



D 2022 029

EXECUTIVE ORDER

Amending Funding Provision in Executive Order D 2018 023 Concerning the 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, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order amending the funding provision in Executive Order D 2018 023 due to higher than expected costs to address suppression, recovery, and mitigation efforts related to the Cabin Lake Fire in Rio Blanco County.

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 John 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”). On September 7, 2018, Lieutenant Governor Donna Lynne, acting on behalf of the State while Governor Hickenlooper was absent from the State, issued Executive Order D 2018 023, memorializing Governor Hickenlooper’s verbal order and allocating \$350,000 to pay for fire suppression, recovery, and mitigation efforts related to the Cabin Lake Fire. Pursuant to Executive Order D 2018 023 the disaster expired on September 14, 2018, but the funding remains available for the described purposes for 60 months from September 7, 2018.

This Executive Order amends the funding provision in Executive Order D 2018 023 to encumber an additional \$291,006.19 due to higher than expected costs to address suppression, recovery, and mitigation efforts related to the Cabin Lake Fire in Rio Blanco County.

II. Amendment

Executive Order D 2018 023 is amended as follows:

1. Add the following sentence to the end of Section II(C):

Pursuant to C.R.S. § 24-33.5-706(4)(b), funds in the Disaster Emergency Fund (DEF) are hereby found insufficient to pay for fire suppression, recovery, and mitigation efforts related to the Cabin Lake Fire in Rio Blanco County. I therefore transfer two hundred ninety one thousand six dollars and nineteen cents (\$291,006.19) from the State Emergency Reserve Cash Fund. I further encumber two hundred ninety one thousand six dollars and nineteen cents (\$291,006.19) in the DEF to pay for the fire suppression, recovery, and mitigation efforts related to the Cabin Lake Fire in Rio Blanco County.

III. Duration

The funds described in Section II(C) shall remain available for the described purposes for sixty (60) months from the date of Executive Order D 2018 023.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this
twenty-sixth day of June
2022.

A handwritten signature in blue ink that reads "Jared Polis".

Jared Polis
Governor