

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2017-025

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Winter Valley Fire in Moffat County

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 Winter Valley Fire and making resources available for response activities.

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).

On September 21, 2017, a fire was reported in Moffat County, known as the Winter Valley Fire. The fire was located 20 miles southwest of the village of Maybell. The fire threatened homes, oil and gas wells and electrical transmission lines. As of 7:00 p.m. on September 21, 2017, the fire had grown to 5,225 acres.

At approximately 9:30 a.m. on September 22, 2017, Governor Hickenlooper verbally declared a disaster emergency for the Winter Valley Fire.

II. Declarations and Directives

- A. The Winter Valley Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* This Executive Order memorializes all verbal orders that Governor Hickenlooper issued in regard to this Order and such verbal orders shall have the full force and effect of law as if they were contained within this Executive Order.
- B. Due to the current insufficiency of funds necessary to pay for fire suppression efforts related to the Winter Valley Fire in the Disaster Emergency Fund and the Emergency Fire Fund, I order the transfer of \$1,000,000 from the Controlled Maintenance Trust Fund into the Disaster Emergency Fund pursuant to C.R.S. § 24-33.5-706(4)(b). I further encumber \$1,000,000 in the Disaster Emergency Fund to pay for the wildland fire suppression and response efforts related to the Winter Valley Fire since September 21, 2017.
- C. Further, pursuant to C.R.S. § 24-33.5-705.4(5), I hereby authorize and direct the Acting Director of the Office of Emergency Management to allocate the funding to the appropriate government agencies and non-profit organizations and execute awards, purchase orders, or other mechanisms to effect the allocation of the funds. These funds shall remain available for this purpose until 60 months from the date of this order, and any unexpended funds shall remain in the Disaster Emergency Fund.
- D. The Division of Fire Prevention and Control is authorized and directed to coordinate application to the federal government for funds available for reimbursement and to coordinate application for any other funds available related to this disaster emergency.

III. Duration

This Executive Order shall expire 30 days from September 22, 2017, unless extended further by Executive Order, except that the funds described in paragraph II B above shall remain available for the described purposes for 60 months from the date of this Executive Order.



GIVEN under my hand and
Executive Seal of the State of
Colorado this twentieth day of
October, 2017.

A handwritten signature in cursive script, reading "Donna Lynne".

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