

## **D 2010-013**

### **EXECUTIVE ORDER**

#### **Amending the Declaration of Disaster Emergency Due to Fourmile Fire in Boulder County and Making Additional Funds Available**

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 reaffirming my earlier declaration of a state of disaster emergency due to the wildfire in Boulder County, Colorado and making additional resources available to those displaced by the fire.

#### **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 I observed first-hand the day after the fire began, the Fourmile Fire poses an imminent danger to human life and property and, therefore, constitutes a disaster. In response to this disaster, on September 7, 2010, I issued Executive Order D 2010-012 declaring a disaster emergency.

Since my initial declaration just two days ago, the Fourmile Fire has grown and the number of individuals impacted by this fire has increased dramatically. As of the morning of September 9th, the fire has destroyed more than 135 structures, spread to more than 7,000 acres, and has forced the evacuation of more than 8,000 residents. In addition, gusty winds and dry weather continue to threaten to exacerbate the fire. In Executive Order D 2010-012, I made \$5 million from the State Disaster Emergency Fund to help with fire suppression efforts. By this Executive Order I am making additional state resources available to support the State’s response to the Fourmile Fire.

#### **II. Declaration and Directives**

In addition to the declarations and directives contained in Executive Order D 2010-012, I declare and direct, as follows:

- A. I hereby declare that Fourmile Fire continues to constitutes a disaster emergency for purposes of C.R.S. § 24-32-2103.

- B. In addition to the funds encumbered pursuant to Executive Order D 2010-012 for the purpose of fighting the Fourmile Fire, I further order the encumbrance of an additional \$200,000 from the Disaster Emergency Fund to pay for the response and recovery effort related to this disaster. These funds may be used to pay for resources as requested by Boulder County or appropriate state agencies and as approved by the Director of the Division of Emergency Management to assist with government costs incurred during the current disaster emergency by government entities, including costs incurred by non-profit organizations on behalf of government entities. The Director of the Colorado Division of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate agencies. These funds shall remain available for this purpose for one year from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.
- C. In addition to the directive in paragraph II(D) of Executive Order D 2010-012 to apply for federal funds, the Director of the Colorado Division of Emergency Management is hereby authorized and directed to coordinate application for any federal assistance or low-interest loans that may be available to assist the affected communities and residents with responding to and recovering from the disaster, including but not limited to Stafford Act grants, Small Business Administration loans, Community Development Block Grants, and Community Service Block Grants.
- D. Pursuant to C.R.S. § 24-32-2104(7), I hereby authorize the Department of Human Services, at its discretion, to expend Temporary Assistance to Needy Families (TANF) funds in excess of the funds allocated to Boulder County in order to assist those impacted by the disaster, and I authorize the use of Department of Human Services appropriated funds to help provide emergency housing to those displaced by the disaster. I also authorize the Department of Human Services, at its discretion and where necessary, to waive any identification requirements that may impede the rapid delivery of assistance under the TANF program to disaster victims in Boulder County.
- E. I authorize the Department of Local Affairs to grant funding to Boulder County for rental assistance, security and utility deposits to qualified individuals displaced by the Fourmile Fire. Pursuant to C.R.S. § 24-32-2104(7), I authorize the Department of Local Affairs and the Department of Personnel and Administration, at their discretion, to suspend in whole or in-part state purchasing and contracting laws and regulations in order to facilitate making temporary housing available on an expedited basis to those displaced by the Fourmile Fire.

- F. The Department of Local Affairs is hereby authorized and directed to use appropriated funds and grant money that may be available from other sources to assist in the repair and reconstruction of publicly owned facilities and infrastructure.

III. Duration

Executive Order D 2010-012 remains in full force and effect as originally promulgated. 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(B) 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 ninth day of  
September, 2010.

Bill Ritter, Jr.  
Governor