

STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol Building
Denver, Colorado 80203
Phone (303) 866 - 2471
Fax (303) 866 - 2003



John W. Hickenlooper
Governor

D 2012-017

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Stuart Hole Fire

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Colorado Constitution, article IV, section 13 and relevant portions of the Colorado Disaster Emergency Act of 1992, C.R.S. § 24-32-2100, et seq., I, Governor John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to the wildfire in Larimer County, Colorado.

I. Background and Purpose

On Monday, June 4, 2012, a wildfire ("Stuart Hole Fire") started in Larimer County near the Cherokee Meadows community and the Boxer Ranch Subdivision. The fire grew rapidly being fueled by extremely dry vegetation, low relative humidity, high temperatures, and windy conditions. The fire originated on private ownership with lightning being the likely cause. As of the evening of June 4, the fire had spread to approximately 200 acres. Larimer County and local fire department resources have been fully engaged in both evacuating residents from harm's way and in fighting the wildfire. Predicted hot weather and strong gusty winds coupled with abundant dry fuels pose a real threat of the fire spreading toward additional state and private values at risk and indicate an aggressive response is essential. A county Type 3 Incident Management Team was immediately ordered for the fire along with use of a Single Engine Air Tanker, a Type 3 Helicopter, eight engines, and a wildfire hand crew.

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 Stuart Hole Fire's proximity to sub-developments and the town of Livermore poses an imminent danger to life and property and, therefore, constitutes a disaster for the purposes of the Act. In response to this disaster, on June 4, 2012, I declared a disaster emergency.

II. Declaration and Directives

- A. The Stuart Hole constitutes a disaster emergency under C.R.S. § 24-32-2103. My verbal order of June 4, 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 or the Colorado State Forest Service, including provision of appropriate staff and equipment as necessary.
- C. Pursuant to C.R.S. § 24-32-2106(4), the funds in the Disaster Emergency Fund are hereby found insufficient to pay for fire suppression efforts related to the Stuart Hole Fire. Therefore, it is ordered that \$200,000 be transferred from the General Fund appropriations in the Fiscal Year 2011-12 to the Department of Human Services, Division of Youth Corrections, Community Program Parole Services to the Disaster Emergency Fund. *Session Laws of Colorado 2011, Ch. 335*. It is further ordered that up to \$200,000 in the Disaster Emergency Fund is encumbered to pay for the fire suppression, response, and recovery effort related to the Stuart Hole Fire since its inception. The Colorado State Forester, working in conjunction with the Director of the Colorado Division of Emergency Management, 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, unless unencumbered by subsequent Executive Orders, 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 June 4th, 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-first day of
June, 2012.

A handwritten signature in blue ink, appearing to read "John W. Hickenlooper".

John W. Hickenlooper
Governor