



**EXECUTIVE ORDER 2020-30**  
**Statewide Flood Emergency Declared**

**WHEREAS**, unprecedented flooding in the fall of 2019 resulted in very wet soils, full wetlands, prairie potholes, and high base stream flows that persisted through winter, measuring near or at record high levels; and,

**WHEREAS**, the National Weather Service (NWS) of the National Oceanic and Atmospheric Administration (NOAA) recorded historic precipitation levels from September 2019 to early April 2020, and snowpack with 3 to 6 inches of snow-water equivalent and 150 percent to 300 percent of normal levels; and,

**WHEREAS**, as early as December 2019, the State of North Dakota mobilized state public and private partners through an initiated whole-of-community approach to prepare personnel and equipment resources for potential spring flooding; and,

**WHEREAS**, tribal and local jurisdictions mobilized resources to prepare for flood fight operations, including potential evacuation and rescue operations, isolation of rural residents, widespread lifeline and infrastructure interruptions, extensive damage to public and private property and closure of roads and bridges; and,

**WHEREAS**, central and eastern jurisdictions are engaged in battling extensive riverine and overland flooding that has damaged Federal Aid Systems (FAS), state, county, city and township roads at a time when the State of North Dakota is responding to the catastrophic impacts resulting from the COVID-19 pandemic; and,

**WHEREAS**, powerful floodwaters have washed out paved and gravel roads and culverts, threatened to disrupt businesses and lifeline infrastructure, swamped farmland and impeded emergency response vehicles; and,

**WHEREAS**, overland and riverine flooding has resulted in significant damage in central and eastern North Dakota; the National Weather Service (NWS) recorded the third-highest Red River crest at Oslo, Minn., tying the catastrophic 1997 flood level, eighth-highest crest at Grand Forks and fourth-highest crest at Drayton; with predictions the Red River will rise to the sixth-highest level at Pembina; and,

**WHEREAS**, the State Emergency Operations Center (SEOC) deployed flood-fighting resources to help communities, including technical assistance support from the U.S. Army Corps of Engineers, rapid deployment gauges and sandbag machines; and,

**WHEREAS**, spring flooding and the potential for delayed planting as excessively wet ground persists will compound the catastrophic losses and other economic hardships for agricultural producers, who experienced a disrupted 2019 harvest season and damage to stranded livestock herds during the historic fall flooding.

**NOW THEREFORE**, Doug Burgum, Governor of the State of North Dakota, by virtue of the authority vested under Article V, Section 1, North Dakota Constitution and Chapter 37.1, North Dakota Century Code, hereby declares a statewide flood emergency and hereby orders activation of the North Dakota State Emergency Operations Plan (SEOP) in order to assist local and tribal officials, alleviate hardships, implement appropriate recovery actions and future mitigation measures, and facilitate restoration of services and infrastructure.

All state agencies, to include the North Dakota National Guard, are ordered to provide resources and capabilities pursuant to their respective responsibilities detailed in the SEOP. The Adjutant General is hereby authorized to activate and make available North Dakota National Guard resources to be utilized in support of local and tribal governments based upon normal cost-share agreements.

Emergency relief under North Dakota Century Code § 39-12-03 pertaining to weight restrictions on state highways and interstates is hereby authorized. The Executive Director for the Department of Transportation is authorized to waive load restrictions for non-divisible loads and spring road restrictions for divisible loads for the affected areas and impacted counties for vehicles necessary for levee construction and other flood fight efforts.

This order is issued pursuant to the following authority 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; and,
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; and,

3. The Governor is vested with statutory authority under North Dakota Century Code Chapter 39-12-23 to permit and prescribe definite excess limitations as to size and weight for the operation of motor vehicles in emergencies and to meet unusual conditions for the general welfare of the public; and
4. A coordinated and effective effort of all state departments is required to minimize the impact of disasters and emergencies in this state.

This order is in effect immediately and shall remain in effect for the duration of the declared flood emergency.

Executed at Bismarck, North Dakota, this 24<sup>th</sup> day of April, 2020.



Doug Burgum  
Governor

Attest:



Alvin A. Jaeger  
Secretary of State