

STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol
Denver, Colorado 80203
Phone (303) 866-2471
Fax (303) 866-2003



John W. Hickenlooper
Governor

D 2018 016

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Sulphur Fire in Rio Blanco 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, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to the Sulphur Fire in Rio Blanco County (“Sulphur 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 Sulphur Fire started on July 22, 2018, in Rio Blanco County. By July 23, 2018, the Sulphur Fire had burned approximately 750 acres with five percent containment. Two homes were evacuated with an additional 100 homes placed on pre-evacuation notice. At the same time, the Indian Valley Fire was also burning in Rio Blanco County, which limited the availability of local resources for both fires. Extreme fire behavior posed challenges for available resources, and the fires threatened multiple structures, communication towers, and oil and gas infrastructure. In addition, multiple fires were burning in the region simultaneously, further limiting the availability of shared resources. The Sulphur Fire burned on a mix of private, state, and federal lands.

At approximately 4:40 PM on July 23, 2018, the Division of Fire Prevention and Control determined that the Sulphur Fire qualified for funds from the Emergency Fire Fund.

At approximately 4:45 PM on July 23, 2018, I verbally declared a disaster emergency for the Sulphur Fire and activated the State of Colorado Hazard and Incident Response and Recovery Plan (“State Emergency Operations Plan”).

II. Declarations and Directives

- A. The Sulphur Fire and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, *et seq.* My verbal order of July 23, 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 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 State Emergency Operations 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 Sulphur Fire, I order the transfer of nine hundred twenty five thousand dollars (\$925,000) 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 nine hundred twenty five thousand dollars (\$925,000) from the Disaster Emergency Fund to pay for the fire suppression and recovery efforts related to the Sulphur Fire since July 23, 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 and make payments as needed to agencies providing assistance for this incident.

III. Duration

This Executive Order shall expire thirty (30) days from July 23, 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 the
Executive Seal of the State of
Colorado, this second day of
August, 2018.

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

John W. Hickenlooper
Governor