



THE NAVAJO NATION

EXECUTIVE ORDER NO. 05-2023

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

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 effort of 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 the Navajo Nation land closed to entry by the general public due to the danger of fire, 17 N.N.C. § 2701;
4. High fire danger exists on the Nation at this time due to an unfortunate convergence of inadequate precipitation, high wind conditions and low relative humidities;
5. To protect the public, natural resources, and reduce the risks of wildland fires, it is necessary for 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, DR. BUU NYGREN, President of the Navajo Nation, by the authority vested in me, hereby issue the following order:

1. Stage 1 Fire Restrictions on the Navajo Nation are effective immediately and shall remain in effect until this order is rescinded or amended.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 fire, charcoal and coal fires outdoors; except propane, gas or other petroleum-fueled stoves in developed sites (e.g., developed fire pits at more developed recreational areas).
 - C. Using a firearm or incendiary device without a valid permit.
3. The following uses must be undertaken with **EXTREME CAUTION**:
- Smoking, which is recommended only in permitted areas, within an enclosed vehicle, for traditional and ceremonial uses, or while stopped in an area at least six (6) feet in diameter that is barren or cleared of all flammable materials.
4. The following uses are **PERMITTED**:
- A. Propane, Gas or other petroleum-fueled stoves will be allowed for livestock branding and in recreational areas.
 - B. Ceremonial fires properly registered with the Navajo Nation Environmental Protection Agency (NNEPA) through a NNEPA Burn Registration five (5) days prior to the ceremony. To obtain a Burn Registration, contact NNEPA Air Quality by phone at (928) 729-4246; by mail at NNEPA Air Quality, PO Box 529, Fort Defiance, AZ 86504; by facsimile at (928) 729-4323; or by email at kaelynmorgan@navajo-nsn.gov.
 - C. Uses by persons with a written permit/bonding/license that specifically authorizes the otherwise prohibited act.
 - D. Low Complexity Prescribed Fires that meet prescriptions approved by the BIA Agency Administrator under an approved Burn Plan.
5. Any person or parties found guilty of violating these 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, NNEPA, Division of Community Development and the Bureau of Indian Affairs Wildland Fire and Aviation Management are hereby directed to fully enforce this Executive Order.
7. Anyone observing a wildland fire should report it to the B.I.A. Fire Dispatch at (928) 729-2307. Any questions pertaining to this Ordershould be directed to 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 25th day of July, 2023.


Dr. Buu Nygren *President*
THE NAVAJO NATION

CONCURRENCE:

Gregory Mehojah, Regional Director
Navajo Regional Office
BUREAU OF INDIAN AFFAIRS

ATTEST:


Office of the Attorney General
Navajo Nation Department of Justice

