

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2017-018

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Peak 2 Fire in Summit County 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 Peak 2 Fire in Summit County, enabling state agencies to coordinate response and recovery efforts and making resources available for response activities.

Further, pursuant to the Colorado Constitution, Article IV, Section 5, and pursuant to C.R.S. § 28-3-104, I also hereby authorize employing the Colorado National Guard for the purpose of supporting fire suppression efforts and any other supporting needs for which the Guard has capabilities and available resources for the Peak 2 Fire in Summit County.

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).

During the afternoon of July 5, 2017, a fire was reported near Breckenridge in Summit County. Due to the location of the fire, hot and dry conditions, and proximity to the town of Breckenridge, local, federal and state responders took immediate action to suppress the fire. Summit County’s Emergency Management Office issued pre-evacuation alerts, and

subsequently converted those alerts into evacuation orders. Within hours, fire command staff requested a Type I federal incident management team because of the complexity of the fire and risk to lives and property. The fire Incident Command staff requested activation of the Colorado National Guard to support fire suppression efforts.

At approximately 5:00 pm on July 5, 2017, Governor Hickenlooper verbally declared a disaster emergency for the Peak 2 Fire 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 for fire suppression efforts and any other supporting needs for which the Guard has capabilities and available resources for the Peak 2 Fire.

II. Declarations and Directives

- A. The Peak 2 Fire and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, *et seq.* Governor Hickenlooper's verbal order of July 5, 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. Because the Peak 2 Fire is confined solely to federal lands, financial responsibility for response and suppression efforts rests with the federal government. 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.
- 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 5, 2017 activating the National Guard, authorizing the use of National Guard assets for fire suppression efforts and any other supporting needs for which the Guard has capabilities and available resources 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 5, 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, appearing to read "Denna Lynne".

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