STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2012-044

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Wetmore Fire in Custer County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant relevant portions of C.R.S. § 28-3-104 and relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Governor John W. Hickenlooper, Governor of the State of Colorado, hereby issues this Executive Order declaring of a state of disaster emergency due to the wildfire in Custer County, Colorado and making resources available to fight the fire.

I. Background and Purpose

On October 23, 2012 at approximately 1400 hours, the Division of Fire Prevention and Control (DFPC) received a request for assistance from the Custer County Sheriff for a wildfire burning near the town of Wetmore. At the time of the request the fire was threatening approximately 350 homes in and around the Town of Wetmore and mandatory evacuations were in progress. At least one primary residence and at one other structure had already been destroyed. The cause of this fire is currently unknown.

At approximately 1515 hours the DFPC Fire Management Officer (FMO) completed his assessment and determined that the fire met the criteria for an Emergency Fire Fund (EFF) fire. In addition to the homes and businesses, the fire is also threatening roads, utilities and a watershed in the area. The current weather conditions were southwest winds 15 to 30 mph with gusts to 75 mph, relative humidity at 9 percent. The fire had burned approximately 700 acres of private and public land and was 0 percent contained.

Custer County requested transfer of the fire to the State of Colorado under the EFF provisions and the request was approved by the Governor at 1517 hours.

Upon receiving the EFF approval, a Fire Management Assistance Grant (FMAG) request was made to FEMA Region VIII. The FMAG request was approved on October 23, 2012, at 1632 hours.

II. Declaration and Directives

A. The Wetmore Fire constitutes a disaster emergency under C.R.S. §§ 24-33.5-701, 705. My verbal order of October 23, 2012, 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 of the Division of Emergency Management, including provision of appropriate staff and equipment as necessary. The Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate government agencies and execute awards, purchase orders or other mechanisms to effect the allocation of the funds. 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.

C. Pursuant to C.R.S. § 24-33.5-706(4), the funds in the Disaster Emergency Fund are hereby found insufficient to pay for fire suppression efforts related to the Wetmore Fire. Therefore, it is ordered that $3,270,000 be transferred into the Disaster Emergency Fund from the General Fund appropriation in Fiscal Year 2012-13 to the Controlled Maintenance Trust Fund; and $245,000 be transferred into the Disaster Emergency Fund from General Fund appropriations in Fiscal Year 2012-13 to the Department of Health Care Policy and Financing, Medical Services Premiums line item. It is further ordered that $3,515,000 from the Disaster Emergency Fund is encumbered to pay for the fire suppression, response, and recovery effort related to the Wetmore Fire since its inception.

III. Duration

This Executive Order shall expire thirty days from October 23, 2012, 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 twenty-fourth day of October, 2012.

John W. Hickenlooper
Governor