



The Navajo Nation
Office of the President and Vice President

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FOR IMMEDIATE RELEASE

September 16, 2020

**Navajo Nation implements Stage 1 Fire Restrictions,
resolves issues over the use chainsaws to gather fire wood**

WINDOW ROCK, Ariz. – On Wednesday, Navajo Nation President Jonathan Nez, Vice President Myron Lizer, Attorney General Doreen N. McPaul, and Navajo Area BIA Director Bartholomew Stevens signed Executive Order No. 010-20, implementing Stage 1 Fire Restrictions on the Navajo Nation, which also resolves concerns over the use of chainsaws to gather fire wood for the upcoming winter season.

The new Executive Order lifts some of the restrictions that were included in the previous Stage 2 Fire Restrictions, which went into effect in May 2020 during the height of fire dangers on the Navajo Nation. With ongoing wildfires in the southwest, President Nez said the new restrictions still provide for the safety and prevention of wildfires, but also allow the Navajo people to gather fire wood for the upcoming winter season.

“With devastating wildfires occurring in several states in the southwest, we must proceed with extreme caution in order to prevent any wildfires and to ensure the safety of our communities on the Navajo Nation. The latest fire restrictions provide for flexibility to allow our Navajo people to use chainsaws to gather fire wood for the winter season, which was previously restricted during certain times of the day. Open fires and fireworks are still prohibited under the latest fire restrictions. Use this opportunity to prepare your homes and families for the upcoming winter season,” said President Nez.

“The top priority is always protecting our communities and our Navajo people. The COVID-19 pandemic has led to many setbacks, but we are a resilient people and we will continue to overcome adversities. We are thankful to all of our Nation’s fire fighters and the many others who helped our Nation when we had wildfires earlier this year. We all have to work with one another and hold each accountable in order to prevent any more wildfires. Please proceed with extreme caution and continue to pray for everyone who is impacted by the wildfires happening in several states throughout the country,” said Vice President Lizer.

The Stage 1 Fire Restrictions prohibit the following:

- Possession, manufacturing, sale or use of fireworks or other pyrotechnic devices pursuant to 17 N.N.C. § 2733
- Building, maintaining, attending, or using a fire, campfire, charcoal, coal; except campfires and charcoal to be used in developed sites where fire rings or grills are provided
- Using a firearm and incendiary devices, without a valid permit

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.

1. The following activities are PERMITTED:

- Persons who regularly reside within the closed area are permitted to go to and from their homes and continue ordinary activities that do not create an unreasonable fire hazard;
- Propane, gas or other petroleum-fueled stoves will be allowed for livestock branding;
- 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) 729-4156. Mail: NN Air Quality, PO Box 529, Fort Defiance, AZ 86504, FAX: (928) 729-4323 or email: kaelynmorgan@navajo-nsn.gov;
- Persons with a written permit/bonding/license that specifically authorizes the otherwise prohibited act;
- Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice;
- Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty; and
- The implementation of Low Complexity Prescribed Fire which meet prescriptions approved by the Agency Administrator under an approved Burn Plan.

The Executive Order states that any person or parties found guilty of violating the fire restrictions will be fined up to \$5,000 or provide restitution. The Navajo Nation 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 the Executive Order.

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EXECUTIVE ORDER NO. 010-20
EXECUTIVE ORDER RELATED TO
STAGE 1 FIRE RESTRICTIONS
FOR THE NAVAJO NATION

NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
SEPTEMBER 16, 2020

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. On May 15, 2020, Stage 2 Fire Restrictions were issued due to inadequate precipitation, abundant dry fuels, high winds, high temperatures and low humidity and a number of fires across the Navajo Nation that caused significant damage to our natural resources and, additionally, threatened personal and commercial building structures.
4. To continue to protect the public and to mitigate and keep our firefighters safe from potential COVID-19 transmission in the course of the work responding to wildland fires.
5. Due to favorable weather conditions (i.e. recent precipitation, cooler temperatures and calm winds) the Bureau of Indian Affairs, Navajo Region, Branch of Wildland Fire and Aviation Management and the Navajo Forestry Department recommend the Stage II Fire Restrictions be reduced back to Stage I.
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. 17 N.N.C. § 2701
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, coal; 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. Persons who regularly reside within the closed area are permitted to go to and from their homes and continue ordinary activities that do not create an unreasonable fire hazard;
 - B. Propane, gas or other petroleum-fueled stoves will be allowed for livestock branding;
 - C. 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) 729-4156. Mail: NN Air Quality, PO Box 529, Fort Defiance, AZ 86504, FAX: (928) 729-4323 or email: kaelynmorgan@navajo-nsn.gov;
 - D. Persons with a written permit/bonding/license that specifically authorizes the otherwise prohibited act;
 - E. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice;
 - F. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty; and
 - G. The implementation of Low Complexity Prescribed Fire which meet prescriptions approved by the Agency Administrator under an approved Burn Plan.

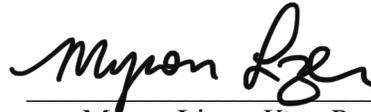
5. Any person or parties found guilty of violating the fire restrictions will be fined up to \$5,000 or provide restitution. 17 N.N.C. § 523
6. The Division of Public Safety, Division of Natural Resources, Environmental Protection Agency, Division of Community Development and the Bureau of Indian Affairs Wildland Fire and Aviation are hereby directed to fully enforce this Executive Order.

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 16th day of September 2020



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:

Bartholomew Stevens, *Navajo Regional Director*
BUREAU OF INDIAN AFFAIRS