

Louisiana - Flooding Denial of Appeal

Denied on June 15, 2016

On March 2, 2016, Governor John Bel Edwards requested a major disaster declaration due to flooding during the period December 28, 2015 to February 1, 2016. The Governor requested Public Assistance for 12 parishes and Hazard Mitigation statewide. On April 13, 2016, the Governor's request was denied. On May 13, 2016, Governor Edwards appealed the denial. During the period of February 17-26, 2016, joint federal, state, and local government Preliminary Damage Assessments (PDAs) were conducted in the requested areas and are summarized below. PDAs estimate damages immediately after an event and are considered, along with several other factors, in determining whether a disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected local governments, and that Federal assistance is necessary.¹

On June 15, 2016, the Governor's appeal for a major disaster declaration was denied based on the determination that the impact was not of the severity and magnitude to warrant a major disaster declaration.²

Summary of Damage Assessment Information Used in Determining Whether to Declare a Major Disaster

Individual Assistance - (Not requested)

- Total Number of Residences Impacted:³ -
 - Destroyed - -
 - Major Damage - -
 - Minor Damage - -
 - Affected - -

- Percentage of insured residences:⁴ -
- Percentage of low income households:⁵ -
- Percentage of elderly households:⁶ -
- Total Individual Assistance cost estimate: N/A

Public Assistance

- Primary Impact: Emergency protective measures
- Total Public Assistance cost estimate: \$16,722,978
- Statewide per capita impact:⁷ \$3.69
- Statewide per capita impact indicator:⁸ \$1.41
- Countywide per capita impact: Avoyelles Parish (\$8.73), Catahoula Parish (\$11.57), Concordia Parish (\$55.55), East Baton Rouge Parish (\$7.73), Ouachita Parish (\$7.12), Plaquemines Parish (\$6.91), Pointe Coupee Parish (\$6.06), St. Landry Parish (\$4.65), St. Mary Parish (\$116.57), Terrebonne Parish (\$7.20), Tensas Parish (\$8.82), and

- West Feliciana Parish (\$8.35).
- Countywide per capita impact indicator:⁹ \$3.57

¹ The Preliminary Damage Assessment (PDA) process is a mechanism used to determine the impact and magnitude of damage and resulting needs of individuals, businesses, public sector, and community as a whole. Information collected is used by the State as a basis for the Governor's request for a major disaster or emergency declaration, and by the President in determining a response to the Governor's request (44 CFR § 206.33).

² When a Governor's request for major disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Stafford Act) is under review, a number of primary factors are considered to determine whether assistance is warranted. These factors are outlined in FEMA's regulations (44 CFR § 206.48). The President has ultimate discretion and decision making authority to declare major disasters and emergencies under the Stafford Act (42 U.S.C. § 5170 and § 5191).

³ Degree of damage to impacted residences:

- Destroyed – total loss of structure, structure is not economically feasible to repair, or complete failure to major structural components (e.g., collapse of basement walls/foundation, walls or roof);
- Major Damage – substantial failure to structural elements of residence (e.g., walls, floors, foundation), or damage that will take more than 30 days to repair;
- Minor Damage – home is damaged and uninhabitable, but may be made habitable in short period of time with repairs; and
- Affected – some damage to the structure and contents, but still habitable.

⁴ By law, Federal disaster assistance cannot duplicate insurance coverage (44 CFR § 206.48(b)(5)).

⁵ Special populations, such as low-income, the elderly, or the unemployed may indicate a greater need for assistance (44 CFR § 206.48(b)(3)).

⁶ Ibid (44 CFR § 206.48(b)(3)).

⁷ Based on State population in the 2010 Census.

⁸ Statewide Per Capita Impact Indicator for FY16, *Federal Register*, October 1, 2015.

⁹ Countywide Per Capita Impact Indicator for FY16, *Federal Register*, October 1, 2015.