

# STATE OF COLORADO

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## EXECUTIVE CHAMBERS

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Bill Owens  
Governor

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## **E X E C U T I V E   O R D E R**

### **Declaring a Disaster Emergency Due to Wildfires in Garfield, Teller and Custer Counties**

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, and pursuant to the relevant portions of the Colorado Disaster Emergency Act, §24-32-2100 *et seq.*, C.R.S., I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency.

1.     Background and Need.

Colorado experienced several wildfires in the month of June. On Wednesday, June 14, 2006, a fire ignited in Custer County. Due to dry conditions and heavy winds, this fire quickly escalated into a major wildfire. The “Tyndall Fire” burned over 500 acres. Several homes in the immediate vicinity were threatened and over one hundred people were evacuated from their homes.

On Monday, June 19, 2006, lightning caused a fire to ignite near Wright Reservoir in Teller County. Wright Reservoir is surrounded by steep, rugged terrain with limited vehicle access. Several homes were threatened, with three homes in the immediate vicinity of the “Wright Fire,” and an additional 750 homes within three miles of the fire’s perimeter. The Wright Fire burned approximately 200 acres.

On Wednesday, June 21, 2006, a fire ignited in Garfield County, between the towns of New Castle and Silt. Due to continued high winds and temperatures and very dry fuel conditions in the area, this fire quickly escalated with high rates of speed and spotting ahead of the main wildfire. The “Jolly Mesa Fire” threatened several gas exploration sites and above ground distribution lines. Further, several homes and subdivisions within

two miles of the wildfire were threatened. The Jolly Mesa Fire has burned approximately 600 acres.

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, including but not limited to fire...” C.R.S. § 24-32-2103(1.5). On June 19, 2006, I issued a verbal order declaring that the Wright Fire constituted a disaster for the purposes of the Colorado Disaster Emergency Act. On June 23, 2006, I issued a verbal order declaring that the Jolly Mesa Fire constituted a disaster for the purposes of the Colorado Disaster Emergency Act.

In response to each of these wildfires, I have encumbered state funds and directed the use of state resources to contain and extinguish each wildfire in the shortest possible timeframe. I have directed the Colorado State Forest Service and its wildfire experts to provide assistance in combating each fire. In addition, the state has made single engine air tankers, National Guard helicopters, ground vehicles, and fire crews available to assist in this effort. The State of Colorado will use every resource at its disposal when the life or property of its citizens is at risk.

2. Mission and Scope.

- A. I hereby declare that the Tyndall Fire constitutes a disaster for purposes of C.R.S. §24-32-2103.
- B. I hereby declare that the Wright Fire constitutes a disaster for purposes of C.R.S. §24-32-2103.
- C. I hereby declare that the Jolly Mesa Fire constitutes a disaster for purposes of C.R.S. §24-32-2103.
- D. Pursuant to C.R.S. § 24-32-2106, I order the encumbrance of \$400,000 from the State Disaster Emergency Fund to finance fire suppression activities concerning the Tyndall Fire. These funds shall remain available for this purpose for nine months from the date of this Executive Order.
- E. Pursuant to C.R.S. § 24-32-2106, I order the encumbrance of \$400,000 from the State Disaster Emergency Fund to finance fire suppression activities concerning the Wright Fire. These funds shall remain available for this purpose for nine months from the date of this Executive Order.
- F. Pursuant to C.R.S. § 24-32-2106, I order the encumbrance of \$700,000 from the State Disaster Emergency Fund to finance fire suppression activities concerning the Jolly Mesa Fire. These funds shall remain available for this purpose for nine months from the date of this Executive Order.

- G. The Directors of the Colorado Office of Emergency Management and the Colorado State Forest Service are hereby authorized and directed to coordinate application to the federal government for funds available to individuals affected by this disaster, federal funds available for reimbursement, and for any other funds available related to this disaster emergency.
- H. All verbal orders I issued in regard to this disaster emergency are hereby memorialized by this Executive Order and shall have the full force and effect of law as if they were contained within this Executive Order.

3. Funding Directive

- A. It is the policy of the state that funds shall always be available to meet disaster emergencies. C.R.S. § 24-32-2106(1). Because the Disaster Emergency fund is depleted, it is necessary to transfer funds from the TABOR Emergency Reserve.
- B. Because of the active wildfire season, pursuant to C.R.S. § 24-32-2106(4), I hereby order the transfer of \$1,500,000 from the TABOR Emergency Reserve into the Disaster Emergency fund. The Director of the Office of State Planning and Budgeting shall determine which particular TABOR Emergency Reserve accounts shall be deducted.

4. Duration

This Executive Order shall expire thirty (30) days from its date of signature unless extended by Executive Order.



GIVEN under my hand and the  
Executive Seal of the State of Colorado  
this 13<sup>th</sup> day of July 2006.

A handwritten signature in blue ink that reads "Bill Owens." The signature is written in a cursive, slightly stylized font.

Bill Owens  
Governor