



FILED FOR RECORD
COLORADO COUNTY, TX

2022 JUN 24 AM 8:09

KIMBERLY MENKE
COUNTY CLERK

MK

DECLARATION OF LOCAL DISASTER FOR COLORADO COUNTY, TEXAS

WHEREAS, Colorado County is currently in a severe drought and experiencing record high temperatures; and

WHEREAS, the extreme hot and dry conditions pose the threat of large, dangerous and fast moving wildfires; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a large scale; and

WHEREAS, the Texas Government Code Chapter 418 provides the county judge may declare a local disaster within the county "if the threat of disaster is *imminent*"; and

WHEREAS, the magnitude of the potential damage and the rapidity with which such a fire could escalate to major proportions constitute an imminent threat of disaster and has been experienced in this county in the past decade; and

WHEREAS, declaration of such disaster authorizes the imposition of controls on activities which increase the likelihood of fires during extremely high temperatures and droughts; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires and saving lives and property; and

WHEREAS, a declaration issued under Section 418.108 of the Texas Government Code may include a prohibition or restriction on the sale or use of all fireworks within the unincorporated areas of the county; and

WHEREAS, a local disaster declaration expires seven (7) days after its issuance, unless the commissioners court consents to its renewal or continuance; and

WHEREAS, to the extent that a disaster declaration includes a provision related to the restriction of the sale and use of fireworks, any portion of the declaration that exceeds the restrictions authorized by Local Government Code §352.051 is only effective for 60 hours, unless the county judge requests and the governor authorizes an extension of the broader fireworks restriction.

BE IT THEREFORE PROCLAIMED that I, Ty Prause, County, Judge of Colorado County, do hereby declare a local state of disaster in the unincorporated areas of Colorado County due to the severe drought conditions and the threat of dangerous and fast moving wildfires.

BE IT ALSO PROCLAIMED that this state of disaster will continue until rescinded in accordance with the above cited statute, but in no instance will this declaration continue for more than seven (7) days without being authorized by the County Commissioners Court, or in the event the declaration pertains to fireworks, no more than 60 hours unless an extension of the restriction on fireworks has been received from the governor.

BE IT ALSO PROCLAIMED that this declaration of a local state of disaster activates the Colorado County Emergency Management Plan.

BE IT ALSO PROCLAIMED that the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, and the sale and use of all fireworks in the unincorporated areas of the county, which purpose is to be taken into account in any enforcement action based upon this order.

Pursuant to the authority granted under section 418.108(i) of the Texas Government Code, the sale, use and discharge of all fireworks in the unincorporated area of Colorado County is expressly prohibited. This prohibition exceeds the restriction authorized by Section 352.051 Local Government Code; therefore, as required by 418.108 of the Texas Government Code, a request will be sent to the Governor to extend the period prohibiting the sale and use of fireworks beyond the 60-hour period.

The prohibition on the use and discharge of fireworks contained in this Order shall not include an authorized public display that meets the requirements of Section 2154.204 of the Texas Occupations Code or for the "safe area(s)" designated by a governing body.

That any person who violates the prohibition on the sale, use and discharge of fireworks in the unincorporated areas of Colorado County may be punished by a fine that does not exceed \$1,000 or confinement in the Colorado County Jail for up to 180 days.

This declaration shall be promptly publicized and filed with the County Clerk.

IN WITNESS WHEREOF, I affix my signature this 24th day of June, 2022.



Ty Prause
Colorado County Judge

Filed with the Clerk of Colorado County on June 24, 2022.



DATE: June 29, 2022

TO: The Honorable Ty Prause
Colorado County
P.O. Box 236
400 Spring Street, Rm. 107
Columbus, Texas 78934

SUBJECT: Letter of Determination - Request for Extension under Texas Government Code, Chapter 418.108 (i) Regarding Fireworks

Dear Judge Prause:

The Texas Division of Emergency Management is in receipt of your request for an extension under Chapter 418.108 (i) of the Texas Government Code.

After a review of the Texas A&M Forest Service Wildfire Danger Assessment, Colorado County meets the necessary thresholds to warrant a fireworks restriction that exceeds the restriction authorized by Local Government Code Sec. 352.051.

Your request for an extension has been approved by the Office of the Governor and is hereby granted.

Please contact me at 512-424-2443 or Marty Penney, Division Chief at 512-424-2208 should you have any questions.

Sincerely,

A handwritten signature in blue ink, which appears to read "W. Nim Kidd", is positioned below the word "Sincerely,".

W. Nim Kidd, MPA, CEM

Chief – Texas Division of Emergency Management
Vice Chancellor for Disaster and Emergency Services
The Texas A&M University System



Colorado County, Texas

TY PRAUSE
County Judge

Ph. (979) 732-2604
Fax (979) 732-9389
Email: ty.prause@co.colorado.tx.us

P.O. Box 236
400 Spring Street, Rm. 107
Columbus, Texas 78934

June 24, 2022

The Honorable Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

Dear Governor Abbott,

Colorado County is experiencing extreme drought conditions, and these conditions are projected to continue through the July 4th holiday period. Due to these conditions, it is imperative that we take action to protect the lives and property of the citizens of our county.

As Colorado County Judge, I have signed a Declaration of Local Disaster due to extreme drought conditions on June 24, 2022. The declaration and order ban the sale and use of all fireworks in the unincorporated area of Colorado County. The declaration will be submitted to the Colorado County Commissioners Court, as required by Government Code 418.108, to consent with the County Judge's declaration. This ban does exceed the restriction authorized by Section 352.051 Local Government Code; therefore, as required by 418.108 of the Government Code, I request that Governor Abbott extend the period prohibiting the sale and use of all fireworks beyond the 60-hour period.

Please notify my office if there is further action needed.

Sincerely,

Ty Prause
Colorado County Judge

POST

003216



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Ty Prause
Colorado County Judge

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Filed with the Clerk of Colorado County on June 24, 2022.



In accordance with request from the Texas Division of Emergency Management, and the Office of General Counsel, Office of the Governor, the Texas A&M Forest Service (TAMFS) is asked to verify the following information in implementing procedures for consideration of a county's request for extension for local declaration of disaster.

1. County has an Average Keetch-Byram Drought Index of 575 or greater.
2. Fire occurrence for previous 14 days. Local Fire Department occurrences are dependent on fire departments reporting to Texas FireConnect (fireconnect.tfs.tamu.edu).
3. Current drought intensity. Drought implies an increased availability of dead and live fuels that will contribute to combustion. Increased fuel loading will increase fire intensity, increase the rate of spread and generally increase a wildfire's resistance to control.
4. Burn bans are enacted at the local level, and the burn ban map is updated daily as the TAMFS is notified by local jurisdictions.
5. If the above criteria is not met and special circumstances are cited, provide supporting documentation if possible, to assist with validation/support of special circumstances cited.

On _____, a request was received from the State Operations Center for verification of above criteria for _____ County. The Texas A&M Forest Service verifies criteria for the county as follows:

1. Meets KBDI average criteria: Yes _____ No _____ KBDI _____
2. Reported 14 day fire occurrence:

TAMFS _____ fires for _____ acres

Local Fire Departments _____ fires for _____ acres
3. U.S. Drought Monitor intensities present in county:

DO (Abnormally Dry)_____ D1 (Moderate Drought)_____ D2 (Severe Drought)_____

D3 (Extreme Drought)_____ D4 (Exceptional Drought)_____ None _____
4. Is county currently in a Burn Ban, that has been reported to TAMFS: Yes _____ No _____
5. Special considerations for increased fire potential: Yes _____ No _____
 - a. Special Circumstance:

Submitted to the SOC on: _____

Created by: Emergency Operations Center_____

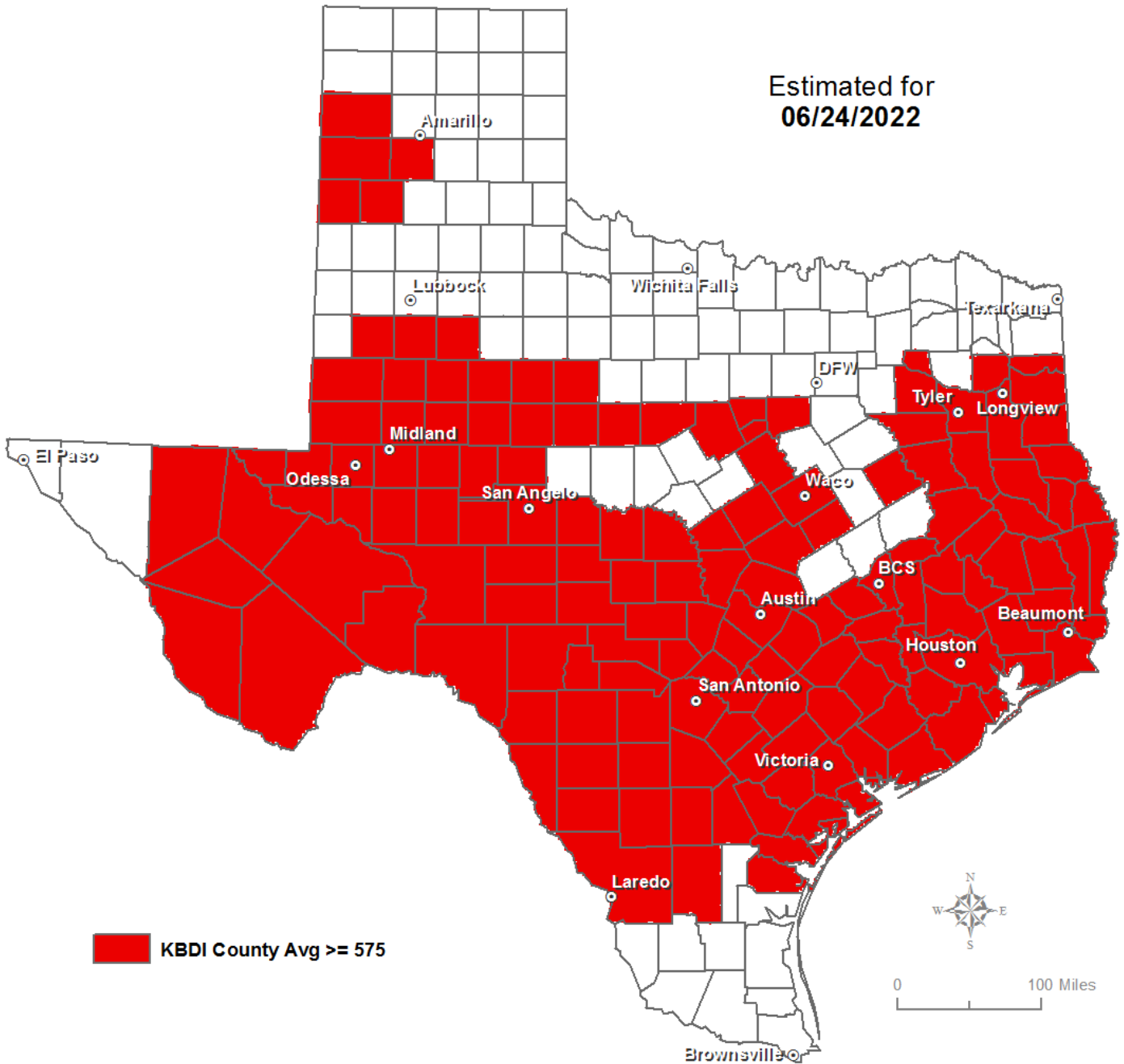
Texas A&M Forest Service
200 Technology Way, 1162
College Station, TX 77845
979.458.7306

Attachments: 1. KBDI
 2. U.S. Drought Monitor Intensity Map
 3. Reported Burn Ban Map

Keetch-Byram Drought Index

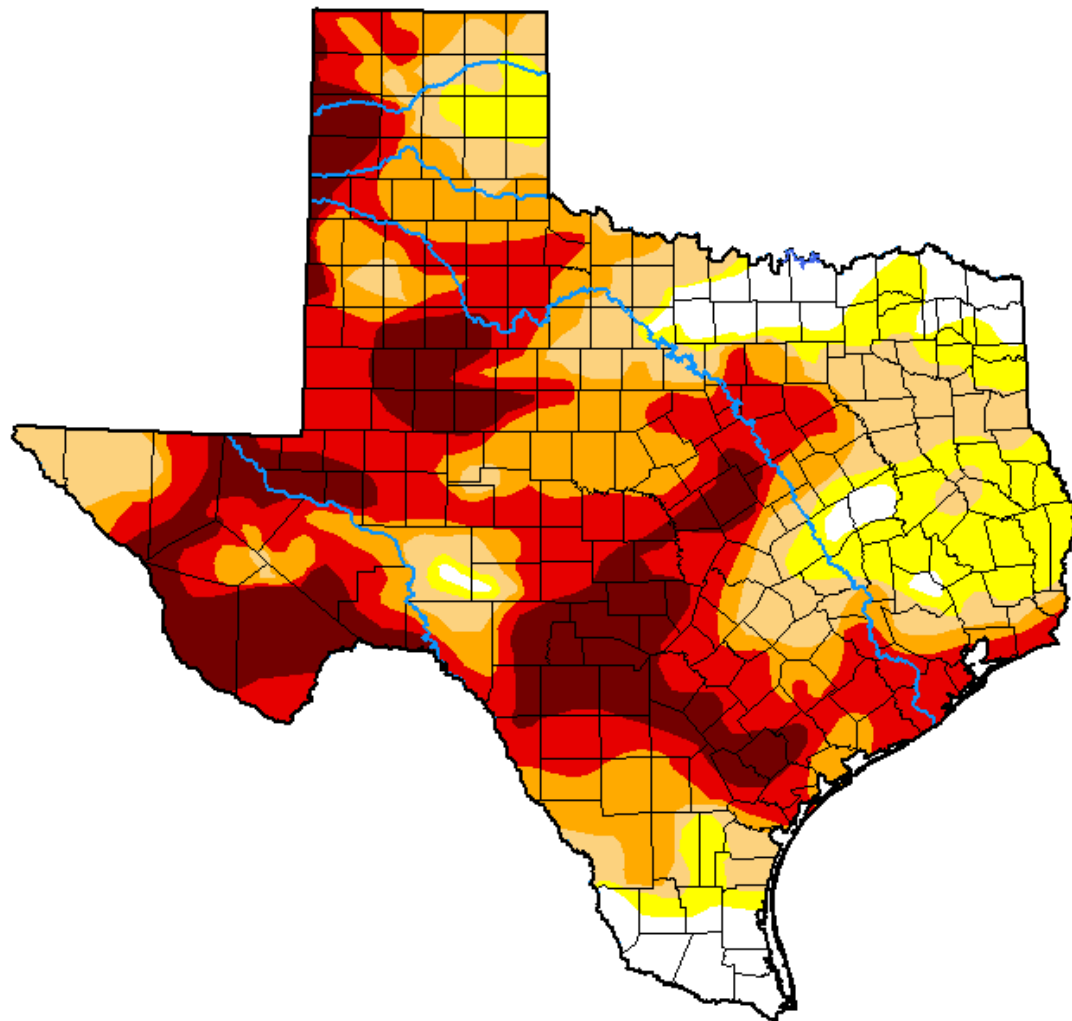
(County Average Value)

Estimated for
06/24/2022









U.S. Drought Monitor Texas

June 21, 2022
(Released Thursday, Jun. 23, 2022)
Valid 8 a.m. EDT



Intensity:

-  None
-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Adam Hartman
NOAA/NWS/NCEP/CPC



droughtmonitor.unl.edu

OUTDOOR BURN BANS

June 24, 2022

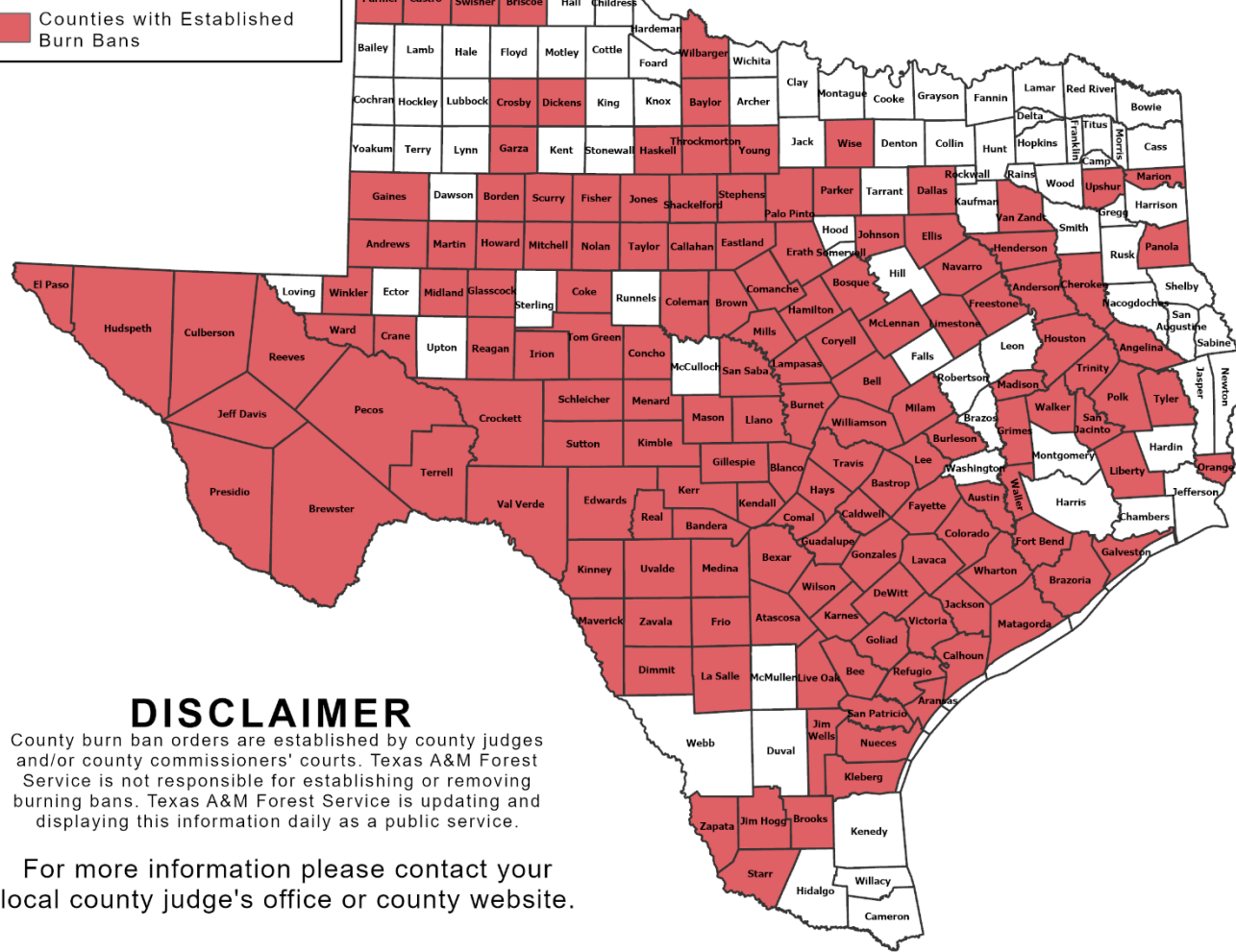


Counties without Established Burn Bans
 Counties with Established Burn Bans

Email updates to:
burnban@tfs.tamu.edu

Counties with Burn Bans: 161

Anderson	Freestone	Nolan
Andrews	Frio	Nueces
Angelina	Gaines	Oldham
Aransas	Galveston	Orange
Armstrong	Garza	Palo Pinto
Atascosa	Gillespie	Panola
Austin	Glasscock	Parker
Bandera	Goliad	Parmer
Bastrop	Gonzales	Pecos
Baylor	Grimes	Polk
Bee	Guadalupe	Potter
Bell	Hamilton	Presidio
Bexar	Haskell	Randall
Blanco	Hays	Reagan
Borden	Henderson	Real
Bosque	Houston	Reeves
Brazoria	Howard	Refugio
Brewster	Hudspeth	San Jacinto
Briscoe	Irion	San Patricio
Brooks	Jackson	San Saba
Brown	Jeff Davis	Schleicher
Burleson	Jim Hogg	Scurry
Burnet	Jim Wells	Shackelford
Caldwell	Johnson	Sherman
Calhoun	Jones	Starr
Callahan	Karnes	Stephens
Carson	Kendall	Sutton
Castro	Kerr	Swisher
Cherokee	Kimble	Taylor
Coke	Kinney	Terrell
Coleman	Kleberg	Throckmorton
Colorado	Lampasas	Tom Green
Comal	La Salle	Travis
Comanche	Lavaca	Trinity
Concho	Lee	Tyler
Coryell	Liberty	Upshur
Crane	Limestone	Uvalde
Crockett	Live Oak	Val Verde
Crosby	Llano	Van Zandt
Culberson	McLennan	Victoria
Dallas	Madison	Walker
Deaf Smith	Marion	Waller
DeWitt	Martin	Ward
Dickens	Mason	Wharton
Dimmit	Matagorda	Wheeler
Donley	Maverick	Wilbarger
Eastland	Medina	Williamson
Edwards	Menard	Wilson
Ellis	Midland	Winkler
El Paso	Milam	Wise
Erath	Mills	Young
Fayette	Mitchell	Zapata
Fisher	Moore	Zavala
	Navarro	



DISCLAIMER

County burn ban orders are established by county judges and/or county commissioners' courts. Texas A&M Forest Service is not responsible for establishing or removing burning bans. Texas A&M Forest Service is updating and displaying this information daily as a public service.

For more information please contact your local county judge's office or county website.

RED FLAG WARNINGS: www.weather.gov
 Additional map formats available at <https://tfsweb.tamu.edu/Burnbans/>