



## **D 2023 021**

### **EXECUTIVE ORDER**

#### **Declaring a Disaster Emergency Due to the Iron Fire in Moffat 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 Iron Fire in Moffat County, enabling State and federal agencies to coordinate fire suppression, response, consequence management, statewide hazard 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).

On September 29, 2023, the Iron Fire started in Moffat County, and burned on federal Bureau of Land Management and non-federal lands. Sustained high winds and low relative humidity resulted in extreme fire behavior and rapid rates of spread. The fire threatened multiple ranches and residences, along with electrical and gas utilities, burning 5,443 acres on the first day. Pre-evacuations were put in place and local capacity to address the fire was exceeded.

On September 30, 2023, at approximately 9:09 AM, I verbally declared a disaster emergency due to the Iron Fire in Moffat County and activated the State of Colorado Emergency Operations Plan.

On October 3, 2023, responsibility for the Iron Fire was returned to the Moffat County Sheriff’s Office. As of October 9, 2023, the Iron Fire was 100% contained.

**II. Declarations and Directives**

- A. The Iron Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of September 30, 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 within this Executive Order.
- B. My verbal order of September 30, 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, statewide hazard mitigation, and recovery efforts related to the Iron 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, statewide hazard mitigation, and recovery efforts related to the Iron Fire. Therefore, I order that one hundred ninety thousand dollars (\$190,000) be transferred from the State Emergency Reserve Cash Fund (SERCF) to the DEF. I encumber one hundred ninety thousand dollars (\$190,000) in the DEF, established in C.R.S. § 24-33.5-706(2)(a), for costs associated with fire suppression, response, consequence management, statewide hazard mitigation, and recovery efforts related to the Iron 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 seventy-two (72) months from the date of this Executive Order, and any unexpended funds shall remain in the DEF.
- 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 September 30, 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 seventy-two (72) months from the date of this Executive Order.



GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this twenty-seventh day of  
October, 2023.

A handwritten signature in blue ink that reads "Jared Polis". The signature is written in a cursive, flowing style.

Jared Polis  
Governor