

STATE OF COLORADO

EXECUTIVE CHAMBERS

136 State Capitol
Denver, CO 80203 - 1792
Phone (303) 866-2471



Bill Owens
Governor

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EXECUTIVE ORDER

Declaring a Disaster Emergency Due to a Wildfire in Las Animas and Huerfano 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.

On Saturday, January 7, 2006, a fire ignited in southern Colorado. Due to dry conditions and heavy winds, this fire quickly escalated into a major wildfire in Las Animas and Huerfano Counties. As of this time, the "Mauricio Canyon Fire" has burned approximately 6,000 acres and destroyed at least five homes. Hundreds of people have been evacuated from their homes and approximately one thousand more residents have been warned to prepare to evacuate if the fire continues to spread.

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 January 8, 2006, I issued a verbal order declaring that the Mauricio Canyon Fire constituted a disaster for the purposes of the Colorado Disaster Emergency Act.

In response, I have encumbered state funds and directed the use of state resources to contain and extinguish this wildfire in the shortest possible timeframe. I have directed the Colorado State Forest Service and its wildfire experts to provide assistance in combating this 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 Mauricio Canyon Fire constitutes a disaster for purposes of C.R.S. §24-32-2103.
- B. The Director of the Colorado Office of Emergency Management and the Colorado State Forest Service is 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.
- C. All verbal orders I issued in regard to this disaster emergency, including my disaster emergency declaration on January 8, 2006, 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 balance is \$360,000, it is necessary to transfer funds from the TABOR Emergency Reserve. Pursuant to C.R.S. § 24-32-2106(4), I hereby order the transfer of \$240,000 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.
- B. Pursuant to C.R.S. § 24-32-2106, I order the encumbrance of \$600,000 from the State Disaster Emergency Fund to finance fire suppression activities. These funds shall remain available for this purpose for nine months from the date of this Executive Order.

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 9th day of
January, 2006.

Bill Owens,

Bill Owens
Governor