



**DATE: June 22, 2022**

**TO: The Honorable Ben Zeller**  
Victoria County  
101 N Bridge Street Suite 102  
Victoria, TX 77901

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

Dear Judge Zeller:

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, Victoria 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, appearing to read "W. Nim Kidd".

**W. Nim Kidd, MPA, CEM**

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



**POST**

**003176**

**BEN ZELLER**  
VICTORIA COUNTY JUDGE

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

Dear Governor Abbott,

Victoria County is experiencing extreme drought conditions, and these conditions are projected to continue through the July 4<sup>th</sup> 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 Victoria County Judge, I have signed a Declaration of Local Disaster due to extreme drought conditions on June 21, 2022. The declaration and order ban the sale and use of all fireworks in the unincorporated area of Victoria County. The declaration will be submitted to the Victoria 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.

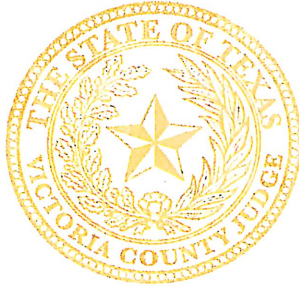
Please notify my office if there is further action needed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Zeller".

Ben Zeller

Victoria County Judge



## DECLARATION OF LOCAL DISASTER FOR VICTORIA COUNTY, TEXAS

WHEREAS, the County of Victoria on the 21<sup>st</sup> day of June, 2022, is under imminent threat of severe damage, injury, or loss of life or property resulting from exceptional drought conditions; and

WHEREAS, the County Judge of Victoria County has determined that extraordinary measures must be taken to protect the safety of persons and property; and

WHEREAS, the County Judge of Victoria County has determined that the sale, use and discharge of fireworks within the unincorporated area of Victoria County poses a serious threat to the citizens of Victoria County and their property.

NOW, THEREFORE BE IT IS PROCLAIMED BY THE County Judge of Victoria County,

That a local state of disaster is hereby declared for Victoria County pursuant to §418.108(a) of the Texas Government Code.

Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Commissioner's Court of Victoria County.

Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the county emergency management plan.

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 Victoria 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.

That any person who knowingly or intentionally violates the prohibition on the sale, use and discharge of fireworks in the unincorporated area of Victoria County commits a Class C Misdemeanor, punishable by a fine of up to \$500.00.

That this proclamation shall take effect immediately from and after its issuance.

FILED

ORDERED this 21<sup>st</sup> day of June, 2022.

2022 JUN 21 P 3:03

  
Ben Zeller  
Victoria County Judge

  
Heidi Cosh  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS



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

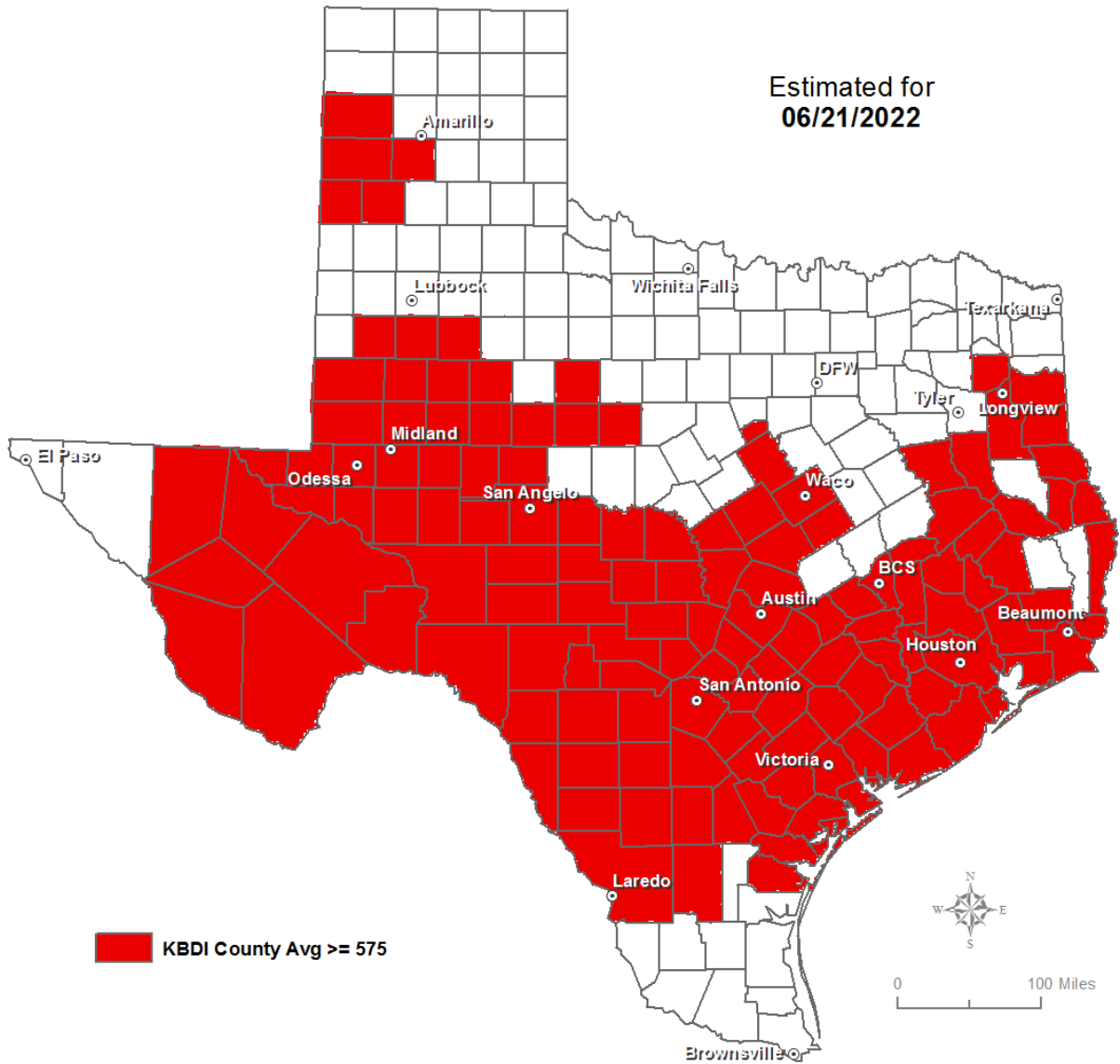
Attachments:   1. KBDI  
                  2. U.S. Drought Monitor Intensity Map  
                  3. Reported Burn Ban Map

County	Min	Max	Average	Change
Upton	593	717	666	2
Uvalde	645	749	695	3
Val Verde	443	775	637	3
Van Zandt	390	609	549	9
Victoria	641	746	700	4
Walker	557	650	621	10
Waller	617	684	658	6
Ward	578	747	707	0
Washington	562	680	643	8
Webb	370	729	612	5
Wharton	530	708	645	7
Wheeler	196	419	284	12
Wichita	387	567	494	11
Wilbarger	237	585	429	12
Willacy	330	517	430	8
Williamson	477	675	603	7
Wilson	637	735	691	4
Winkler	493	722	637	2
Wise	344	498	376	17
Wood	259	609	530	9
Yoakum	447	644	545	4
Young	286	546	405	14
Zapata	250	665	380	9
Zavala	617	766	705	3

# Keetch-Byram Drought Index

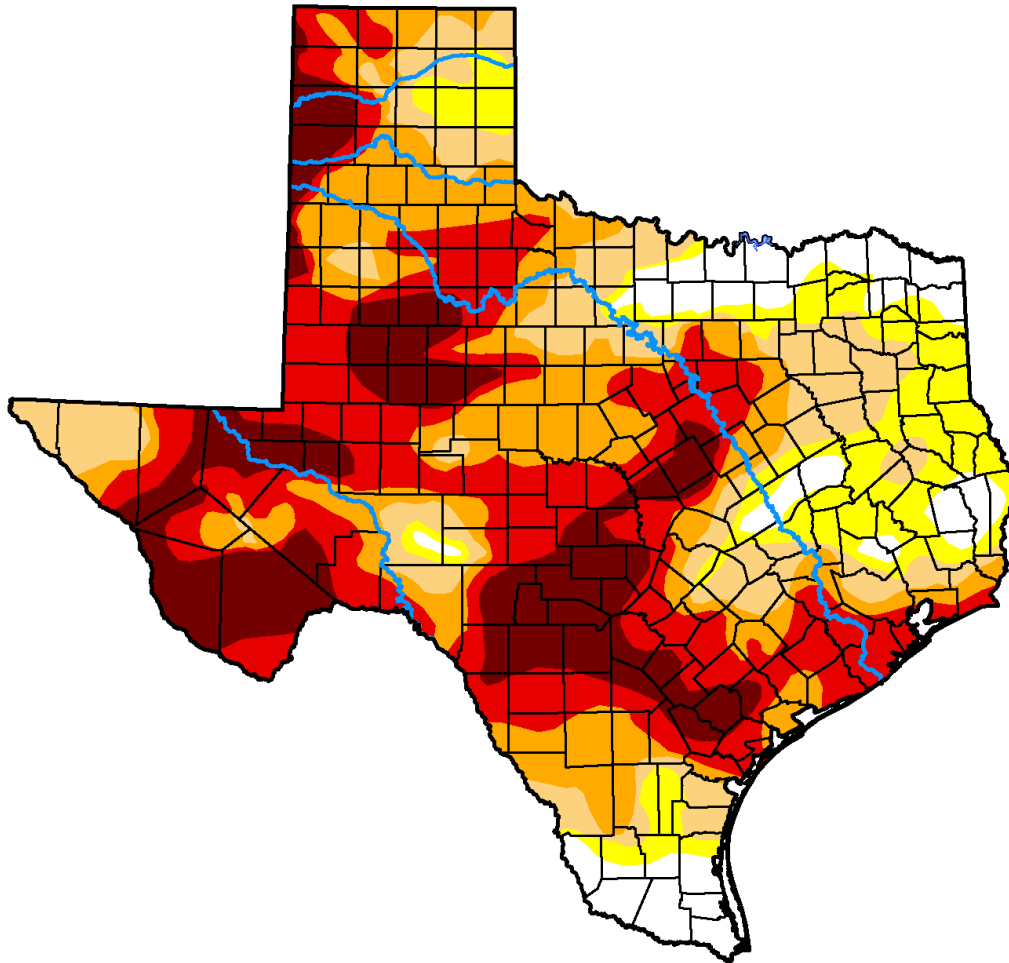
(County Average Value)

Estimated for  
06/21/2022









# U.S. Drought Monitor Texas

**June 14, 2022**  
(Released Thursday, Jun. 16, 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](https://droughtmonitor.unl.edu)



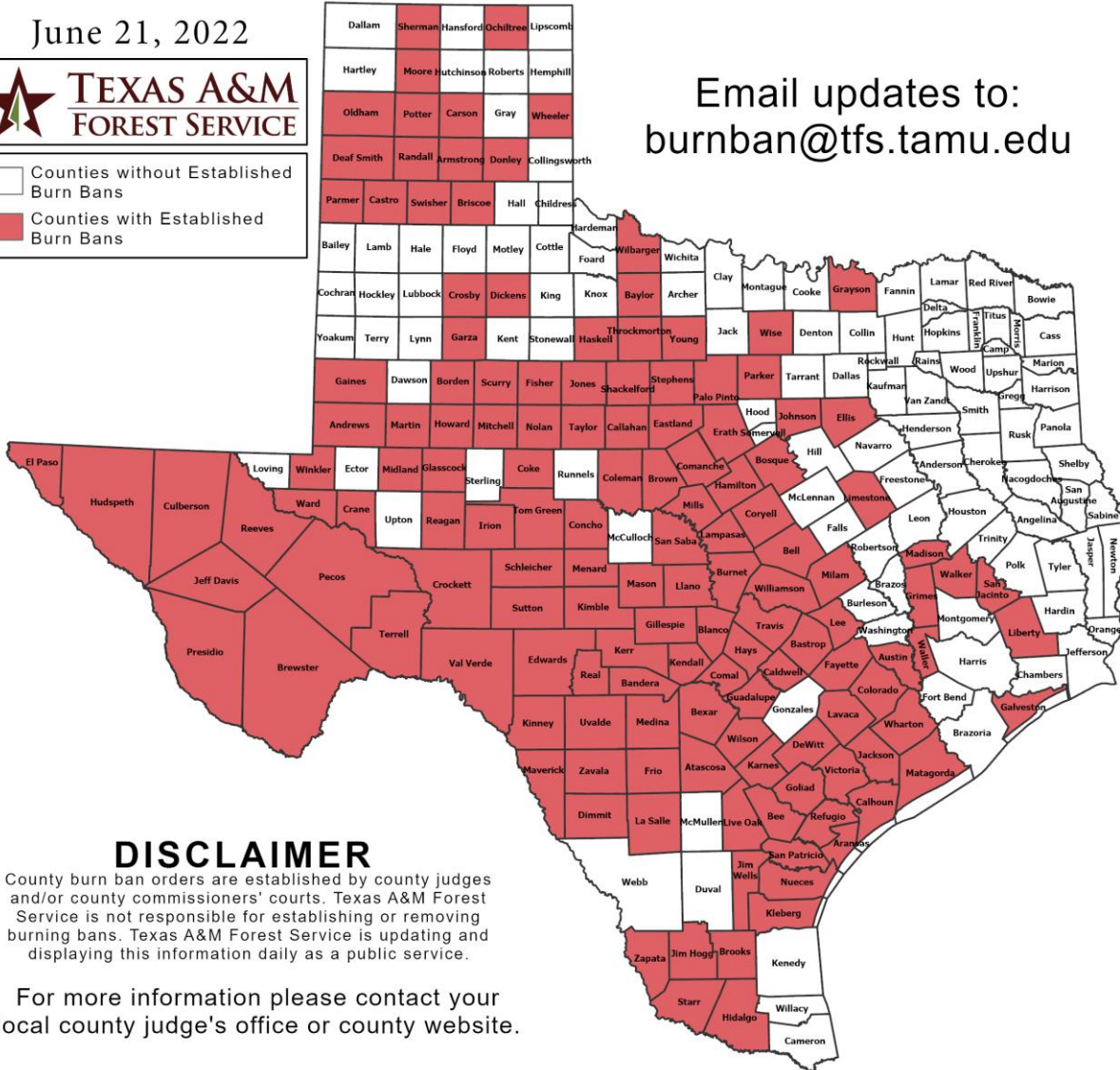
# OUTDOOR BURN BANS

June 21, 2022



Counties without Established Burn Bans  
 Counties with Established Burn Bans

Email updates to:  
[burnban@tfs.tamu.edu](mailto:burnban@tfs.tamu.edu)



## Counties with Burn Bans: 143

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

## 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](http://www.weather.gov)

Additional map formats available at <https://tfsweb.tamu.edu/Burnbans/>