

**DECLARATION OF EMERGENCY
2019 February Winter Storms**

WHEREAS, beginning on February 16, 2019, and continuing, a series of winter storms are producing unusually high amounts of heavy snow and rainfall throughout Arizona; and

WHEREAS, the following counties, municipalities, and tribal nations have declared emergencies in preparation for, and in response to, the storms: Apache, Coconino, Gila, Navajo, and Yavapai Counties, Cities of Flagstaff and Prescott, Towns of Payson and Williams, Hopi Tribe, Navajo Nation, and White Mountain Apache Tribe; and

WHEREAS, state agencies, counties, municipalities, and tribal nations have responded, staffed their emergency operations centers and have taken emergency measures to protect communities and residents; and

WHEREAS, several counties, municipalities, and tribal nations opened and staffed shelters and/or warming stations for impacted residents; and

WHEREAS, residents have been affected by road closures, power outages, and school closures; and

WHEREAS, full impacts from these storms have not been assessed and are anticipated to increase during the remainder of the continued precipitation and following as the temperatures rise and the snow melts; and

WHEREAS, post-winter storm concerns include, but are not limited to, flooding from rapid melting snow, continued damage to power lines due to wet snow, ice, strong winds and falling trees, structural damages due to weight of excess snow and ice, hazardous road conditions (i.e. black ice, slick or unstable roads), and reduced visibility due to dense fog after heavy rainfall and snow; and

WHEREAS, in addition to the other effects of winter weather, freezing temperatures and winter conditions throughout Arizona and the Southwest during the month of February have led to a spike in demand of propane supplies throughout the Southwest; and

WHEREAS, private sector efforts to respond to the immediate demand for propane have been stymied by the closure of roads due to winter weather conditions and are further hampered by hours of service regulations that limit the number of hours that truckers who supply the propane can work; and

WHEREAS, pursuant to 49 CFR § 390.23 and the Arizona Administrative Code (AAC) R17-5-203C, such hours of service regulations may be suspended in response to a local or regional emergency; and

WHEREAS, the severity of the propane shortage continues and can be alleviated by a further temporary suspension of the relevant hours of service regulations in Arizona; and

WHEREAS, the Governor is authorized to declare an emergency pursuant to A.R.S. §26-303(D);

WHEREAS, the Legislature has authorized the expenditure of funds in an event of an emergency pursuant to A.R.S. §35-192; and

NOW, THEREFORE I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby determine that the 2019 February Winter Storms justifies a declaration of a State of Emergency, pursuant to A.R.S. § 26-303(D), and I do hereby:

- a. Declare that a State of Emergency exists effective February 16, and continuing, in the following county areas affected by this winter storm: Apache, Cochise, Coconino, Gila, Greenlee, Mohave, Navajo, Pinal, Pima, Santa Cruz, and Yavapai; and
- b. Direct that the sum of \$200,000 from the general fund be made available to the Director of the Arizona Division of Emergency Management to be expended in accordance with A.R.S. §35-192, A.A.C. R8-2-301 to 321, and Executive Order 79-4; and
- c. Direct that the State of Arizona Emergency Response and Recovery Plan be used to direct and control state and other assets and authorize the Director of the Arizona Division of Emergency Management to coordinate state assets; and
- d. Suspend the requirements contained in A.A.C. R17-5-202 and A.A.C. R17-5-203 that incorporate Motor Carrier Safety Regulations, 49 CFR §§ 385, 390-399 until March 15, 2019 insofar as they would otherwise apply to any vehicle supplying propane or liquefied propane gas in Arizona; and
- e. Declare that all other regulations under the A.A.C. and 49 CFR shall remain in effect.
- f. Authorize the Adjutant General to mobilize and call to activate all or such part of the Arizona National Guard as is determined necessary to assist in the protection of life and property throughout the state.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey

GOVERNOR

DONE at the Capitol in Phoenix on this twenty-eighth day of February in the Year Two Thousand Nineteen and of the independence of the United States of America the Two Hundred and Forty-Third.

ATTEST:

[Signature]

Secretary of State