STATE OF COLORADO

OFFICE OF THE GOVERNOR

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

John W. Hickenlooper
Governor

D 2012-050

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Fern Lake Fire and Authorizing use of the National Guard

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to relevant portions of C.R.S. § 28-3-104, and 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 disaster emergency due to the Fern Lake Fire in Larimer County and authorizing the National Guard to assist with fighting the Fern Lake Fire.

I. Background and Purpose

On October 9, 2012, the Fern Lake Fire started in Rocky Mountain National Park. Early in the morning hours of December 1, 2012, extreme fire weather conditions caused the fire to more than double in size from 1,515 acres to over 3,100 acres and begin threatening structures inside Rocky Mountain National Park and west of the Town of Estes Park in Larimer County. Over 600 evacuation notices were sent to telephone numbers in the evacuation area. Due to the fire growth on December 1, 2012, firefighters are now deployed to steep, rugged terrain with limited vehicle access. On December 4, 2012, the Type 1 Incident Management Team managing this fire requested a Colorado National Guard helicopter for rescue and/or medivac, if necessary, during this incident. This request was verbally approved at 1109 hours on December 4, 2012. The fire has grown to 3,477 acres, with 1000 structures threatened and 1 structure destroyed.

II. Declaration and Directives

A. The Fern Lake Fire constitutes a disaster emergency under C.R.S. §§ 24-33.5-701, 705. My verbal order of December 4, 2012, authorizing use of the National Guard 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 of the Office of Emergency Management, including provision of appropriate staff and equipment as necessary.

C. Pursuant to C.R.S. § 24-33.5-706(4), it is ordered that $13,000 from the Disaster Emergency Fund is encumbered to pay for the use of the National Guard helicopter. These funds exist unencumbered in the Disaster Emergency Fund due to unexpended amounts from previous disasters. The actual cost of the National Guard helicopter and personnel will be reimbursed to the Disaster Emergency Fund by the U.S. Government. The Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate government agencies and execute awards, purchase orders or other mechanisms to effect the allocation of the funds. These funds shall remain available for this purpose for eighteen months from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire thirty days from December 7, 2012, unless extended further by Executive Order, except that the funds described in paragraph II(C) above shall remain available for the described purposes for eighteen 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 December, 2012.

John W. Hickenlooper
Governor