

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

136 State Capitol  
Denver, Colorado 80203  
Phone (303) 866-2471  
Fax (303) 866-2003



John W. Hickenlooper  
Governor

## D 2016-010

### EXECUTIVE ORDER

#### **Declaring a Disaster Emergency Due to the Junkins Fire in Custer and Pueblo Counties, Authorizing use of the Colorado National Guard, and Authorizing State Funding for Response and Recovery**

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, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order declaring a disaster emergency due to the Junkins Fire in Custer and Pueblo Counties, authorizing use of the Colorado National Guard for fire response, and authorizing state funding for response to the fire and recovery from its impacts.

#### **I. Background and Purpose**

In the early morning hours of Monday, October 17, 2016 a fire ignited in Custer County. The fire was named the Junkins Fire, and grew to an estimated 2,500 acres within four hours and 15,751 acres by the end of the day. Low humidity, warm temperatures and high winds contributed to the rapid growth of the fire. Approximately 130 homes were immediately threatened in the Rye and Westcliffe areas, and an evacuation center was established in Westcliffe. An additional 140 homes in Beulah, Pueblo County were placed under a pre-evacuation notice. Due to the extreme conditions marked by a Red Flag Warning issued by the National Weather Service, the fire rapidly spread throughout the day, placing lives and property at risk. The fire exceeded Custer County's fire suppression capabilities and the County declared a local emergency at approximately 10:00 a.m. on October 17, 2016.

Due to the potential for further fire growth and lives and property at risk, the Colorado Department of Public Safety proactively authorized implementation of the All-Hazards Resource Mobilization System, pursuant to C.R.S. § 24-33.5-705.4, on October 17, 2016 at approximately 8:25 a.m. The Division of Fire Prevention determined that the Junkins Fire was eligible for the Emergency Fire Fund, but due to previous fires, the Emergency Fire Fund did not have funds available for the Junkins Fire.

Due to continued fire growth, lives and property at risk, extent of losses, projected recovery needs and exhaustion of the Emergency Fire Fund, the Colorado Division of Homeland Security and Emergency Management proactively requested activation of the State Emergency Operations Plan and authorization to utilize the National Guard. I verbally approved the request on October 17, 2016 at approximately 9:00 a.m.

On October 18, 2016 at 9:45 p.m., FEMA Region VIII Acting Regional Administrator Nancy Dragani approved the Division of Fire Prevention and Control's request for a federal Fire Management Assistance Grant.

## II. Declaration and Directives

- A. This fire constitutes a disaster emergency under C.R.S. § 24-33.5-704. My verbal order of October 17, 2016, declaring a disaster emergency and authorizing use of the National Guard 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 provision of appropriate staff and equipment as necessary.
- C. Pursuant to C.R.S. § 24-33.5-706(4)(b), moneys in the Disaster Emergency Fund are hereby found insufficient to pay for fire suppression efforts related to the Junkins Fire. I therefore transfer \$7,000,000 into the Disaster Emergency Fund from the Controlled Maintenance Trust Fund. I further encumber \$7,000,000 in the Disaster Emergency Fund to pay for the fire suppression, response, and recovery efforts related to the Junkins Fire since the inception of the fire. Pursuant to C.R.S. § 24-33.5-705.4(5), I hereby authorize and direct the Emergency Management Director 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 October 17, 2016, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire thirty days from October 17, 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 October 17, 2016.



GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this seventeenth day of  
October 2016,

A handwritten signature in blue ink, which appears to read "John W. Hickenlooper". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John W. Hickenlooper  
Governor