

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

D 2013-031

EXECUTIVE ORDER

Extending the Declaration of Disaster Emergency Due to Historic Flooding of September, 2013

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 and incorporating by reference all sections therein unless specifically altered below due to the historic flooding of September, 2013.

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

As a result of the historic flooding this September nine people were killed, 218 people were injured and over 18,000 people were forced to leave their homes. Additionally, one individual was killed assisting in the recovery effort. This flooding was widespread and impacted twenty-four counties. Damage to property has been extensive: 1,882 homes have been destroyed and as of November 5, 2013, 26,893 households have registered with FEMA.

The State of Colorado, in strong collaboration with local municipalities, the National Guard, the federal government, and non-governmental organizations, continues to make considerable progress in rebuilding Colorado's infrastructure. Eighty-one percent of state highways are now open, but flooding of this magnitude caused damage to infrastructure on multiple levels. Work remains to be done in repairing water treatment facilities, wastewater treatment facilities, and miles of water lines. It is critical the recovery efforts continue at full speed before winter fully

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

II. Declaration and Directives

A. The Front Range flooding and recovery continues to constitute a Disaster Emergency under C.R.S. § 24-33.5-701, 705. The declarations and directives found in Executive Order D 2013-026, Executive Order D 2013-027, Executive Order D 2013-028 and Executive Order D 2013-030 are hereby extended an additional 30 days from the signing of this Executive Order.

B. Paragraph II (B) of Executive Order D 2013-028 is hereby replaced to read as follows:

Pursuant to C.R.S. 24-33.5-706(4), I find the funds in the Disaster Emergency Fund to be insufficient to pay for the flood response and recovery. Therefore, it is ordered that \$12,950,000 be transferred into the Disaster Emergency Fund from the Controlled Maintenance Trust Fund established in C.R.S. 24-75-302.5; and \$50,000,000 be transferred into the Disaster Emergency Fund from the General Fund appropriation in Fiscal year 2013-14 to the Department of Health Care Policy and Financing Medical Services Premiums line item. It is further ordered that \$65,500,000 from the Disaster Emergency Fund is encumbered to pay for the flood response and recovery. 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. The Director of the Office of Emergency Management is also authorized to allocate up to \$20,000,000 to be used as short-term, no-interest loans in order to provide any political subdivision of the state with short-term capital needed for flood response and recovery. 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 November 6, 2013, 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 sixth day of
November, 2013.

A handwritten signature in black ink, appearing to read "John Hickenlooper", written in a cursive style.

John W. Hickenlooper
Governor

