

D 2010-012

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to Fourmile Fire in Boulder 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 Boulder County, Colorado.

I. Background and Purpose

On Monday, September 6, 2010, a wildfire (“Fourmile Fire”) broke out in Fourmile Canyon, approximately 12 miles northwest of Boulder, Colorado. As of the morning of September 7th, the fire has spread to more than 3,500 acres, including state and private lands, and has forced the evacuation of approximately 1,000 homes and 3,500 residents. Multiple homes have been destroyed, and more than 500 structures are currently threatened. In addition, gusty winds and dry weather threaten to exacerbate the fire. Because of the fire’s proximity to state and federal lands, the city of Boulder, and residences in Fourmile Canyon, an aggressive response is essential. Approximately thirty agencies, including the Colorado State Forest Service, the U.S. Forest Service and local emergency teams, have responded to the wildfire by deploying a variety of resources, including one hundred firefighters, thirty-five engines, seven air tankers and three helicopters.

Additionally, the U.S. Department of Homeland Security’s Federal Emergency Management Agency (“FEMA”) has authorized the use of federal funds to help with firefighting costs. FEMA’s authorization makes federal funding available to reimburse seventy-five percent of the state’s eligible firefighting costs under an approved grant for responding to and controlling designated fires.

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 Fourmile Fire’s proximity to state and federal lands, the city of Boulder, and residences in Fourmile Canyon posed an

imminent danger to life and property and, therefore, constituted a disaster for the purposes of the Act.

II. Declaration and Directives

- A. I hereby declare that Fourmile Fire constitutes a disaster emergency for purposes of C.R.S. § 24-32-2103.
- B. The State Emergency Operations Plan (“Plan”) is hereby activated. All State departments and agencies shall take whatever actions may be required and requested by the Director of the Division of Emergency Management or the Colorado State Forest Service, including provision of appropriate staff and equipment as necessary.
- C. I order the encumbrance of \$5,000,000 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 Fourmile 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 one year from the date of this Executive Order.
- D. 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.

III. Duration

This Executive Order shall expire thirty days from its date of signature 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 seventh day of
September, 2010.

Bill Ritter, Jr.
Governor