

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2012-039

EXECUTIVE ORDER

Declaration of Disaster Emergency Due to Imminent Flood Risk Associated with the High Park Fire in Larimer County and the Waldo Canyon Fire in El Paso County and Making Funds Available for Flood Warning

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to the Colorado Constitution and relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-700, *et seq.*, I, Governor John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order reaffirming his earlier declaration of a state of disaster emergency due to the wildfires and resulting increased flood risk in Larimer County and El Paso County, Colorado and making additional resources available for flood warning.

I. Background and Purpose

The High Park Fire in Larimer County ignited on June 9, 2012 and burned 87,284 acres and destroyed 259 homes. The Waldo Canyon Fire ignited on June 23, 2012 and burned 18,247 acres and destroyed 346 homes. Inter-agency Burned Area Emergency Response teams assessed the resulting damage and determined that the burned areas and those areas surrounding and/or immediately downstream from the burned areas are at much greater flood risk than prior to the fire. Many of these flood risk areas demand precipitation monitoring, stream monitoring, and flood warning equipment to address this increased risk.

The Governor is responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act defines a disaster as "the occurrence or imminent threat of widespread or severe damages, injury or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire [or] flood..." C.R.S. § 24-33.5-703 (3). The increased flood risk resulting from both the High Park Fire and the Waldo Canyon Fire poses an imminent danger to life and property and, therefore, constitutes a disaster for the purposes of the Act.

II. Declaration and Directives

- A. I hereby declare that the imminent risk of flooding associated with the High Park and the Waldo Canyon Fires constitutes a disaster emergency for purposes of C.R.S. § 24-33.5-704(4).
- B. Pursuant to C.R.S. § 24-33.5-706(4) the funds in the Disaster Emergency Fund are found to be insufficient to pay for flood warning equipment to address the increased flood risk. Therefore it is ordered that \$200,000 is transferred into the Disaster Emergency Fund from the Water Quality Improvement Fund in the Colorado Department of Public Health and Environment. These funds are to be used as grants of up to \$25,000 each to appropriate jurisdictions and agencies in El Paso and Larimer counties to fund 75% of the cost of precipitation monitoring, stream monitoring, and flood warning equipment (25% local match). The Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding through this grant program to the appropriate agencies. These funds shall remain available for this purpose for eighteen months from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire thirty days from its date of signature unless extended further by Executive Order, except that the funds described in paragraph II(B) above shall remain available for the described purposes for eighteen months from the date of this Executive Order.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this twenty-fourth day of
August, 2012.

A handwritten signature in blue ink, appearing to read "John W. Hickenlooper", written over a horizontal line.

John W. Hickenlooper
Governor