

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Susana Martinez**  
Governor

**David Martin**  
Cabinet Secretary-Designate

**Brett F. Woods, Ph.D.**  
Deputy Cabinet Secretary

**Tony Delfin, Division Director**  
State Forestry Division



**May 3, 2013**

**News Release**

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**Energy, Minerals and Natural Resources Department Secretary and the State Forester  
Announce Fire Restrictions for All NM Counties**

SANTA FE – Due to high fire danger across the state, New Mexico Energy, Minerals and Natural Resources Secretary-designate David Martin and State Forester Tony Delfin today announced restrictions on fireworks, smoking, campfire and open-fires. The restrictions will go into effect at **8:00 a.m. on Wednesday, May 8, 2013.**

“High fire danger exists across much of New Mexico and new fire starts are becoming difficult to control,” said Delfin. “I’m urging all state residents affected to follow the restriction guidelines to protect lives and property in their communities.”

The restrictions will be imposed on all non-municipal, non-federal and non-tribal lands in New Mexico and will remain in effect until rescinded.

State Forestry will continue to coordinate with other jurisdictions including federal, counties and municipalities to insure that appropriate protections are in place to protect New Mexico as fire danger and wildfires increase.

**SMOKING, FIREWORKS, CAMPFIRE, OPEN BURNING, AND OPEN FIRES ARE PROHIBITED UNLESS THE FOLLOWING CONDITIONS ARE MET:**

**Smoking is prohibited** except in enclosed buildings, within vehicles equipped with ashtrays, and on paved or surfaced roads, developed recreation sites, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.

**Fireworks use is prohibited** on lands covered wholly or in part in timber, brush, grass, grain, or other flammable vegetation. The State Forester is allowing exceptions to the ban on fireworks where they are a part of a public exhibit approved by the local fire department.

**Campfires are prohibited** unless the following exceptions are met. An exception is granted where cooking or heating devices use kerosene, white gas, or propane as a fuel in an improved camping area that is cleared of flammable vegetation for at least 30 feet or has a water source. New Mexico State Parks are included in this prohibition. For information on this contact the local State Park Superintendent or Manager or visit the website at [www.nmparks.com](http://www.nmparks.com).

The State Forester is also allowing exceptions for charcoal grills and wood and coal stoves within yards associated with a residence or on the premises of a business.

**Open burning** i.e., burning of cropland, fields, rangeland, debris burning, slash piles, prescribed burning, or weed burning, is prohibited. The State Forester grants an exception to open burning when all of the following conditions are met:

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1. the cropland is irrigated (This exception does not apply to non-irrigated croplands, fields, or rangelands.);
2. burning is done with adequate planning;
3. adequate personnel are present to monitor and control the burn to assure that it will not become an uncontrolled fire;
4. the burn area is secured from becoming uncontrolled at the end of daily operations; and
5. at the beginning of each day, before ignition, the person responsible for the burn notifies the local fire department responsible for fire protection and follows all local burning guidelines and 20.2.60.111 NMAC, Open Burning of Vegetative Material, related to state air quality.

**Flaring of gas is prohibited.** The State Forester grants an exception to the prohibition on open fires for the flaring of natural gas when the following conditions are met. Unless flaring is needed for safety purposes, flaring pursuant to this exception shall not be done on days that are "red flag days" as determined by the National Weather Service or on days when the sustained wind is in excess of 25 miles per hour in the area.

1. The day is not a "red flag day" as determined by the National Weather Service and the sustained wind is not in excess of 25 miles per hour in the area.
2. The local fire department and county dispatch are notified at least 24 hours in advance of anticipated releases that will result in flaring. If flaring is done by an automated system then the schedule of flaring shall be provided to the local fire department and county dispatch. The area is mowed and maintained at a length not to exceed 4 inches and all other flammable products or debris shall be cleared in the area for a distance of one and one half times the height of the stack.
3. At least one adult is on site with communications equipment adequate to reach county dispatch and the local fire department in the event of a fire. The individual should also be equipped with a shovel and a water backpack pump or other equipment to deliver water to suppress a fire.
4. If flaring is to take place at an unmanned facility, then the area around the flare stack is mowed and maintained at a length not to exceed 4 inches and all other flammable products or debris shall be cleared in the area for a distance of three times the height of the stack.

**Other exceptions may be requested.**

The State Forester may allow additional exemptions upon receiving a written request and granting subsequent approval in writing. You may apply for exemptions other than those listed above for flaring or agricultural burning on the Forestry Division website at [www.nmforestry.com](http://www.nmforestry.com). The exemptions provided above for flaring and agricultural burning do not require written approval so long as the conditions listed are met.

The State Forester may allow exemptions from the above upon receiving a written request and granting subsequent approval in writing. You may apply for an exemption on the Forestry Division website at [www.nmforestry.com](http://www.nmforestry.com).

An exemption does not relieve a person from any civil or criminal liability associated with an uncontrolled fire, including costs associated with wildland fire suppression.

For details and the legal restriction notification, log onto [www.nmforestry.com](http://www.nmforestry.com) or call (505) 476-3325.

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*The Energy, Minerals and Natural Resources Department provides resource protection and renewable energy resource development services to the public and other state agencies.*