

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2018 022

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Red Canyon 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 Red Canyon Fire in Rio Blanco County (“Red Canyon Fire”), enabling state agencies to coordinate response, recovery, and mitigation 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 Red Canyon Fire started on July 29, 2018 in Rio Blanco County. The fire burned on federal land until August 1, 2018, when a wind event caused the fire to rapidly expand and threaten State and private lands. As of August 2, 2018, the Red Canyon Fire burned approximately 5,300 acres with zero containment and threatened homes, natural gas wells, and critical infrastructure.

On August 2, 2018, at approximately 2:20 PM, the Division of Fire Prevention and Control determined that the Red Canyon Fire qualified for funds from the Emergency Fire Fund.

On August 2, 2018, at approximately 2:28 PM, I verbally declared a disaster emergency for the Red Canyon Fire and activated the State of Colorado Hazard and Incident Response and Recovery Plan (“State Emergency Operations Plan”).

II. Declarations and Directives

- A. The Red Canyon Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of August 2, 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 Red Canyon Fire, I order the transfer of four hundred and seventy five thousand dollars (\$475,000) 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 four hundred and seventy five thousand dollars (\$475,000) in the Disaster Emergency Fund to pay for the fire suppression, recovery, and mitigation efforts related to the Red Canyon Fire since August 2, 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 August 2, 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 twenty-third day of
August, 2018.

A handwritten signature in blue ink, which reads "John W. Hickenlooper". The signature is fluid and cursive, written over the printed name.

John W. Hickenlooper
Governor