

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2013-018

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Lime Gulch Fire in Jefferson County

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 declaring a state of disaster emergency due to the Lime Gulch Fire in Jefferson County, Colorado and making resources available to fight the fire and address the disaster emergency.

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).

On June 19, 2013, at approximately 1355 hours, the Lime Gulch Fire was reported to State authorities near Foxtan Road and the South Platte River Road on the Pike National Forest in Jefferson County. This wind-driven fire was quickly growing in size and intensity, prompting the mandatory evacuation of area homes. All available firefighting resources were committed to firefighting and structural protection.

On June 20, 2013, at approximately 0500 hours the Jefferson County Sheriff determined that the fire had extended from the Pike National Forest and would exceed the ability of the county and other local resources to contain and extinguish it and requested the response of the Division of Fire Prevention and Control. The Jefferson County Sheriff requested transfer of the fire to the State of Colorado under the Emergency Fire Fund (EFF) provisions.

At approximately 1200 hours, the Division of Fire Prevention and Control completed its assessment and determined that the Lime Gulch Fire met the criteria for EFF designation. However, EFF funds were exhausted in previous fires. Therefore, a disaster emergency was

requested and approved by the Governor at 1319 hours, retroactive to 0600 hours on June 20, 2013, as requested by the Division of Fire Prevention and Control.

In non-emergency circumstances, C.R.S. § 25-3.5-203(1)(b) requires a person providing emergency medical services in Colorado must possess a certification issued by the Colorado Department of Public Health and Environment.

During the continuance of any state of disaster, the Governor is authorized by C.R.S. § 24-33.5-704(7)(a) to suspend the provisions of any regulatory statute or the regulations of any state agency if strict compliance with the provisions of the statute or regulation would in any way "prevent, hinder, or delay necessary action in coping with the emergency."

II. Declaration and Directives

- A. The Lime Gulch Fire constitutes a disaster emergency under C.R.S. § 24-33.5-703(3). My verbal order of June 20, 2013, at 1319 hours, declaring a disaster emergency effective at 0600 hours on June, 20, 2013, 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 of the Office of Emergency Management, including provision of appropriate staff and equipment as necessary.
- C. Pursuant to C.R.S. § 24-33.5-706(4), the funds in the Disaster Emergency Fund are found to be insufficient to pay for fire suppression efforts related to the Lime Gulch Fire. Therefore, it is ordered that \$550,000 be transferred into the Disaster Emergency Fund from the General Fund appropriation in Fiscal Year 2012-13 to the Controlled Maintenance Trust Fund. Therefore, it is ordered that \$550,000 from the Disaster Emergency Fund is encumbered to pay for the fire suppression, response, and recovery effort related to the Lime Gulch Fire since its inception.

Included in the specified amount is \$195,000 for recovery related to this disaster. These funds may be used to pay for disaster recovery resources as approved by the Director of the Office of Emergency Management to assist with state and local government costs incurred during and as a result of the current disaster emergency, including costs incurred by non-profit organizations on behalf of local government entities. The Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate government agencies and execute awards, purchase orders or other mechanisms to effect the allocation of the funds. 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.

- D. The Colorado Department of Public Safety is authorized and directed to coordinate application to the federal government for funds available for reimbursement and to coordinate application for any other funds available related to this disaster emergency. Due to the extent of this and other wildfires, and as provided in C.R.S. § 24-33.5-704(7)(a), the requirement for Colorado emergency medical services provider certification for personnel directly in support of wildfire suppression operations in the State of Colorado is suspended for providers that hold current emergency medical services provider licensure or certification in good standing from the National Registry of Emergency Medical Technicians or any state or territory in the United States until this executive order expires, unless extended as provided in Section III.
- E. I authorize a 90-day extension of any accrued leave expiring on June 30, 2013, for any state employee working in any manner with any of the wildfire disaster emergencies since June 1, 2013.
- F. The National Guard is activated and authorized to fight the Lime Gulch Fire and enforce the laws of the State of Colorado as provided in C.R.S. § 28-3-104.

III. Duration

This Executive Order shall expire thirty days from June 20, 2013, unless extended further by Executive Order, except that the funds described in paragraph II (C) 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 twenty-seventh day of
June, 2013.

A handwritten signature in blue ink, reading "John W. Hickenlooper".

John W. Hickenlooper
Governor