



D 2023 013

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Titan Fire in Las Animas 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 Titan Fire in Las Animas 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 Titan Fire started on June 28, 2023, twelve miles northwest of Trinidad in Las Animas County. The fire burned 453 acres on state and private land. Extreme winds and dry fuels contributed to the rapid fire growth, exceeding local capacity. The fire threatened a power transmission line and 50 structures, with 25 of those evacuated.

On June 28, 2023, at approximately 8:58 PM, I verbally declared a disaster emergency due to the Titan Fire in Las Animas County and activated the State of Colorado Emergency Operations Plan.

As of July 2, 2023 the fire burned 930 acres and was 100% contained.

II. Declarations and Directives

- A. The Titan Fire and associated impacts constitute a disaster emergency under C.R.S § 24-33.5-701, *et seq.* My verbal order of June 28, 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 in this Executive Order.

- B. My verbal order of June 28, 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 Titan 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 Titan Fire. Therefore, I order that one million three hundred fifty eight thousand dollars (\$1,358,000) be transferred from the State Emergency Reserve Cash Fund (SERC) to the DEF. I encumber one million three hundred fifty eight thousand dollars (\$1,358,000) 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 Titan 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 28, 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".

Jared Polis
Governor