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EXECUTIVE ORDER

**Declaring a Disaster Emergency Due to the
Housetop Fire in Mesa County**

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to relevant portions of the Colorado Disaster Emergency Act of 1992, C.R.S. § 24-32-2100, *et seq.*, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency due to the wildfire in Mesa County, Colorado.

I. Background and Purpose

On Monday, July 21, 2008, a lightning sparked a wildfire (“Housetop Fire”), which burned on federal, state, and private lands four miles southwest of Parachute, Colorado. By July 22, the fire grew to at least 165 acres, and threatened twenty residences as well as four natural gas wells and a gas pipeline. Because of the fire’s proximity to residences and natural gas infrastructure, an aggressive response was essential. The State Forest Service responded the wildfire by engaging an incident management team and deploying a variety of resources, including four engines, four air tankers, and a helicopter.

Costs to fight fires on private and state lands are typically paid out of the Emergency Fire Fund, which is managed on behalf of the forty-three participating counties by the State Forest Service. Due to heavy fire activity this season, the Emergency Fire Fund had been nearly depleted, with only \$250,000 available at the time the Housetop Fire began. The funds in the Emergency Fire Fund were inadequate to fight the Housetop Fire.

As Governor, I am 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 Housetop Fire posed an imminent danger to life and property and, therefore, constituted a disaster for the purposes of the Act. In response to this disaster, on July 22, 2008, I declared a disaster emergency and authorized the encumbrance of \$250,000 to be used in response to the fire upon the exhaustion of the Emergency Fire Fund.

II. Declaration and Directives

- A. I hereby reaffirm my earlier declaration that that wildfire in Mesa County constitutes a disaster emergency for purposes of C.R.S. § 24-32-2103.
- B. Pursuant to C.R.S. § 24-32-2106, I find that the funds in the Disaster Emergency Fund are insufficient; therefore, pursuant to headnote 22 of the 2007 Long Bill (S.B. 07-239), I order that \$250,000 be transferred from the Major Medical Insurance Fund to the Disaster Emergency Fund. I further order the encumbrance of up to \$250,000 from the Disaster Emergency Fund to pay for the response effort related to this disaster. These funds shall be used to pay for resources to fight the Housetop Fire. The Colorado State Forester is hereby authorized and directed to allocate the funding to the appropriate resources. These funds shall remain available for this purpose for nine months from the date of this Executive Order.
- C. The Director of the Colorado Division of Emergency Management and the Colorado State Forest Service are 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.
- D. All verbal orders that I issued regarding this disaster emergency, including my disaster emergency declaration on July 22, 2008, 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.

III. Duration

This Executive Order shall expire thirty days from the date of my July 22, 2008 declaration, unless extended by future Executive Order.

GIVEN under my hand and the
Executive Seal of the State of
Colorado this thirtieth day of
July, 2008.

Bill Ritter, Jr.
Governor