



## D 2024 016

### EXECUTIVE ORDER

#### **Declaring a Disaster Emergency Due to the Pearl Fire in Larimer County 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 Pearl Fire in Larimer County, 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 assisting with response and recovery efforts as deemed necessary by the Colorado Department of Public Safety.

#### **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 16, 2024, the Pearl Fire started in Larimer County. The fire was burning at approximately 9,400 feet of elevation on local terrain, exceeding local capacity to manage the fire. Mandatory evacuations were ordered for Crystal Lakes, south of Black Mountain and north of Erie Lake. Voluntary evacuations were ordered for Crystal Lakes, north of Black Mountain to the state line. There were properties at risk, including 11 homes within a one mile radius of the fire and 148 homes within a three mile radius of the fire.

On September 16, 2024, at approximately 4:25 PM, I verbally declared a disaster emergency due to the Pearl Fire in Larimer County and activated the State of Colorado Emergency Operations Plan. At that time, I also verbally authorized employing unarmed members of the Colorado National Guard for the purpose of assisting with response and recovery efforts as deemed necessary by the Colorado Department of Public Safety.

As of September 30, 2024, the fire was 95% contained and burned 128 acres. No structures were destroyed during the fire.

## **II. Declarations and Directives**

- A. The Pearl Fire and associated impacts constitute a disaster emergency under C.R.S. § 24-33.5-701, *et seq.* My verbal order of September 16, 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.
- B. Further, pursuant to C.R.S. § 28-3-104, my verbal order of September 16, 2024, authorizing employing unarmed members of the Colorado National Guard for the purpose of responding to the Pearl 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 September 16, 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. 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 five hundred sixty-six thousand dollars (\$566,000) be transferred from the State Emergency Reserve Cash Fund (SERCF) to the DEF. I encumber five hundred sixty-six thousand dollars (\$566,000) in the DEF to pay for fire suppression, response, consequence management, mitigation, and recovery efforts related to the Pearl Fire in Larimer County.
- E. 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(D) 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 September 16, 2024, unless extended further by Executive Order, except that the funds described in Section II(D) 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 fifteenth  
day of October, 2024.

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

Jared Polis  
Governor