

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2017-017

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Statewide Fire Risk in Colorado and Authorizing Deployment of the Colorado National Guard

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to the Colorado Constitution, Article IV, Section 2, and pursuant to the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Donna Lynne, Lieutenant Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to the statewide fire risk in Colorado.

Further, pursuant to the Colorado Constitution, Article IV, Section 5, and pursuant to C.R.S. § 28-3-104, I hereby authorize the Colorado National Guard to respond to the statewide fire risk by providing standby aircraft to support wildland fire suppression in Colorado. The cost of the standby aircraft and personnel will be reimbursed to Colorado by the United States Forest Service.

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 damage, 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).

Beginning in June 2017, dry and hot conditions increased the wildland fire risk across Colorado. Numerous wildland fires in Colorado and surrounding states in June and July reduced the availability of aircrafts customarily used for initial suppression of new wildland fire starts in Colorado. A strong, timely initial response is proven to substantially reduce the risk to life and

property and lower the cost of fighting fires. The Colorado National Guard can provide aircraft to support initial suppression of wildland fire.

At approximately 3:00 pm on July 7, 2017, Governor Hickenlooper verbally declared a disaster emergency due to wildland fire in Colorado and activated the State of Colorado Hazard and Incident Response and Recovery Plan, also known as the State Emergency Operations Plan.

He further verbally authorized deployment and use of the Colorado National Guard to provide standby aircraft and personnel to support the initial suppression of wildland fire in Colorado.

II. Declarations and Directives

- A. The statewide fire risk and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, *et seq.* Governor Hickenlooper's verbal order of July 7, 2017 declaring a disaster emergency is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained within this order.
- B. Pursuant to 42 U.S.C. § 1856a and the Colorado Statewide Cooperative Wildland Fire Management and Stafford Act Response Agreement, the United States Forest Service Rocky Mountain Region will reimburse costs the Colorado National Guard incurs from this aircraft and personnel standby service. To assure timely reimbursement to the Colorado National Guard, I authorize payment from the Wildfire Cost Recovery Fund, managed by the Division of Fire Prevention and Control, to pay for costs associated with the aircraft and personnel standby service. Costs shall be assigned to each incident as it occurs, and shall be reimbursed according to the processes and funding sources determined for each incident.
- C. I authorize and direct the Division of Fire Prevention and Control to coordinate application to the federal government for funds available for reimbursement, including funds expended as authorized in Paragraph IIB. The Division shall use funds from such federal reimbursements to reimburse the State for expending funds in the Wildfire Cost Recovery Fund to reimburse the Colorado National Guard.
- D. Governor Hickenlooper's verbal orders of July 7, 2017 activating and authorizing the use of the National Guard assets for wildland fire initial suppression missions are hereby memorialized by this Executive Order and shall have the full force and effect of law as if they were contained within this order.

III. Duration

This Executive Order shall expire thirty days from July 7, 2017 unless extended further by Executive Order, except that the funds described in paragraph IIB above shall remain available for the described purposes for sixty (60) months from the date of this Executive Order.



GIVEN under my hand and
Executive Seal of the State of
Colorado this 19th day of
July, 2017.

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

Donna Lynne
Lieutenant Governor, acting on
behalf of the State while Governor
John W. Hickenlooper is absent
from the State.