A MEMORIAL
REQUESTING THE ENERGY, MINERALS AND NATURAL RESOURCES
DEPARTMENT TO CREATE A WORKING GROUP TO DEVELOP AN ANALYSIS TO
EXPAND THE PRACTICE OF PRESCRIBED FIRE IN NEW MEXICO.

WHEREAS, fire is an environmental driver and an essential
component in most New Mexico ecosystems; and

WHEREAS, prescribed fire is the use of fire applied under
specific conditions with appropriate planning; and

WHEREAS, prescribed fire allows the fire to be confined to
a specific area to accomplish planned land management
objectives; and

WHEREAS, healthy and resilient lands managed with
prescribed fire lower severe fire risk and help avoid loss of
life, property and infrastructure and support water sources,
wildlife habitat, ecotourism, jobs, economic development in
rural communities and hunting, fishing and outdoor recreation
opportunities; and
WHEREAS, uncharacteristically large and severe wildfires
are affecting large land jurisdictions and putting New Mexico’s
watersheds, forests and wildlife habitat at high risk; and
WHEREAS, wildfire knows no boundaries, and resilient
federal, state and private watersheds and forests are essential
for residents of New Mexico; and
WHEREAS, prescribed fire is known by land managers to be
effective at reducing fire behavior, as well as being cost-
effective; and
WHEREAS, many residents, scientists and stakeholders agree
that the current level of prescribed fire use in New Mexico is
insufficient to maintain or build upon restored landscapes; and
WHEREAS, New Mexico needs to increase the use of
prescribed fire as a management tool to improve the health and
resilience of ecosystems, watersheds and agricultural lands, to
reduce the negative effects of high-severity wildfires; and
WHEREAS, inherent prescribed fire risks are mitigated
through training, practice, cross-boundary collaborations and
education; and
WHEREAS, knowledge and experience from diverse
stakeholders are needed to recommend actions and policy changes
that support the expanded use of prescribed fire statewide;
NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
REPRESENTATIVES OF THE STATE OF NEW MEXICO that the energy, minerals and natural resources department be requested to convene a working group to study the expansion of prescribed fire in New Mexico, including issues relating to training, certification, permitting, negligence, smoke impacts and liability, and perform a review of how other states have addressed these issues in state law while increasing the use of prescribed fire; and

BE IT FURTHER RESOLVED that the working group be composed of representatives of the following: the forestry division of the energy, minerals and natural resources department, the state fire marshal, the department of game and fish, the state land office, the department of environment, the New Mexico department of agriculture, the office of the state engineer, the office of superintendent of insurance, the New Mexico prescribed fire council, the New Mexico acequia association, agricultural and conservation groups, New Mexico state university and the New Mexico forest and watershed restoration institute; and

BE IT FURTHER RESOLVED that the working group be requested to report its findings and conclusions to the appropriate interim legislative committee by July 1, 2020; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of energy, minerals and natural resources, the state fire marshal, the director of the
department of game and fish, the commissioner of publiclands,
the secretary of environment, the director of the New Mexico
department of agriculture, the state engineer, the
superintendent of insurance, the chair of the New Mexico
prescribed fire council, the executive director of the New
Mexico acequia association, the president of New Mexico state
university and the director of the New Mexico forest and
watershed restoration institute.