

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

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## D 2015-008

### EXECUTIVE ORDER

#### **Amending the Declaration of Disaster Emergency Due to Severe Weather, Associated Flooding, and a Landslide on State Highway 13 and Extending the Availability of Funds**

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to 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 extending the Declaration of Disaster Emergency due to the Severe Weather, Associated Flooding, and a Landslide on State Highway 13.

#### I. Background and Purpose

The Governor is responsible for meeting the dangers to the state and people presented by disasters. C.R.S. § 24-33.5-704. 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, flood, earthquake, wind, storm...." C.R.S. §24-33.5-703(3).

In response to a destructive weather pattern that occurred during April, May and June 2015, Executive Order D 2015-005 was issued on July 2, 2015, declaring a disaster emergency. Executive Order D 2015-005 applies to the impacted communities east of the Continental Divide bounded by the north and south state borders and the Counties of Rio Blanco and Garfield in the Northwest part of the state, including the counties of Baca, Elbert, El Paso, Fremont, Logan, Morgan, Pueblo, Saguache, Sedgwick, Washington, and Yuma.

On July 7, 2015, Colorado submitted a request to the President of the United States of America for a major disaster declaration pursuant to the Stafford Act, 42 U.S.C.

5121 *et. seq.*, based upon widespread damages that occurred across eleven counties in Colorado. On July 16, 2015, the President approved the request. This presidential disaster declaration (FEMA-4229-DR-CO) makes federal funds available, including Public Assistance and Hazard Mitigation Grant funds, to affected communities and will help restore and rebuild them. Not all damages were immediately apparent during the disaster due to high water levels within various river basins, and efforts continued throughout the affected counties to fully assess and document these damages. Consequently, the counties of Adams, Arapahoe, Boulder, Denver, Larimer, and Park reported damages that occurred following the issuance of the presidential disaster declaration. Executive Order D 2015-006, issued on August 3, 2015, extended Executive Order D 2015-005 and supported the critical and ongoing recovery efforts.

Recently, additional preliminary damage assessments have been conducted with the Federal Emergency Management Agency (FEMA) in Adams, Boulder, Denver, and Park Counties, and each has met federal per-capita damage indicators. I submitted a request to FEMA to add these four counties to the existing presidential disaster declaration (FEMA-4229-DR-CO), which already includes Baca, Elbert, El Paso, Fremont, Logan, Morgan, Pueblo, Saguache, Sedgwick, Washington and Yuma Counties. On August 12, 2015, FEMA approved my request. There are now 15 Colorado counties included in this Stafford Act declaration, further illustrating the gravity of the severe weather pattern from April through June and its impacts on local communities.

This Executive Order extends the declaration of Disaster Emergency and supports the critical and ongoing recovery efforts.

## II. Declaration and Directives

- A. The severe weather resulting in the occurrence of persistent flooding, tornadoes, sinkholes, subsidence, erosion, landslides, debris flows, and associated agricultural impacts and infrastructure damage continues to constitute a disaster emergency under C.R.S. § 24 33.5-701, *et. seq.* The declarations and directives found in Executive Order D 2015-005, and amended and extended by Executive Order D 2015-006, are hereby extended an additional 30 days from August 8, 2015.
- B. The second sentence of Section II(D) of Executive Order D 2015-005 is amended to read: "Therefore, it is ordered that up to \$500,000 be made available from the Disaster Emergency Fund for response and recovery activities."

- C. Section II of Executive Order D 2015-005 is hereby amended by adding the following Paragraph (H): "My verbal authorization of the use of the Emergency Management Assistance Compact (EMAC) for resources not available in Colorado is hereby memorialized by this Executive Order, and this authorization shall expire on May 9, 2016."
- D. Section III of Executive Order D 2015-005 is amended to read: "This Executive Order shall expire thirty days from August 8, 2015, unless extended further by Executive Order, except that the funds described in paragraph II (D) above shall remain available for the described purposes until December 31, 2020."

III. Duration

Executive Order D 2015-005 remains in full force and effect as originally promulgated, except as amended by Executive Order D 2015-006 and this Executive Order. This Executive Order shall expire 30 days from August 8, 2015, unless extended further by Executive Order.



GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this twenty-fourth day of  
August, 2015.

A handwritten signature in blue ink, which appears to read "John W. Hickenlooper".

John W. Hickenlooper  
Governor

