

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2015-002

EXECUTIVE ORDER

Rescinding Executive Order D 2012-006, Regarding Suspending Prescribed or Controlled Fire Pending Review of Protocols

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, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order rescinding Executive Order D 2012-006.

I. Background and Purpose

On March 28, 2012, pursuant to Colorado Constitution, article IV, section 13 and C.R.S. 23-31-308, we issued Executive Order D 2012-006 suspending prescribed or controlled fire on State or private lands pending review of agency protocols for prescribed or controlled fire. The suspension applied to all State lands as well as State agencies that applied prescribed or controlled fire on non-State lands under contracts or agreements with other entities. At the time, Colorado was experiencing unseasonably high temperatures and dry conditions which led to a number of wildfires across the State, and one fire, the Lower North Fork Fire, had been started by a prescribed or controlled burn.

On April 13, 2012, the Lower North Fork Prescribed Fire Review (Bass Report) was issued, which made six recommendations for improving agency protocols around the use of prescribed burns.

On January 30, 2013, pursuant to Colorado Constitution, article IV, section 13 and C.R.S. 23-31-308, we issued Executive Order D 2013-002, which amended Executive Order D 2012-006, to allow for the resumption of slash pile burnings under controlled conditions in order to best protect residents on the wildland-urban interface and promote the health and well being of our forests. Broadcast burning however, remained banned pursuant to Executive Order D 2012-006, pending a review of agency protocols.

On December 10, 2014, the Colorado Division of Fire Prevention and Control (Division) issued its response to the Bass report recommendations. The response details the Division's evaluation, assessment and implementation of procedures in response to each of the Bass Report recommendations.

Wildfires threaten public health and safety and can cause catastrophic damage to public and private resources, including clean air, clean water, fish and wildlife habitat, timber resources, forest soils, scenic beauty, recreational opportunities, economic and employment opportunities, and structures and other improvements.

Prescribed burning, which reduces naturally occurring vegetative fuels within a variety of ecosystems, including forests and grasslands, reduces the risk and severity of major wildfire, thereby lessening the threat of fire and the resulting loss of life and property in those areas, including:

- A. When applied to forest lands, prescribed burning serves to reduce hazardous accumulations of fuels, prepare sites for both natural and artificial forest regeneration, improve wildlife habitat, control insects and disease, and perpetuate fire-dependent ecosystems; and
- B. When prescribed burning is used to manage fuels in wildland-urban interface areas, it substantially reduces the threat of damaging wildfire in urban communities.

The Division has developed new guidelines and procedures for prescribed burning to ensure that all such burns are conducted in a safe and effective manner. These guidelines and procedures represent best practices for prescribed burning and have been subjected to peer evaluation and public comment.

II. Declaration and Directives

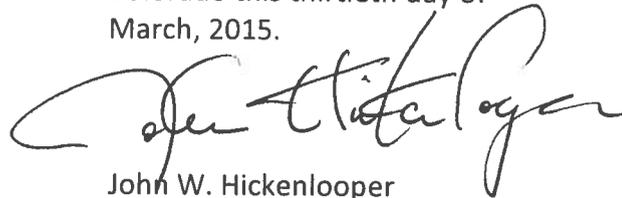
- A. Executive Order D 2012-006 (Suspending Prescribed or Controlled Fire Pending Review of Protocols) is hereby rescinded to allow for the resumption of prescribed burning on State lands or by State agencies under controlled conditions.
- B. Prescribed fire operations conducted by State agencies or on State lands shall comply with the requirements of the Colorado Prescribed Burning Act (Senate Bill 13-083, as codified in C.R.S. Section 24-33.5-1201, *et seq.*) and the rules and guidelines promulgated by the Division, to ensure that all such burns are conducted in a safe and effective manner.

- C. State agencies conducting prescribed burns shall observe the following additional guidelines for prescribed burning:
1. Prescribed burning shall occur only after a determination has been made that the property owner or other person having legal control of the property has both evaluated all alternatives to prescribed burning and concluded that prescribed burning is an appropriate hazardous fuel reduction method for the property; and
 2. Prescribed burning shall occur only after proper notification of residents of potentially affected areas, local government officials, and the Division.
- D. The Division will work to ensure continued safety and protection for residents on the wildland-urban interface, while promoting the health and longevity of our State's natural forests through properly regulated prescribed burning.

III. Duration

This Executive Order shall remain in effect until rescinded or modified by Executive Order.

GIVEN under my hand and the
Executive Seal of the State of
Colorado this thirtieth day of
March, 2015.



John W. Hickenlooper
Governor