

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

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



John W. Hickenlooper  
Governor

## D 2014-022

### EXECUTIVE ORDER

#### **Amending the Declarations of Disaster Emergency Due to the Black Forest Fire in El Paso County 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 the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, and specifically C.R.S. § 24-33.5-704, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order amending executive orders declaring a disaster emergency due to the Black Forest Fire in El Paso County and making additional resources available to those affected by the Black Forest Fire.

#### 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 fire.” C.R.S. § 24-33.5-703(3).

The Black Forest Fire killed two persons and destroyed 486 homes, and subsequent post-wildfire flooding caused further damage to homes and infrastructure. I issued two executive orders to assist with fighting the fire and to provide necessary resources for recovery efforts. Executive Order D 2013-010 provided \$5,500,000 for suppression of and recovery from the Black Forest Fire. Executive Order D 2013-019 amended the total to \$13,000,000 for the fire suppression, response, and recovery efforts related to the Black Forest Fire.

Due to the number and size of this and other fires receiving federal and/or state declarations, the Division of Fire Prevention and Control needs approximately thirty-six (36) months to process all contractor payments and close out any Fire Management Assistance Grants with the Federal Emergency Management Agency (FEMA).

In September 2013, Colorado experienced catastrophic flooding, receiving a Stafford Act disaster declaration with many federal disaster programs implemented. During 2014, Colorado received Housing and Urban Development (HUD) Community Development Block Grant – Disaster Relief (CDBG-DR) authorization and funding. The authorization and funding included any Stafford Act disaster declaration in Colorado during the three years prior to September 2013. Thus CDBG-DR funds are available to assist with the Black Forest Fire recovery. The Black Forest Fire also received FEMA Hazard Mitigation Grant Program (HMGP) funding, which may also be used for flood mitigation projects. Due to receipt of the CDBG-DR funds and ability of HMGP funds to be used for flood mitigation, the Division of Homeland Security and Emergency Management (DHSEM) recommended that the state participate in the 25% non-federal share of the HMGP in the same manner as the Public Assistance (PA) program for the September 2013 Flood Stafford Act Declaration.

In consultation with the Colorado Recovery Office, I concur with DHSEM's recommendation. Accordingly, this Executive Order provides funding for half of the 25% non-federal share and extends the funds in this and previous Executive Orders for an additional sixty (60) months.

## II. Declaration and Directives

In addition to the declarations and directives contained in Executive Orders D 2013-010 and D 2013-019, I declare and direct as follows:

- A. The last sentence of section II(C) of Executive Order D 2013-019, which amended section II(C) of Executive Order D 2013-10, is amended to read: "These funds shall remain available for this purpose until December 31, 2019, and any unexpended funds shall remain in the Disaster Emergency Fund."
- B. Section III of Executive Order D 2013-019 is amended to read: "This executive Order shall expire 30 days from June 11, 2013, unless extended further by Executive Order, except that the funds described in paragraph II(C) above shall remain available for the described purposes until December 31, 2019, and any unexpended funds shall remain in the Disaster Emergency Fund."

Executive Order D 2013-010 is hereby amended to add paragraph II(H) as follows:

- H. I order the encumbrance of an additional \$150,000 from the Disaster Emergency Fund to provide for half of the 25% non-federal share of the Hazard Mitigation Grant Program funds awarded for this disaster. The \$150,000 exists in the Disaster Emergency Fund from un-expended funds from this and previous

disasters. These funds shall remain available for this purpose until December 31, 2019, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

Executive Orders D 2013-010 and D 2013-019 remain in full force and effect as originally promulgated, except as amended by this Executive Order. This Executive Order shall remain in effect until amended or rescinded by further Executive Order.



GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this twelfth  
day of December, 2014.

A handwritten signature in blue ink, which appears to read "John W. Hickenlooper". The signature is fluid and cursive, with a large initial "J" and a long, sweeping tail.

John W. Hickenlooper  
Governor