



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2023-053

AUTHORIZING ADDITIONAL EMERGENCY FUNDS FOR THE ONGOING EMERGENCY IN THE CITY OF LAS VEGAS DUE TO THE ASH AND FIRE DEBRIS RESULTING FROM THE HERMITS PEAK/CALF CANYON FIRES

WHEREAS, San Miguel County was severely impacted by the Hermit's Peak Fire that began on Wednesday April 6, 2022, and the Calf Canyon Fire that began on Tuesday, April 19, 2022;

WHEREAS, the Hermits Peak/Calf Canyon Fires left a significant burn scar along the Gallinas River watershed, leaving thousands of acres of scorched forest, ash, and fire debris;

WHEREAS, the precipitation that has occurred since the Hermits Peak/Calf Canyon Fires 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 large amount of debris and ash deposited into the Gallinas River has resulted in extremely high turbidity, rendering existing water treatment facilities unable to fully process drinking water for the City of Las Vegas;

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

WHEREAS, an April 18, 2023, report by American Rivers ranked the Rio Gallinas the ninth most endangered river in the United States;

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

WHEREAS, I have issued numerous executive orders declaring emergencies relating to these fires and flood disasters, including Executive Orders 2022-017, 2022-021, 2022-076, 2022-077, 2022-112, 2022-113, 2022-114, and 2022-166, which freed up State resources to help those communities impacted;

WHEREAS, the Department of Homeland Security and Emergency Management has made significant expenditures to assist and house New Mexicans who evacuated their communities due to these disasters;

WHEREAS, these disasters continue to be of such magnitude as to be beyond local control and require the resources of the State of New Mexico to minimize economic or physical harm;

WHEREAS, the Department of Homeland Security and Emergency Management requires additional funding to continue their assistance, which remains necessary to protect the peace, health, and safety of those impacted by these disasters.

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 the Department of Homeland Security and Emergency Management 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 of Homeland Security and Emergency Management, as approved by the Governor or the Governor's Authorized Representative.

2. The Department of Homeland Security and Emergency Management 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 and 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.

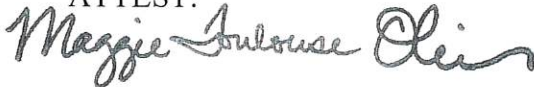
3. The Adjutant General shall order into service any elements of the New Mexico National Guard as are or may be needed to provide military support to civil authorities as needed for this emergency. This action is pursuant to and in accordance with NMSA 1978, Sections 20-1-1 to -8, NMSA 1978, Sections 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's Authorized Representative.

4. All Cabinet Departments and agencies under gubernatorial control shall provide any assistance that may be required by the Department of Homeland Security and Emergency Management or by the State Emergency Operations Center under the authority of the Governor's Authorized Representative.

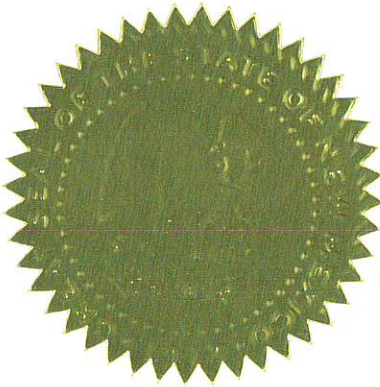
I FURTHER ORDER and DIRECT as follows:

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
SECRETARY OF STATE



DONE AT THE EXECUTIVE OFFICE
THIS 28TH DAY OF APRIL 2023

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



MICHELLE LUJAN GRISHAM
GOVERNOR