

Written Statement of
Region VI Administrator Tony Russell
Federal Emergency Management Agency

“Wildfires in the State of Texas”



FEMA

Before the
U.S. House Committee on Homeland Security's
Subcommittee on Oversight, Investigations, and
Management

Austin, Texas
October 17, 2011

I. Introduction

Chairman McCaul, Ranking Member Keating, and distinguished Members of the Subcommittee, my name is Tony Russell and I am the Regional Administrator for the Federal Emergency Management Agency's (FEMA) Region VI Office. It is an honor to appear before you today on behalf of FEMA to discuss the federal disaster process and the recent fires in Texas. In my testimony today, I will describe the federal disaster declaration process, FEMA's response and recovery programs, and how these programs and assistance have been applied to the recent wildfires.

II. Assistance for the Texas Wildfires

This year, Texas has been battling its worst fire season in state history, and has experienced unprecedented heat and drought. The severity of the disaster intensified greatly over the Labor Day weekend when numerous wildfires began to spread.

On July 1, 2011, the President issued a major disaster declaration for wildfires occurring between April 6, 2011, and May 3, 2011 (DR-1999-TX). Currently, 52 Texas counties are designated for Public Assistance for emergency protective measures and debris removal, as well as repairs to roads and bridges, water control facilities, public buildings, publicly owned utilities and parks and recreation. FEMA is working with applicants to write up all eligible project worksheets so they can be reimbursed for eligible expenditures at a 75 percent federal cost share.

In response to the elevated fire conditions in September, the President also issued a major disaster declaration for Bastrop County (DR-4029-TX) on September 9 -- the same day the request was received from the Governor. That declaration, which covers fires occurring on August 30, 2011 and continuing, has subsequently been amended to authorize Individual Assistance for 22 counties, Public Assistance for Bastrop, Colorado, Leon and Walker Counties, and the Hazard Mitigation Grant Program statewide.

FEMA continues to engage with our local, state and federal partners as the wildfire response and recovery efforts in Texas have moved forward. With respect to DR-4029-TX, FEMA Region 6 staff were on the ground in the Austin area and Bastrop County days in advance of the major disaster declaration to ensure they were ready to support the state in the wildfire response and recovery efforts. We held daily calls with the Texas congressional delegation to keep Representatives informed about the on-going wildfire response efforts. I personally traveled to the Bastrop County area a few weeks ago, where I met with local officials. I also participated in an aerial tour of the damage and visited the Disaster Recovery Center (DRC) in Bastrop County.

Our goal has been to move as quickly as possible in response to the situation. Joint FEMA-State Individual Assistance Preliminary Damage Assessments were conducted in Bastrop County while the fires were still burning. Prior to a declaration, FEMA sent an Incident Management Assistance Team to Texas to develop a plan to expedite response, and immediate response and recovery capabilities were pre-positioned. Transitional Sheltering Assistance was approved for Bastrop County six hours after the declaration and a Mobile Disaster Registration Intake Center

opened on September 11. In the first two weeks following the declaration, \$5.8 million in Individual Assistance has been provided to those impacted by this disaster.

Community Relations teams were on the ground within 12 hours of the declaration, with state approval, to Assess, Inform and Report (AIR). The teams were in the affected communities talking to survivors and providing information on how to contact FEMA and apply for federal disaster assistance. As of October 12 (34 days after the President declared the event a major disaster), there have already been more than 3,600 visits by disaster survivors to the Mobile Disaster Registration Intake Centers (MDRICs) and Disaster Recovery Centers (DRCs). As of October 6, 2011, there were 3,699 registrations for Individual Assistance, \$7,001,522 approved for housing assistance, and \$1,708,919 provided as Other Needs Assistance. Numerous housing inspections were completed, and more than 2,240 individuals were eligible for transitional sheltering. In partnership with the state, FEMA identified the recovery efforts will also require 50-100 temporary housing units.

III. Additional Information about the Declaration Process and Disaster Programs

The Disaster Declaration Process and Federal Disaster Assistance

Although communities can make every effort to prepare for an emergency, disasters can strike at any time. Local and state governments are the first to respond, but when they become overwhelmed by the need, the federal government is ready to provide support where needed.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) establishes a process for requesting Presidential emergency and major disaster declarations, as well as declarations specifically designed to assist states affected by major wildfires, known as Fire Management Assistance Grants. It also defines the type and scope of assistance available from the federal government and sets specific conditions for obtaining that assistance. FEMA coordinates federal response activities per the Stafford Act and the Homeland Security Act of 2002, and may provide direct or grant assistance as authorized by the Stafford Act and FEMA's implementing regulations.

There are two main types of declarations provided for in the Stafford Act: emergency declarations and major disaster declarations. Both declaration types authorize the President to provide supplemental federal disaster assistance when state and local capabilities are overwhelmed.

An emergency declaration may be issued for any occasion or instance for which the President determines federal assistance is needed to supplement state and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States. A major disaster declaration may be issued in response to any natural catastrophe including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought or, regardless of cause, any fire, flood or explosion in the United States

which, as determined by the President, causes damage of sufficient severity and magnitude to warrant supplemental major disaster assistance.

Although the types of events which are eligible for an emergency declaration are broader, the amount of assistance that may be provided under an emergency declaration is more limited in scope than that available under a major disaster declaration. Generally, federal assistance and funding are provided under an emergency declaration to meet specific emergency needs or to help prevent a major disaster from occurring. Emergency declarations supplement state and local efforts in providing emergency services, such as debris removal; assisting with the distribution of medicine, food and other consumable supplies, and emergency assistance; directing other federal agencies to use their authorities and resources, and providing technical and advisory assistance to save lives, protect property and public health and safety, and lessen or avert the threat of a catastrophe. The total amount of assistance provided under a single emergency declaration is limited to \$5 million, but that amount may be exceeded in certain circumstances established in section 503 of the Stafford Act.

A major disaster declaration can result from a natural disaster or other threat, in which the President determines that supplemental federal aid is warranted. In addition to the types of work eligible under an emergency declaration, permanent work to repair, restore and replace damaged public and certain private non-profit facilities is eligible under a major disaster declaration.

To receive either an emergency or major disaster declaration, the event must clearly exceed the capability of state or local governments to respond to and/or recover from the disaster. If declared, funding comes from FEMA's Disaster Relief Fund and disaster aid programs of other participating federal agencies.

To receive a disaster declaration, the Governor of the affected state must submit a letter of request to the President. The Governor's request must explain that the state took all appropriate actions under state law and executed the state's existing emergency plan. In reacting to the emergency, the state must explain that although it utilized every existing resource, the severity and magnitude of the event overwhelmed the state and affected local government's ability to respond, such that federal assistance is necessary. A disaster assistance request explains that the severity of the disaster is such that the resources of the federal government can provide the level of aid needed.

The Stafford Act requires that the Governor's request for assistance include detailed information about the damage and impacts to the state from the event. To collect that data, the state requests Joint Preliminary Damage Assessments (PDAs) – damage assessment surveys conducted by FEMA and state officials to examine the level of damage after an event. The PDA teams consist of personnel from FEMA, state emergency management, county and local officials, and sometimes staff from the U.S. Small Business Administration. They jointly survey damage locations at the direction of the state. The teams review damage and estimate the costs of assistance to the affected areas, including the impacts to individuals, infrastructure, and critical facilities, such as public utilities. The teams note the levels of damage, the number of people displaced, and the remaining threat to health and safety caused by the event.

If a major disaster is declared by the President, there are three possible programs that may be activated for any disaster. The determination of which programs are activated is based on the needs found during damage assessment and any subsequent information that may be discovered. The three main programs are: Individual Assistance, which provides assistance to individuals and households; Public Assistance, which provides assistance to State and local governments, tribal governments, and certain private non-profit organizations for emergency work and facility restoration; and Hazard Mitigation Assistance, which provides federal funding for measures designed to reduce future losses to public and private property.

The Disaster Response Process Including Support for Wildfires

Emergency and major disaster declarations are designed to support communities overwhelmed by a variety of events. For major wildfires, the Stafford Act has established a specific type of declaration that may be issued by FEMA for a separate grant program only available for fires, known as Fire Management Assistance Grants, or FMAGs. These grants provide federal financial assistance to states, local, and tribal governments for the mitigation, management, and control of any fire on public or private forest land or grassland that threatens such destruction as to constitute a major disaster.

A request for an FMAG declaration begins while a fire is still uncontrolled, and addresses specific criteria that are used to evaluate whether federal assistance is warranted. These criteria include: the immediate threat to lives and property, including critical infrastructure or watershed areas; the availability of firefighting resources; high fire danger conditions per the National Fire Danger Ratings System; and the risk of potential major economic impact.

The Governor submits the request to the FEMA Regional Administrator, who assesses the need with expert advisors, then approves or denies the declaration request. The decision to approve or deny the request takes into account the conditions that existed at the time of the State's request, such as the extreme drought in Texas, and whether the fire is likely to cause, or may have already caused, a level of destruction constituting a major disaster. FMAGs are intended to supplement state and local efforts and costs to mitigate, manage and control active wildfires.

The threshold for a FMAG disaster declaration is considerably lower than for a major disaster declaration. Because of this, reimbursement funds for an FMAG declaration are limited to the response phase of the disaster, and are not intended to finance long-term recovery projects. The FMAG is designed to provide most of what a state or municipality may need to replace the items used or damaged during the response phase of a severe wildfire.

This year, the State of Texas has received 55 FMAG designations. The eligible costs for reimbursement under an FMAG include:

- Costs for equipment and supplies (less insurance proceeds);
- Costs for emergency work (evacuations and sheltering, police barricading and traffic control, arson investigation);
- Costs for a State emergency operations center (when used as a Unified Command Center);

- Costs for the pre-positioning of Federal, out-of State, and international resources for up to 21 days;
- Cost of safety items for firefighter health and safety;
- Costs for field camps and meals in lieu of per diem;
- Costs for mobilization and demobilization costs;
- Costs for the temporary repair of damage cause by firefighting activities;
- Costs for the mitigation, management, and control of declared fires burning on co-mingled Federal land, when such costs are not reimbursable by another Federal agency.

FMAGs do not authorize the traditional programs which are available under a Presidential major disaster declaration. The Individual Assistance and Public Assistance Programs, and Hazard Mitigation Grants are not authorized as part of an FMAG declaration. FMAGs are designed specifically to support only the community's response needs during a severe wildfire.

The Disaster Recovery Process

After the initial response to a Presidentially-declared event, the community, state and federal partners transfer into the recovery phase. Collaboration with our many partners is critical to FEMA's ability to assist communities and individuals in the recovery process. Texas is well versed in the collaborative recovery process following the large-scale efforts required after Hurricanes Katrina, Rita, Gustav, and Ike in recent years. Successful recovery also depends on all stakeholders having a clear understanding of pre- and post-disaster roles and responsibilities. FEMA is just one part of the team, and the success and speed of recovery depends heavily on the whole community's involvement.

For FEMA, the recovery phase of a Presidentially-declared event may involve the implementation of our Individual Assistance, Public Assistance and Hazard Mitigation Grant programs. These programs provide support to individuals, families, and state, tribal, and local governments to help them rebuild and reduce the recurrence of loss from future events.

Individual Assistance provides assistance to individuals and families after a disaster, including emergency assistance, the Individuals and Households Program (IHP), Crisis Counseling Program, and the Disaster Case Management Program. FEMA's Individual Assistance programs are not intended to restore the disaster survivor to his or her pre-disaster standard of living. Instead, they are intended to supplement remaining eligible costs after the application of private insurance that is designed to make the survivor "whole" following a disaster. In particular, FEMA's housing programs provide a bridge between short-term shelter and long-term sustainable permanent housing. Disaster housing programs reflect the varying needs of disaster-affected communities and individuals.

Rental assistance is the most common form of housing assistance provided by FEMA and is used wherever possible in order to enable individuals and families to rent a housing unit while they locate and secure long-term permanent and sustainable housing. FEMA's Rental Resources Hotline and Housing Portal Website provides a searchable database of available rental resources and provided tens of thousands of Houston-area options for Galveston families to seek shelter following Hurricane Ike. Another form of temporary housing provided under IHP is the

Temporary Housing Unit (THU), which may be provided to survivors directly by FEMA when their residences have been rendered uninhabitable or destroyed by the declared event and there is insufficient rental housing available in the community.

In addition to housing assistance, FEMA partners with the Department of Health and Human Services (HHS) to provide short-term counseling services and disaster case management following a disaster declaration. The Crisis Counseling Program is an interagency Federal partnership between FEMA and the Center for Mental Health within HHS's Substance Abuse and Mental Health Services Administration. These services are funded through grants given to the states by FEMA and provide counseling services for up to nine months after the date of grant award. Outreach services under this program include public information, community networking, and education services.

Another Individual Assistance program, the Direct Federal Disaster Case Management Program, is maintained through a Memorandum of Agreement signed in 2010 by FEMA and the HHS Administration for Children and Families. If a State requests and is approved for the Direct Federal Disaster Case Management Program, FEMA notifies the Administration for Children and Families to initiate the rapid deployment of disaster case management assistance to individuals and families in the affected disaster area. The second prong of the State Disaster Case Management Program is a State-administered program funded through a direct grant from FEMA. The State Disaster Case Management Program ensures that the State is an essential partner in the delivery of ongoing disaster case management services and that the use of local service providers in the recovery for disaster survivors and their surrounding communities is maximized.

FEMA's Public Assistance (PA) program provides Federal disaster grants to eligible state, tribal, and local governments, as well as certain private nonprofit entities for certain eligible costs incurred to respond to the declared event as well as the repair, replacement, or restoration of publicly-owned facilities and infrastructure damage during a disaster. One form of assistance that the Public Assistance program provides is debris removal operations. In order to aid communities in faster recovery, recently the Public Assistance program piloted Operation Clean Sweep, also known as the Expedited Debris Removal Program, which uses geospatial imagery to make rapid assessments and identify the areas with the most catastrophic damage. This allowed FEMA to focus on the hardest hit areas and combine direct Federal assistance and local government contracting to quickly remove debris. This pilot has been used with great success by local governments in Mississippi, Alabama, and Missouri in response to the spring storms to quickly remove debris. FEMA also funds temporary facilities like fire stations and schools as part of the PA program, which enables communities to quickly restore critical public infrastructure functions.

IV. Conclusion

This Administration is committed to doing all we can to assist Texans as they begin to recover from these devastating fires. This year, FEMA has approved a record 55 Fire Assistance Management Grants for Texas and the President has issued two major disaster declarations. Assistance is flowing to disaster survivors. FEMA is here to support the State of Texas and the

Texas Division of Emergency Management (TDEM) in the wildfire response and recovery efforts. We will continue to stand with the people of Texas for as long as it takes to recover from these fires.

Thank you again for the opportunity to appear before you today. I am happy to answer any questions the Subcommittee may have.