

D 015 03

EXECUTIVE ORDER

Declaring a Disaster Emergency and Making Certain Emergency Management Funds Available for Wildfire Suppression Activities

Pursuant to the authority vested in the Office of the Governor of the State of Colorado and in particular Colorado Revised Statute § 24-32-2104, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order declaring a disaster emergency and making certain funds available from the Emergency Management Fund for wildfire suppression activities.

1. Background and Purpose

In 2002, Colorado experienced one of the worst wildfires seasons in state history. Extreme drought conditions and consistently high temperatures created an extremely dangerous fire season. This year, spring precipitation has delayed the fire season, however, the potential for a serious wildfire season remains.

The spring precipitation did not eliminate the effects of the recent drought. The Western and southeastern parts of Colorado are still facing drought conditions and the remainder of the state has below average moisture conditions. Recent hot and dry conditions have escalated this risk of wildfires. Since July 8, 2003, numerous wildfires have been ignited throughout the state.

The 2002 fire season offered a difficult example that even small brush fires have the potential to develop into massive wildfires that take months to extinguish. These wildfires can cause extensive damage to property and, more importantly, threaten human life. For these reasons, the State of Colorado has advanced an aggressive approach to fighting wildfires.

On April 6, 2003, I signed Executive Order D 008 03, which made state disaster funds available to pre-position Single Engine Air Tankers and to staff wildland interface fire engines with the objective of putting out fires while they are still controllable. This plan has been successful. Numerous fires throughout the state have had the potential to cause extensive damage but have been controlled due to responsive and effective firefighting efforts.

The State of Colorado must continue to take aggressive measures to control fires during the 2003 wildfire season. Given the return of hot and dry conditions, each fire has the potential to cause widespread damage to property and to threaten human life.

As envisioned by the Colorado Disaster Emergency Act of 1992, threats to the public safety of this magnitude confer upon the Governor unique powers and responsibilities. As Governor, I am responsible for meeting the dangers to the state and people presented by disasters. The Act defines disasters as the occurrence or imminent threat of widespread or severe damage, 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). If the Governor finds that the demands placed upon regularly appropriated funds in coping with a particular disaster are unreasonably great, the Governor may make funds available from the disaster emergency fund. C.R.S. § 24-32-2106(4).

Executive Order D 008 03 made extensive resources available to prepare for the 2003 wildfire season. This Executive Order continues the State of Colorado's aggressive plan to control wildfires by making disaster emergency funds available to vigorously fight wildfires before they burn out of control. Since July 8, 2003, I have determined that six fires constitute disaster emergencies.

In each instance, I determined that these fires could pose a threat to property or human life and I immediately made disaster emergency funds available to ensure that proper resources were available to control each of these fires. These fires are: 1) the Campbell Fire located in Park County; 2) the Oso Fire located in Gunnison County; 3) the Brush Mountain Fire located in Garfield County; 4) the Carr Fire located in Garfield County; 5) the Dry Park Fire located in Garfield County; and 6) the Horn Fire located in La Plata County. These fires have burned a total of 6,352 acres, to date. This Executive Order hereby acknowledges my earlier verbal orders declaring each of these fires a disaster emergency and makes disaster emergency funds available to pay for these efforts.

2. Mission

- A. I hereby declare that the six wildfires described above constituted a disaster emergency for purposes of C.R.S. §24-32-2103.
- B. Pursuant to C.R.S. § 24-32-2106, I order the encumbrance of up to \$4,000,000 from the State Disaster Emergency Fund to cover costs associated with fighting these fires, as well as future fires that are declared a disaster emergency. These funds shall remain available for this purpose until June 30, 2004.
- C. The Director of the Colorado Office of Emergency Management is hereby authorized and directed to coordinate application to the federal government for any reimbursable expenses related to this Executive Order.

D. All verbal orders that I issued in regards to these disaster emergencies 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. 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 25th
day of July, 2003.

Bill Owens
Governor