

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2013-019

EXECUTIVE ORDER

Amending the Declaration of Disaster Emergency Due to the Black Forest Fire in El Paso County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to 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 amending Executive Order D 2013-010 declaring a disaster emergency due to the Black Forest Fire in El Paso County, Colorado.

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 11, 2013, I verbally declared a disaster emergency for the Black Forest Fire. Executive Order D 2013-010 issued June 12, 2013, confirmed this declaration of disaster emergency. As of June 19, 2013, the Black Forest Fire resulted in two fatalities, the destruction of 502 homes, significant damage to eighteen other homes, and 14,280 acres burned.

On June 14, 2013, the Incident Manager and Colorado National Guard requested additional National Guard helicopters to relieve deployed Colorado National Guard helicopters and crews for maintenance and flight hour compliance. Because additional Colorado National Guard helicopters were not available, these resources needed to come from the other states through the use of the Emergency Management Assistance Compact (EMAC). As provided in § C.R.S. 24-60-2901, *et seq.*, I verbally approved the EMAC use request; this Executive Order amends D 2013-010 to document that verbal approval.

On June 17, 2013, I learned that on June 18, 2013, the Black Forest fire suppression activities will exceed the \$8,000,000 provided in Executive Order D 2013-010. I verbally approved \$2,000,000 additional funding on June 17, 2013. On June 19, 2013, I learned that on June 20,

2013, the Black Forest fire suppression activities will exceed the \$10,000,000 provided in Executive Order D 2013-010 and the verbal approval given June 17, 2013. I verbally approved \$3,000,000 additional funding on June 19, 2013. This Executive Order documents those verbal approvals and amends Executive Order D 2013-010 declaring a disaster emergency due to this fire.

II. Declaration and Directives

In addition to the declarations and directives contained in Executive Order D 2013-010, I declare and direct that paragraph II (C) of Executive Order D 2013-010 is hereby amended to read as follows and paragraphs II (F) and II (G) are hereby added as follows:

- C. Pursuant to C.R.S. § 24-33.5-706(4), the funds in the Disaster Emergency Fund are hereby found insufficient to pay for fire suppression efforts related to the Black Forest Fire. Therefore, it is ordered that \$6,200,000 be transferred into the Disaster Emergency Fund as follows:
- \$2,100,000 from the General Fund appropriation in Fiscal Year 2012-13 to the Controlled Maintenance Trust Fund;
 - \$2,100,000 from the General Fund appropriation in Fiscal Year 2012-13 to the Department of Health Care Policy and Financing, Other Medical Services, Medicare Modernization State Contribution Payment;
 - \$37,640 from the General Fund appropriation in Fiscal Year 2012-13 to the Department of Corrections, Parole Board Personal Services;
 - \$451,090 from the General Fund appropriation in Fiscal Year 2012-13 to the Department of Corrections, Inmate Programs, Drug and Alcohol Treatment Subprogram Personal Services;
 - \$1,057,260 from the General Fund appropriation in Fiscal Year 2012-13 to the Department of Corrections, Institutions, Mental Health Subprogram Personal Services
 - \$99,259 from the General Fund appropriation in Fiscal Year 2012-13 to the Department of Corrections, Inmate Programs, Sex Offender Treatment Subprogram Personal Services;
 - \$221,457 from the General Fund appropriation in Fiscal Year 2012-13 to the Department of Corrections; Community Services, Community Supervision Subprogram, Youthful Offender System Aftercare Personal Services; and
 - \$133,294 from the General Fund appropriation in Fiscal Year 2012-13 to the Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to Pre-Release Parole Revocation Facilities.

It is further ordered that \$13,000,000 is encumbered to pay for the fire suppression, response, and recovery effort related to the Black Forest 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.

- F. Pursuant to § C.R.S. 24-60-2901, *et seq.*, my verbal authorization of the use of the Emergency Management Assistance Compact (EMAC) for resources not available in Colorado is hereby memorialized by this Executive Order.
- G. 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.

III. Duration

This Executive Order shall expire thirty days from June 11, 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