

STATE OF COLORADO

OFFICE OF THE GOVERNOR

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



John W. Hickenlooper
Governor

D 2016-006

EXECUTIVE ORDER

Declaring a Disaster Emergency due to the Hayden Pass Fire in Fremont County and Deploying the National Guard to Assist with Response

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, relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, and to relevant portions of Article IV Section 2 of the Colorado Constitution, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order declaring a disaster emergency due to the Hayden Pass Fire in Fremont County and deploying the National Guard to support emergency response and fire suppression operations.

I. Background and Purpose

On Friday, July 8, 2016 at 6:00 p.m., lightning ignited a fire in the San Isabel National Forest. On Sunday, July 10, 2016, the fire increased in size and moved toward Coaldale in Fremont County. The fire was named the Hayden Pass Fire, and the initial fire management objectives were to confine and contain the fire. Due to the extreme conditions, potential for fire growth, lives and property at risk, and requests for state assistance with fire suppression and traffic control points, the Colorado Division of Homeland Security and Emergency Management proactively requested activation of the State Emergency Operations Plan and pre-authorization for use of the Colorado National Guard in the event that Fremont County made requests for assistance and resources. Lieutenant Governor Donna Lynne, who was acting as Governor as I was out of state, verbally approved the request on July 12, 2016 at approximately 10:30 a.m.

On July 12, 2016, Fremont County declared a local emergency due to limited resources, size of the fire, and lives and property at risk. The Division of Fire Prevention and Control declared the fire eligible for funding from the Emergency Fire Fund on July 11, 2016.

As of the morning of July 14, the Hayden Pass Fire had burned over 12,000 acres and was threatening the town of Coaldale in Fremont County. Containment was at zero percent. More than 100 homes were placed under mandatory evacuation. More than 180 campers at a youth camp sought shelter at a local high school. A Type II federal incident management team has taken charge of the fire on behalf of the county.

II. Declaration and Directives

- A. This fire constitutes a disaster emergency under C.R.S. § 24-33.5-704. The Lieutenant Governor's verbal order of July 12, 2016, declaring a disaster emergency and authorizing the use of the Colorado National Guard for up to 30 days pursuant to C.R.S. § 28-3-104 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, including provision of appropriate staff and equipment as necessary.
- C. Due to the current insufficiency of funds necessary to pay for fire suppression efforts related to the Hayden Pass Fire in the Disaster Emergency Fund, I order the transfer of \$8,000,000 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 \$8,000,000 in the Disaster Emergency Fund to pay for the fire suppression, response, and recovery efforts related to the Hayden Pass Fire since its inception. I authorize and direct the Emergency Management Director to allocate these funds to the appropriate government agencies and to execute awards, purchase orders, or other mechanisms to effect the allocation of these funds. These funds shall remain available for this purpose for thirty-six months from July 12, 2016, and any unexpended funds shall remain in the Disaster Emergency Fund.

III. Duration

This Executive Order shall expire thirty days from July 12, 2016, unless extended further by Executive Order, except that the funds described in paragraph II(C) above shall remain available for the described purposes for thirty-six months from July 12, 2016.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this twentieth day of
July, 2016

A handwritten signature in blue ink, reading "John W. Hickenlooper". The signature is fluid and cursive, with a large initial "J" and "H".

John W. Hickenlooper
Governor