

Timothy L. Nuvangyaoma
CHAIRMAN

Clark W. Tenakhongva
VICE-CHAIRMAN

**EXECUTIVE ORDER #01-2018
DECLARATION OF EXTREME FIRE DANGER**

WHEREAS, current data from the U.S. Drought Monitor and the climate assessment for the Southwest indicates that the Hopi Indian Reservation is experiencing below average precipitation, this is a trend for the past three to four years and we are in a state of severe drought; and

WHEREAS, the dry conditions along with high winds, has resulted in 6 of human caused fires on the Hopi Reservation have already occurred in 2018 and pose extreme wildfire threats which necessitates the issuance of certain restrictions and sanctions for the protection of life, property, natural and cultural resources on the Hopi Indian Reservation; and

WHEREAS, the adopted Hopi Tribal policies and plans including the Hopi Drought Contingency Plan, Hopi Natural Hazard Mitigation Plan, Hopi Wildland Fire Management Plan and Hopi Integrated Woodlands Management Plan, outlines steps to mitigate uncontrolled wildfire and recognizes the authority of the Executive Offices to initiate declarations to prevent such fire hazards; and

WHEREAS, the use of Hopi range lands and woodlands will increase in the summer and fall months due to agricultural preparations, wood harvesting and hunting activities.

NOW THEREFORE BE IT RESOLVED that the Chairman and the Vice Chairman of the Hopi Tribe, hereby declares that a **State of Extreme Fire Danger** be recognized.

It IS FURTHER DECLARED the following restrictions and sanctions are hereby placed within the boundaries of the Hopi Indian Reservation until further notice:

- **Open burning is prohibited** within the Reservation woodlands, wetlands, rangelands, farming areas, residential areas and near public facilities.

- **Fireworks are prohibited.** The possession or use of fireworks is prohibited due to the high fire danger. Fireworks will be confiscated by BIA Law Enforcement Officers and/or Hopi Resource Enforcement Services Officers.
- **Camp fires are prohibited within residential areas.** Charcoal grills, propane and wood stoves are allowed within a 10 foot area of a residence only if it is clear of flammable material.
 - The fire must be constantly monitored and controlled to assure it will not become an uncontrolled fire.
 - No burning is allowed on “RED FLAG WARNING” days as determined by the National Weather Service or when sustaining wind is in excess of 5 miles per hour.

BE IT FINALLY DECLARED that any violations of this Executive Order may be prosecuted in accordance with Hopi Code:

3.4.5 CIVIL DAMAGES:

- A. *A person subject to the civil jurisdiction of the Hopi Tribe, but not subject to the criminal jurisdiction of the Hopi Tribe, who engages in conduct in the territory that constitutes a violation of this Code shall be liable to the Hopi Tribe for the following civil damages:*
 1. *Civil damages not to exceed \$15,000 upon a finding by the court that the person engaged in conduct constituting an offense defined in this Code as a “dangerous offense”.*
 2. *Civil damages not to exceed \$10,000 upon a finding by the court that the person engaged in conduct constituting an offense defined in this Code as a “serious offense”.*
 3. *Civil damages not to exceed \$5,000 upon a finding by the court that the person engaged in conduct constituting an offense defined in this Code as an “offense”.*
 4. *Civil damages not to exceed \$2,500 upon a finding by the court that the person engaged in conduct constituting an offense defined in this Code as a “minor offense”.*
 5. *Civil damages not to exceed \$1,500 upon a finding by the court that the person engaged in conduct constituting an offense defined in this Code as a “petty offense”.*
- B. *The Tribal Prosecutor is authorized to file civil actions on behalf of the Hopi Tribe for civil damages pursuant to subsection A of this Section.*

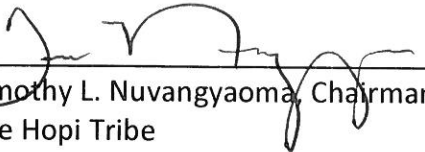
3.8.6 CRIMINAL DAMAGE TO PROPERTY

- A. *A person, who intentionally, knowingly or recklessly defaces, damages or tampers with property not his own, whether public or private, is guilty of an offense.*
- B. *A person, who commits criminal damage of property in an amount of five thousand dollars or more, is guilty of a serious offense.*

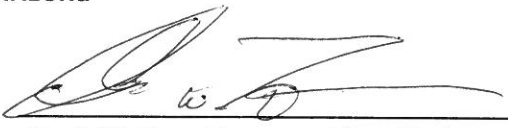
3.8.8 BURNING

- A. *A person who recklessly causes a fire or explosion that result in damage to an occupied structure, a structure, Wildland or property is guilty of an offense.*
- B. *A person who knowingly and unlawfully damages an occupied structure by knowingly causing a fire or explosion, or commits burning to property in an amount of five thousand dollars or more is guilty of a serious offense.*

**Executed this 19th day of April 2018
Kykotsmovi, Arizona**



Timothy L. Nuvangyaoma, Chairman
The Hopi Tribe



Clark W. Tenakhongva, Vice Chairman
The Hopi Tribe