

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2011-08

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Indian Gulch Fire in Jefferson 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.*, John W. Hickenlooper, Governor of the State of Colorado, hereby issues this Executive Order declaring a state of disaster emergency due to the wildfire in Jefferson County, Colorado.

I. Background and Purpose

On Sunday, March 20, 2011, a wildfire ("Indian Gulch Fire") broke out west of Golden in Jefferson County in between Golden Gate and Clear Creek Canyons. As of the morning of March 24th, the fire has spread to more than 1,500 acres, including state and private lands. Over 280 homes are currently threatened as well as several area businesses. In addition, gusty winds and dry weather threaten to exacerbate the fire. Because of the fire's proximity to state lands, the city of Golden, and residences in Golden Gate Canyon, an aggressive response is essential. Approximately 37 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 approximately 290 firefighters, 30 engines, two 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.

The Governor is 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 Indian Gulch Fire's proximity to state lands, the city of Golden, and residences in Golden Gate Canyon pose an imminent danger to life and property and, therefore, constitute a disaster for the purposes of the Act.

II. Declaration and Directives

- A. The Indian Gulch Fire hereby constitutes a disaster emergency for the 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. Pursuant to C.R.S. § 24-32-2106, the funds in the Disaster Emergency Fund are hereby found insufficient; therefore, pursuant to Section 1 (2)(b)(I) of Ch. 453, Session Laws of Colorado 2010, it is ordered that \$1,500,000 be transferred from the Major Medical Insurance Fund to the Disaster Emergency Fund. It is further ordered that up to \$1,500,000 from the Disaster Emergency Fund is encumbered to pay for the response and recovery efforts related to the Indian Gulch Fire since its inception. The Colorado State Forester is hereby authorized and directed to allocate the funding to the appropriate government 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.
- 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 twenty-fourth day of
March, 2011.

A handwritten signature in black ink, reading "John W. Hickenlooper".

John W. Hickenlooper
Governor