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EXECUTIVE ORDER

Concerning the Threat of Flooding in Areas Affected by Recent Wildfires

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, and in particular Section 24-32-2101 *et seq.* of the Colorado Revised Statutes, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order declaring a disaster emergency due to the imminent threat of flood in areas affected by wildfires.

1. Background and Need.

Over the past 5 months, Colorado has experienced the most destructive wildfire season in state history. To date, 2,031 wildfires have burned a total of 501,686 acres throughout the state. While the risk of additional wildfires remains, we must begin the process of restoring areas of this state destroyed during the 2002 fire season.

The restoration of soils in watershed areas must be a priority in this recovery effort. The 2002 fires have left many hillsides completely barren. This situation creates a serious risk of flooding, contamination of water sources, and accelerated erosion. For example, in 1996 a wildfire burned 12,000 acres near Buffalo Creek. In the months following the fire, numerous flash floods ensued, culminating in a major flood that claimed two lives, caused extensive damage and left many residents without water for a month.

Given the vast acreage consumed by the 2002 wildfires, the state faces a serious risk of floods in the months and years ahead. Immediate measures must be taken to respond to this threat.

The United States Department of Agriculture recently released \$13 million to the Natural Resource Conservation Service (NRCS) to restore burned watersheds in Colorado. However, access to these funds requires a 25 percent match from non-federal sources. The match can be achieved with cash funding or in kind contributions.

One purpose of the Disaster Emergency Act is to “[p]rovide a setting conducive to the rapid and orderly start of restoration and rehabilitation of persons and property affected by disasters;” Colorado Revised Statutes § 24-32-2102. The Act defines disasters 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, including but not limited to...flood..." C.R.S. § 24-32-2103(1.5).

The risk of flood in areas affected by the 2002 wildfires poses an imminent threat to the life and property of Colorado citizens. Federal funds are needed to begin soil restoration projects in these high-risk areas. Therefore, I authorize up to \$2 million from the Disaster Emergency Fund to be used as matching funds for fire restoration projects and order state agencies to participate in these efforts.

2. Mission and Scope.

The threat of flooding in areas burned by wildfires poses an imminent threat to the life and property of people living in these areas. This threat constitutes a disaster emergency for the purposes of C.R.S. § 24-32-2103.

In accordance with this threat, I hereby authorize the use of up to \$2 million of disaster emergency funds. These funds may be used as a 25 percent match to receive federal assistance with the fire restoration efforts.

I order appropriate state agencies to participate in soil restoration projects that qualify as in kind contributions for purposes of this project. These services will reduce the cash funded portion of the NRCS match.

3. Duration.

This Executive Order shall expire thirty (30) days from the date of its execution unless extended by Executive Order.

GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 30th
day of September, 2002.

Bill Owens
Governor