



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2023-139

DECLARING AN EMERGENCY IN SAN JUAN COUNTY DUE TO BREACH IN THE BLOOMFIELD IRRIGATION DISTRICT DITCH AND AUTHORIZING EMERGENCY FUNDS FOR THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

WHEREAS, San Juan County has declared an emergency due to the September 5, 2023, breach in the Bloomfield Irrigation District ditch, resulting in significant damage to the water utility infrastructure and a water shortage in the County;

WHEREAS, the Bloomfield Irrigation District is recognized as a political subdivision of the State of New Mexico;

WHEREAS, the Bloomfield Irrigation District serves forty-two miles of water and irrigation to San Juan County;

WHEREAS, the breach of the Bloomfield Irrigation District ditch has resulted in all water within the ditch being shut off;

WHEREAS, the breach has resulted in no incoming water into the Bloomfield city reservoir;

WHEREAS, the loss of water to the City of Bloomfield reservoir has potential serious effects for the City of Bloomfield, including the lack adequate water for fire protection, potential loss of water for public spaces and infrastructure, potential loss or damage to second source pumps due to continuous pumping from the San Juan River, and potential damage to pumps within the water treatment plant, as well a lack of water to the Apple Orchard Water Users and the Blanco

Mutual Water Users;

WHEREAS, the disaster declaration issued by San Juan County indicated that local resources available have been insufficient to cope with the resulting situation and 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; and

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.

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 San Juan County due to the significant damage that occurred on September 5, 2023, to the Bloomfield Irrigation District ditch, 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 all authorized funds are expended or no longer necessary to provide emergency assistance.

ATTEST:

Maggie Toulouse Oliver
MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 24TH DAY OF OCTOBER 2023

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

Michelle Lujan Grisham
MICHELLE LUJAN GRISHAM
GOVERNOR

