



State of New Mexico

Michelle Lujan Grisham
Governor

**REQUEST FOR PRESIDENTIAL DISASTER DECLARATION
COVER LETTER
MAJOR DISASTER OR EMERGENCY**

October 5, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
Washington, D. C.

Through: Regional Administrator Tony Robinson
FEMA Region VI
600 N. Loop 288
Denton, TX 76209

Dear Mr. President:

Under the regulations pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (the Stafford Act), I request that you declare a disaster for the State of New Mexico due to the destruction related to heavy rainfall in Doña Ana County that began on August 12, 2021, and the severe flooding that occurred thereafter. This rainfall has resulted in major flood damages across the county, including but not limited to the City of Las Cruces, the City of Anthony, and the City of Sunland Park. Among these impacts, persistent flooding has damaged critical roadways, dams, and sewage systems, as well as several homes, vehicles, farms, and other private property. Moreover, the 2021 monsoon season has already required eleven different state emergency declarations throughout New Mexico. Those disasters, combined with our state's ongoing efforts to combat the COVID-19 pandemic, have pushed our emergency response capabilities to their limits.

According to the Stafford Act, FEMA may waive cost-sharing requirements and increase the federal cost-share to 100% for emergency work, including direct federal assistance, "if warranted by the needs of the disaster." 44 CFR § 206.47(d). I respectfully submit that the disaster damage in Doña Ana County warrants such a waiver.

DISASTER OVERVIEW

The National Weather Service (NWS) offices in Albuquerque published a summary of the multiple rounds of storms across southern and southeast New Mexico. The first impacts of the storms occurred from August 12 through August 16. Flash flood warnings were issued in the La Union area within south-central Doña Ana County on Saturday August 14 after twelve o'clock PM. Due to the severity of the flash flooding, the Doña Ana County Office of Emergency Management issued mandatory evacuation orders for portions of the county.

There were two very large rain events, intermixed with almost continual showers over a roughly 36-hour period that extended from the evening of the 12th into the morning of the 14th. NWS data showed cumulative 3-day rain gauge amounts of 5.63", 6.11", 6.73", 6.04", and 5.65" in the vicinity of La Union (an unincorporated community). In addition, rain gauges at the Doña Ana County Jetport showed 1.91" of rain on the 13th, and 4.31" of rain on the 14th, for a 2-day total of 6.22".

The cumulative rainfall at the Jetport easily exceeded the 2-day total for a 500-year event (5.43") and a 1,000-year event (6.08"). Using the 3-day totals, the amounts recorded above exceeded the 200-year event (4.91"), the 500-year event (5.70"), and at one location, the 1,000-year event (6.35"). While the highest rainfall amounts recorded were in the La Union area, the storm system caused damages as far north as Hatch, as far east as Highway 70 east of San Augustin Pass, and as far south as Sunland Park, with many locations recording 50-year and 100-year event levels of rainfall.

Recognizing the growing threat of climate change, these storms were also preceded by years of prolonged drought conditions across New Mexico, which significantly increased the chance that heavy rainfall would lead to severe flash flooding. According to the National Drought Mitigation Center at the University of Nebraska-Lincoln, more than [67%](#) of New Mexico's land was in "severe drought conditions" or worse during the first week of August, 2021.

On August 12, 2021, the New Mexico Department of Homeland Security and Emergency Management (DHSEM) received an emergency declaration from Doña Ana County. Also on August 12, I issued Executive Order 2021-47 declaring a state of emergency for Doña Ana County.

IMPACT TO NEW MEXICO

The following is a summary of major impacts:

- Loss of domestic water in the La Union Mutual Domestic Sewer & Water Association, requiring distribution of potable water to residents for personal and animal/livestock use.
- Flooding of the electrical junction boxes and submersion of the electrical lines at the county's wastewater treatment plant, leading to loss of operations and damage to equipment, as well as discharge of wastewater into the Rio Grande that could only be treated with chlorine, and not fully treated as would normally occur.

- Significant damage to the Gardner Dam, including damage on the top, face, and back of the dam due to major erosion, as well as active piping of water beneath the dam structure. The dam was so close to catastrophic failure that large-scale pumping operations were initiated on August 13 and continued for several weeks to reduce water levels behind the structure and lower the potential for failure.
- Significant damage to the La Union B Dam caused by over-topping, to include significant wash-out across the face of the structure and significant erosion of the auxiliary spillway. While this structure did not fail, a large volume of water did flow over the top of this dam, seriously damaging the facility and carrying water and sediment into La Union and the fields below. The damaged auxiliary spillway also significantly reduced storage capacity.



1: Erosion and flooding along the La Union B dam

- Substantial sediment deposits inside multiple flood control structures that will require removal to restore water holding capacity, which may have been reduced by 75% in some cases, such as at the Little Halla Wilson Dam.
- Significant sediment deposit into the Berino Flood Control Pond and erosion damage to the engineered channel leading into the pond, including destruction of structures intended to slow and direct flood waters.
- Inundation of the county's wastewater collection and pumping system by both water and debris, damaging multiple lift station pumps and requiring the removal of rocks and sediment. This situation was aggravated by a simultaneous loss of electrical power to several lift stations on the evening of August 12, 2021.
- Significant sediment deposits on roadways, in yards, and in some homes.
- Complete failure of multiple private dams that led to active flooding of fields and homes, including submersion (up to two feet deep) of four homes near the intersection of Alvarez Road and McNutt Road.
- Erosion of roadways and roadway edges (to include curbs and gutters), particularly in the La Union area where vehicles parked on the sides of roads were buried several feet below the road surface.



*2: La Union resident carries sandbags through two feet of running water
(Las Cruces Sun News)*

- Downed electrical poles and lines.
- At least five homes in the La Union area with significant water infiltration, rendering them uninhabitable without repair.
- Over two dozen vehicles on private property that were submerged in water and/or sediment.
- Large amounts of sediment and debris at roughly a dozen homes.
- Water infiltration in several homes, both at doorways and under walls.
- Multiple farmers affected by water and sediment brought into their fields, to include:
 - Crops underwater for many days, and in some cases for weeks
 - Sediment buildup in fields that will require removal and re-levelling off the ground before re-planting and irrigation are possible
 - Crop and hay bales that were on the ground and damaged/ruined by the rainfall that took place over the three days involved
 - Standing water and mud in livestock pens and facilities that required pumping to prevent illness/injury to the animals.
- Flooded roadways and road erosion in the City of Anthony.
- Flooded roadways and damage to culverts in the City of Sunland Park.
- Collapse of a flood control drainage area, the adjacent roadway, and the access control structures at a ponding area in the City of Las Cruces.



*3: Flood waters erode major roadway in rural community
(Las Cruces Sun News)*

The large amount of rainfall (almost the annual total in just two days) was the primary cause of the damage described above, along with debris carried by the flowing water. The damage was exacerbated when approximately five private dams breached, sending flood waters, debris, and sediment downstream. Moreover, high volumes of designed discharge from county-operated flood control facilities and the over-topping of the La Union B structure brought additional water volume, along with sediment picked up from arroyos along the route.

Water also flowed out of the West Drainage Channel (EBID facility) in some areas when the Channel filled up, causing localized flooding of agricultural areas and private roads near Casad Road.



*4: County responders work to divert flood waters from local homes
(Las Cruces Sun News)*

STATE AND LOCAL RESPONSE

Rainfall started late in the evening of August 12. Local first responders, along with the Offices of Emergency Management for Doña Ana County and the City of Las Cruces, quickly began responding to calls of flooding and people trapped in vehicles and residences. Several county departments responded to this incident, as well as departments from the City of Las Cruces, the City of Anthony, the City of Sunland Park, and several state agencies, including the New Mexico State Police, the New Mexico Department of Transportation, and the New Mexico Department of Homeland Security and Emergency Management (DHSEM).

A liaison from the New Mexico Emergency Operations Center (EOC) was also deployed to Doña Ana County, which serves as a liaison between the local and state EOC. The state EOC maintained

situational awareness using SPOT reports from our liaison. The state EOC coordinated an Intrastate Mutual Aid System (IMAS) request for a high clearance vehicle to rescue residents trapped by high water. The neighboring county of Luna was also requested to stand by, using IMAS for possible law enforcement support for traffic control; however additional personnel were not deployed. New Mexico State University Police were also requested to stand by; however, Doña Ana County had a mutual aid agreement in place with the university at the time of the request.

The local EOC coordinated the rescue of trapped or endangered residents and coordinated mandatory evacuation orders. An evacuation center was set up in the City of Anthony. The Doña Ana County Public Information Officer coordinated public safety announcements. The local EOC helped established five different points of distribution throughout the county for food, water, and sandbags. The local EOC purchased 33 pallets of drinking water, which was then delivered to the points of distribution by various county agencies. The local EOC also coordinated with Home Depot, which donated 100 “cleaning kits” that consisted of buckets filled with several types of cleaner, sponges, rags, and disinfecting wipes. These cleaning kits were also delivered to distribution locations for pick-up by residents. The local EOC coordinated with the solid waste department to place dumpsters on the right of way in several locations for residents to discard debris that resulted from flood waters. The dumpsters were then emptied in the county landfill.

RESOURCES OVERWHELMED

The State of New Mexico has a strong emergency management agency, with Public Assistance, State Disaster Assistance, Hazard Mitigation, and Resiliency Programs. However, the state has been coping with several legacy disasters, both federal and state, which have pressed our capabilities and resources. In the last four months, our state and local emergency management agencies have continued responding to DR-4529 COVID-19 Pandemic, as well as a Fire Management Grant for the Three Rivers Fire and ten flood-related disaster events requiring eleven state emergency declarations. Through these declarations, we have obligated more than \$8 million in state emergency funds to affected communities across New Mexico.

These state emergency declarations include:

- Chaves County Flooding
- Lincoln County Flooding
- City of Roswell Flooding
- Valencia County Flooding
- Eddy County Flooding
- City of Belen Flooding
- Doña Ana County Flooding
- Mora County Flooding
- Village of Ruidoso Flooding

- Rio Arriba County Flooding
- Doña Ana County Flooding (#2)

Moreover, while Doña Ana County is one of the most populous regions in New Mexico, the area also has a relatively small tax base that limits funding for local emergency response capabilities. According to the data below, taken from US Census QuickFacts tables, both household and per capita income in Doña Ana County fall significantly below the state and national averages. Additionally, the poverty rate within the county is more than double the national rate.

Demographic Characteristics	United States	New Mexico	Doña Ana Co., New Mexico
Population estimates (2019)	328,239,523	2,096,829	218,195
Median household income (2019 \$)	\$62,843	\$49,754	\$40,973
Per capita income in past 12 months (2019 \$)	\$34,103	\$27,230	\$22,154
Persons in poverty (%)	11.4%	18.2%	23.8%

SUMMARY

It has been determined that this flooding event was so severe that effective recovery is beyond the capabilities of state and local governments and that supplementary federal assistance is necessary. The state has expended an extraordinary amount of the money on Stafford Act and non-Stafford Act disasters in the previous years, as well as the current fiscal year. Moreover, serious impacts still need to be addressed.

Therefore, under the provisions of Section 401 of the Stafford Act, 42 U.S.C. §§ 5121-5206, and implemented by 44 CFR § 206.36, I formally request that you issue a Major Disaster Declaration for the State of New Mexico to include both the Individual Assistance program and Public Assistance for Categories A (debris removal), B (emergency protective measures), and C-G (permanent work) for the affected communities within Doña Ana County, including but not limited to the City of Anthony, the City of Sunland Park, and the City of Las Cruces. I am further requesting Hazard Mitigation for the entire State of New Mexico.

As the recovery from this incident progresses over the next several months, I reserve the right to amend this request to include additional FEMA programs as needed.

The State of New Mexico will ensure that state and local government obligations and expenditures for the current disaster will comply with all applicable cost sharing requirements of the Stafford Act.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Lujan Grisham". The signature is written in a cursive style and is enclosed within a light gray rectangular border.

Governor Michelle Lujan Grisham

Enclosures

A: OMB No. 1660-0009/FEMA Form 010-0-13