
STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 20-01

FOR: EFFORTS BY INDIANA AGENCIES AND INSTRUMENTALITIES TO ASSIST IN LAKE MICHIGAN SHORELINE RELIEF

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, the water level of Lake Michigan is cyclical and varies substantially based on a number of factors, such as the amount of precipitation, runoff, and evaporation;

WHEREAS, Lake Michigan's water level is currently near a record-high, which is causing significant erosion of beaches, banks, bluffs, and other properties along Indiana's shoreline, as well as having other adverse impacts;

WHEREAS, with Lake Michigan's high water level, any storms and the resulting waves have a harsher impact on the shoreline, with the inevitable erosion getting progressively worse over time;

WHEREAS, while Lake Michigan's high water level is affecting many areas along Indiana's shoreline, the situation is particularly severe in the communities of Ogden Dunes, Beverly Shores, Long Beach, and Portage;

WHEREAS, as indicated in its letter dated January 15, 2020, the Indiana Department of Homeland Security ("DHS") was unaware of any loss of infrastructure in the shoreline areas (*e.g.*, roads, bridges, public utilities, etc.) that would qualify for public assistance funding from federal or state disaster relief programs, but it has continued to monitor the situation for any changes;

WHEREAS, notwithstanding the foregoing, the State of Indiana, through DHS and the Indiana Department of Natural Resources ("DNR"), has taken certain actions in connection with this evolving situation, including, for example, the following:

- (1) State officials have visited affected areas on several occasions in order to observe, first-hand, how these areas have been impacted by the current high water level, and they also continue to actively monitor the situation;
- (2) DNR has expedited the authorization of emergency repair projects that have been requested by property owners for their projects along the shoreline, so that they may begin such work as quickly as possible;
- (3) DNR, DHS, local officials, and members of Indiana's Congressional delegation, in order to be fully prepared, have engaged with the Federal Emergency Management Agency ("FEMA") on The Robert T. Stafford Disaster Relief and Emergency Assistance Act (the "Stafford Act"), a federal law that provides an orderly and systemic means of federal natural disaster assistance for state and local governments;
- (4) DNR signed a letter of support for the Great Lakes Coastal Resiliency Study, which is a collaborative effort by the eight Great Lake states, FEMA, Army Corps of Engineers, National Oceanic and Atmospheric Administration, U.S. Geologic Survey, and the U.S. Environmental Protection Agency, to protect and improve the resiliency of the Great Lakes shoreline and to recommend measures designed to bolster the shoreline's ability to withstand, recover from, and adapt to future lake level conditions and increased storm severity; and

WHEREAS, additional actions and orders are necessary and appropriate under the circumstances, to be taken promptly as more particularly described below;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby:

ORDER, that DHS shall promptly develop and launch a web page by and through which important information and updates regarding this matter, from State, Federal, and local partners, can be posted and widely shared with any and all interested parties;

ORDER, that DNR will continue the process of expediting the authorization of emergency repair projects

requested by property owners for their projects along the shoreline, so that they may begin such work as quickly as possible;

ORDER, that DHS shall, at its earliest opportunity, petition and apply to FEMA for any funding or assistance available for short-term and long-term mitigation projects, including, for example, the FEMA Hazard Mitigation Grant Program, designed to prevent further erosion to the Lake Michigan shoreline and to protect and reinforce existing infrastructure;

ORDER, that the DHS Executive Director shall not only coordinate local public safety responses for the affected areas when necessary and appropriate under the circumstances, but also the efforts to quantify, with appropriate Federal, State and local agencies, any damages to the affected areas;

ORDER, that DHS and DNR will make every effort to identify additional means, methods, and ways to provide necessary and appropriate assistance to the affected areas;

ORDER, that if and when the applicable criteria have been met that would enable the State and affected parties to make application for federal disaster assistance, DHS shall immediately notify the Office of Governor so that an Executive Order Declaring a Disaster Emergency, under and in accordance with Indiana law, can be issued forthwith in order that any available federal assistance and funding can be obtained as quickly as possible to help alleviate losses suffered due to the high water levels along Indiana's shoreline with Lake Michigan;

ORDER, that all instrumentalities, agencies, and departments of state government shall consider and explore ways that they may be of assistance in this matter;

REQUEST, that the communities adversely impacted by the high water levels, such as Ogden Dunes, Beverly Shores, Long Beach, and Portage, provide a short, concise written assessment to DHS, within the next 30 days, of: (a) resources or services that have already been used or expended as part of mitigation efforts; (b) resources or services that they believe are needed to address the high water levels existing at this time; and (c) any other resources, federal or otherwise, they have identified or believe are or could be available in connection with this matter.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 19th day of February, 2020.

Eric J. Holcomb
Governor of Indiana

SEAL

ATTEST: Connie Lawson
Secretary of State

Posted: 02/26/2020 by Legislative Services Agency
An [html](#) version of this document.