

STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol Building
Denver, Colorado 80203
Phone (303) 866-2471
Fax (303) 866-2003



John W. Hickenlooper
Governor

RECEIVED

D 2013-023

SEP 03 2013

EXECUTIVE ORDER

Colorado Secretary of State

Declaring a Disaster Emergency Due to the Flooding in El Paso County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant relevant portions of C.R.S. § 28-3-104 and relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to the flooding in El Paso County, Colorado, and making resources available to remove the flooding debris, provide flood emergency protective measures and address the disaster emergency.

I. Background and Purpose

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 . . . flood.” C.R.S. §24-33.5-703(3).

During the period of August 1, 2013, to August 15, 2013, and continuing, the annual rainy “monsoon” season in Colorado produced numerous thunderstorms resulting in rainfall rates of up to 2” per hour. Unfortunately, this weather phenomenon follows three years of severe drought and two years of record loss wildfire seasons. Wildfire burn scars are at greater risk (3-10 times) of flooding from rainfall. On August 9, 2013, thunderstorms produced up to 1.6” of rainfall on the Waldo Canyon Fire burn scar. This resulted in severe flooding of multiple canyons in the Waldo Canyon Fire burn scar. The flood waters, with accompanying mud, rock, and debris, flowed on to U.S. Highway 24 and into Manitou Springs. The flooding killed one person, and injured at least three others. In addition, the flood caused major damage to the highway, property, and infrastructure in El Paso County in the vicinity of the Waldo Canyon Fire

burn scar, including the City of Manitou Springs. The flood event destroyed at least one structure, damaged at least twenty additional structures, and destroyed the eastbound ramp from U.S. Highway 24 to the City of Manitou Springs.

On August 10, 2013, El Paso County and the City of Manitou Springs requested state assistance with debris removal and emergency protective measures. I approved this request and verbally declared a disaster emergency for the flooding in El Paso County.

II. Declaration and Directives

- A. The El Paso County Flood constitutes a disaster emergency under C.R.S. §§ 24-33.5-701, 705. My verbal order of August 10, 2013, declaring a disaster emergency is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained within this Executive Order.
- B. The State Emergency Operations Plan is hereby activated. All State departments and agencies shall take whatever actions may be required and requested by the Director of the Office of Emergency Management, including provision of appropriate staff and equipment as necessary.
- C. 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 the flood debris removal and emergency protective measures efforts related to the El Paso County Flood. Therefore, it is ordered that \$400,000 be transferred into the Disaster Emergency Fund from the General Fund appropriation in Fiscal Year 2013-14 to the Controlled Maintenance Trust Fund. It is further ordered that this \$400,000 from the Disaster Emergency Fund is encumbered to pay for the flood debris removal and emergency protective measures efforts related to the El Paso County Flood. The Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate government agencies and execute awards, purchase orders or other mechanisms to effect the allocation of the funds. 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.
- D. The Colorado Department of Public Safety is authorized and directed to coordinate application to the federal government for funds available for reimbursement and to coordinate application for any other funds available related to this disaster emergency.

III. Duration

This Executive Order shall expire thirty days from August 10, 2013, unless extended further by Executive Order, except that the funds described in paragraph II (C) 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 sixteenth day of
August, 2013.

A handwritten signature in blue ink, reading "John W. Hickenlooper", is written over the printed name and title.

John W. Hickenlooper
Governor