STATE OF COLORADO
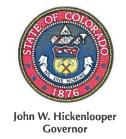
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John W. Hickenlooper
Governor

D 2012-004

EXECUTIVE ORDER

Extending Authorization of Availability of Funds for
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.*, and specifically C.R.S. § 24-32-2505. I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order extending the availability of funding to pay costs associated with the 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. The Fourmile Fire posed an imminent danger to human life and property and, therefore, constituted a disaster. In response to this disaster, on September 7, 2010, Governor Ritter issued Executive Order D 2010-012 declaring a disaster emergency. By the time the Fourmile Fire was extinguished on September 14, 2010, the fire had spread to more than 3,000 acres, forced the evacuation of more than 3,000 residents, and destroyed 169 homes.

Additionally, the U.S. Department of Homeland Security's Federal Emergency Management Agency ("FEMA") 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.

Executive Order D 2010-012 provided 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. Executive Order D 2010-012 specified that these funds shall remain available for this purpose for one year from the date of the Executive Order, i.e. September 6, 2011.

On September 6, 2011, the Colorado State Forest Service received from FEMA an extension until November 6, 2011 to submit final claims for this fire. Executive Order D 2011-034 extending the funding from the Disaster Emergency Fund to March 31, 2012 to allow the Colorado State Forest Service, following submission of final claims to FEMA, to submit claims to the Colorado Division of Emergency Management and the Colorado Department of Local Affairs to pay these claims. On February 28, 2012, the Colorado State Forest Service requested extension of the funds until May 31, 2012, due to invoices from partner agencies that responded to the fire still outstanding.

II.   Declaration and Directives

In addition to the declarations and directives contained in Executive Orders D 2010-012, D 2010-013, D 2010-019, D 2011-002, D 2011-006, D 2011-007, D 2011-012, D 2011-013, D 2011-017, D 2011-025, D 2011-027, D 2011-032, and D 2011-034, I declare and direct, as follows:

A.   I extend previous Executive Order D 2010-012 for the continued encumbrance of a total of $5,000,000 in the Disaster Emergency Fund to pay for the response operations of this fire. The Colorado State Forester continues to be authorized and directed to allocate the funding to the appropriate resources as may be appropriate and permitted by law. These funds shall remain available for this purpose through May 31, 2012, and any unexpended funds shall remain in the Disaster Emergency Fund.

III.   Duration

The funds made available pursuant to paragraph II(C) of Executive Order D 2010-012 shall remain available until May 31, 2012, and in all other respects Executive Order D 2010-012 shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado this twentieth day of March, 2012

John W. Hickenlooper
Governor