



May 22, 2020

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Through: Lee K. dePalo
Federal Emergency Management Agency
Region VIII
Denver Federal Center
Building 710, Box 25267
Denver, CO 80225-0267

RE: REQUEST FOR PRESIDENTIAL MAJOR DISASTER DECLARATION

Dear Mr. President:

On behalf of the citizens of North Dakota, I extend our gratitude for your response to the current COVID-19 pandemic. Federal resources provided through the March 13, 2020, national emergency declaration, FEMA-EM-3477, and the April 1, 2020, Major Disaster Declaration, FEMA-DR-4509-ND, have empowered North Dakotans to minimize the number of deaths and mitigate the spread of this global disease in our state.

The COVID-19 pandemic follows a devastating year of disasters in North Dakota that resulted in three federal declarations and catastrophic losses for our communities and agricultural producers. In 2019, spring flooding inundated much of the state, impacting areas seldom subjected to high waters, followed by an early summer drought, extraordinary rainfall during late summer and fall, and an October rain/snowstorm event that culminated in historic fall flooding.

Excessive moisture and a record fall flood positioned North Dakota for widespread damages in the spring of 2020. As a result, high ground saturation contributed to severe overland and riverine flooding this spring in central and eastern North Dakota, destroying roads, bridges and culverts in jurisdictions already heavily burdened by recovery costs from 2019 events. High ground saturation combined with the spring snowmelt process also caused roads to swell, pushing road base materials up through road surfaces and causing widespread damages across central and southeast North Dakota. Saturated and inundated roads impeded emergency response vehicles, disrupted lifeline infrastructure, stranded livestock, and prevented access to fields and pastures for farmers and ranchers. Damaging floodwaters rose to near record levels along the Red River of the North. Weary citizens, public officials and first responders battled floodwaters as they also responded to the multitude of impacts created by the COVID-19 pandemic.

Pursuant to 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 §206.36, the State of North Dakota requests a major disaster declaration for widespread overland and riverine flooding that began March 2, 2020, with

issuance of the first flood warning and continued until April 25, 2020, when the Red River of the North dropped below major flood stage at Pembina in northeastern North Dakota as it pushed its way northward into Canada. Jurisdictions most adversely impacted, as illustrated in Attachment A, are the counties of Barnes, Cass, Dickey, Emmons, Foster, Grand Forks, Kidder, LaMoure, Logan, McIntosh, Nelson, Pembina, Ransom, Richland, Sargent, Sheridan, Steele, Stutsman, Traill, Walsh and Wells.

2020 Spring Flood and Snowmelt Analysis.

An unprecedented 2019 fall flood resulted in very wet soils, full wetlands, prairie potholes, and high base stream flows that persisted throughout winter, measuring near, or at, record high levels. As outlined in Attachment D, *State Climatologist Review*, provided by State Climatologist Adnan Akyuz, Ph.D., North Dakota recorded the wettest fall on record in 125 years. The Winter precipitation Ranking map showed above average precipitation levels throughout central and southeastern North Dakota during December 2019 and February 2020. Ground saturation levels for areas across central and eastern North Dakota were in the 99th percentile during February 2020 as well.

The National Weather Service (NWS) of the National Oceanic and Atmospheric Administration (NOAA) recorded historic precipitation levels during September 2019 through early April 2020, and snowpack of 150 to 300 percent of normal with three to six inches of snow water equivalent. As stated in Attachment B: *NWS Review of Spring Flooding*, developed by the NWS, record precipitation occurred September 1, 2019, through April 15, 2020, from Ashley and Forman in the far south central and southeast portions of North Dakota, through Carrington and Jamestown in the central area, to Grand Forks and Pembina in the northeast.

The analysis identifies wet conditions as a primary factor in producing overland flooding across much of the state and moderate to major riverine flooding in the east. In their report, meteorologists Greg Gust and John Paul Martin also attribute flooding to an erratic spring thaw cycle and heavy spring rain and snow during the critical snowmelt runoff period. As they wrote, "Additional stored surface water guaranteed significant spring snowmelt runoff with the greatest runoff potential extending from the prairie pothole region of central North Dakota across the Red River Basin of eastern North Dakota."

An abnormally dry period during February and March and a very slow thaw process attenuated overall riverine crests for portions of central and southeastern North Dakota. However, as outlined in the NWS analysis, these areas still had excessive wet soils prior to winter freeze-up, which contributed to widespread overland flooding in March. An April 1-3, 2020 storm produced heavy rain, ice and snow, causing an extended initial flood wave or a second, greater crest, and a prolonged period of overland and riverine flood impacts.

The Red River at Wahpeton rose to levels slightly below flood stage. However, as floodwaters moved north, the river swelled to major flood stage at Fargo and within 0.1 feet of major flood stage at Halstad. Floodwaters advanced north rising above major flood stage to 47.7 feet in Grand Forks; 38.10 feet at Oslo where it reached its third highest level; 43.31 feet at Drayton for the fourth highest level; and 50.57 feet at Pembina, just 1.35 feet shy of its historic river level set in 2011. Extended crests became an anomaly with this flood. The Red River at Oslo remained above major flood stage for two weeks, and a double crest occurred along the Sheyenne River at Harwood where the river rose slightly below the major flood stage of 91 feet and remained at or above its moderate flood stage of 86 feet for 2.5 weeks.

The first and second waves of flooding required central and eastern communities to battle extensive riverine and overland flooding at a time when the State of North Dakota initiated response to COVID-19 pandemic impacts. Flood fight efforts began March 2, 2020, when the NWS issued its first flood warning for the Cannonball River in western North Dakota, and continued for 55 days until April 25, 2020, when the Red River dropped below major flood stage at Pembina. Riverine and overland flooding caused extensive damages to federal, state, county, city and township roads. The North Dakota Department of Transportation (NDDOT) reported damages totaling \$29.7 million to its network of Federal Aid System (FAS) roads, as outlined in Attachment C, *FAS Road Damages*. In Emmons County, in central North Dakota, crews closed several roads due to saturation, inundation and flood-related damages. Floodwaters threatened to overtop a temporary levee constructed in Strasburg. Similar conditions occurred in McIntosh and Kidder counties as floodwaters created widespread infrastructure damages. Extensive road damage in Foster County delayed response by emergency personnel. McHenry City officials reported high alkali lake levels threatened to jeopardize access roads. In neighboring Wells County, rutted roads and inundated fields are preventing access for planting, portending a poor crop production year.

In southeastern North Dakota, floodwaters inundated roads, washed out culverts and gravel, and threatened to isolate residents in the north central part of Dickey County. The LaMoure County Emergency Manager reported overland floodwaters isolated farmsteads, trapping one family with no options for draining water away from the property. Floodwaters filled lakes and sloughs and eroded roadbeds. Damages in Barnes County included gravel washes, culvert blowouts, and frost heaves due to the heavy ground saturation. Cass County readied 90,000 sandbags in preparation for high water levels that overtopped roadways. Officials warned rural residents to prepare for significant flooding along the Sheyenne and Maple rivers and assured rural residents that COVID-19 would not disrupt deployment of flood fighting resources. West Fargo Public Works initiated 24-hour coverage to monitor the potential for ice jams and debris after officials closed the gates and implemented the Sheyenne River diversion system.

North of Cass County, floodwaters prompted a series of road and bridge closures, including bridges that link North Dakota and Minnesota. Maps contained in the NWS report illustrate how inundation of rural roadways, state highways, and hundreds of sections of farmland rivaled record flood levels of 1997, 2009, and 2011, in northeastern Grand Forks, eastern Walsh, and eastern Pembina counties. Grand Forks and Larimore residents experienced flooded basements as a result of high-water tables and saturated soils. Larimore officials asked residents to limit water usage and reroute sump pumps after groundwater infiltrated the sewer system. City of Grand Forks officials closed greenway areas and pedestrian bridges as the Water Division shut several water valves and disconnected electrical service. The County Engineer reported the southeastern quadrant of the county sustained the most infrastructure damages as floodwaters flowed overland.

In Walsh County, Red River floodwaters quickly flowed out of riverbanks and spread overland, measuring six miles in length across the southern portion of the jurisdiction. The Walsh County Superintendent of Highways reported destroyed, damaged or eroded roads. Floodwaters also flushed debris into fields and delayed emergency response. To the north, Pembina County officials assisted residents isolated after road washouts. City of Drayton deployed five pumps to divert water from low-lying areas within the diking system. North of Drayton, Lincoln Township officials estimate damages will make 2020 flooding a top four flood event. City of Pembina officials erected floodwalls and installed an earthen dike to battle floodwaters. Throughout the county, lingering crest and wave action on gravel roads caused significant damage to township infrastructure.

Numerous central and southeastern counties also suffered from road damages related to flood waters that swelled during the spring snowmelt process. Wells, Stutsman, Emmons, Kidder, McIntosh, and Dickey Counties identified hundreds of sites related to extremely saturated roadways freezing and thawing during the erratic spring snowmelt process. As the roads kept freezing, road base materials expanded and caused immense damages to road surfaces. County and township roads developed ruts and sinkholes, many over a foot deep and running for hundreds of feet at a time. According to County Emergency Managers, they have never experienced this level of damage to roads due to flooding and the freezing and thawing process, and they relate these damages directly to the excessive amounts of moisture and ground saturation documented across the State of North Dakota.

By the time floodwaters receded, the 21 counties included in this declaration request recorded \$9.2 million in damages, with an additional \$2 million estimated to be currently underwater, in addition to \$29.7 million in damages to FAS roads.

A Whole of Community Partnership.

The potential for widespread flooding in 2020 prompted Whole of Community preparedness measures as early as December. We mobilized personnel and equipment resources based on analyses provided by Dr. Akyuz and NWS meteorologists indicating a record fall precipitation and heavy soil saturation would likely contribute to widespread spring overland and riverine flooding. Leaders from my office, the North Dakota Department of Emergency Services (NDDDES) and the North Dakota National Guard (NDNG), initiated a comprehensive planning effort with representatives from the North Dakota Departments of Agriculture (NDDA), Health (NDDoH), Human Services (NDDHS), Environmental Quality (NDDEQ) and Transportation (NDDOT) as well as the North Dakota Highway Patrol (NDHP), Office of the State Engineer, North Dakota State Water Commission (SWC) and the NWS.

In an effort to encourage at-risk homeowners to consider purchasing a flood insurance policy for the spring, I directed the development of a robust marketing campaign to build awareness and provide information about the National Flood Insurance Program (NFIP). The campaign kicked off in January, coinciding with Flood Awareness Week during January 27-31, 2020. Through collaboration among my office, NDDDES, NDDoH, SWC, the ND Insurance Commissioner's Office and the Federal Emergency Management Agency (FEMA), three audio/video spots were developed and marketed on television, radio, Facebook and YouTube to reach the broadest audience possible. Additionally, I wrote an editorial for newspapers statewide along with Insurance Commissioner Jon Godfread, State Engineer Garland Erbele and North Dakota Homeland Security Director Cody Schulz. Between this marketing campaign and statewide outreach events held by the SWC, purchased flood insurance policies grew from 10,512 on November 30, 2019, to 12,448 policies as of March 10, 2020. These gains represented an increase of 18.4 percent and resulted in more than \$3.5 billion in total insurance coverage for North Dakota.

Tribal and local jurisdictions mobilized resources to prepare for flood fight operations; potential evacuation and rescue operations; isolation of rural residents; widespread lifeline and infrastructure interruptions; extensive public and private damages; and closures of roads and bridges. These preparedness measures proved valuable as major flooding occurred across central and eastern North Dakota.

In response to the needs of flooded communities, I issued Executive Order 2020-30, on April 24, 2020, declaring a statewide flood emergency. The declaration activated the State Emergency Operations Plan

(SEOP) and mobilized state resources, including the North Dakota National Guard, to alleviate hardships and implement recovery and mitigation measures. The global pandemic prompted state agency liaisons and local and tribal leaders to “think outside the box” by leveraging communications technology and establishing virtual Emergency Operations Centers (EOCs). NDDDES, through the State Emergency Operations Center (SEOC), balanced both COVID-19 response and spring flood assistance requests and impact analyses. Dispatchers for State Radio handled a high volume of flood-related calls. The NDDoH ensured the readiness of a medical cache and a statewide response team. SWC engineers analyzed flood threats and provided rapid deployment gauges to LaMoure County. The NDNG provided baseline flood imagery, and deployed dump trucks and made available its Armed Forces Center in Richland County.

NDDOT and NDHP frequently assessed conditions, issued road closures and provided safety alerts to the traveling public. NDDOT disseminated information to counties regarding flood preparedness measures and the Federal Highway Administration’s Emergency Relief program. NDDOT districts prepared flood trailers and inventoried flood resources. The NDDHS enacted extensive flood preparations, facilitating a meeting with NDDDES, North Dakota State University and the American Red Cross (ARC). The Disaster Preparedness Administrator updated shelter data with NDDDES; discussed planning and response activities with emergency managers and members of the State Independent Living Committee; and coordinated planning efforts with N.D. Department of Agriculture staff to open a pet shelter simultaneous to opening general population shelters. Staff from DHS’s regional human service centers reviewed individual evacuation plans with vulnerable populations and identified clients who would need support with transportation in the event of evacuation. Regional staff also prepared for potential assistance with evacuation embarkation/reception centers and translation services for non-English speaking residents. Staffs for the DHS Grafton Life Skills and Transition Center in Grafton and the DHS State Hospital in Jamestown planned for emergency shelter needs of vulnerable populations.

Prior to the onset of flooding, members of the North Dakota Voluntary Organizations Active in Disaster (VOAD) rallied support for their communities. The ARC conducted situational assessments and held refresher training on shelter operations for local emergency managers and partners. ARC staff members also conducted a Bismarck Disaster Training Institute for volunteers to enhance their skills and build response capacity to assist with meeting the needs of citizens impacted by disasters. FirstLink coordinated volunteer registration at Sandbag Central and supported flood helpline operations. Lutheran Social Services Disaster Response partnered with NDSU Extension on resiliency and stress-related programs for farmers and ranchers.

As flooding progressed, the COVID-19 pandemic forced voluntary agencies to limit their response, but agencies found ingenious ways to support their communities. As an example, the Salvation Army offered curbside service for Grand Forks residents to pick up clean up kits. The ARC assessed cleanup needs by contacting Larimore residents who experienced basement flooding.

Our long-standing partnerships with federal agencies include FEMA, the NWS, the U.S. Army Corps of Engineers (USACE) and the U.S. Bureau of Reclamation (BOR). The NWS issued frequent updates and analysis to help guide flood-fight operations. FEMA supported state-level operations, and the USACE provided technical assistance to the City of Grand Forks. The USACE coordinated releases from the Jamestown and Pipestem Dams with the BOR, NWS, and local and state partners.

In North Dakota, we truly have a Whole of Community approach to our disasters with strong collaboration taking place with public and private partners.

Our Economic Challenges.

Throughout 131 years of statehood, the agricultural industry remains the leading contributor to North Dakota's economic vitality. Debilitating losses experienced by producers directly impacts the capacity of townships and counties to finance repairs to roads, bridges and other critical infrastructure, as evidenced by the financial ramifications of two federally declared disasters in 2019. Last spring, North Dakotans engaged in a 39-day-long flood fight after record snowfall resulted in impactful snowmelt, and two major March storms blanketed the state with heavy, wet snow. Inundated fields and roads as well as extensive road damage prevented farmers from accessing their lands for several weeks, well past optimal planting times. Flooding resulted in \$10.8 million in damages to our state's transportation system. The rural roads our producers rely upon to access their fields accounted for 86 percent of the damaged infrastructure repaired through FEMA-DR-4444-ND.

By late summer, an El Niño weather pattern generated substantial rainfall leading to flash floods and ponding of water in fields, disrupting the harvest cycle. An October 9-12, 2019, storm generated heavy rain before transitioning to snow containing up to three inches of water content equivalent. Nearly 30 inches of snow blanketed prime farmland, decimating unharvested crops. In response, U.S. Department of Agriculture (USDA) Secretary Sonny Perdue issued a Secretarial disaster designation for North Dakota. Due to historically high ground saturation, the subsequent rapid snowmelt created an unprecedented October flood in central and eastern North Dakota, requiring federal aid provided by the third declaration, FEMA-DR-4475-ND. Our communities spent nearly three weeks battling floodwaters. School bus transportation became precarious as drivers negotiated hazardous road conditions. Saturated roadways forced our producers to drive miles out of their way with heavy, tracked equipment to reach wet fields during a critical time in harvest when daylight hours are limited.

The early October storm and fall flood devastated crop production, abruptly ending harvest in many areas. As Dr. Robert R. Hearne, Professor, Department of Agribusiness and Applied Economics, North Dakota State University, said, "Farmers had trouble in the fields with their heavy equipment getting bogged down in the mud. Soil had high moisture content. Harvest was delayed substantially, and some crops were not harvested at all. This is the real cost of flooding in the last eight months."

The cost of response and recovery from recent disasters has depleted financial reserves. Attachment E, *North Dakota Presidential Disaster Declarations 1993 to 2019*, lists the state's 36 disaster declarations during the past 27 years, the majority of which resulted from widespread flooding including the catastrophic event of 2011, FEMA-DR-1981-ND. Communities are still recovering nine years later from the event for which federal, state and local costs exceeded \$1 billion dollars.

Data from the USDA Farm Service Agency indicates a reduction in ag commodity prices and a delayed 2020 harvest continues to exacerbate financial losses. Brad Thykeson, State Director, reports his agency has received 3,647 applications and issued \$10.5 million to date for the Wildfires and Hurricanes Indemnity Program+ (WHIP+), one of the federal programs enacted to support our producers. "Crop prices are low, livestock prices are low, and Mother Nature continues to throw curve balls as we are dealing with abnormally dry conditions in the west and fighting wet and cool spring conditions in the east, all while coming off a historic unprecedented wet fall of 2019 for a majority of the state," Thykeson said. "We are dealing with the social distancing related to COVID-19 mechanics while trying to implement many programs, and the overwhelming feeling of it all combined has the ag sector of society on edge."

Statewide, we are bracing for significant reductions in tax revenues as communities recalculate budgets. Precipitous drops in oil production, the state's second leading source of revenue, and COVID-19 business-related closures have resulted in record unemployment numbers. Job Service North Dakota received its highest number of unemployment claims, 15,411 the week of March 29, through Saturday, April 4, 2020. The State of North Dakota jumped from a 2.7% unemployment rate in March to 9.2% unemployment rate in April 2020, with the number of unemployed individuals reaching 37,311. We anticipate major cutbacks in local, tribal, state and federal services to address this deficit.

Our Commitment to Resiliency.

Dr. Akyuz, a member of the State Hazard Mitigation Team (SHMT), makes a compelling case for mitigation with his analysis of the Red River, one of the top rivers in the nation at risk for major flooding. The flat terrain of the Red River Valley and the river's northerly flow translate into a high risk of flooding each year. Dr. Akyuz characterizes flooding as a traffic jam that occurs when tractors are in front of faster cars. Swift moving floodwaters originating in the southern Red River encounter a frozen river in the northern reaches of the valley, creating a natural ice jam and contributing to widespread flooding. Major flooding has occurred an average of every fourth year in the 137 years of record keeping. As Dr. Akyuz said, "If we keep fighting the flood year after year, we are going to continually spend a lot of dollars."

Our local, tribal and state leaders have enacted a robust approach to building a resilient North Dakota and reducing the costs of all hazards, including repetitive flooding. While spring flooding caused widespread damage, mitigation measures have minimized the impacts to our communities, preventing the flood from reaching catastrophic proportions. In 2018, the National Institutes of Building Sciences in its *Natural Hazard Mitigation Saves: 2018 Interim Report* estimated every dollar spent on federal mitigation grants saves \$6 in damages. The following year, the PEW Charitable Trust conducted a state-by-state analysis of the benefit of the HMA programs and determined the return on investment amounted to \$6.53 per every dollar spent on mitigation in North Dakota. Based on that estimate, a total of \$160,207,600.25 invested in 202 mitigation construction projects since 1997 has resulted in a savings of \$1,047,757,705.63 in long-term disaster response and recovery costs for our state. The state also experienced a significant savings through its aggressive acquisition program to remove more than 1,400 properties in flood-prone areas, the majority of which had been located in areas that flooded this year. With the assistance of the HMA programs and Community Development Block Grants (CDBG), the state acquisition program has created green space along rivers and lakes for an estimated cost benefit of \$386,400,000.

NDDDES leads a results-driven mitigation program with 84 public and private organizations whose representatives demonstrate a strong level of commitment to protecting our state's residents. This diverse SHMT ensured the *State of North Dakota Enhanced Mitigation Mission Area Operations Plan* achieved the Enhanced Status designation by FEMA on February 6, 2019. Our partners have leveraged the Hazard Mitigation Assistance (HMA) programs and other resources to strengthen our communities and prevent impacts from natural and technological hazards.

Based on the State's history of effectively implementing and managing HMA programs, NDDDES was also approved to fully utilize the Program Administration by State (PAS) Program for FEMA-DR-4323-ND, FEMA-DR-4444-ND and FEMA-DR-4475-ND. Based on the efforts of the NDDDES mitigation staff, all North Dakota jurisdictions either have or are currently developing mitigation plans. NDDDES attributes the support of FEMA as integral to helping our state build resiliency and implement effective mitigation measures whenever possible to help prevent damages to public and private property, as well as save local, state, and federal taxpayer dollars.

Conclusion.

Pursuant to 44 CFR§206.35, I have determined fall flooding was of such severity and magnitude that effective response and recovery is beyond the capabilities of the State and affected local governments. For the reasons described in this letter and its supporting documentation, I respectfully request that you declare a major disaster, with an incident period starting March 2, 2020, and ending April 25, 2020, for the counties of Barnes, Cass, Dickey, Emmons, Foster, Grand Forks, Kidder, LaMoure, Logan, McIntosh, Nelson, Pembina, Ransom, Richland, Sargent, Sheridan, Steele, Stutsman, Traill, Walsh and Wells. I also request North Dakota be designated as a Public Assistance Managing State, as it has in previous disasters, and that the Hazard Mitigation Grant Program be implemented on a statewide basis.

I certify for this major disaster that the state and local governments will assume all applicable non-federal shares of costs required by the Stafford Act 93-288. Enclosure A is my certification that the expenditures and obligations will include the non-federal shares of costs required by PL 93-288, as amended. Preliminary Damage Assessments (PDAs) indicate that damages are expected to exceed \$9.2 million as detailed in Enclosure B.

I have designated MG Alan S. Dohrmann and Homeland Security Director Cody Schulz as the State Coordinating Officers (SCOs) for this request. They will work with FEMA to coordinate damage assessments and may provide further information or justifications on my behalf.

Thank you for your consideration of my request for a Presidential Major Disaster Declaration for the State of North Dakota and for your continued support as we recover from an unprecedented number of disasters.

Sincerely,



Doug Burgum
Governor

Enclosures: Enclosure A: Governor's Certifications
 Enclosure B: North Dakota Preliminary Damage Assessment

Attachments: Attachment A: Jurisdictions Impacted by 2020 Fall Flooding
 Attachment B: NWS Review of Spring Flooding 2020
 Attachment C: FAS Road Damages
 Attachment D: State Climatologist Review
 Attachment E: ND Presidential Disaster Declarations: 1993-2019

CC: Senator John Hoeven
 Senator Kevin Cramer
 Representative Kelly Armstrong
 MG Alan S. Dohrmann, Director, North Dakota Department of Emergency Services
 Cody Schulz, Director, North Dakota Division of Homeland Security
 Justin Messner, Disaster Recovery Chief, North Dakota Division of Homeland Security