



D 2023 012

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Spring Creek Fire in Garfield County

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2, of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Jared Polis, Governor of the State of Colorado, issue this Executive Order declaring a state of disaster emergency due to the Spring Creek Fire in Garfield County, enabling State agencies to coordinate fire suppression, response, consequence management, mitigation, and recovery efforts.

I. Background and Purpose

The Governor is responsible for meeting the dangers to the State and people presented by disasters. C.R.S. § 24-33.5-704(1). The Colorado Disaster Emergency Act defines a disaster as “the occurrence or imminent threat of widespread or severe damage, 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. § 24-33.5-703(3).

The Spring Creek Fire started on June 24, 2023, in Garfield County, five miles southwest of the town of Parachute. The fire burned 211 acres on Bureau of Land Management and private land. The Spring Creek Fire rapidly grew from 211 acres to 2,571 acres in one day, exceeding local capacity. The fire threatened structures, including oil and gas infrastructure, as well as water treatment facilities.

On June 27, 2023, at approximately 6:35 AM, I verbally declared a disaster emergency due to the Spring Creek Fire in Garfield County and activated the State of Colorado Emergency Operations Plan.

As of July 16, 2023, 3,286 acres burned and the Spring Creek Fire was 72% contained.

II. Declarations and Directives

- A. The Spring Creek Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of June 27, 2023, declaring a disaster emergency, is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained within this Executive Order.
- B. My verbal order of June 27, 2023, activated the State Emergency Operations Plan. All State departments and agencies were authorized to take whatever actions may be required and requested by the Director or their delegate of the Office of Emergency Management, pursuant to the State Emergency Operations Plan, including provision of appropriate staff and equipment as necessary.
- C. Funds in the Emergency Fire Fund are hereby found insufficient to pay for the State fire suppression, response, consequence management, mitigation, and recovery efforts related to the Spring Creek Fire. Further, pursuant to C.R.S. § 24-33.5-706(4)(b), funds in the Disaster Emergency Fund (DEF) are insufficient to pay for fire suppression, response, consequence management, mitigation, and recovery efforts related to the Spring Creek Fire. Therefore, I order that six million seven hundred sixty thousand dollars (\$6,760,000) be transferred from the State Emergency Reserve Cash Fund (SERCF) to the DEF. I encumber six million seven hundred sixty thousand dollars (\$6,760,000) in the DEF, established in C.R.S. § 24-33.5-706(2)(a), for costs associated with the State's fire suppression, response, consequence management, mitigation, and recovery efforts related to the Spring Creek Fire.
- D. Pursuant to C.R.S. § 24-33.5-705.4(5), the Director of the Office of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate government agencies and non-profit organizations and execute awards, purchase orders, or other mechanisms to effect the allocation of the funds. The funds described in Section II(C) above shall remain available for this purpose until sixty (60) months from the date of this Executive Order, and any unexpended funds shall be transferred back to the SERCF.
- E. The Division of Fire Prevention and Control, via its fire billing practices, is authorized to coordinate application for any funds available related to this disaster emergency. Specifically, the Colorado Division of Fire Prevention and Control is directed to seek reimbursement and make payments as needed to agencies providing assistance on this incident.

III. Duration

This Executive Order shall expire thirty (30) days from June 27, 2023, unless extended further by Executive Order, except that the funds described in Section II(C) above shall remain available for the described purposes for sixty (60) months from the date of this Executive Order.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this twenty-sixth day
of July, 2023.

A handwritten signature in blue ink that reads "Jared Polis". The signature is written in a cursive, flowing style.

Jared Polis
Governor