



Spencer J. Cox

Governor

EXECUTIVE ORDER
2023-05

Declaring a State of Emergency Due to Flooding

WHEREAS, Utah received a record-breaking amount of snow this last winter season, with snowpack levels close to or exceeding 200% in much of the state;

WHEREAS, warming temperatures are melting the snowpack and creating significant runoff, which has resulted in flooding in some communities and may create risks of flooding throughout Utah in the coming months;

WHEREAS, these conditions have resulted in avalanches, landslides, mudslides, and rockslides in Utah and may create risks of these and other dangerous conditions throughout Utah in the coming months;

WHEREAS, many communities have declared local states of emergency and have requested resources and support from Utah's departments and agencies to assist in preparing for and dealing with this emergency;

WHEREAS, the Utah Division of Emergency Management has activated the State Emergency Response Team and has deployed resources, including more than 1 million sandbags as of April 7, 2023, to aid communities in preparing for potential flooding;

WHEREAS, in the 2023 general legislative session, the Utah Legislature appropriated \$5 million for emergency management flood mitigation, and the appropriated funds are depleted from mitigation efforts;

WHEREAS, declaring a state of emergency will provide access to additional funding in the State Disaster Recovery Restricted Account;

WHEREAS, declaring a state of emergency will facilitate the protection of persons and property from the impacts of flooding and potential flooding and expedite the use of state resources, as well as support requests for federal and interstate resources, if required;

WHEREAS, declaring a state of emergency will also permit Utah to request and receive mutual aid assistance from other states through the Emergency Management Assistance Compact, if required;

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency;

WHEREAS, the Department of Natural Resources, by and through the Division of Forestry, Fire and State Lands has responsibility to control and prevent flooding pursuant to 65A-11-1 and, in coordination with local authorities and the Division of Emergency Management, is able to deploy or pre-position resources such as personnel, wildfire crews, and equipment at key locations in the state to assist in the filling of sand bags, and remove debris;

WHEREAS, these conditions meet the definition of a state of emergency described in the Disaster Response and Recovery Act, specifically in Utah Code § 53-2a-206(1); and

WHEREAS, Utah Code § 53-2a-206(1) authorizes the governor to declare a state of emergency by executive order;

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, hereby declare a state of emergency in the state due to the aforesaid circumstances.

THIS ORDER is effective immediately and shall remain in effect for 30 days, unless the legislature extends the state of emergency.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 18th day of April, 2023.



A handwritten signature in black ink, appearing to read "Spencer J. Cox".

Spencer J. Cox
Governor, State of Utah

A handwritten signature in black ink, appearing to read "Deidre M. Henderson".

Deidre M. Henderson
Lieutenant Governor, State of Utah

ATTEST: