



D 2020 233

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Mullen Fire in Jackson 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 declaring a state of disaster emergency due the Mullen Fire in Jackson County, enabling State agencies to coordinate, and making resources available for fire suppression, response, consequence management, and recovery efforts.

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 Mullen Fire started on September 17, 2020, in Carbon County, Wyoming. On September 30, the Mullen Fire burned into Jackson County, Colorado and had grown to 106,747 acres and was zero percent contained. As of September 30, 1,350 residents had been evacuated, and 29 single residences and 31 out buildings were destroyed beyond repair due to the Mullen Fire.

At approximately 5:45 PM on October 1, 2020, I verbally declared a disaster emergency for the Mullen Fire in Jackson County and activated the State of Colorado Emergency Operations Plan.

As of October 18, 2020, the Mullen Fire burned 176,854 acres in Colorado and Wyoming, was 69% contained, and over 1,440 homes had been evacuated.

II. Declarations and Directives

- A. The Mullen Fire and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, *et seq.* My verbal order of October 1, 2020, 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 Emergency Support Function 5 Annex of the State Emergency Operations Plan, including provision of appropriate staff and equipment as necessary.
- C. Funds in the Emergency Fire Fund are hereby found to be insufficient to pay for the State fire suppression, response, consequence management, and recovery efforts related to the Mullen Fire. In addition, pursuant to C.R.S. § 24-33.5-706(4)(b), funds in the Disaster Emergency Fund are hereby found insufficient to pay for the State's fire suppression, response, consequence management, and recovery efforts related to the Mullen Fire. I therefore transfer six hundred ten thousand dollars (\$610,000) into the Disaster Emergency Fund from the Controlled Maintenance Trust Fund. I further encumber six hundred ten thousand dollars (\$610,000) from the Disaster Emergency Fund, established in C.R.S. § 24-33.5-706(2)(a), for costs associated with the State's fire suppression, response, consequence management, and recovery efforts related to the Mullen Fire since October 1, 2020.
- D. 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. The funds described in section II.C above shall remain available for this purpose until thirty-six (36) months from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.
- E. The Division of Fire Prevention and Control, via its fire billing practices, is authorized to coordinate applications for any funds available related to this disaster emergency. Specifically, the Colorado Division of Fire Prevention and Control is directed to seek reimbursement and make payments as needed to agencies providing assistance related to the Mullen Fire.

III. Duration

This Executive Order shall expire thirty (30) days from October 1, 2020, unless extended further by Executive Order, except that the funds described in Section II.C above shall remain available for the described purposes for thirty-six (36) months from the date of this Executive Order.



GIVEN under my hand and
the Executive Seal of the State
of Colorado, this thirtieth day
of October, 2020.

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

Jared Polis
Governor