



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2022-113

DECLARING EMERGENCY IN CITY OF LAS VEGAS DUE TO FLOODING AND LACK OF DRINKING WATER AND AUTHORIZING EMERGENCY FUNDS FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION

WHEREAS, the City of Las Vegas has been severely impacted by the Hermit's Peak that began on April 6, 2022, and the Calf Canyon Fire that began on April 19, 2022;

WHEREAS, the Hermit's Peak Fire and Calf Canyon Fire have prompted multiple local and State disaster declarations, as well as a major disaster declaration from President Biden;

WHEREAS, the Hermit's Peak Fire and Calf Canyon Fire left a significant burn scar along the Gallinas River watershed, leaving thousands of acres of scorched forest, ash, and fire debris;

WHEREAS, the substantial precipitation that recently occurred caused flooding and large amounts of ash and other fire debris to be deposited into the Gallinas River;

WHEREAS, the City of Las Vegas relies almost exclusively on water from the Gallinas River for its municipal water source, and the large amount of ash and debris has prevented the City from pulling water from the Gallinas River;

WHEREAS, the City is now forced to rely solely on its reservoirs for municipal water, which are currently estimated to contain less than fifty days of stored water at the current consumption rate;

WHEREAS, the large burn scars from the Hermit's Peak Fire and Calf Canyon Fire also present an additional risk of flooding for the City of Las Vegas;

WHEREAS, these events have prompted the City of Las Vegas to issue a local disaster declaration on July 27, 2022;

WHEREAS, the City of Las Vegas has requested aid, assistance, relief programs, and funding from the State of New Mexico;

WHEREAS, this disaster requires immediate action to protect public peace, health, and safety;

WHEREAS, this disaster is of such magnitude as to be beyond local control and requires the resources of the State of New Mexico to minimize economic or physical harm and to take actions necessary to protect the public health, safety, and welfare; and

WHEREAS, the funding I previously authorized to address this disaster is insufficient to protect the peace, health, and safety of the people of Las Vegas.

NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby **DECLARE** a state of emergency to exist in the City of Las Vegas due to flooding and lack of drinking water, and **ORDER** and **DIRECT** as follows:

1. The Department of Finance and Administration shall make available emergency financial resources in an amount not to exceed seven hundred and fifty thousand dollars (\$750,000.00) to assist the City of Las Vegas in accordance with NMSA 1978, Sections 12-11-23 to -25, and NMSA 1978, Sections 12-10-14 to -15. The funds shall be expended for the resources and services necessary to avoid or minimize economic or physical harm until the situation becomes stabilized; on a temporary, emergency basis for lodging, sheltering, health care, food, any transportation or shipping necessary to protect lives or public property; or for any other action necessary to protect the public health, safety, welfare, and property. The funds shall be expended

in accordance with the policy and procedures of the Department Finance and Administration, as approved by the Governor or her Governor's Authorized Representative.

2. The Department of Finance and Administration shall coordinate all requests for assistance and responses to such requests under the authority of and as determined by the Governor and her Authorized Representative. In addition to such other eligibility criteria as may be established by the Governor or her Authorized Representative, applicants requesting financial assistance from the State for necessary action taken in response to the emergency shall be required to demonstrate that the cost of the necessary action exceeds their available resources, as determined based upon criteria developed in conjunction with the State agencies (if any) with financial and budgetary oversight responsibilities for the applicant.

3. The Adjutant General shall order into service any elements of the New Mexico National Guard as are or may be needed to provide military support to civil authorities as needed for this emergency. This action is pursuant to and in accordance with NMSA 1978, Sections 20-1-1 to -8, NMSA 1978, Sections 20-2-1 to -8, and NMSA 1978, Sections 20-4-1 to -14. Such emergency assistance shall be provided during the period of need at the discretion of the Governor or her Authorized Representative.

4. All Cabinet Departments and agencies under gubernatorial control shall provide any assistance that may be required by the Department of Finance and Administration.

I FURTHER ORDER and DIRECT as follows:

1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.

2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

ATTEST:

Maggie Toulouse Oliver
MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 29TH DAY OF JULY 2022

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO

Michelle Lujan Grisham
MICHELLE LUJAN GRISHAM
GOVERNOR

