

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2012-034

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to Wildfires in Rio Blanco County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to the Colorado Constitution and relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-700, *et seq.*, I, Governor John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order affirming the verbal declaration of a state of disaster emergency due to wildfires in Rio Blanco County, Colorado.

I. Background and Purpose

On Thursday, July 19, 2012 and Saturday, July 21, 2012, respectively, two wildfires, the Powell Fire and the Little Duck Fire (together, the "Powell Complex") started in Rio Blanco County on lands managed by the Bureau of Land Management. The fires grew rapidly due to extremely dry vegetation, low relative humidity, high temperatures, and windy conditions. Lightning strikes are believed to have caused both wildfires. Rio Blanco County and local fire department resources have been fully engaged in both fighting the wildfires and notifying residents of the potential need to evacuate. Predicted hot weather and strong gusty winds, coupled with abundant dry fuels, pose a real threat of putting additional state and private values at risk and necessitating an aggressive response. A National Type 2 Incident Management Team was immediately ordered for the Complex. On July 21, 2012, the Colorado Division of Fire Prevention and Control received a request from the Rio Blanco County Sheriff to assume charge of the Complex in accord with the Emergency Fire Fund Agreement. The State accepted the Complex as an Emergency Fire Fund-designated fire and verbally notified the Rio Blanco County Sheriff at 1353 hours on July 21. As of July 24, the fires had spread to approximately 1,650 acres and are 85% contained.

The Governor is responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act 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.” C.R.S. § 24-33.5-703(3). The proximity of the fires in Rio Blanco County to the Strawberry subdivision and historic cow camps, as well as their proximity to power lines, and mineral extraction infrastructure, poses an imminent danger to life and property and, therefore, constitutes a disaster for the purposes of the Act. A disaster emergency was verbally declared on July 21, 2012.

II. Declaration and Directives

- A. The Powell Complex wildfires in Rio Blanco County constitute a disaster emergency under C.R.S. § 24-33.5-703. The verbal order of July 21, 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 of Emergency Management, including provision of appropriate staff and equipment as necessary.
- 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 Powell Complex. Therefore, it is ordered that \$210,000 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.
- D. 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 July 21, 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
July, 2012.

A handwritten signature in blue ink, reading "John W. Hickenlooper".

John W. Hickenlooper
Governor