

Eastern Band of Cherokee Indians – Severe Storms, Flooding, Landslides, and Mudslides

FEMA-4103-DR

Declared March 1, 2013

On February 14, 2013, Principal Chief Michell Hicks requested a major disaster declaration due to severe storms, flooding, landslides, and mudslides during the period of January 14-17, 2013. The Principal Chief requested a declaration for Public Assistance and Hazard Mitigation for the Territory of the Eastern Band of Cherokee Indians. During the period of February 7-9, 2013, joint Federal and Tribal 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 Tribe, and that Federal assistance is necessary.¹

On March 1, 2013, President Obama declared that a major disaster exists in the lands associated with the Eastern Band of Cherokee Indians. This declaration made Public Assistance requested by the Principal Chief available to the Eastern Band of Cherokee Indians on a cost-sharing basis for emergency work and the repair or replacement of facilities damaged by the severe storms, flooding, landslides, and mudslides. This declaration also made Hazard Mitigation Grant Program assistance requested by the Principal Chief available for hazard mitigation measures for the Eastern Band of Cherokee Indians.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: Damage to roads and bridges

- Total Public Assistance cost estimate: \$3,161,875
- Per capita impact:⁷ \$350.62
- Per capita impact indicator:⁸ \$1.37

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 population in the 2010 Census.

⁸ Statewide Per Capita Impact Indicator for FY13, *Federal Register*, October 1, 2012.