



## D 2020 252

### EXECUTIVE ORDER

#### Declaring a Disaster Emergency Due to the East Troublesome Fire in Grand 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 East Troublesome Fire in Grand 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 East Troublesome Fire started October 14, 2020, on United States Forest Service Land, in Grand County, Colorado. On October 17, 2020, fire behavior became very active due to weather and drought conditions. The fire spread was mapped at 11,562 acres, with five percent containment and was threatening over 130 structures. Values at risk include primary residences, livestock, cabins, and other structures. At approximately 8:30 AM on October 17, 2020, the Division of Fire Prevention and Control determined that the East Troublesome Fire had exceeded county capacity and was eligible for state responsibility per the Emergency Fire Fund criteria.

At approximately 12:05 PM on October 17, 2020, I verbally declared a disaster emergency for the East Troublesome Fire in Grand County and activated the State of Colorado Emergency Operations Plan.

Because of the severity of the fire and additional private and State properties at risk, on October 17, 2020, at approximately 8:00 AM, the Division of Fire Prevention and Control requested a federal Fire Management Assistance Grant from the Federal Emergency Management Agency for the East Troublesome Fire. On October 17, at approximately 2:17 PM, the request for a Fire Management Assistance Grant was approved by the Federal Emergency Management Agency's Regional Administrator.

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On October 21 and 22, 2020, the East Troublesome Fire exhibited historic fire behavior, growing over 100,000 acres in twenty four hours and forcing evacuations for over 19,000 residents in Grand County.

As of October 28, 2020, the East Troublesome Fire burned 193,774 acres and was thirty percent contained. Over 35,000 people were evacuated, two fatalities have been confirmed, and a preliminary estimate indicates that over 1,000 structures have been damaged or destroyed due to the East Troublesome Fire.

## **II. Declarations and Directives**

- A. The East Troublesome Fire and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, *et seq.* My verbal order of October 17, 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's fire suppression, response, consequence management, and recovery efforts related to the East Troublesome Fire. Further, 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 East Troublesome Fire. I therefore transfer one million four hundred ninety-five thousand dollars (\$1,495,000) into the Disaster Emergency Fund from the Controlled Maintenance Trust Fund. I further encumber one million four hundred ninety-five thousand dollars (\$1,495,000) 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 East Troublesome Fire since October 17, 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 application 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 on this incident.

### **III. Duration**

This Executive Order shall expire thirty (30) days from October 17, 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  
fifteenth day of November,  
2020.

A handwritten signature in blue ink, which reads 'Jared Polis'. The signature is written in a cursive, flowing style.

Jared Polis  
Governor