



D 2019 002

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to a Water Supply Emergency in Delta 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 the water supply emergency in Delta County (“Delta County Water Supply Emergency”), 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

- A. 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).
- B. On February 18, 2019, the town of Paonia, in Delta County, declared a local disaster emergency pursuant to C.R.S. § 24-33.5-709, following the discovery of breaks in its municipal water distribution system. The breaks resulted in water being turned off to significant portions of the town and unincorporated Delta County. Water remained off until February 25, 2019, when initial repairs were completed and service was restored to parts of the community.
- C. Despite the initial repairs and service restoration, the town discovered on February 25 that water storage tanks were not filling as expected. Water was again turned off. The town and Delta County requested technical assistance from



the Colorado Division of Homeland Security and Emergency Management, the Colorado Water Quality Control Division, the Colorado

- D. Division of Water Resources, and the Colorado Division of Local Government. At approximately 11:00 AM on February 27, 2019, Delta County declared a local disaster emergency pursuant to C.R.S § 24-33.5-709. On February 28, 2019, Delta County requested additional state assistance including an incident management team to help resolve ongoing issues and to manage support to residents for potable water and sanitation needs.
- E. At approximately 4:45 PM on February 28, 2019, I verbally declared a disaster emergency for the Delta County Water Supply Emergency and activated the State of Colorado Hazard and Incident Response and Recovery Plan (“State Emergency Operations Plan”).

II. Declarations and Directives

- A. The Delta County Water Supply Emergency and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, *et seq.* My verbal order of February 28, 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 fifty thousand dollars (\$50,000) from the Disaster Emergency Fund is encumbered to pay for the 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 February 28, 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 eighteenth day of March, 2019.

Jared Polis
Governor

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