



OFFICE OF THE GOVERNOR

February 24, 2009

RICK PERRY  
GOVERNOR

The Honorable Barack Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue  
Washington, D.C. 20500

THROUGH: Mr. Gary Jones, Acting Regional Administrator  
Federal Emergency Management Agency (FEMA), Region VI  
Federal Regional Center  
Denton, Texas 76209

Dear Mr. President:

Under the provisions of Section 501(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206 (Stafford Act), and implemented by 44 CFR §206.35, I request that you declare an emergency for the State of Texas as a result of extreme fire hazard in 199 counties in the State of Texas beginning January 16, 2009 and continuing. The affected counties are: Andrews, Archer, Armstrong, Atascosa, Austin, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Brazoria, Brazos, Brewster, Briscoe, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Carson, Castro, Chambers, Childress, Cochran, Coke, Coleman, Collin, Collingsworth, Colorado, Comal, Comanche, Concho, Cooke, Coryell, Crane, Dallam, Dawson, Deaf Smith, Delta, Denton, DeWitt, Dickens, Dimmit, Donley, Duval, Eastland, Ector, Edwards, Ellis, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Freestone, Frio, Garza, Gillespie, Goliad, Gonzales, Gray, Grimes, Guadalupe, Hale, Hall, Hamilton, Harris, Hartley, Haskell, Hays, Hemphill, Henderson, Hidalgo, Hill, Hood, Howard, Hudspeth, Hunt, Hutchinson, Irion, Jack, Jackson, Jeff Davis, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kent, Kerr, Kimble, Kleberg, Knox, La Salle, Lamar, Lamb, Lampasas, Lavaca, Lee, Leon, Liberty, Limestone, Lipscomb, Live Oak, Llano, Loving, Lubbock, Lynn, Madison, Martin, Mason, Matagorda, Maverick, McCulloch, McLennan, Medina, Menard, Midland, Milam, Mills, Mitchell, Montague, Moore, Morris, Motley, Navarro, Nolan, Nueces, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Pecos, Polk, Potter, Presidio, Rains, Randall, Reagan, Real, Red River, Refugio, Roberts, Robertson, Rockwall, Runnels, San Jacinto, San Patricio, San Saba, Schleicher, Scurry, Shackelford, Sherman, Somervell, Starr, Stephens, Sterling, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Tom Green, Travis, Trinity, Tyler, Upton, Uvalde, Val Verde, Victoria, Walker, Waller, Ward, Washington, Webb, Wharton, Wheeler, Wilbarger, Williamson, Wilson, Winkler, Wise, Yoakum, Young, Zapata and Zavala.

In response to the situation, I have taken appropriate action under state law and directed the execution of the State Emergency Plan on January 16, 2009, in accordance with Section 501(a) of the Stafford Act. I have issued a proclamation declaring a state of disaster.

Texas continues to experience periods of intense and violent wildfires. Multiple and continuous cold fronts across a wide area of the state, characterized by extremely high winds and record low humidity, have created optimum conditions for numerous spontaneous and violent wildfires. In the last 48-hour period, there have been 18 fires that burned more than 3,185 acres and threatened 111 homes. So far this year, 19 homes in Texas have been destroyed by these fires.

The wildland fire risk potential has reached a critically high level within the state due to the current threats of wildland fuels, critical fire weather and fire occurrence. These have combined to present a serious hazard to the lives and property of the citizens of the state from the destructive potential of a wildland fire. Three firefighters have been injured in the line of duty. Recent fire activity has occurred over a large area of the state, taxing both local and state resources. Recent and forecasted weather is further adding to the seriousness of the situation. Cold fronts are coming through the state on a regular four- to six-day pattern, bringing with them strong winds and low humidity. Wildland fires occurring under these conditions are generating intensities that are creating very high difficulties of control. Wind gusts above 30 mph and relative humidity values below 20 percent are common with these frontal passages, resulting in extreme fire behavior and conditions that threaten anything and everything in a fire's path.

Wildland fire activity has been steadily increasing since the first of the year in both number and size. The affected counties have responded by implementing outdoor burn bans and/or local disaster declarations. State resources have been mobilized and strategically positioned across the state. The weather forecast indicates that this frontal pattern is expected to continue into spring with below-normal chances for precipitation and above-normal temperatures. With the strong winds and low relative humidity values forecasted, we expect any fires occurring within critical areas to have a very high difficulty of control, quickly exceeding local resource capability. A multi-resource response will be needed for effective containment. It is further expected that state resource capabilities will be exceeded and additional out-of-state resources will be needed to assist with the response.

Pursuant to 44 CFR §206.35, I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the state and affected local governments, and that supplementary federal assistance is necessary to save lives; to protect property, public health and safety; or to lessen or avert the threat of a disaster. I am specifically requesting: **Public Assistance Emergency Protective Measures (Category B) including Direct Federal Assistance.**

Preliminary estimates of the types and amount of emergency assistance needed under the Stafford Act, and emergency assistance from certain federal agencies under other statutory authorities, are still being determined.

The following information is furnished on the nature and amount of state and local resources that have been or will be used to alleviate the conditions of this disaster:

**Texas Forest Service (TFS):** TFS is coordinating the state response for wildfire suppression at the TFS Command Center in Granbury. To date, TFS has dropped 314,220 gallons of water on fires in the state. To date, TFS has dropped 17,911 gallons of retardant on fires in the state.

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**Texas Department of Transportation (TXDOT):** TXDOT is responding as needed to support firefighting efforts by providing equipment and personnel, mowing highway rights of way to help break fires near highways, and providing fuel for volunteer firefighters with depleted supplies.

**Texas Military Forces (TMF):** TMF has activated four UH-60 Blackhawk helicopters for fire suppression operations. A TMF Liaison Officer is deployed to the State Operations Center. To date, TMF has dropped 13,200 gallons of water on fires in the state.

**American Red Cross (ARC):** The Hill Country Chapter of the American Red Cross provided canteen service (food and water) to volunteer firefighters battling grass fires.

I certify that for this emergency, the state and local governments will assume all applicable non-federal share of costs required by the Stafford Act.

I request direct federal assistance for work and services to save lives and protect property.

In accordance with 44 CFR § 206.208, the State of Texas agrees that it will, with respect to direct Federal assistance:

- 1) provide without cost to the United States all lands, easements and rights of way 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 provision of the FEMA-State Agreement; and
- 4) assist the performing federal agency in all support and local jurisdictional matters.

I have designated Jack Colley as the State Coordinating Officer for this request. He will work with FEMA on damage assessments and may provide further information or justification on my behalf.

Sincerely,

  
Rick Perry  
Governor

RP:gep