



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2022-077

DECLARING EMERGENCY IN SAN MIGUEL COUNTY DUE TO ASH AND FIRE DEBRIS RESULTING FROM THE COOKS AND HERMITS PEAK/CALF CANYON FIRES AND AUTHORIZING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FULL POWER TO PROVIDE MUTUAL AID TO THE STATE OF NEW MEXICO

WHEREAS, San Miguel County was severely impacted by the Cooks Fire that began on Sunday, April 17, 2022, the Hermits Peak Fire that began on Wednesday, April 6, 2022, and the Calf Canyon Fire that began on Tuesday, April 19, 2022;

WHEREAS, the Cooks Fire sustained winds of over forty-five miles per hour with gusts of up to seventy miles per hour, and thereby spread across more 59,000 acres, threatening the safety, health, welfare, and well-being of the citizens and local economy of San Miguel County;

WHEREAS, the Calf Fire sustained winds of over forty-five miles per hour with gusts of up to seventy miles per hour, merged into the Hermits Peak Fire and thereby spread across more than 300,000 acres and threatens the safety, health, welfare, and well-being of the citizens and local economy of San Miguel County;

WHEREAS, the Cooks and Hermits Peak/Calf Canyon Fires prompted San Miguel County to issue local disaster declarations;

WHEREAS, the Cooks and Hermits Peak/Calf Fires have resulted in widespread hazardous debris, which contains potentially dangerous toxins, including heavy metals and asbestos, and which must be cautiously and expeditiously removed and properly disposed of;

WHEREAS, the San Miguel County Commission recognizes the imminent and proximate threat to public health from the ash and hazardous fire debris located on private property resulting from the Cooks and Hermits Peak/Calf Canyon Fires;

WHEREAS, San Miguel County has issued a local disaster declaration for the ash and fire debris located on private property resulting from the Cooks and Hermits Peak/Calf Canyon Fires;

WHEREAS, all local resources available have been insufficient to cope with the resulting ash and fire debris on private property in San Miguel County resulting from the Cooks and Hermits Peak/Calf Canyon Fires;

WHEREAS, the disaster of the resulting ash and fire debris located on private property requires immediate action to protect public peace, health, and safety; and

WHEREAS, this disaster is of such magnitude as to be beyond local control and requires the resources of the State of New Mexico to minimize economic or physical harm and to take actions necessary to protect the public health, safety, and welfare.

NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby **DECLARE** a state of emergency to exist in San Miguel County due to the Cooks and Hermits Peak/Calf Canyon Fires and **ORDER** and **DIRECT** as follows:

1. In accordance with NMSA 1978, Section 12-10-7, of the All Hazard Emergency Management Act, the United States Environmental Protection Agency, the Federal Emergency Management Agency, or any other federal agencies, individuals, or entities performing work at their discretion, shall have the full power to provide mutual aid to the State of New Mexico and will have the authority to enter private property in all impacted areas in San Miguel County to remove debris that may contain hazardous substances and conduct any testing appropriate to

ensure the hazards are mitigated, provided that said entities and individuals shall first obtain a right of entry from the landowner prior to entering any private property.


2. The Adjutant General shall order into service any elements of the New Mexico National Guard as are or may be needed to provide military support to civil authorities as needed for this emergency. This action is pursuant to and in accordance with NMSA 1978, Sections 20-1-1 to -8, NMSA 1978, Sections 20-2-1 to -8, and NMSA 1978, Sections 20-4-1 to -14. Such emergency assistance shall be provided during the period of need at the discretion of the Governor's Authorized Representative.

3. All Cabinet Departments and agencies under gubernatorial control shall provide any assistance that may be required by the Department of Homeland Security and Emergency Management or by the State Emergency Operations Center under the authority of the Governor's Authorized Representative.

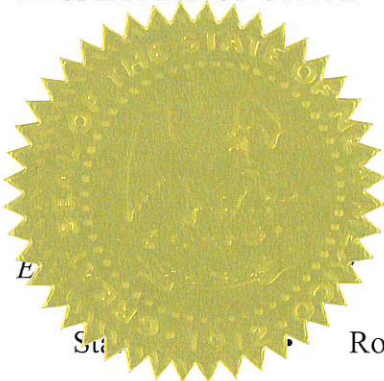
I FURTHER ORDER and DIRECT as follows:

1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.
2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

ATTEST:



MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE



DONE AT THE EXECUTIVE OFFICE
THIS 3RD DAY OF JUNE 2022

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO



MICHELLE LUJAN GRISHAM
GOVERNOR