

## ARIZONA WILDFIRES 2011: IS THERE RECOVERY?

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Arizona continues to endure several devastating wildfires, including the largest wildfire in the state's history. Fires in the Northeastern and Southeastern regions of the state have been burning since late May and have destroyed over 750,000 acres. While the authorities continue to battle the fires, some details on the causes of the fires are beginning to be revealed.

### Wallow Fire

The Wallow Fire originated in Northeast Arizona within the Bear Wallow Wilderness located in the Apache National Forest on May 29, 2011. With strong winds reportedly reaching 60 miles an hour, and dry conditions in the forest, the fire has aggressively spread over 510,000 acres and reportedly consumed more than 747 square miles, ranking the fire as the largest wildfire in the state's history. The fire has destroyed more than 70 structures, including reports of 32 residences. The fire has caused damages and evacuations in several communities, including Alpine, Greer, Nutrioso, Sunrise, and Springerville, and has spread into New Mexico near the community of Luna.

### Monument and Horseshoe Two Fires

In Southeastern Arizona, the Horseshoe Two Fire and Monument Fire have consumed more than 230,000 acres. The fires both originated within the Coronado National Forest located in the Southeastern corner of the state. The Horseshoe Two fire started on May 8, 2011, near Portal, Arizona. The fire has consumed nearly 210,000 acres, and has destroyed at least 23 structures. The majority of the damages have occurred within the Chiricahua Wilderness located along the Chiricahua mountains.

The Monument Fire ignited on June 12, 2011, near the Mexican border outside the community of Hereford. The fire has spread over 20,000 acres and is reported to have destroyed at least 30 homes in the area surrounding the communities of Hereford and Sierra Vista.

### Causes of the Fires

All three of the fires are reported to have been caused by human actions. The Wallow Fire is believed to have started from an unattended campfire. Two origin areas have been identified in relatively close proximity to each other. The investigation is ongoing as to the relationship between the two identified origin areas. Authorities have reportedly questioned one or more individuals concerning the origin of the fire.

The Monument and Horseshoe Two Fires started in different locations near the U.S./Mexico border. Both fires are identified as "human caused," but no specific cause has been identified.

Presently, these investigations do not present optimum scenarios for subrogation recovery. Many wildfires are caused by natural events, such as lightning strikes, or the careless conduct of individuals, who, if identified, seldom have the resources to compensate for the substantial expenses and damages caused by the fire. However, there are situations where viable subrogation opportunities may exist, such as where electric utility lines are involved, or "controlled" fires set by governmental authorities spread out of control, or railroads or other large business operations create circumstances which ignite a fire.

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*Cozen O'Connor is available to discuss any losses incurred relating to these and other wildfires to determine whether any recovery opportunities may exist.*