

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

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John W. Hickenlooper  
Governor

## D 2011-024

### EXECUTIVE ORDER

#### **Declaring a Disaster Emergency Due to the Track Fire 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 wildfire in Las Animas County, Colorado.

#### **I. Background and Purpose**

On Sunday, June 12, 2011, a wildfire (“Track Fire”) crossed the New Mexico – Colorado border into Las Animas County approximately 10 miles south of Trinidad. As of the evening of June 13, the fire had spread to approximately 1,000 acres on private lands within Colorado. Immediate threat is to Trinidad, Starkville, and Santa Fe Trails Ranch Subdivision in addition to radio communications towers, gas pipelines, high voltage transmission lines, and roads and bridges. The Track Fire has required the closing of Interstate 25 between Trinidad and Raton. As of June 14 the Track Fire had grown to 24,658 acres (6,369 on the Colorado side of the state line) being driven by gusty winds and fed by dry fuels. 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 wildfire which have now exceeded their management capacity. Approximately nine federal and state agencies, including the New Mexico State Forestry Division, Colorado State Forest Service, the U.S. Forest Service, Bureau of Land Management, Division of Emergency Management, Department of Corrections, Las Animas County, Colfax County, NM, and local emergency resources have responded to the wildfire by deploying a variety of resources, including over 75 firefighters, seven engines, three bulldozers, and three 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 Track Fire’s proximity to Trinidad, Starkville, Raton, the Santa Fe Trails Ranch Subdivision, and Interstate Highway 25 poses an imminent danger to life and property and, therefore, constitutes a disaster for the

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purposes of the Act. In response to this disaster, on June 13, 2011, I declared a disaster emergency.

II. Declaration and Directives

- A. The Track Fire hereby constitutes a disaster emergency for purposes of C.R.S. § 24-32-2103. My verbal order of June 13, 2011, declaring a state 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 (“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, consistent with Section 1, Subsection (2)(b)(I) of Ch. 453, Session Laws of Colorado 2010, it is ordered that \$1,450,000 be transferred from the Major Medical Insurance Fund to the Disaster Emergency Fund. It is further ordered that up to \$1,450,000 from the Disaster Emergency Fund is encumbered to pay for the response and recovery effort related to the Track Fire since its 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 nineteenth day of  
July, 2011.

A handwritten signature in blue ink, reading "John W. Hickenlooper", written in a cursive style.

John W. Hickenlooper  
Governor