

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

136 State Capitol Building  
Denver, Colorado 80203  
Phone (303) 866 - 2471  
Fax (303) 866 - 2003



John W. Hickenlooper  
Governor

## D 2012-006

### EXECUTIVE ORDER

#### 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 Colorado Constitution, article IV, section 13 and C.R.S. § 23-31-308, Joseph A. Garcia, Lieutenant Governor of the State of Colorado, hereby issues this Executive Order suspending prescribed or controlled fire by State agencies pending review of agency protocols for prescribed or controlled fire.

#### I. Background and Purpose

Many areas of Colorado have been experiencing above average temperatures and dry conditions. As a result, the National Weather Service has issued a number of Red Flag warnings for the Front Range and other portions of the state. Already this year, Colorado has experienced several wildfires.

On March 25, 2012, the Lower North Fork Fire may have been started by a prescribed or controlled fire. As of this issuance of this order, the Lower North Fork Fire had burned approximately several thousand acres, resulted in the deaths of two people, and destroyed several homes.

To help respond to the Lower North Fork Fire, on March 27, Lt. Governor Joseph Garcia issued Executive Order D 2012-005 that activated the National Guard and activated the State Emergency Operations Plan.

Prescribed or controlled fire is a tool used to reduce the overabundance of vegetation and dense stands of trees—in other words, the fuels—that can lead to intense, catastrophic wildfires. However, it must only be used under the right conditions and under responsible management.

As a result, given that a prescribed or controlled fire may have been the cause of the Lower North Fork Fire, the State should suspend further use of this land and fire management tool to make sure that we have the procedures and protocols in place so that these conditions and management requirements are understood and strictly followed.

II. Declaration and Directives

- A. I hereby order all State agencies to suspend prescribed or controlled fire on State or private lands pending review of agency protocols for prescribed or controlled fire. This suspension applies to all State lands as well as State agencies that apply prescribed or controlled fire on non-State lands under contracts or agreements with other entities.
- B. For purposes of this order, "prescribed or controlled fire" is defined as the controlled application of fire in accordance with a written plan for wildland fuels under specified environmental conditions while following appropriate precautionary measures that ensure that the fire is confined to a predetermined area to accomplish planned fire or land-management objectives.
- C. For purposes of this order, "prescribed or controlled fire" does not apply to agricultural burning, however, extreme care and caution in agricultural burning is strongly encouraged. For purposes of this order, "agricultural burning" is defined as open burning of cover vegetation for the purposes of preparing the soil for crop production, weed control, maintenance of water conveyance structures related to agricultural operations, and other agricultural cultivation purposes.

III. Duration

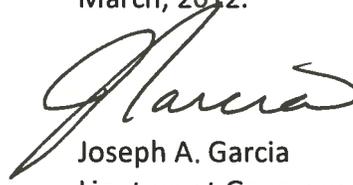
This Executive Order shall expire upon review of State agencies' prescribed or controlled fire protocols or upon rescission by subsequent Executive Order.

IV. Lieutenant Governor

I am executing this Executive Order pursuant to the Colorado Constitution, article IV, section 13(5) as Governor John W. Hickenlooper is currently traveling outside of the State of Colorado.



GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this twenty-eighth day of  
March, 2012.

  
Joseph A. Garcia  
Lieutenant Governor