



— State of —
North Dakota
Office of the Governor

John Hoeven
Governor

EXECUTIVE ORDER 2009-05

I, John Hoeven, Governor of the State of North Dakota, by the authority vested in me, do hereby proclaim a flood emergency exists within the state; and

WHEREAS, excessive fall rains and severe winter storms produced record snow accumulations, reaching 600 percent of normal on saturated lands in some areas; and

WHEREAS, ice-blocked culverts and filled drainage systems create a potential for overland flooding; and

WHEREAS, flood forecasts issued by the National Weather Service indicate a strong potential for significant flooding in river basins throughout the state, and climate forecasts specify an enhanced threat of late snow melt with significant rains near the time of melt; and

WHEREAS, heavy snowpack on saturated land in the Devils Lake Basin is forecast to raise water levels an additional two feet above historic high levels, threatening local and downstream communities, infrastructure and farm and pasture lands; and

WHEREAS, continued precipitation in combination with melting snowpack threatens to adversely impact transportation infrastructure; public and private property, sewage and water systems; and is likely to cause damage; and

WHEREAS, potential inundation and/or damage to transportation infrastructure threatens to jeopardize emergency response and isolate rural residents; and

WHEREAS, inundation of farm lands, agricultural losses and damage to private and public property will constitute serious economic hardship across the state; and

WHEREAS, based upon these factors, actions are necessary to address threats to public health and safety, reduce economic hardships, and continue response, recovery and mitigation efforts.

NOW, THEREFORE, I order total utilization of the North Dakota State Emergency Operations Plan, its procedures, attachments and appendices, to respond to

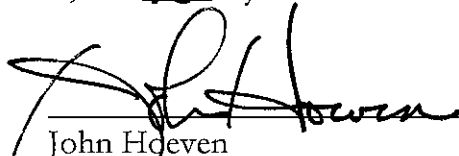
the situation and assist local officials to develop a detailed damage assessment, alleviate hardships, and implement appropriate recovery actions and future mitigation measures to limit the hardships and impacts of this and future disasters, and facilitate restoration of impacted services and infrastructure.

I further make available the assets of the North Dakota National Guard upon request through the Department of Emergency Services where local efforts, shortage of contractors, or response timelines require rapid response. Local cost share for National Guard will be required.

This order is issued upon the following basis and for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1, of the North Dakota Constitution.
2. The Governor is vested with statutory authority to issue executive orders, to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code.
3. A coordinated and effective effort of appropriate government departments is required to minimize the impact of emergencies and disasters in this state.

Executed at Bismarck, North Dakota, this 13th day of March 2009.



John Hoeven
Governor

ATTEST:



Secretary of State

Deputy