



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER TWENTY-NINE (2023)

AMENDED

DECLARATION OF A STATE OF EMERGENCY DUE TO WILDFIRES, OR THE POTENTIAL THEREOF, THROUGHOUT THE COMMONWEALTH OF VIRGINIA

Importance of the Issue

The Commonwealth of Virginia is experiencing multiple wildfires around the state due to extremely dry conditions and high winds, both of which are common during the ongoing fall fire season. These fires have and may continue to pose a significant threat to public health and safety. Specifically, two fires—the Quaker Run Fire in Madison County and the Tuggles Gap Fire in Patrick County—broke containment lines in recent days. As such, additional resources are needed to contain these fires and respond to additional fires as necessary.

The anticipated effects of this situation constitute a disaster as described in § 44-146.16 of the *Code of Virginia* (Code). Therefore, by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia and by §§ 44-146.17 and 44-75.1 of the Code, as Governor and Director of Emergency Management and Commander-in-Chief of the Commonwealth's Armed Forces, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I proclaim a state of emergency. Accordingly, I direct state and local governments to render appropriate assistance to prepare for this event, to alleviate any conditions resulting from the situation, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions as much as possible. Emergency services shall be conducted in accordance with § 44-146.13 et seq. of the Code.

Following a declaration of a local emergency pursuant to § 44-146.21 of the *Code of Virginia*, if a local governing body determines that evacuation is deemed necessary for the preservation of life or other emergency mitigation, response or recovery, pursuant to § 44-146.17(A)(1) of the *Code of Virginia*, I direct the evacuation of all or part of the populace therein from such areas and upon such timetable as the local governing body, in coordination with the Virginia Emergency Operations Center (VEOC), acting on behalf of the State Coordinator of Emergency Management, shall determine. Notwithstanding the foregoing, I reserve the right to

direct and compel evacuation from the same and different areas and determine a different timetable both where local governing bodies have made such a determination and where local governing bodies have not made such a determination. Violations of any order to citizens to evacuate shall constitute a violation of this Executive Order and are punishable as a Class 1 misdemeanor.

Directive

In order to marshal all public resources and appropriate preparedness, response, and recovery measures, I order the following actions:

1. Implementation by state agencies of the Commonwealth of Virginia Emergency Operations Plan, as amended, along with other appropriate state plans.
2. Activation of the Virginia Emergency Operations Center and the Virginia Emergency Support Team, as directed by the State Coordinator of Emergency Management, to coordinate the provision of assistance to state, local, and tribal governments and to facilitate emergency services assignments to other agencies.
3. Authorization for the heads of executive branch agencies, on behalf of their regulatory boards as appropriate, and with the concurrence of their Cabinet Secretary, to waive any state requirement or regulation, and enter into contracts without regard to normal procedures or formalities, and without regard to application or permit fees or royalties. All waivers issued by agencies shall be posted on their websites.
4. Activation of § 59.1-525 et seq. of the Code related to price gouging.
5. Authorization of a maximum of \$10,000,000.00 in state sum sufficient funds for state and local government mission assignments and state response and recovery operations authorized and coordinated through the Virginia Department of Emergency Management allowable by The Stafford Act, 42 U.S.C. § 5121 et seq. Included in this authorization is \$5,000,000.00 for the Department of Military Affairs.
6. Activation of the Virginia National Guard to State Active Duty.

Effective Date of this Executive Order

This Amended Executive Order shall be effective November 6, 2023, and shall remain in full force and effect for 30 days pursuant to § 44-146.17 of the *Code of Virginia*, unless sooner amended or rescinded by further executive order. Termination of this Executive Order is not intended to terminate any federal type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 9th day of November, 2023.



Glenn Youngkin
Glenn Youngkin, Governor

Attest:

Kelly Gee

Kelly Gee, Secretary of the Commonwealth