources.

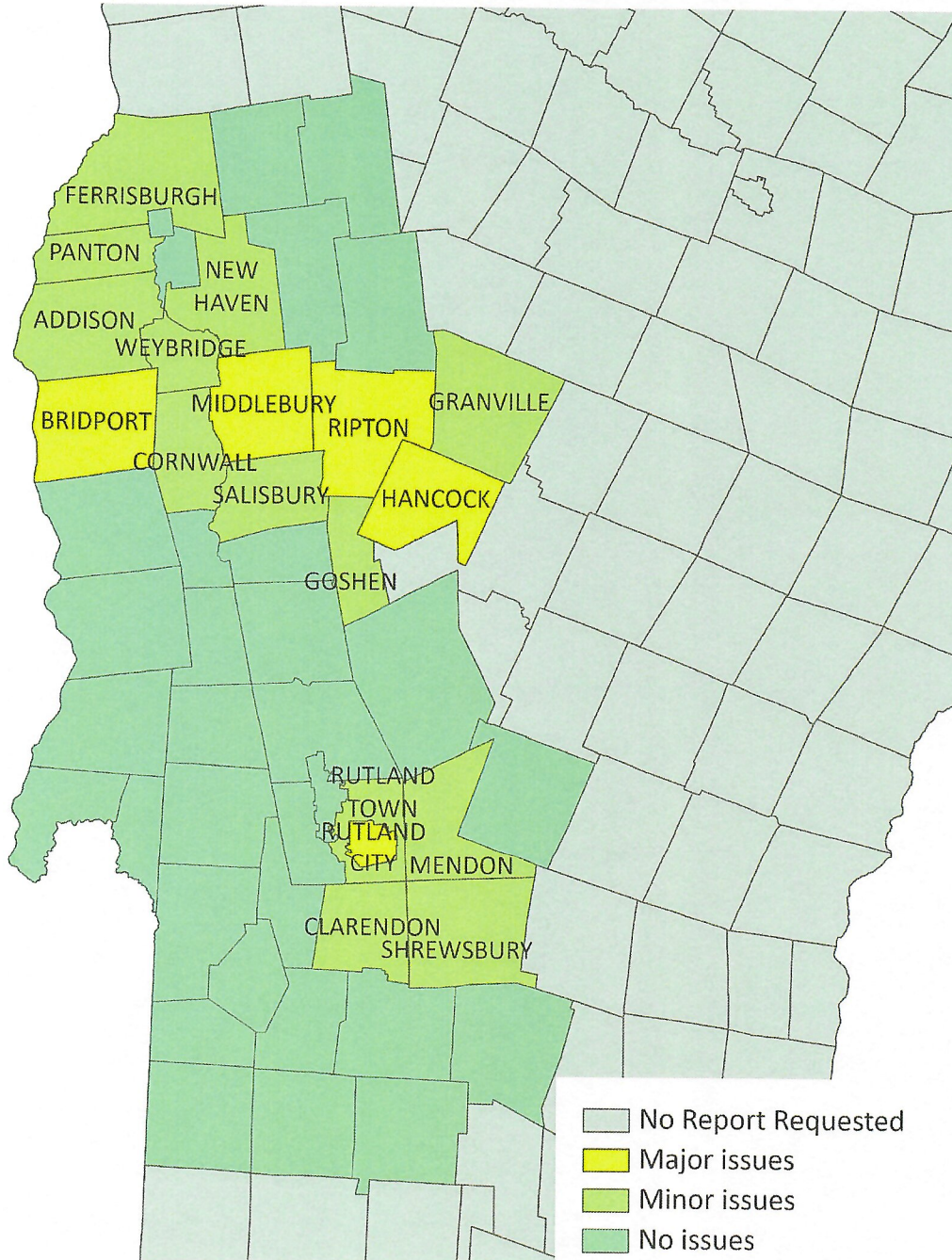
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Rutland County:

The City of Rutland experienced major flooding issues. Vermont swift-water rescue teams deployed to evacuate approximately fifty individuals to shelters. Damage included 5 flooded roads and flooded basements in several homes.

The local liaisons were activated on August 4-5, 2023, to report damages. Results of local liaison reporting are summarized in this map:

Local Liaison Report August 5, 2023



On August 11, 2023, VEM Interim Director Eric Forand submitted a PDA request for August 3-8, 2023, in the counties of Addison and Rutland, for Public Assistance for the flooding which began on August 3, 2023. It was subsequently confirmed during Preliminary Damage Assessments that all the damages reported occurred during August 3-5, 2023, and so the requested incident period has been narrowed to those dates.

Demographics of Impacted Counties

Addison and Rutland counties are rural and sparsely populated. Both counties have median household incomes which are below the statewide average. Rutland's poverty rate is 10.7%, above Vermont's average of 10.3%.

Additional Factors for Consideration

The storms of the summer of 2023 have had very detrimental impacts on Vermont. The impacts of the repeated flooding include reduced tourist traffic, exhaustion of State and town road crews and emergency responders, and debris so extensive that I announced a special campaign to clean up debris piles in time for the economically vital fall foliage season.

While towns in Vermont obtain insurance through the Vermont League of Cities and Towns' Property and Casualty Intermunicipal Fund (PACIF), roads, water crossings and drainage structures are not covered, and insurance coverage is not commercially available in most cases.

State/ Local Resources for Assistance

Vermont's resource referral hotline, Vermont-211, took damage reports from impacted residents. As noted above, more than 250 Middlebury households called Vermont-211 to report flood damages incurred on August 3-5, 2023.

Vermont's Emergency Relief and Assistance Fund (ERAF) provides the non-federal share of declared disasters for eligible municipal Public Assistance applicants and is funded through the Vermont General Fund. This event will add to the need for additional ERAF appropriations to be allocated from the General Fund through Budget Adjustment when the legislature reconvenes.

Vermont Disaster History

The impacts of this storm clearly exceed the resources of the State of Vermont. Since 2013, Vermont has experienced 13 federally declared and numerous non-declared disasters: DR4120 (May 2013 flooding), DR4140 (June-July 2013 flooding), DR4163 (December 2013 ice storm), DR4178 (April 2014 flooding), DR4207 (December 2014 severe winter storm), DR4232 (June 9, 2015 flooding), DR4330 (June-July 2017 flooding), DR4356 (October 29-30, 2018 severe storm and flooding), DR4380 (May 4-5, 2018 severe storm), DR4445 (April 15, 2019 severe storm and flooding), DR4474 (Severe storm and flooding, October 31- November 1, 2019), DR4621 (Severe storms and flooding, July 29, 2021-July 30, 2021), DR4532 (COVID-19), DR4695 (Severe storm and flooding, December 22-24, 2022) and DR4720 (Severe storms and flooding, landslides and mudslides, July 7-21, 2023).

Hazard Mitigation Damage Avoidance

Vermont and FEMA have been successful in recent years in making use of available funding via Section 404 (42 U.S. § 5170c) and Section 406 (42 U.S. § 5172).

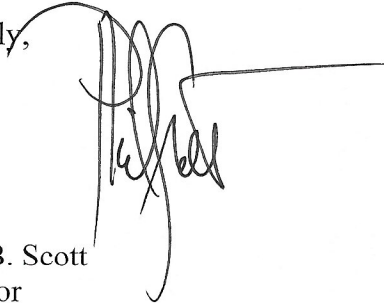
The impacts of this flooding would have been even more devastating if not for mitigation work previously accomplished, particularly more than 140 acquisitions and removals of flood-prone structures accomplished through Hazard Mitigation Assistance since Tropical Storm Irene. The Town of Brandon in Rutland County, has been frequently cited as a hazard mitigation success story thanks to culvert upgrades in the downtown business district and buy-outs of residences in Forest Dale, a flood prone area of the community. We are committed to continuing our ongoing efforts to build resiliency and reduce flood vulnerability using Section 406 and Section 404 Hazard Mitigation.

Conclusion

For Addison and Rutland Counties of Vermont, the August 3-5, 2023 severe storms and flooding event compounded the impacts of earlier flooding and overwhelmed state and local resources. Accordingly, I request a Major Disaster Declaration under the Stafford Act for Public Assistance and Hazard Mitigation Assistance statewide.

Thank you for your continued support of the State of Vermont and its residents.

Sincerely,



Philip B. Scott
Governor

PBS/kp

Enclosures:

OMB No. 1660-0009/FEMA Form 010-0-13

A: Public Assistance

B: Requirements for Other Federal Agency Programs

C: Preliminary Weather Summary for the August 2023 Heavy Rainfall Events

ENCLOSURE B

TO MAJOR DISASTER REQUEST

Estimated Assistance from Other Federal Agency Programs

County	SBA Home Loans	SBA Business Loans	FSA Loans	NRCS	FHWA	USACE	OTHER
All Counties	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Totals							

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ENCLOSURE C

***Preliminary* Weather Summary for the August 2023 Heavy Rainfall Events**

National Oceanic and Atmospheric Administration
National Weather Service
Weather Forecast Office Burlington,
VT 1200 Airport Dr
South Burlington, VT 05403
www.weather.gov/btv



23 August 2023

FROM: Scott Whittier, Warning Coordination Meteorologist
NOAA/National Weather Service Burlington, VT
SUBJECT: PRELIMINARY* Weather Summary for the August 2023
Heavy Rainfall Events

August 3rd

Thunderstorms developed across the Adirondacks of New York during the afternoon hours of August 3rd and moved into the Middlebury, VT vicinity around 6 pm, but then back-built across the same region before exiting around 9 pm. Rainfall rates as high as 3 inches per hour were estimated by radar and event rainfall totals of 3 to 6 inches were estimated by radar (Figure 1) and supported by ground truth observations (Figure 2).

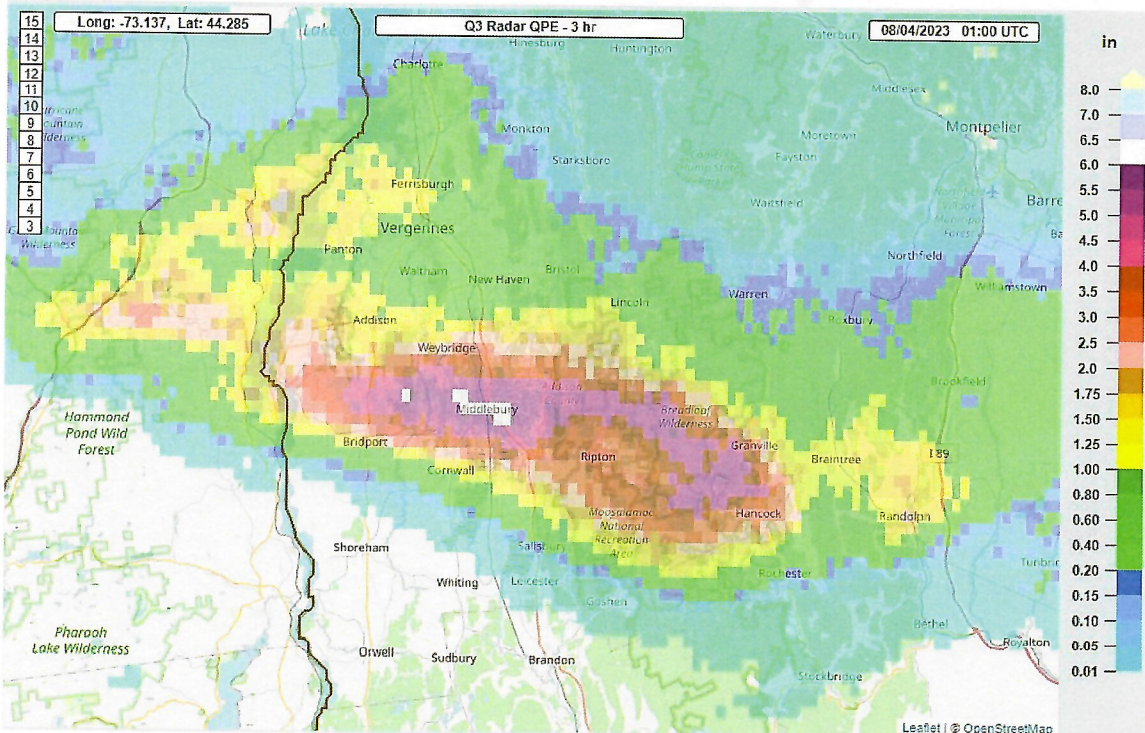


Figure 1 – Radar estimated rainfall for the Middlebury vicinity on August 3rd, 2023.

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*** Please note that this document is PRELIMINARY and UNOFFICIAL.**

All weather summaries to support FEMA PDA's must come via NWS Regional Operational Centers per request of respective FEMA Region or FEMA HQ.

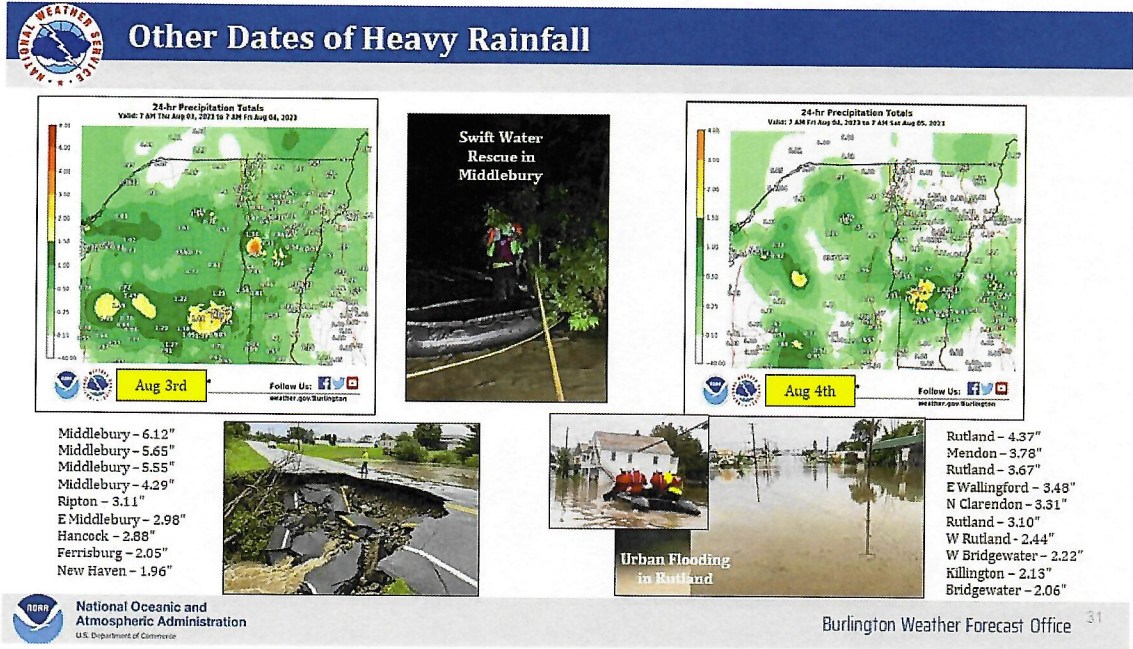


Figure 2 – 24 hour Rainfall Maps and specific observed rainfall vales for August 3rd and August 4th, 2023

August 4th

Thunderstorms developed in the Rutland vicinity around 330 pm and remained quasi-stationary as other heavy rain showers and thunderstorms from New York and Addison County moved into the same area before exiting by 530 pm. Rainfall rates up to 2 inches per hour fell across the urbanized areas resulting in rapid urban flooding. Radar estimates (Figure 3) and ground truth reports (Figure 2) of 2 to 4 inches occurred in a very short period of time.

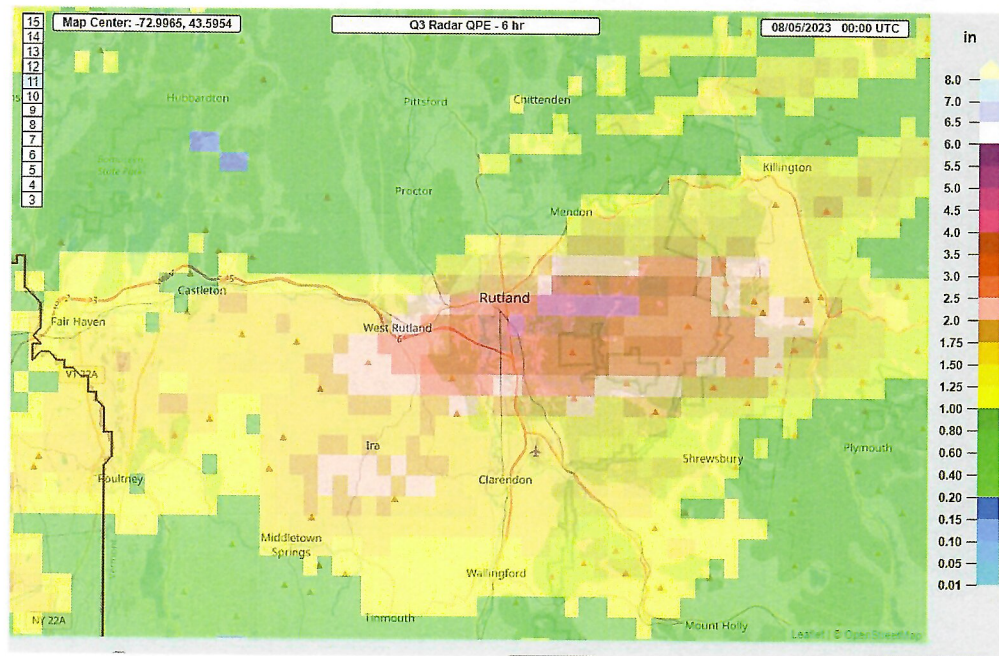


Figure 3 – Radar estimated rainfall for the Rutland vicinity on August 3rd, 2023.

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
REQUEST FOR PRESIDENTIAL DISASTER DECLARATION
MAJOR DISASTER OR EMERGENCY

OMB Control Number 1660-0009

Expires 06/30/2023

1. Request Date Sep 27, 2023

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.

<p>2a. Name of State (as defined in Stafford Act 102, 42 U.S.C. § 5122) or Indian tribal government requesting declaration. State of Vermont</p>	<p>2b. Population (as reported by 2010 Census) or estimated population of Indian tribal government's damaged area(s). <u>643,077 (2020)</u></p>
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<p>3. Governor's or Tribal Chief Executive's Name Philip B. Scott</p>	<p>4. Designation of State or Tribal Coordinating Officer upon declaration (if available) and phone number Eric Forand (802) 585-0633</p>
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5. Designation of Governor's Authorized Representative or Tribal Chief Executive Representative upon declaration (if available) and phone number
Kristin L. Clouser (802) 828-3322

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

7. Incident Period: Beginning Date _____ End Date _____ or Continuing

Aug 3, 2023 Aug 5, 2023

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 Snowstorm
 (rain, high water, wind-driven, rain, hail, lightning) (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.
Heavy rain started late on 8/03/23 in southern Vermont and continued into 08/05/23, causing severe damage in select locations, including the City of Rutland in Rutland County, and nine towns in Addison County. This flooding occurred as a direct extension and aftermath of the catastrophic flooding of July 7-21, 2023 which was declared as DR4720VT. Several roads were closed due to inundation and several residents of Rutland City and Middlebury were evacuated from their homes to shelters. Downtowns were flooded in Middlebury in Addison County and Rutland City in Rutland County. Damage assessments were performed from August 17-25, 2023, then extended through September 11, 2023 to capture the damage that occurred in the smaller towns. The validated PDA Results for Addison County totaled \$1,246,088 & Rutland County totaled \$102,485 which exceeded the State threshold (\$1,138,246).

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.

A new state of emergency was not declared for this incident, but the State Emergency Operations Center (SEOC) remained in full activation from the catastrophic flooding of July 7-21, 2023 throughout this incident. Two of Vermont's Regional Planning Commissions were activated as Local Liaisons on August 4, 2023, with initial reports for each community due on August 5, 2023. The VTrans Districts (3 -Rutland and 4- White River Junction) performed their initial damage assessments during that time as well. Vermont Swiftwater assets were deployed to both affected counties to evacuate residents from their homes to shelters.

10. Joint Preliminary Damage Assessment*

Individual Assistance Dates Performed **Requested** _____ **Start** _____ **End** _____

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

Public Assistance Dates Performed **Requested** Aug 12, 2023 **Start** Aug 17, 2023 **End** Sep 13, 2023

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

Although floodwaters receded, heavy rainfall and saturated soils from the July 7-21, 2023 severe storms, flooding, landslides and mudslides exacerbated the damage to select areas in Addison County. FEMA personnel assigned to conduct Preliminary Damage Assessments needed to be re-assigned due to multiple ongoing incidents in Region 1.

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 Small Business Administration (SBA) Disaster Assistance

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).

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

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.

Public Assistance is requested in Addison and Rutland Counties, subject to validation of eligible damages for August 3-5, 2023 which was completed on September 13, 2023.

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

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.

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:

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

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).

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.

12. Mitigation Plan Information*

a. Mitigation Plan Expiration Date November 16, 2023

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 07/09/23 (expires 12/31/23) 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

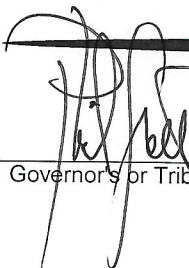
Cover Letter Enclosure A (Individual Assistance)*

Enclosure B (Public Assistance)*

Enclosure C (Requirements for Other Federal Agency Programs)

Enclosure D (Historic and Current Snowfall Data)

Additional Supporting Documentation _____



Governor's or Tribal Chief Executive's Signature

9/27/23

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