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HOUSE BILL 175

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Harlan Vincent and Kristina Ortez and Luis M. Terrazas
and Rebecca Dow

AN ACT

RELATING TO NATURAL RESOURCES; AMENDING SECTIONS OF THE FOREST
AND WATERSHED RESTORATION ACT; PROVIDING DEFINITIONS; MAKING
PROJECTS TO CREATE OR MAINTAIN BUFFERS IN AND AROUND WILDLAND-
URBAN INTERFACES ELIGIBLE FOR FUNDING FROM THE FOREST LAND
PROTECTION REVOLVING FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 68-4-2 NMSA 1978 (being Laws 2019,
Chapter 62, Section 2) is amended to read:

"68-4-2. DEFINITIONS.--As used in the Forest and
Watershed Restoration Act:

A. "board" means the forest and watershed advisory
board;

B. "buffer" means an area treated to reduce
wildfire fuel in order to act as a barrier between properties

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1 to limit and halt the spread of wildfire and provide a safe
2 zone for firefighters to engage with wildfires;

3 ~~[B.]~~ C. "division" means the forestry division of
4 the energy, minerals and natural resources department;

5 D. "high-risk area" means an area having a high
6 probability of wildfire that is likely to spread to projects,
7 structures or wildland-urban interfaces;

8 ~~[G.]~~ E. "project" means:

9 (1) a large-scale forest and watershed
10 restoration project on any lands in the state that:

11 (a) increases the adaptability and
12 resilience to recurring drought and extreme weather events of
13 the state's forests and watersheds;

14 (b) protects water sources;

15 (c) reduces the risk of wildfire,
16 including ~~[plans]~~ planning for watershed conservation; or

17 (d) restores burned areas or thins
18 forests and includes a related economic or workforce
19 development project or a wildlife conservation or habitat
20 improvement project; ~~[and]~~ or

21 (2) a project that creates or maintains a
22 buffer in or around a wildland-urban interface;

23 ~~[D.]~~ F. "sponsor" means a federal, state or local
24 government agency, tribal entity, corporation or organization
25 that applies for a project or is conducting a project in

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1 conjunction with the division;

2 G. "structure" means a constructed object,
3 including residential or commercial buildings and outbuildings
4 such as barns and sheds; and

5 H. "wildland-urban interface" means the area, line
6 or zone where structures and other human development meet or
7 intermingle with undeveloped wildland or vegetation fuels."

8 SECTION 2. Section 68-4-5 NMSA 1978 (being Laws 2019,
9 Chapter 62, Section 5) is amended to read:

10 "68-4-5. USE OF FOREST [~~AND WATERSHED RESTORATION~~] LAND
11 PROTECTION REVOLVING FUND--PROJECT EVALUATION AND
12 PRIORITIZATION.--

13 A. Money in the forest land protection revolving
14 fund may be used to administer and carry out the purposes of
15 the Forest and Watershed Restoration Act and to fund projects
16 authorized by the division on any lands in the state for:

17 (1) on-the-ground restoration [~~treatments~~]
18 projects;

19 (2) project planning;

20 (3) economic development programs to advance
21 the use of small-diameter trees and wood biomass removed for
22 hazardous fuel reduction and forest and watershed restoration;
23 or

24 (4) workforce development for wood utilization
25 projects.

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B. A project is eligible for funding:

(1) if the project is for a public benefit

and:

~~[(1)]~~ (a) is part of a current state forest and watershed health plan or forest action plan, a community wildfire protection plan, other comprehensive forest and watershed treatment plan or wildlife conservation or habitat improvement plan approved by the board;

~~[(2)]~~ (b) incorporates actions recommended by current plans or, where new plans are developed, seeks to integrate forest, fire and water management with community and economic development plans;

~~[(3)]~~ (c) protects watersheds that are the source of drinking or irrigation water;

~~[(4)]~~ (d) targets ~~[an area at high risk of catastrophic wildfire]~~ a high-risk area;

(e) will create or maintain a buffer in or around a wildland-urban interface; or

~~[(5)]~~ (f) has obtained all requisite state and federal permits and authorizations necessary to initiate the project, if the project is other than a planning project; and

(2) when a project meets the requirements of Paragraph (1) of this subsection and includes treatment of private lands and the division makes a written determination

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1 that the incidental benefit to a private landowner is
2 outweighed by the fire reduction or watershed restoration
3 benefits to the state.

4 C. A project that is eligible for funding in
5 accordance with Subsection B of this section shall be given
6 priority for funding by the division if the project:

7 (1) leverages federal, state, local, tribal or
8 private sources and, if available, support from other public or
9 private water, forest, fire, wildlife habitat or economic
10 development programs;

11 (2) is in an area:

12 (a) with a wood supply that can be used
13 as biomass for energy production;

14 (b) where small-diameter trees may be
15 put to commercial use; or

16 (c) where traditional forest products
17 may be produced;

18 (3) is clustered around priority areas that
19 are able to supply a useful amount of wood products for
20 industry; ~~[or]~~

21 (4) creates incentives to increase investment
22 by federal, state, local, tribal or private entities, including
23 investment by downstream water users to manage forested
24 headwaters and water sources; or

25 (5) is identified by the board as a high-risk

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1 area.

2 [D. ~~Beginning July 1, 2019, sponsors may apply to~~
3 ~~the division for project funding.~~"]

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