

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2011-10

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Crystal Fire in Larimer 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.*, John W. Hickenlooper, Governor of the State of Colorado, hereby issues this Executive Order declaring a state of disaster emergency due to the wildfire in Larimer County, Colorado.

I. Background and Purpose

On Friday, April 1, 2011, a wildfire (“Crystal Fire”) broke out in Larimer County approximately 10 miles northwest of Masonville. As of the morning of April 4th, the fire has spread to approximately 4,500 acres, including federal and private lands. Approximately 15 homes have been destroyed in addition to a large number of vehicles and outbuildings. More than three hundred residences are currently threatened. In addition, gusty winds and dry weather threaten to exacerbate the fire. Because of the fire’s size and proximity to numerous residences in Redstone Canyon, Stringtown Gulch, and the area south of Rist Canyon and East of Stover Prairie, an aggressive response is essential. Approximately twenty agencies, including the Colorado State Forest Service, the U.S. Forest Service, Larimer County, and local emergency teams, have responded to the wildfire by deploying a variety of resources, including over 200 firefighters, 36 engines, two air tankers, and three helicopters.

Additionally, the U.S. Department of Homeland Security’s Federal Emergency Management Agency (“FEMA”) has authorized the use of federal funds to help with firefighting costs. FEMA’s authorization makes federal funding available to reimburse seventy-five percent of the state’s eligible firefighting costs under an approved grant for responding to and controlling designated fires.

The Governor is responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act of 1992, 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). The Crystal Fire’s proximity to numerous residences in Redstone Canyon, Stringtown Gulch, and the area south of Rist Canyon and

East of Stover Prairie pose an imminent danger to life and property and, therefore, constitute a disaster for the purposes of the Act. In response to this disaster, on April 3, 2011, I declared a disaster emergency.

II. Declaration and Directives

- A. The Crystal Fire hereby constitutes a disaster emergency for purposes of C.R.S. § 24-32-2103. My verbal order of April 3, 2011, declaring a state 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 ("Plan") is hereby activated. All State departments and agencies shall take whatever actions may be required and requested by the Director of the Division of Emergency Management or the Colorado State Forest Service, including provision of appropriate staff and equipment as necessary.
- C. Pursuant to C.R.S. § 24-32-2106, the funds in the Disaster Emergency Fund are hereby found insufficient; therefore, pursuant to Section 1, Subsection (2)(b)(I) of Ch. 453, Session Laws of Colorado 2010, it is ordered that \$1,700,000 be transferred from the Major Medical Insurance Fund to the Disaster Emergency Fund. It is further ordered that up to \$1,700,000 from the Disaster Emergency Fund is encumbered to pay for the response and recovery effort related to the Crystal Fire since its inception. The Colorado State Forester is hereby authorized and directed to allocate the funding to the appropriate government agencies. These funds shall remain available for this purpose for one year from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.
- D. The Director of the Colorado Division of Emergency Management and the Colorado State Forest Service are authorized and directed to coordinate application to the federal government for funds available for reimbursement and to coordinate application for any other funds available related to this disaster emergency.

III. Duration

This Executive Order shall expire thirty days from its date of signature unless extended further by Executive Order, except that the funds described in paragraph II(C) above shall remain available for the described purposes for one year from the date of this Executive Order.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this fourth day of
April, 2011.

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