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 2012-032

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Bull Basin 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, Lieutenant Governor Joseph A. Garcia, Lieutenant Governor of the State of Colorado, hereby issue this Executive Order declaring of a state of disaster emergency due to the wildfire in Mesa County, Colorado and making resources available to fight the fire.

I. Background and Purpose

On Tuesday July 10, 2012, a wildfire ("Bull Basin Fire") started in Mesa County. 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 July 12, the fire has spread to approximately 20 acres on private land. Mesa County and local fire department resources have been fully engaged in fighting the wildfire. Predicted hot weather and strong gusty winds coupled with abundant dry fuels posed a threat of the fire spreading toward additional state and private lands and indicated an aggressive response.

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 proximity of the fire in Mesa County to sub-developments and the extreme growth potential of the fire posed an imminent danger to life and property and, therefore, constituted a disaster for the purposes of the Act. A disaster was declared on July 10, 2012.

II. Declaration and Directives

A. The Bull Basin Fire constitutes a disaster emergency under C.R.S. § 24-32-2103. The verbal order of July 10, 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.

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 Bull Basin Fire. Therefore, it is ordered that $200,000 be transferred from the Control Maintenance Trust Fund into the Disaster Emergency Fund. The Director of the Office 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.

III. Duration

This Executive Order shall expire thirty days from July 10, 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.

IV. Lieutenant Governor

I am executing this Executive Order pursuant to the Colorado Constitution, article IV, section 13(5) as Governor John W. Hickenlooper is currently traveling outside the State of Colorado.

GIVEN under my hand and the Executive Seal of the State of Colorado this twelfth day of July, 2012.

Joseph A. Garcia
Lieutenant Governor