



COLORADO

Governor Jared Polis

D 2019 005

EXECUTIVE ORDER

**Declaring a Disaster Emergency Due to Avalanche Debris and Flooding Risk
in Hinsdale County**

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to avalanche debris and flooding risk in Hinsdale County, enabling State agencies to coordinate response, recovery, and mitigation efforts, and making resources available to State agencies for response, recovery, and mitigation activities.

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(1). The Colorado Disaster Emergency Act defines a disaster as “the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin” C.R.S. § 24-33.5-703(3).

In February and March 2019, Hinsdale County experienced numerous avalanches that created debris fields in drainages. The debris included soil, rocks, and trees. In April 2019, local officials discovered several debris fields along and within Henson Creek, which contains two historic dams that are both over 100 years old. Both dams are no longer in use and have been partially breached to allow water to flow through them. However, local, state, and federal officials are concerned that the large volume of debris may plug the partial breaches in the two dams, causing them to hold water until they catastrophically fail. A catastrophic dam failure could result in floodwater reaching Lake City within ten to fifteen minutes.

The Director of the Office of Emergency Management activated the State Emergency Operations Center to support and coordinate the efforts of state, local, and private entities in mitigating the risk of dam failure and preparing for response activities if mitigation efforts are insufficient. The Division of Homeland Security and Emergency Management Regional Field Manager is providing direct local support.

At 9:34 AM on May 6, 2019, I verbally declared a disaster emergency for the avalanche debris and flooding risk in Hinsdale County and activated the State of Colorado Hazard and Incident Response and Recovery Plan (“State Emergency Operations Plan”).



II. Declarations and Directives

- A. The avalanche debris and flooding risk in Hinsdale County and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of May 6, 2019, 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 or Acting Director of the Office of Emergency Management pursuant to the Emergency Support Function 5 Annex of the State Emergency Operations Plan, including provision of appropriate staff and equipment as necessary.
- C. Pursuant to C.R.S. § 24-33.5-706(4), I find that the funds regularly appropriated to State and local agencies are insufficient to address this disaster emergency. Therefore, I order that four million five hundred thousand dollars (\$4,500,000) from the Disaster Emergency Fund is encumbered to pay for the State-level response, recovery, and mitigation efforts related to this disaster emergency. This amount is currently available in the Disaster Emergency Fund.
- D. Further, pursuant to C.R.S. § 24-33.5-705.4(5), the Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate government agencies and non-profit organizations and execute awards, purchase orders, or other mechanisms to effect the allocation of the funds. These funds shall remain available for this purpose until sixty (60) 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 (30) days from May 6, 2019, unless extended further by Executive Order, except that the funds described in Section II(C) above shall remain available for the described purposes for sixty (60) months from the date of this Executive Order.



GIVEN under my hand and the
Executive Seal of the State of
Colorado, this thirty-first day of
May, 2019.

Jared Polis
Governor

A handwritten signature in blue ink, appearing to read "Jared Polis", is written over the printed name and title.