

State of New Mexico
Energy, Minerals and Natural Resources Department

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2025-01

**SMOKING, FIREWORK, CAMPFIRE, AND OPEN FIRE RESTRICTIONS
FOR NEW MEXICO**

Due to warm temperatures, low humidity, high winds and the abundance of dry, fine fuels, wildfire danger throughout much of New Mexico is extremely high. Pursuant to NMSA, Section 68-2-8 and other sections of the Forest Conservation Act, Sections 68-2-1 to 68-2-25 NMSA 1978 and 19.20.3 NMAC, the New Mexico State Forester of the Energy, Minerals and Natural Resources Department, Forestry Division has determined that the wildfire danger level poses a threat to public safety, life, property and the natural resources of the state. As a result, the State Forester has placed the following restrictions on non-municipal, non-federal, and non-tribal lands in the following counties: Bernalillo, Catron, Chaves, Cibola, De Baca, Dona Ana, Eddy, Grant, Hidalgo, Lea, Lincoln, Luna, Otero, Roosevelt, Sierra, Socorro, Torrance, and Valencia.

SMOKING, FIREWORKS, CAMPFIRES, OPEN BURNING, AND OPEN FIRES ARE PROHIBITED:

Smoking is prohibited on non-municipal, non-federal, and non-tribal lands statewide. The State Forester is allowing exceptions that do not require prior written approval where: smoking occurs 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 non-municipal, non-federal, and non-tribal lands statewide 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 that do not require prior written approval where they are a part of a public exhibit approved by the local fire department.

Campfires are prohibited on non-municipal, non-federal, and non-tribal lands statewide. The State Forester is allowing exceptions that do not require prior written approval 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, State Game Commission lands managed by the Department of Game and Fish, and state trust lands managed by the State

Land Office are included in this prohibition. For more information on your New Mexico State Parks, please visit <https://www.emnrd.nm.gov/spd/> or call 1-888-667-2757.

Grills and Stoves 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.

Prescribed Burns and Open burning, i.e., burning of cropland, fields, rangeland, debris burning, slash piles, prescribed burning, or weed burning, is prohibited on non-municipal, non-federal, and non-tribal lands statewide. The State Forester is allowing exceptions that do not require prior written approval where **ALL** the following conditions are met:

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 related to oil and gas production is prohibited on non-municipal, non-federal, and non-tribal lands statewide. The State Forester is allowing exceptions that do not require prior written approval where:

1. Flaring that is needed for safety purposes, emergencies, and/or malfunctions, or any other exception pursuant to 19.15.27 NMAC and 19.15.28 NMAC. Additionally, pursuant to 19.15.27 and 19.15.28 NMAC, if an operator determines flaring is considered a risk to safe operations or personnel safety due to this fire restriction, venting may be a safer alternative to flaring while these fire restrictions *are in effect*.
2. When **ALL** the following conditions are met if flaring pursuant to any non-emergency or malfunction under 19.15.27 NMAC and 19.15.28 NMAC:
 - the day is not designated a red flag day as determined by the National Weather Service and the sustained wind does not exceed 25 miles per hour in the area; and
 - the operator notifies the local fire department and county dispatch at least 24 hours in advance of anticipated flaring; if flaring is done by an automated system, then the operator shall provide the flaring schedule to the local fire department and county dispatch; and
 - 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 shall also be equipped with a shovel and a water backpack pump or other equipment to deliver water to suppress a fire; and

- the area is mowed and maintained at a length not to exceed four inches and all other flammable products or debris are cleared in the area by a distance one-and-one-half times the height of the flare stack.
3. If flaring is to take place at an **unmanned facility**, the State Forester may grant an exception, **through written request**, for purposes defined under 19.15.27NMAC and 19.15.28NMAC under the following conditions:
- the day is not designated a red flag day as determined by the National Weather Service and the sustained wind does not exceed 25 miles per hour in the area; and
 - the area around the flare stack is mowed and maintained at a length not to exceed four inches and all other non-facility related flammable products or debris are cleared in the area by a distance three times the height of the flare stack.

Other exceptions may be requested.

The State Forester may allow additional exemptions upon receiving a written request. The exception is only considered granted by subsequent State Forester approval in writing. You may apply for exemptions other than those listed above for flaring or agricultural burning on the Forestry Division website at <https://www.emnrd.nm.gov/sfd/>. Pursuant to the Fire Restrictions Exceptions Procedures. The exemptions provided above in this Fire Restrictions Order for flaring and agricultural burning do not require written approval so long as the conditions listed are met.

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

These restrictions become effective at 12:00 p.m. Tuesday, May 20, 2025 and will remain in effect until rescinded.

DONE THIS 19th DAY OF MAY 2025



Laura F. McCarthy, State Forester
Forestry Division



Melanie A. Kenderdine, Cabinet Secretary
Energy, Minerals and Natural Resources Department