

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2018 013

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Weston Pass Fire in Park County

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 the Weston Pass Fire in Park County (the “Weston Pass Fire” or the “Fire”), enabling state agencies to coordinate response and recovery efforts, and making resources available to state agencies for response and recovery activities.

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).

The Weston Pass Fire started on June 28, 2018, in Park County. The Fire was estimated to be 4,138 acres, with zero percent containment as of noon on July 3, 2018. Approximately 200 houses were evacuated because of the Fire. The Fire also threatened an additional 50 structures. The Fire has potential to spread further and impact additional values. The Fire is on state, private, and United States Forest Service land.

On June 30, 2018, at approximately 8:45 p.m., the Division of Fire Prevention and Control determined that the Weston Pass Fire qualified for funds from the Emergency Fire Fund.

On June 30, 2018, at approximately 8:57 p.m., Governor Hickenlooper verbally declared a disaster emergency for the Weston Pass Fire in Park County and activated the State of Colorado Hazard and Incident Response and Recovery Plan, also known as the State Emergency Operations Plan.

II. Declarations and Directives

- A. The Weston Pass Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* Governor Hickenlooper's verbal order of June 30, 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 Emergency Support Function #4 Annex of the Colorado Hazard and Incident Response and Recovery Plan, including provision of appropriate staff and equipment as necessary.
- C. Due to the insufficiency of funds in both the Emergency Fire Fund and the Disaster Emergency Fund established in C.R.S. § 24-33.5-706(2)(a) to pay for the State's share of fire suppression and recovery efforts related to the Weston Pass Fire, I order the transfer of one million five hundred thousand dollars (\$1,500,000) 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 one million five hundred thousand dollars (\$1,500,000) from the Disaster Emergency Fund to pay for fire suppression and response efforts related to the Weston Pass Fire since June 30, 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 Colorado Division of Fire Prevention and Control is directed to seek reimbursement and make payments as needed to agencies providing assistance on this incident.

III. Duration

This Executive Order shall expire thirty (30) days from June 30, 2018, unless extended further by Executive Order, except that the funds described in Section 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
Executive Seal of the State of
Colorado this twenty-fourth day of
July, 2018.

A handwritten signature in black 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.