

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2018-002

EXECUTIVE ORDER

Declaring a Disaster Emergency in La Plata and San Juan Counties Due to the 416 Fire, Authorizing Deployment of the Colorado National Guard, and Waiving Certain Emergency Medical Technician Certification Requirements

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency in La Plata and San Juan Counties due to the 416 Fire in La Plata County (“416 Fire”), enabling state agencies to coordinate response and recovery efforts, and making resources available for response and expenses to state agencies for recovery activities.

Pursuant to Article IV, Section 5 of the Colorado Constitution and pursuant to C.R.S. § 28-3-104, I also hereby authorize deploying the Colorado National Guard for the purpose of responding to the 416 Fire.

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 June 1, 2018, under red flag conditions for fire danger, a fire of unknown cause started in La Plata County along U.S. Route 550 between Durango and Silverton. The fire originated on United States Forest Service property, and the United States Forest Service assumed responsibility for costs. La Plata County declared a local disaster emergency at approximately 6:00 PM, on June 1, 2018.

At approximately 8:15 AM on June 3, 2018, I verbally declared a disaster emergency for wildland fire in La Plata County and activated the State of Colorado Hazard and Incident Response and Recovery Plan, also known as the State Emergency Operations Plan. I further verbally authorized deployment and use of the Colorado National Guard for wildland fire support in La Plata County.

By June 4, the fire consumed approximately 3,000 acres in rugged terrain and forced the evacuation of over 800 homes, with hundreds more on pre-evacuation status. At least 124 businesses are in the evacuation and pre-evacuation areas, enhancing economic hardship in La Plata and San Juan counties. San Juan County declared a local disaster emergency on June 7, 2018.

Firefighters required significant air search and rescue support because of the wide range of the fire and the nature of the terrain where it was burning. After the only available private sector helicopter was removed from service due to mechanical failure, the United States Forest Service Incident Management Team requested assistance by the Colorado National Guard to provide air search and rescue capabilities.

If the fire spreads to non-federal lands, the State shall assume responsibility for a portion of the fire, and the fire shall be managed in accordance with state statute and this Executive Order.

II. Declarations and Directives

- A. The 416 Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of June 3, 2018, 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 Executive Order.
- B. The State of Colorado Hazard and Incident Response and Recovery Plan, also known as 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 pursuant to the Colorado Hazard and Incident Response and Recovery Plan, including provision of appropriate staff and equipment as necessary.
- C. Pursuant to C.R.S. § 24-33.5-706(4)(a), I order two million dollars (\$2,000,000) in the Disaster Emergency Fund be encumbered to pay for response and recovery efforts related to the 416 Fire and associated impacts since June 1, 2018.
- D. Further, pursuant to C.R.S. § 24-33.5-705.4(5), the Director of the Office of Emergency Management is hereby authorized and directed 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 sixty (60) months from the date of this Executive Order, and any unexpended funds shall be reimbursed to accounts from which they were originally transferred.
- E. The Division of Homeland Security and Emergency Management is authorized and directed to coordinate application, via fire billing practices within the Division of Fire Prevention and Control, to the federal government for funds available for reimbursement and to coordinate application for any other funds available related to

this disaster emergency. Specifically, the Division of Fire Prevention and Control is directed to seek reimbursement from the United States Forest Service for all eligible costs associated with assets and resources it has requested from the State, including, but not limited to, Colorado National Guard assets and personnel.

- F. Under the provisions of C.R.S. § 24-33.5-704(7)(a), (c), and (g), and in the interest of public safety, I hereby authorize the Colorado Department of Public Health and Environment to suspend regulations and licensing requirements for Paramedics and Emergency Medical Technicians from outside of Colorado formally ordered by on-scene incident management organizations to respond to the 416 Fire for the duration of this Executive Order.
- G. My verbal orders of June 3, 2018, activating the Colorado National Guard and authorizing the use of Colorado National Guard assets for wildland fire 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 Executive Order.

III. Duration

This Executive Order shall expire thirty (30) days from June 3, 2018, unless extended further by Executive Order, except that the funds described in paragraph II(C) above shall remain available for the described purposes for sixty (60) months from the date of this Executive Order.



GIVEN under my hand and the
Executive Seal of the State of
Colorado, this fifteenth day of
June, 2018.

A handwritten signature in blue ink, reading "John W. Hickenlooper".

John W. Hickenlooper
Governor