



Agenda Item Number: 2008-5-9A

## BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

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**Meeting Date:** May 29, 2008

**Department:** Commission **Staff Contact:** John Dantis, Deputy County Manager  
John H. Garcia, Chief of Fire & Rescue  
Frank Barka, Deputy Chief  
Chris Gober, Acting Fire Marshal

**TITLE:** Public Hearing to consider adoption of a Resolution banning the use of fireworks

**ACTION:** Conduct a public hearing to determine if the extreme or severe drought conditions continue to exist within the specified Fire Districts of the unincorporated areas of Bernalillo County.

Motion to approve Administrative Resolution AR -2008 banning the use of all Fireworks in the East Mountain areas, and along the Bosque areas of the unincorporated areas of Bernalillo County as outlined in number 1,2, and 3 of the summary.

### SUMMARY:

The New Mexico Statute NMSA Section 60-2c-8.1 (E)(F)(G) and (H) authorize local governing bodies of counties to ban the use of fireworks in severe or extreme drought conditions. The proposed proclamation will ban the use of fireworks in the following areas of the County

1. Fire District #5: All of the wildlands in the unincorporated areas east of Louisiana Boulevard to the west face of the Sandia Mountains and from San Antonio north to the Sandia Indian Reservation.
2. Fire Districts #6, 10, 11 and 13: East Mountain Area, north, south, and east to the County line.
3. Fire Districts #1, 2, 3, 4, 7, 8 and 9: Portions of the unincorporated areas to include the Rio Grande bosque and wildland areas extending 1000 feet from the outer edge of the Bosque.
4. On April 23, 2008 the Board of County Commissioners issued a Proclamation banning ignition sources in Bernalillo County.

The fire danger across some areas of the Southwest Area is expected to be above average during an overall normal length fire season. This is due to continuing long-term drought, a better than even chance for above normal temperatures, low amounts of winter snow pack at the mid-elevations, and widespread vegetative dieback due to insect and disease damage. The following highlights are based on a consensus "most likely" scenario. The complete seasonal outlook follows this summary below.

Key factors for the 2008 season are:

- Expect a rapid escalation to critical fire danger conditions from late April through mid May. Conditions are expected to remain critical through the remainder of May and June, primarily across parts of Arizona and the western third of New Mexico.
- Due to underlying drought conditions, fire danger will increase quickly during normal warm and dry periods of even one week or less. The potential for rapidly changing conditions should be emphasized to field personnel as a **fire safety** and awareness issue.
- Large fire potential is expected to be near to below normal through April and then increase rapidly to above normal during May and June, such that overall large fire potential for the March-July time period is above normal.
- Critical (100th percentile or higher) Area average ERC values are expected to occur from May through early July (6-8 weeks). Large fire occurrence is statistically most likely during this time period. .
- The abundance of dry, fine fuels, fire danger throughout eastern New Mexico is high.
- Fire incidents for all Wildland fire agencies are increasing daily.
- It is estimated that approximately 30 to 40 percent of total large fires during the 2008 season will have an incident management team assigned, as compared to the average of around 18 percent. This translates to roughly 40 to 60 incidents with an incident management team assigned.
- Resource needs for initial attack, extended attack and potential project fires will be greater than usual from mid May to the start of the monsoon. (6-8 weeks)
- There are no indications that the monsoon will begin early or late, or be especially weak or strong.
- New Mexico State Forestry has placed open-burning restrictions on non-municipal, nonfederal, and non-tribal lands for the portion of Bernalillo County that is east of Interstate 25.
- Fireworks are another source of ignition in the severely dry, drought conditions currently existing in Bernalillo County. Fireworks account for a large number of human caused Wildland fires each year during the 4<sup>th</sup> of July holiday season.

This ban is necessary to reduce the risk of wildland fires, which pose a threat to timber, vegetation, and property. Fighting the fires exhausts the resources of the County Fire and Rescue Department. The National Weather Service indices and the New Mexico State Forestry Division report that due to the lack of precipitation, high winds, and low humidity, wildland areas throughout the entire state are at a hazardous risk level for burning. Consultation with the State Forester supports this conclusion. The County may issue succeeding proclamations if extreme or severe drought conditions warrant. A proclamation may be modified or rescinded within its thirty-day period by the County upon conducting an emergency hearing to determine if weather conditions have improved.

**ATTACHMENT:**

1. Administrative Resolution **AR -2008**

**FISCAL IMPACT**

None.

# **STAFF ANALYSIS SUMMARY**

## **COUNTY MANAGER**

With continued high temperatures and high winds it is extremely important that the Board approve this ban on fire works. I recommend Board approval. TL 5/20/2008

## **DEPUTY COUNTY MANGER FOR PUBLIC SAFETY**

In an effort to minimize the possibility of wildland and bosque fires this summer season, the Fire and Rescue Department is recommending adoption of the attached proclamation. Weather conditions and the lack of moisture have placed areas in Bernalillo County at high risk. I recommend approval of this item. JDantis 5/11/08

## **LEGAL**

Approved as to form. JLS 5/19/2008

## **ELECTED OFFICIAL/OTHER**

### **Fire and Rescue Department**

The present condition of the Wildland fuels and the weather we have been experiencing has made for a very high fire danger in the unincorporated areas of Bernalillo County according to the United States Forest Service Sandia Ranger District. There have already been major fires in the parts of New Mexico and Arizona. It is important for the Fire and Rescue Department to control any potential ignition sources for wild fire. This proclamation will help us accomplish our goal.

The potential for a more severe than usual primary fire season is above normal and currently predicted to be the worst in 60 years. This is based on continued long-term drought, a deficiency in current seasonal moisture and existing snowpack, and a prediction for generally below normal precipitation for the remainder of the winter months. The predicted scenario would lead to an early onset of the primary fire season, with both live and dead fuel components being drier than usual and more readily available for combustion. Additionally, the total area of deforestation by drought and insect impacts has continued to increase, further adding to the dead fuel loading. I recommend approval of this item. John Garcia, Chief 5/18/2008