

# STATE OF COLORADO

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John W. Hickenlooper  
Governor

## D 2018 006

### EXECUTIVE ORDER

#### **Declaring a Disaster Emergency Due to Exceptional Fire Risk in Portions of Colorado, Authorizing Deployment of the Colorado National Guard, and Authorizing the Colorado Department of Public Health and Environment to Suspend Certain Regulations and Licensing 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, Donna Lynne, Lieutenant Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to exceptional fire risk in portions of Colorado.

Further, pursuant to Article IV, Section 5 the Colorado Constitution and pursuant to C.R.S. § 28-3-104, I hereby authorize deploying the Colorado National Guard for the purpose of responding to fires by providing aircraft, equipment, and personnel to support fire suppression efforts.

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

The Governor is responsible for meeting the dangers to the State and people presented by disasters. C.R.S. § 24-33.5-704(1). 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 March 2018, dry and hot conditions increased the wildland fire risk across Colorado and other western states. In June and July 2018, numerous wildland fires broke out throughout western and southern Colorado. State and local communities mobilized all available equipment and personnel to conduct fire suppression and support activities, but the need is so great that current resources are at or beyond capacity. The Colorado National Guard can provide aircraft, equipment, and personnel (“National Guard Assets”) to support firefighting operations.

At approximately 12:10 PM on June 29, 2018, Governor Hickenlooper verbally declared a disaster emergency for wildland fire in Colorado in order to authorize deployment of the Colorado National Guard to provide National Guard Assets to support emergency search and rescue missions associated with fires throughout the state. Governor Hickenlooper also activated

the State of Colorado Hazard and Incident Response and Recovery Plan, also known as the State Emergency Operations Plan.

Based upon an increased number of major fire incidents across Colorado, at 2:30 PM on June 30, 2018, Governor Hickenlooper verbally authorized expanding the supporting role of the Colorado National Guard to include assistance to firefighting operations for fires where the State of Colorado has responsibility for fire suppression pursuant to C.R.S. § 24-33.5-1221(1).

The Governor's verbal orders of June 29, 2018, and June 30, 2018, activate and authorize the use of National Guard Assets for fires existing at the time of the aforementioned verbal orders and any fires occurring for thirty (30) days thereafter, where the State has responsibility for fire suppression pursuant to C.R.S. § 24-33.5-1221(1).

On June 16, 2018, Governor Hickenlooper authorized the Colorado Department of Public Health and Environment to suspend regulations and licensing requirements for thirty (30) days for out-of-state paramedics and emergency medical technicians providing support to responders to wildland fires. As wildland fires continued into July, the reduced availability of paramedics continued, requiring the State to request additional out-of-state paramedics and emergency medical technicians. Continued suspension of regulations and licensing requirements is necessary for the safety and health of personnel responding to wildland fires in Colorado.

## II. Declarations and Directives

- A. The extraordinary statewide fire risk and associated impacts in portions of Colorado constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* Governor Hickenlooper's verbal orders of June 29, 2018, and June 30, 2018, declaring a disaster emergency for wildland fire and activating and authorizing deployment of the Colorado National Guard, 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.
- B. Pursuant to Article IV, Section 5 of the Colorado Constitution and C.R.S. § 28-3-104, I have determined that it is in the best interest of the people of Colorado to activate the Colorado National Guard to support firefighting operations. Costs for the Colorado National Guard Assets in standby service to the United States Forest Service shall be reimbursed by the United States Forest Service. Other costs for the Colorado National Guard, including the actual use of National Guard Assets to mitigate wildland fires, shall be assigned to each incident as it occurs and shall be reimbursed according to the processes, and from the fund, established for each fire. In order to ensure 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 cover these costs.

- C. The Division of Fire Prevention and Control is authorized and directed to coordinate application to the federal government for funds available for reimbursement, including funds expended as authorized in Section II(B). Funds expended from the Wildfire Cost Recovery Fund to reimburse the Colorado National Guard shall be returned to the Wildfire Cost Recovery Fund from such federal reimbursements.
- D. Governor Hickenlooper's verbal orders of June 29, 2018, and June 30, 2018, activating the Colorado National Guard and authorizing the use of the National Guard Assets to assist in firefighting operations, are limited to those fires existing at the time of the aforementioned verbal orders and any fires occurring while this Executive Order is in effect, where the State has responsibility for fire suppression pursuant to C.R.S. § 24-33.5-1221(1).
- E. Under the provisions of C.R.S. § 24-33.5-704(7)(a) 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 the duration of this Executive Order for Paramedics and Emergency Medical Technicians from outside of Colorado formally ordered by on-scene incident management organizations to respond to fires.

III. Duration

This Executive Order shall expire thirty (30) days from June 29, 2018, unless extended further by Executive Order, except that the funds described in Section II(B) above shall remain available for the described purposes according to the processes established in other Executive Orders pertaining to specific fires.



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

A handwritten signature in blue ink that reads "Donna Lynne".

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