EXECUTIVE ORDER NO. 002-2022

EXECUTIVE ORDER RELATED TO STAGE 1 FIRE RESTRICTIONS FOR THE NAVAJO NATION

NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
May 23, 2022

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with the full authority to conduct, supervise, and coordinate personnel and program matters. 2 N.N.C. 1005 (A).

2. The President shall have the power to issue an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);

3. The President may order any area of Navajo Nation land closed to entry by the general public due the danger of fire, 17 N.N.C. § 2701;

4. There have been a number of fires across the Navajo Nation and the southwest region this season having caused damage to our natural resources and in preparation with high fire danger due to a combination of inadequate precipitation, high wind conditions, high temperatures, and low relative humidity, this Fire Restriction is being imposed;

5. To protect the public, natural resources, and reduce the risks of wildland fires, the Navajo Nation is requesting the public to exercise extreme caution on Navajo lands and surrounding areas; and,

6. An Executive Order shall have the force of law upon the recipient. 2 N.N.C. § 1005(C)(14).

THEREFORE:

I, **JONATHAN NEZ**, President of the Navajo Nation, and I, **MYRON LIZER**, Vice President of the Navajo Nation, by the authority vested in us, hereby issue the following order:

1. The Stage 1 Fire Restrictions on the Navajo Nation are effective immediately and shall remain in effect until this order is rescinded or amended.

2. The following uses within the Navajo Nation are PROHIBITED:

   A. Possession, manufacturing, sale or use of fireworks or other pyrotechnic device pursuant to 17 N.N.C. § 2733;

   B. Building, maintaining, attending, or using a fire, campfire, charcoal, and coal fires outdoors; except campfires and charcoal to be used in developed sites where fire rings or grills are provided; and

   C. Using a firearm and incendiary devices, without a valid permit.

3. The following activities must use EXTREME CAUTION:

   Smoking, which is recommended only in permitted areas, within an enclosed vehicle, traditional and ceremonial uses, and while stopped in an area at least six feet in diameter that is barren or cleared of all flammable materials.

4. The following activities are PERMITTED:

   A. Propane, gas or other petroleum-fueled stoves will be allowed for livestock branding;

   B. Ceremonial fires, properly registered and permitted by the Navajo Nation Environmental Protection Agency (NNEPA) through a Navajo Nation EPA Burn Registration, five (5) days prior to ceremony. To obtain a Burn Registration, please contact Navajo Nation EPA Air Quality at (928) 729-4246. Mail: NN Air Quality, PO Box 529, Fort Defiance, AZ 86504, FAX: (928) 729-4323 or email: kaelynnmorgan@navajo-nsn.gov;

   C. Persons with a written permit/bonding/license that specifically authorizes the otherwise prohibited act;

   D. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice;

   E. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty; and

   F. The implementation of Low Complexity Prescribed Fire which meet prescriptions approved by the Agency Administrator under an approved Burn Plan.

5. Any person or parties found guilty of violating the fire restrictions may be fined up to $5,000 or provide restitution. 17 N.N.C. § 523

6. The Division of Public Safety, Division of Natural Resources, Environmental Protection Agency, Division of Community Development and the Bureau of Indian Affairs Wildland Fire and Aviation are hereby directed to fully enforce this Executive Order.

7. Report any wildland fires to the B.I.A. Fire Dispatch at (928) 729-2307. Should there be any questions pertaining to this Order, please contact the Navajo Forestry Department at (928) 729-4007.

The provisions of this order shall be implemented consistent with the laws of the Navajo Nation and in a manner that advances the highest welfare of the People.

EXECUTED this 23rd day of May 2022

Jonathan Nez, *President*
THE NAVAJO NATION

Myron Lizer, *Vice-President*
THE NAVAJO NATION

ATTEST:

Doreen N. McPaul, *Attorney General*
Navajo Nation Department of Justice

CONCURRENCE:

GREGORY MEHOJAH
Digitally signed by GREGORY MEHOJAH
Date: 2022.05.24 17:16:48 -06'00'

Gregory C Mehojah, *Navajo Regional Director*
Bureau of Indian Affairs