

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2011-15

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Bear and Purgatoire Fires in Las Animas 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 wildfires in Las Animas County, Colorado.

I. Background and Purpose

On Friday, May 27, 2011, a wildfire (“Bear Fire”) crossed the New Mexico – Colorado border into Las Animas County approximately 10 miles southeast of Trinidad. As of the evening of May 28, the fire has spread to approximately 700 acres on private lands. Immediate threat is to tri-county high voltage transmission lines and several ranch headquarters in the area. As of May 30 the Bear Fire had grown to 3,500 acres being driven by gusty winds and fed by dry fuels. Two additional wildfires started to the northeast of the Bear Fire and quickly burned together creating the Purgatoire Fire. Predicted hot weather and strong gusty winds coupled with abundant dry fuels indicate an aggressive response is essential. Las Animas County resources have been fully engaged in fighting the wildfires which have now exceeded their management capacity. Approximately nine federal and state agencies, including the Colorado State Forest Service, the U.S. Forest Service, Bureau of Land Management, Department of Defense, Division of Emergency Management, Department of Corrections and local emergency teams, have responded to the wildfire by deploying a variety of resources, including over 116 firefighters, 7 engines, 3 bulldozers and 3 helicopters.

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 Bear Fire’s and Purgatoire Fire’s proximity to ranch headquarters, the towns of Trinidad, Trinchera, and Raton, and state highway 160 pose an imminent danger to life and property and, therefore, constitute a disaster for the purposes of the Act. In response to this disaster, on May 28, 2011, I declared a disaster emergency.

II. Declaration and Directives

- A. The Bear and Purgatoire Fires constitute a disaster emergency under C.R.S. § 24-32-2103. My verbal order of May 28, 2011, 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. The State Emergency Operations 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, Subsection (2)(b)(I) of Ch. 453, Session Laws of Colorado 2010, it is ordered that \$2,500,000 be transferred from the Major Medical Insurance Fund to the Disaster Emergency Fund. It is further ordered that up to \$2,500,000 from the Disaster Emergency Fund is encumbered to pay for the response and recovery effort related to the Bear and Purgatoire Fires since their 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 second day of
June, 2011.

A handwritten signature in black ink, appearing to read "John W. Hickenlooper", written in a cursive style.

John W. Hickenlooper
Governor