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### EXECUTIVE ORDER

#### **Declaring a Disaster Emergency Due to Wildfires in Crowley County**

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to relevant portions of the Colorado Disaster Emergency Act of 1992, C.R.S. § 24-32-2100, *et seq.*, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order declaring a state disaster emergency due to wildfires in Crowley County, Colorado.

#### I. Background and Purpose

On Tuesday, April 15, 2008, wildfires broke out in Crowley County. These wildfires resulted in the deaths of Olney Springs Fire Chief Terry Devore and volunteer firefighter John Schwartz, who were both also Department of Corrections employees. The wildfires also necessitated the evacuation of the town of Ordway, Colorado, and destroyed at least two dozen homes in and around the town. The wildfires burned approximately 8,900 acres in Crowley County.

On April 15, 2008, Crowley County and the Town of Ordway declared the wildfires an emergency and requested assistance from the State. Since 2003, Crowley County has had a Cooperative Wildfire Protection Agreement with Colorado State Forest Service in place. That Agreement is the basis for State cooperation in planning, prevention, training, sharing of equipment, and assistance in fire suppression. Nothing in the Agreement conflicts with this disaster declaration.

As Governor, I am responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act of 1992 (hereinafter the "Act"), defines a disaster as "the occurrence or imminent threat of widespread or severe damages, 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. § 24-32-2103(1.5). As I witnessed firsthand when I visited Crowley County the day after the wildfires began, these fires posed an imminent danger to human life and property and, therefore, constituted a disaster for the purposes of the Act. In response to this disaster, on April 15, 2008, I declared a disaster emergency.

Notwithstanding this disaster declaration, Crowley County should remain fully engaged in fighting the wildfire, and the county sheriff shall not relinquish his responsibility or authority to see that the wildfires are extinguished. State resources, including equipment

and management assistance, are, have been, and shall continue to be available to assist Crowley County in fire suppression efforts.

II. Declaration and Directives

- A. I hereby declare that these wildfires constitute a disaster for purposes of C.R.S. §24-32-2103, and acknowledge my verbal order of April 15, 2008, declaring a state disaster emergency in Crowley County.
- B. Pursuant to C.R.S. § 24-32-2106, I find that the funds in the Disaster Emergency Fund are insufficient, therefore, pursuant to headnote 22 of the 2007 Long Bill (S.B. 07-239), I order that \$500,000 be transferred from the Major Medical Insurance Fund to the Disaster Emergency Fund. I further order the encumbrance of up to \$500,000 from the Disaster Emergency Fund to pay for the fire response, suppression, and recovery effort related to this disaster. The Director of the Colorado Division of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate agencies. These funds shall remain available for this purpose for six months from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.
- C. The Director of the Colorado Division of Emergency Management is hereby authorized and directed to coordinate application for any low-interest loans or other federal funding related to the disaster emergency that may be available to assist the affected communities and residents with firefighting and recovering from the disaster, including but not limited to FEMA Fire Management Assistance Grants and Small Business Administration loans.
- D. The Colorado State Forest Service is hereby authorized and directed to coordinate the implementation of any applicable agreements and grants related to the suppression of wildfires, including but not limited to FEMA Fire Management Assistance Grants and Cooperative Interagency Wildfire Management Agreements.
- E. My verbal disaster emergency declaration on April 15, 2008, 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.

III. Duration

This Executive Order shall expire thirty days from its date of signature unless extended by future Executive Order.

GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this seventeenth day of  
April, 2008.

Bill Ritter, Jr.  
Governor