STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2012-025

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Pine Ridge Fire

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, 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 Mesa County, Colorado.

I. Background and Purpose

On Thursday, June 28, 2012, a wildfire ("Pine Ridge Fire") started in Mesa County on lands managed by the Bureau of Land Management. The fire grew rapidly being fueled by extremely dry vegetation, low relative humidity, high temperatures, and extremely windy conditions. The cause of the fire is believed to be a lightning strike. As of July 2, the fire has spread to approximately 13,000 acres and is 35% contained. Mesa 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 local Type 3 Incident Management Team was immediately ordered for the fire. On June 28, 2012, the Colorado State Forest Service received a request from the Mesa County Sheriff to assume charge of the Pine Ridge Fire in accord with the Emergency Fire Fund Agreement. The State accepted the Pine Ridge Fire as an Emergency Fire Fund designated fire and verbally notified the Mesa County Sheriff at 1940 hours. With the disaster declaration made in this executive order, the State is accepting the Pine Ridge Fire as a Disaster Emergency Fund designated fire.

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 Pine Ridge Fire's proximity to sub-developments and Interstate 70 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 28, 2012, I declared a disaster emergency.

II. Declaration and Directives

A. The Pine Ridge Fire constitutes a disaster emergency under C.R.S. § 24-32-2103. My verbal order of June 28, 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 Office Emergency Management 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 Pine Ridge Fire. Therefore, it is ordered that $500,000 be transferred into the Disaster Emergency Fund from the General Fund appropriation in Fiscal Year 2012-13 to the Controlled Maintenance Trust Fund. It is further ordered that $500,000 from the Disaster Emergency Fund is encumbered to pay for the fire suppression, response, and recovery effort related to the Pine Ridge Fire since its inception. The Department of Public Safety 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 use of the National Guard to fight the Pine Ridge Fire and, if requested, to enforce the laws of the State of Colorado are hereby authorized by this Executive Order.

E. The Department of Public Safety is 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 28, 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 second day of July, 2012.

John W. Hickenlooper
Governor