

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2016-004

EXECUTIVE ORDER

Declaring a Disaster Emergency due to the Cold Springs Fire in Boulder County and Deploying the National Guard to Assist with Response

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, relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, et seq., and to relevant portions of Article IV Section 2 of the Colorado Constitution, I, Donna Lynne, Lieutenant Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to the Cold Springs Fire in Boulder County and deploying the National Guard to support emergency response and fire suppression operations.

I. Background and Purpose

On Saturday, July 9, 2016, an improperly extinguished campfire ignited a fire near Nederland in Boulder County. The fire was named the Cold Springs Fire, and the initial fire management objectives were to confine and contain the fire. Due to the extreme conditions, potential for fire growth, and lives and property at risk, the Colorado Division of Homeland Security and Emergency Management proactively requested activation of the State Emergency Operations Plan and pre-authorization for use of the Colorado National Guard if requests for assistance and resources were received from Boulder County. As acting Governor at the time because Governor Hickenlooper was traveling out of state, I verbally approved the request on July 9, 2016 at approximately 3:30 p.m.

Late in the afternoon on July 9, 2016, Boulder County declared a local emergency due to limited resources, size of the fire, and lives and property at risk. The Division of Fire Prevention and Control declared the fire eligible for funding from the Emergency Fire Fund at 5:20 p.m. on July 9, 2016.

Late in the evening on July 9, 2016, Boulder County made an official request to the Colorado Division of Homeland Security and Emergency Management for use of the Colorado National Guard. The National Guard assets began assisting at 7:00 a.m. on July 10, 2016.

At approximately 6:30 p.m. on July 10, 2016 the Federal Emergency Management Agency determined that the Cold Springs Fire qualified as a Fire Management Assistance Grant emergency. As of the morning of July 11, the Cold Springs Fire had burned 606 acres and was two miles northeast of Nederland in Boulder County. Containment was at zero percent. More than 1,900 people were evacuated, and five homes and other structures were destroyed.

II. Declaration and Directives

- A. This fire constitutes a disaster emergency under C.R.S. § 24-33.5-704. My verbal order of July 9, 2016 declaring a disaster emergency and authorizing the use of the Colorado National Guard for up to 30 days pursuant to C.R.S. § 28-3-104 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, including the provision of appropriate staff and equipment as necessary.
- C. Pursuant to C.R.S. § 24-33.5-706(4), \$7,000,000 in the Disaster Emergency Fund is encumbered to pay for response and recovery efforts related to the Cold Spring Fire. These funds are eligible for use immediately upon exhaustion of the Emergency Fire Fund. The Emergency Management Director is hereby authorized and directed to allocate these funds to the appropriate government agencies and to execute awards, purchase orders, or other mechanisms to effect the allocation of these funds. These funds shall remain available for this purpose for thirty-six months from July 9, 2016, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire thirty days from July 9, 2016, unless extended further by Executive Order, except that the funds described in paragraph II(C) above shall remain available for the described purposes for thirty-six months from July 9, 2016.

IV. Lieutenant Governor

I am executing this Executive Order pursuant to the Colorado Constitution, Article IV, Section 13(5), as Governor John W. Hickenlooper is currently traveling outside of the State of Colorado.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this 15th day of
July, 2016

A handwritten signature in black ink that reads "Donna Lynne". The signature is written in a cursive, flowing style.

Donna Lynne
Lieutenant Governor