



**SIERRA COUNTY
BOARD OF COUNTY COMMISSIONERS
EMERGENCY RESOLUTION № 2026- 63**

**DECLARATION OF A FLOOD DISASTER AND
A CONTINUING FLOOD DISASTER & EMERGENCY IN SIERRA COUNTY**

WHEREAS, the Board of County Commissioners of Sierra County has convened an emergency meeting on Wednesday, September 30, 2026, at 2:00 pm, in the Sierra County Administration Building, 1712 N. Date Street, Truth or Consequences, NM 87901, to address the current storm, resulting flooding, interruption of potable water service, impassable roads, and continuing threats to life and property; and,

WHEREAS, NMSA 1978, Sections 4-38-1 and 4-37-1 authorize the Board to exercise the County's powers and to act for the safety, health, and welfare of its inhabitants, and the All Hazard Emergency Management Act, NMSA 1978, Sections 12-10-1 *et seq.*, provides for emergency management and coordination; and,

WHEREAS, the current storm, fueled by tropical moisture from the remnants of Hurricane Polo, has produced heavy rainfall and flooding in Sierra County, damaging or threatening roads, water infrastructure, agricultural lands, homes, and other property, and disrupting essential services and emergency access; and,

WHEREAS, the National Weather Service El Paso/Santa Teresa issued a Flood Watch on September 29, 2026, at 5:38 a.m. MDT, effective until September 30, 2026, at 6:00 a.m. MDT, covering, among other areas, Sierra County Lakes, the Eastern Black Range Foothills, and the Southern Gila Region Highlands/Black Range; and,

WHEREAS, on September 29, 2026, the National Weather Service El Paso/Santa Teresa issued a Flash Flood Warning at 11:58 a.m. MDT, effective until 4:00 p.m. MDT, reporting continuing moderate to locally heavy rainfall across eastern Sierra County, including the Upper Tularosa Basin and Jornada del Muerto; it also issued a Flood Warning at 2:51 p.m. MDT, effective until 6:00 p.m. MDT, for south-central Sierra County and identifying Arrey, Caballo, Derry, Palomas, Lower Animas Creek, and areas surrounding Caballo Lake among the affected locations; and,

WHEREAS, the National Weather Service Weather Prediction Center, in its Excessive Rainfall Discussion issued September 29, 2026, at 4:05 p.m. EDT, identified a significant, widespread heavy rainfall threat across much of Arizona and New Mexico as the tropical remnants of Polo moved northward, with potential regional rainfall rates of one to two inches per hour and widespread totals of two to four inches, locally higher; the discussion also identified the Gila National Forest as an area of heightened heavy-rainfall concern; and,

WHEREAS, according to reports provided to the County, Arrey is experiencing flooding that has disabled its water main, leaving the community without potable water and creating an immediate threat to public health, sanitation, and residents' basic needs; and,

WHEREAS, Spaceport America is sheltering in place because flooding has affected County Road A013 and the road leading into Spaceport America, restricting safe access and movement; and,

WHEREAS, flooding and storm runoff in the Ash Canyon area have deposited boulders on New Mexico Highway 51, making the affected roadway impassable and obstructing access for residents and emergency personnel; and,

WHEREAS, hunters and campers are reported stranded in the Gila because roads have been washed out, requiring coordination to locate affected persons, assess their needs, and arrange safe rescue, evacuation, or delivery of essential supplies; and,

WHEREAS, floodwaters are widening drainage channels and the areas affected by watershed runoff, threatening wells and water-supply infrastructure, while rising waters threaten agricultural lands, irrigation facilities, livestock, crops, and the livelihoods of County residents; and,

WHEREAS, affected ground, arroyos, and drainage systems are saturated, and continuing runoff and any additional rainfall present a heightened threat of flooding, further damage to roads and infrastructure, homes, farms, ranches, and businesses, interruption of emergency access, and loss of electrical service or safe water service, including after weather watches or warnings expire; and,

WHEREAS, given the existing damage and continuing threats, the Board finds that the disaster may overwhelm locally available response resources and cause continuing and additional physical and economic harm to Sierra County and its inhabitants; and,

WHEREAS, the Open Meetings Act, NMSA 1978, Section 10-15-1(F), permits an exception to the seventy-two-hour agenda requirement for emergency matters involving unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body; and,

WHEREAS, the unforeseen flood damage, loss of potable water, stranded persons, and impassable roads have resulted in human and animal suffering and hardship and threaten the

safety, health, welfare, and well-being of Sierra County's inhabitants and the economic functioning of the County, and failure to address these circumstances immediately will likely result in injury or damage to persons or property or substantial financial loss to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sierra County as follows:

- 1. Continuing disaster declaration.** The Board declares the flooding associated with the current storm and the remnants of Hurricane Polo and the continuing and imminent flood threat to constitute a county disaster and emergency throughout Sierra County. This declaration takes effect upon adoption and remains in effect until the Board rescinds it or applicable law otherwise requires. The County Manager shall provide periodic updates to the Board and bring any required continuation or amendment before it.
- 2. Immediate response and protective action.** The County Manager, emergency management personnel, and appropriate County departments are directed, within their lawful authority and available appropriations, to assess damage; coordinate rescues, evacuation, and mutual aid; provide warnings, shelter coordination, sandbags, temporary access, traffic control, and road closures where needed; protect public facilities and essential services; and coordinate with the Sheriff, fire and emergency medical personnel, affected communities, water-system operators, Spaceport America, the New Mexico Department of Transportation, the United States Forest Service, state agencies, and neighboring jurisdictions. Priority shall be given to obtaining and distributing potable water for Arrey and other affected residents; coordinating safe restoration of damaged water infrastructure and water-quality assessment with appropriate operators and agencies; locating and assisting stranded hunters and campers; and restoring safe emergency access. No unsafe travel or use of flooded infrastructure is authorized by this resolution.
- 3. Emergency procurement.** The County's central purchasing office is authorized to make emergency procurements of services, construction, and tangible personal property needed immediately to respond to, or plan and prepare for, a serious flood-related threat when normal procurement methods cannot meet the need, pursuant to NMSA 1978, Section 13-1-127 (2019). It shall obtain competition to the extent practicable and comply with the statute's documentation, notice, and reporting requirements. All expenditures remain subject to lawful appropriations and applicable grant conditions.
- 4. State and federal assistance.** The Board requests that the Governor and the New Mexico Department of Homeland Security and Emergency Management promptly assess the situation, provide available emergency response resources and financial assistance, and take any necessary steps to seek federal emergency or major disaster assistance. The Board requests available assistance from FEMA and other federal agencies for eligible emergency protective measures, infrastructure repair, and recovery, subject to applicable declarations and eligibility requirements. The County Manager is authorized to submit damage assessments, requests, applications, and supporting documentation and to coordinate with the state on any request for federal assistance.

- 5. Request for military support if needed.** If the current storm or ensuing flooding requires emergency deployment beyond local capabilities, the County Manager is authorized to request that the Governor evaluate and, as the Governor determines lawful and necessary, order the Adjutant General of the State of New Mexico to deploy elements of the New Mexico Army National Guard, New Mexico Air National Guard, and New Mexico State Defense Force to support civil authorities with rescue, evacuation, access, logistics, and protection of life and property. This resolution does not itself mobilize those forces or direct their operations.
- 6. Public preparedness.** The Board urges residents and visitors to monitor official weather alerts, notices from Sierra County emergency management personnel, and County instructions; avoid flooded roads and arroyos; prepare their homes, farms, and ranches; obtain available sandbags through County-designated distribution sites; and shelter in a safe location. Residents should keep adequate food, drinking water, medicines, and essential supplies for themselves and those in their care, in anticipation of interruptions to power, roads, and water systems during the storm and its aftermath. Persons without potable water should use water from a verified safe source and follow official water-use and public-health instructions. Anyone facing immediate danger should call 911.
- 7. Records and distribution.** The County Manager shall maintain records of damage, response activities, emergency procurements, and costs; pursue lawful reimbursement without duplicate recovery; and promptly transmit this resolution to the Governor, the New Mexico Department of Homeland Security and Emergency Management, FEMA through appropriate state channels, the New Mexico Department of Transportation, and the County's legislative delegation.
- 8. Emergency meeting reporting.** The County Attorney shall ensure that the action taken and circumstances creating the emergency are reported to the New Mexico Attorney General's Office within ten days of the Board's action, as required by NMSA 1978, Section 10-15-1(F), unless the statutory waiver upon declaration of a state or national emergency applies. Notice and the agenda has be made available as far in advance as reasonably possible in accordance with applicable law and the County's Open Meetings Act resolution.

PASSED, APPROVED, AND RESOLVED this 1st day of October, 2026.

BOARD OF COUNTY COMMISSIONERS
SIERRA COUNTY, NEW MEXICO

James Paxon, Chairman

Hank Hopkins, Vice-Chairman

Sandy Jones, Commissioner

Attest: _____
Amy Whitehead Sierra County Clerk