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EXECUTIVE ORDER

Implementing the Colorado Healthy Forests and Vibrant Communities Act of 2009

Pursuant to the authority vested in the Office of the Governor of the State of Colorado and, in particular section 23-31-313 of the Colorado Revised Statute, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order making certain funds available from the state treasury for increased efforts to address wildfire risk.

I. Background and Purpose

In 2009, the General Assembly passed and I signed House Bill 09-1199, enacting the Colorado Healthy Forests and Vibrant Communities Act. The purpose of the Act is to provide resources to the Colorado State Forest Service to augment its technical outreach capabilities and to provide loans and grants for market-based and forest treatment solutions to reduce wildfire risk.

The Colorado Healthy Forests and Vibrant Communities Act makes an appropriation to fund specific activities related to the reduction of wildfire risk. Specifically, it authorizes \$1.45 million to be transferred from the operational account of the severance tax fund to the Healthy Forests and Vibrant Communities Fund. Senate Bill 09-293 amended the Colorado Healthy Forests and Vibrant Communities Act, reducing the appropriation from \$1.95 million to \$1.45 million. The result of the amendment was a specific reduction in the amounts designated for programs within the Healthy Forests and Vibrant Communities Fund.

In accordance with the requirement of § 23-31-310(10)(b), this Executive Order makes certain funds available for addressing wildfire risk, including funds for the development of Community Wildfire Protection Plans, community wildfire risk mitigation, community watershed restoration, enhanced economic activities, establishment of a wildfire risk mitigation loan program, and improved outreach and technical assistance for the Colorado State Forest Service.

II. Directives

- A. Funds from the Healthy Forests and Vibrant Communities Fund shall be made available as follows:
1. In accordance with C.R.S. § 23-31-313(10)(c)(I), \$475,000 shall be made available for community and firefighter planning and preparedness, to ensure that communities and firefighters have sufficient resources, technical support, and training to adequately assess wildfire risks. The Colorado State Forest Service shall collaborate with local governments, fire districts, and law enforcement bodies to develop Community Wildfire Protection Plans (CWPPs), which identify and mitigate fire hazards and assess a community's ability to respond to wildfire.
 2. In accordance with C.R.S. § 23-31-313(10)(c)(II), \$200,000 shall be made available to help communities reduce wildfire risks by supporting implementation of risk mitigation treatments that focus on protecting lives, homes, and essential community infrastructure, and by improving monitoring of forest conditions. The Act requires the Colorado Forest Service to provide various services to help communities address wildfire issues, such as expanding the fuel mitigation program, hiring staff, and providing resources for aerial surveys.
 3. In accordance with C.R.S. § 23-31-313(10)(c)(III), \$100,000 shall be made available to support communities and land managers in efforts to protect and improve watersheds.
 4. In accordance with C.R.S. § 23-31-313(10)(c)(IV), \$65,000 shall be made available to support local business development and job creation through the implementation of forest treatments.
 5. In accordance with C.R.S. § 23-31-313(10)(c)(V), \$200,000 shall be made available for the wildfire risk mitigation loan program. Under this program, the forest service shall solicit proposals and make loans to businesses to provide start-up capital for new facilities or equipment to harvest remove, use, and market beetle-killed and other timber taken from forest lands as a part of a wildfire risk reduction or fuels mitigation treatment.
 6. In accordance with C.R.S. § 23-31-313(10)(c)(VI), \$360,000 shall be made available for improved outreach and technical assistance in order to ensure that the forest service has the capacity to deliver

key funding and technical assistance that will be needed to guide and support implementation of wildfire preparedness, risk mitigation, watershed restoration, and economic development initiatives.

7. In accordance with C.R.S. § 23-31-313(10)(c)(VII) and C.R.S. § 25-7-111(5), \$50,000 shall be made available for the use by the Department of Public Health and Environment to evaluate existing prescribed fire permit program rules and implementation so as to support, and increase where possible, appropriate responsible use of prescribed fire consistent with C.R.S. § 25-7-106(7).
- B. Pursuant to C.R.S. § 39-29-109.3(4)(a), the funds shall be disbursed in three installments: Forty percent on the effective date of this Executive Order; thirty percent on January 4, 2010; and thirty percent on April 1, 2010.
- C. Pursuant to C.R.S. § 23-31-313(12), in the event of a shortfall, funds shall be taken pro rata from forest services projects identified in paragraph A(1) through (6) above. The State Forester shall have discretion with respect to managing any shortfall to ensure that the negative impact of such a shortfall on funded programs is minimized.

III. Duration

This Executive Order shall remain in force until modified or rescinded by future Executive Order of the Governor.

GIVEN under my hand and the
Executive Seal of the State of
Colorado this twenty-seventh day of
October, 2009.

Bill Ritter, Jr.
Governor