

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2018 023

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Cabin Lake 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, Donna Lynne, Lieutenant Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to the Cabin Lake Fire in Rio Blanco County (“Cabin Lake Fire” or the “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 Cabin Lake Fire started on July 29, 2018 in Rio Blanco County. The Fire exhibited extreme fire behavior as it burned in steep canyon terrain and threatened 46 structures and critical infrastructure. As of August 16, 2018, the Cabin Lake Fire burned approximately 5,727 acres on state and federal land with 29% containment.

On August 16, 2018, at approximately 4:45 PM, the Division of Fire Prevention and Control determined that the Cabin Lake Fire qualified for funds from the Emergency Fire Fund.

On August 16, 2018, at approximately 5:00 PM, Governor Hickenlooper verbally declared a disaster emergency for the Cabin Lake Fire and activated the State of Colorado Hazard and Incident Response and Recovery Plan (“State Emergency Operations Plan”).

II. Declarations and Directives

- A. The Cabin Lake Fire and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, et seq. Governor Hickenlooper's verbal order of August 16, 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 Cabin Lake Fire, I order the transfer of three hundred and fifty thousand dollars (\$350,000) 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 three hundred and fifty thousand dollars (\$350,000) in the Disaster Emergency Fund to pay for the fire suppression, recovery and mitigation efforts related to the Cabin Lake Fire since August 16, 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 16, 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 seventh day
of September, 2018.

A handwritten signature in black ink, appearing to read "Donna Lynne". The signature is fluid and cursive, written over the printed name.

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