

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

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LLS NO. R14-0920.01 Jennifer Berman x3286

HOUSE Joint Resolution

HOUSE SPONSORSHIP

Sonnenberg,

SENATE SPONSORSHIP

(None),

SHORT TITLE: "Quick & Safe Rebuilding Flood-Damaged Communities"

HOUSE JOINT RESOLUTION

101 CONCERNING THE REBUILDING OF FLOOD-DAMAGED COMMUNITIES.

1 WHEREAS, The extent of the damage caused by the historic and
2 often-termed "biblical" flood of September 2013 was devastating; and

3 WHEREAS, The flood affected 17 Colorado counties, 14 for
4 which the governor declared a disaster emergency; and

5 WHEREAS, Nearly 1,500 homes were destroyed and 19,000 more
6 were damaged, hundreds of miles of freight and passenger rail lines were
7 damaged or submerged, and at least 50 state highway bridges were
8 destroyed or seriously damaged; and

9 WHEREAS, It is anticipated that repairs to the roads and bridges
10 alone will cost several hundreds of millions of dollars; and

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 WHEREAS, The full extent of the damages will have extensive
2 and long-term effects on Colorado's economy and infrastructure and on
3 thousands of families across the state; and

4 WHEREAS, At least 8 people died, 2 people went missing, and
5 more than 11,000 persons were evacuated as a result of the flood, while
6 at least 1,750 persons and 300 pets were rescued by air and ground; and

7 WHEREAS, The flood caused significant damage to agricultural
8 lands in the northeast region of the state, including crop damage, and also
9 caused damage to hundreds of oil and gas wells throughout numerous
10 river basins and municipalities; and

11
12 WHEREAS, Remaining standing water resulting from the flood
13 will continue to cause residual problems requiring a substantial amount
14 of time and resources to rectify; and

15 WHEREAS, A number of federal and state initiatives have been
16 implemented to ease the burden for those affected by the flood, including
17 the federal Internal Revenue Service extending tax filing and payment
18 deadlines for flood victims; the contribution of federal resources
19 including the deployment of search and rescue teams; the distribution of
20 supplies such as food, water, cots, and generators; the implementation of
21 emergency flood control measures; and the provision of federal recovery
22 assistance such as temporary housing, home repairs, and low-cost loans;
23 and

24 WHEREAS, Despite the enormous strides taken to rebuild
25 Colorado's flood-damaged communities, many more recovery efforts are
26 required, especially given a number of setbacks encountered along the
27 way, including the October 2013 federal government shutdown that
28 threatened relief aid and recovery efforts; and

29 WHEREAS, A setback to a speedy and full recovery from the
30 devastating flood damage is a directive from the Federal Emergency
31 Management Agency (FEMA) to prioritize the Preble's meadow jumping
32 mouse, a threatened species whose natural habitat is in areas affected by
33 the September 2013 flood, over Colorado's flood recovery needs; and

34 WHEREAS, Local officials who proceed with flood recovery
35 projects without adhering to environmental laws risk being fined or losing

1 federal funding for their projects; and

2 WHEREAS, FEMA's directive to preserve the mouse's habitat will
3 require lengthy environmental and legal reviews of proposed recovery
4 projects for compliance with the Endangered Species Act that could
5 significantly delay the rebuilding of Colorado's infrastructure,
6 communities, and economy and unnecessarily restrict displaced families'
7 ability to return promptly to their homes; now, therefore,

8 *Be It Resolved by the House of Representatives of the Sixty-ninth*
9 *General Assembly of the State of Colorado, the Senate concurring herein:*

10

11 (1) That we, the members of the Colorado General Assembly,
12 believe that FEMA's new directive placing the threat against the Preble's
13 meadow jumping mouse over the needs of our most vulnerable and hard-
14 hit communities is irresponsible and out of touch with the real devastation
15 caused by the September 2013 flood.

16 (2) That, in light of the devastation caused by the September 2013
17 flood and the extensive work remaining to rebuild Colorado, we, the
18 members of the Colorado General Assembly, believe that FEMA's focus
19 should be redirected to the advancement of the health, safety, and
20 prosperity of Colorado's families, communities, and infrastructure.

21 (3) That we urge the members of Colorado's Congressional
22 Delegation to seek a waiver from the Endangered Species Act for flood-
23 affected areas.

24 *Be It Further Resolved,* That copies of this Joint Resolution be sent
25 to the Honorable Governor John Hickenlooper; W. Craig Fugate, the
26 Administrator of FEMA; Daniel Ashe, the Director of the U.S. Fish and
27 Wildlife Service; and the members of the Colorado Congressional
28 Delegation.

