STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2012-041

EXECUTIVE ORDER

Declaring a Disaster Emergency and Deploying the National Guard to the Highway 13 Fire in Garfield County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant relevant portions of C.R.S. § 28-3-104, *et seq.* and relevant portions of the Disaster Emergency Act, C.R.S. §§ 24-33.5-701, *et seq.*, Governor John W. Hickenlooper, Governor of the State of Colorado, hereby issues this Executive Order declaring a disaster emergency and employing the National Guard for the purpose of fighting the Highway 13 Fire in Garfield County, Colorado.

I. Background and Purpose

On October 3, 2012, the Highway 13 Fire ignited in Garfield County, approximately fourteen miles north of the community of Rifle and near Highway 13. The fire poses a threat to homes in the area as well as to critical infrastructure. The Division of Fire Prevention and Control requested use of the National Guard to suppress the fire. Verbal approval was given at 1944 hours on October 3, 2012.

At approximately 2300 hours on October 3, 2012, Garfield County did request transfer of the fire to the State of Colorado under the Emergency Fire Fund provisions. The fire met the criteria for EFF and the request was approved at 2313 hours on October 3, 2012. With the disaster emergency declaration confirmed by this executive order, the State accepts the Highway 13 Fire as a Disaster Emergency Fund designated fire.

II. Declaration and Directives

A. The Highway 13 Fire constitutes a disaster emergency for purposes of C.R.S. §§ 24-33.5-701, 705. My verbal orders of October 3, 2012, authorizing use of the National Guard and declaring a disaster emergency, are hereby memorialized by this Executive Order.

B. The State Emergency Operations Plan is hereby activated pursuant to C.R.S. §§ 24-33.5-701, 705. All State departments and agencies shall take whatever actions may be required and requested by the Director of the Division of Homeland Security and Emergency Management or the Division of Fire Prevention and Control, including provision of appropriate staff and equipment as necessary.

C. Pursuant to C.R.S. §§ 24-33.5-701, 705, $150,000 in the Disaster Emergency Fund is encumbered to pay for fire suppression efforts related to the Highway 13 Fire since its inception. The $150,000 is transferred into the Disaster Emergency Fund from the General Fund appropriation in Fiscal Year 2012-13 to the Controlled Maintenance Trust Fund. The Director of the Division of Fire Prevention and Control working in conjunction with the Director of Colorado Division of Homeland Security and Emergency Management is hereby authorized and directed to allocate that funding to the appropriate government agencies. Those 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.

D. The Director of the Colorado Division of Homeland Security and Emergency Management and the Division of Fire Prevention and Control are authorized and directed to coordinate application to the federal government for funds available for reimbursement and to coordinate application for any other funds available related to this disaster emergency.

E. Federal agencies and Garfield County will reimburse the State of Colorado for the cost of this request.

III. Duration

This Executive Order shall expire thirty days from October 3, 2012, unless extended further by Executive Order.

GIVEN under my hand and the Executive Seal of the State of Colorado this ninth day of October, 2012.

John W. Hickenlooper
Governor