

PRESCRIBED BURNING ACT

The New Mexico Legislature passed the Prescribed Burning Act (HB57; NMSA 1978, Section 68-5-1 et seq.) in 2021.

Landscape ecosystems rely on periodic fire to remain healthy, but decades of fire suppression have stifled this process. This leaves our forests, woodlands, and watersheds susceptible to various environmental and human threats.

What It Does

- Establishes a negligence standard for any prescribed burning* on private lands;
- Creates a training program through New Mexico State University for landowners and contractors to build the skills to conduct prescribed burns safely;
- Provides an incentive for landowners and contractors to get that training, so they are only liable for actual damages instead of double damages.
- (Currently any landowner or their agent who conducts prescribed burning is liable for double damages; the Prescribed Burning Act reduces the damages to actual value for those who are trained and certified);
- Creates a certification program through the Forestry Division; and
- Creates a model prescribed burning permit for counties and municipalities to use if they choose to issue permits.

* The Prescribed Burning Act does not apply to agricultural, acequia, or ditch burning.



BECOMING A CERTIFIED PRESCRIBED BURN MANAGER



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Scan the QR codes for more information

HOW TO GET CERTIFIED

Pile Burn Manager

- Start by enrolling in a Basic Wildland Fire Orientation class which is free of charge at <https://wildlandfirelearningportal.net/>. This class is 15 minutes long with optional supplemental material available.
- Complete the required nine element training (www.emnrd.com/sfd)
- Complete the proficiency workbook with a certified Burn Manager, division personnel, or a Prescribed Burn Boss with a minimum of NWCG Type-3 qualifications.
- Upon satisfactory review by the committee, the division may grant pile burning certification.

Broadcast Burn Manager

- Enroll in the National Wildfire Coordinating Group (NWCG) S-190 class online or in person.
- Enroll in the NWCG S-290 class IN PERSON ONLY.
- Participate in a burn plan writing course approved by the division.
- Successful completion of the free nine element training (www.emnrd.com/sfd).
- Complete the proficiency workbook with a certified Burn Manager, division personnel or an individual with at least NWCG Prescribed Burn Boss Type-2 qualifications or higher.
- Upon satisfactory review by the committee, the division may grant broadcast burning certification.

Already Certified in Another State?

- Gather and submit all documents to include your previous state's workbook/task book/field proficiency to the committee.
- Submit a letter or other written documentation from a certified burn or broadcast burn manager.
- Successful completion of the free nine element training (www.emnrd.com/sfd).
- Completely fill out and submit an application for submittal to the committee.
- The committee will review all documents and determine if the applicant meets the proficiency requirements.
- The renewal of pile and broadcast certification is required every five years with the completion of a division approved refresher available online.



WHY PRESCRIBED FIRE IS BENEFICIAL

- Hazardous fuel reduction reduces the threat of catastrophic wildfire to communities and watersheds.
- Improves watershed health.
- Minimizes the spread of harmful insects and disease.
- Enhances wildlife habitat.
- Encourages new growth of native vegetation.
- Fire is an inexpensive and rapid method for disposing of slash following thinning projects.
- Low intensity fires increases soil fertility by converting nutrients bound in dead plant tissues and the soil surface to more available forms. This recycling effect indirectly increases mineralization rates through its impacts on soil microorganisms (Schoch and Binkley 1986). New Mexico's endangered Pecos Sunflower is a good example of a plant that relies on this process to survive.

