

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

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John W. Hickenlooper  
Governor

## D 2012-021

### EXECUTIVE ORDER

#### Declaring a Disaster Emergency Due to the Weber 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 Montezuma County, Colorado.

#### I. Background and Purpose

On Friday, June 22, 2012, a wildfire ("Weber Fire") started in Montezuma County approximately 6 miles South of the town of Mancos. It immediately threatened the Elk Stream and Elk Spring Ranch communities and homes in the Cherry Creek, Weber Canyon and U.S. Hwy 160 areas. The fire grew rapidly being fueled by extremely dry vegetation, low relative humidity, high temperatures, and windy conditions. The cause of the fire is unknown and is under investigation. As of June 26, the fire has spread to approximately 9,155 acres. Montezuma 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 several Helicopters, ten engines, five handcrews, two bulldozers and four watertenders.

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 Weber Fire's proximity to sub-developments and the extreme growth potential of the fire 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 June 23, 2012, I declared a disaster emergency.

II. Declaration and Directives

- A. The Weber Fire constitutes a disaster emergency under C.R.S. § 24-32-2103. My verbal order of June 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 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 Weber Fire. Therefore, it is ordered that \$175,000 be transferred into the Disaster Emergency Fund from General Fund appropriations in Fiscal Year 2011-12 to the Department of Human Services, Mental Health Community Programs Residential Treatment for Youth line item; \$100,000 be transferred into the Disaster Emergency Fund from General Fund appropriations in Fiscal Year 2011-12 to the Department of Human Services, Division of Youth Corrections Community Programs Contract Placements line item; \$800,000 be transferred into the Disaster Emergency Fund from the General Fund appropriations in Fiscal Year 2011-12 to the Department of Public Safety, Division of Criminal Justice Community Corrections Transition Programs line item; and \$1,060,000 be transferred into the Disaster Emergency Fund from the General Fund appropriations in Fiscal Year 2011-12 to the Department of Public Safety, Division of Criminal Justice Community Corrections Diversion Programs line item. It is further ordered that \$2,135,000 from the Disaster Emergency Fund is encumbered to pay for the fire suppression, response, and recovery effort related to the Weber 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, 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 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-seventh day of  
June, 2012.

A handwritten signature in blue ink, which appears to read "John W. Hickenlooper". The signature is fluid and cursive, written over the printed name below.

John W. Hickenlooper  
Governor