



D 2024 012

EXECUTIVE ORDER

Declaring a Disaster Emergency Due to the Stone Mountain Fire in Boulder and Larimer Counties and Authorizing Employment of the Colorado National Guard

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 Stone Mountain Fire in Boulder and Larimer Counties, enabling State and Federal agencies to coordinate fire suppression, response, consequence management, mitigation, and recovery efforts.

Further, pursuant to Article IV, Section 5 of the Colorado Constitution and C.R.S. § 28-3-104, I authorize employing unarmed members of the Colorado National Guard for the purpose of responding to the Stone Mountain Fire by supporting fire suppression efforts, including with the use of aviation assets if needed, and assisting law enforcement agencies with traffic control, security needs, and supporting incident management.

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 July 30, 2024, the Stone Mountain Fire started in the town of Lyons, located in Boulder County. Boulder County issued mandatory and voluntary evacuations, and up to 500 structures were threatened by fire. Five residences were destroyed, multiple residences were damaged, and multiple outbuildings were destroyed and damaged. Tragically, one life was lost due to the Stone Mountain Fire.

On July 30, 2024, at approximately 6:35pm, I verbally declared a disaster emergency due to the Stone Mountain Fire in Boulder County, and activated the State of Colorado Emergency Operations Plan. On July 31, 2024, I verbally authorized employing unarmed members of the Colorado National Guard for the purpose of responding to the Stone Mountain Fire by supporting fire suppression efforts, including with the use of aviation assets if needed, and

assisting law enforcement agencies with traffic control, security needs, and supporting incident management.

On July 31, 2024, the Stone Mountain Fire had burned 1,319 acres and burned into Larimer County. The Federal Emergency Management Agency (FEMA) declared the Stone Mountain Fire eligible for a Fire Management Assistance Grant (FMAG). By August 1, 2024, the fire had burned 1,553 acres on private land, and was 30% contained. As of August 4, 2024, the Stone Mountain Fire was 100% contained. This Executive Order expands my disaster declaration to include both Boulder and Larimer Counties.

II. Declarations and Directives

- A. The Stone Mountain Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of July 30, 2024, 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. This Executive Order expands my disaster declaration to include both Boulder and Larimer Counties.
- B. Further, pursuant to C.R.S. § 28-3-104, my verbal order of July 31, 2024, authorizing employing unarmed members of the Colorado National Guard for the purpose of responding to the Stone Mountain Fire, 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.
- C. My verbal order of July 30, 2024, activated the State Emergency Operations Plan. All State departments and agencies are authorized to take whatever actions may be required and requested by the Director or Acting Director of the Office of Emergency Management pursuant to the State Emergency Operations Plan, including provision of appropriate staff and equipment, as necessary.
- D. I direct State agencies to pursue all available federal funding for response and recovery operations, including but not limited to the Department of Homeland Security Federal Emergency Management Agency (FEMA).
- E. 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. Therefore, I order that two million nine hundred sixty thousand dollars (\$2,960,000) be transferred from the State Emergency Reserve Cash Fund (SERCF) to the DEF. I encumber two million nine hundred sixty thousand dollars (\$2,960,000) in the DEF to pay for fire

suppression, response, consequence management, mitigation, and recovery efforts related to the Stone Mountain Fire in Boulder and Larimer Counties.

- F. 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 nonprofit organizations and execute awards, purchase orders or other mechanisms to effect the allocation of funds. The funds described in Section II(E) 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.

III. Duration

This Executive Order shall expire thirty (30) days from July 30, 2024, unless extended further by Executive Order, except that the funds described in Section II(E) 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-eighth
day of August, 2024.

A handwritten signature in blue ink that reads "Jared Polis".

Jared Polis
Governor