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Includes: LA 06-21, LA 04-22, and LA 37-24

TITLE 29

GAME AND FISH

Chapter

1. Hunting and Fishing
2. Hunting and Fishing Compact Act

CHAPTER 1

HUNTING AND FISHING

Section

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§ 101. Short title

This act shall be known and may be cited as the Cherokee Nation Hunting and Fishing Code and referred to as "the Hunting and Fishing Code" or "this Code".

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LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 102. Legislative intent and purpose

A. The purpose of this act is to establish a regulatory scheme for hunting and fishing on lands and/or by Persons subject to the Nation's jurisdiction pursuant to treaty, federal laws, inherent sovereign authority, compact, cross-deputization agreement or other authority.

B. It is the intent of the Council to confirm and assert the Nation's sovereign rights to establish a regulatory scheme under which Cherokee citizens may exercise, within the Cherokee Nation Reservation, those communal rights to hunt and fish which were included as part and parcel of the rights that inhere to the sovereignty of the Cherokee Nation, which we affirmed by treaty and patent, and which rights have not ever been conveyed, relinquished, or extinguished by any subsequent treaty or agreement.

C. It is further the intent of the Council of the Cherokee Nation to provide opportunity to enhance intergovernmental cooperation and coordination respecting wildlife conservation management and associated activities.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 103. Adoption by reference—Laws of adjacent states and nations

A. Whenever necessary or appropriate to the conservation of the Nation's natural resources or the protection of the rights of the Nation's citizens or inherent sovereign authority, the Nation may adopt by reference and enforce the wildlife conservation laws and requirements of adjacent states, nations, and tribes.

B. Requirements for fish and wildlife under the jurisdiction of Cherokee Nation that are established pursuant to applicable federal laws such as the Migratory Bird Treaty Act, 16 U.S.C. § 703 et seq. and Endangered Species Act, 16 U.S.C. § 1531 et seq. and other applicable federal laws, are hereby adopted by reference as minimum requirements.

C. The provisions of the Oklahoma State Wildlife Conservation Code (29 O.S. § 1-101 et seq.), federal migratory bird seasons, and official requirements for hunting and fishing, established by rules of the Oklahoma Wildlife Conservation Commission, shall apply to lands, waters, fish and wildlife, and persons subject to the jurisdiction of Cherokee Nation, except as specified herein or where otherwise inconsistent with the Cherokee Nation Law.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 104. Modification of laws adopted by reference

Includes: LA 06-21, LA 04-22, and LA 37-24

A. The provisions of laws and rules adopted by reference shall be read in all instances to give full effect to the establishment and implementation of a comprehensive Cherokee Nation wildlife program.

B. For purposes of this chapter, the following modifications shall apply to any provisions of law or regulation that may be adopted by reference:

1. Where the term "**Attorney General**" or "**General Counsel**" is used, it shall mean the Attorney General of Cherokee Nation.

2. Where the term "**code**" is used, it shall refer to this Cherokee Nation Hunting and Fishing Code and any rules or regulations adopted or promulgated in accordance herewith.

3. Where reference is made to a "**county jail**" or "**state prison**", it shall refer to such facilities as are used for imprisonment by Cherokee Nation.

4. Where there is reference to any "**Court**", it shall mean the Courts of the Cherokee Nation with corresponding jurisdiction.

5. Where the term "**Department**" is used, it shall mean such division of Cherokee Nation that the Principal Chief may designate.

6. Where the term "**Director**" is used, it shall mean the official to whom the Principal Chief has appointed such authority in writing.

7. Where the term "**Oklahoma**" or "**state**" is used, it shall mean Cherokee Nation.

8. Where the term "**Oklahoma Wildlife Conservation Commission**" or "**Commission**" is used, that authority shall vest in the Principal Chief of Cherokee Nation and any such designation or delegation.

9. Where the term "**Person**" is used, it shall mean an individual who is a member of any federally recognized Indian tribe, including Alaska Native entities, or such other person who would be considered an "Indian" for the purposes of federal criminal prosecution under 18 U.S.C. §§ 1152-1153.

10. Where the term "**warden**" or "**game warden**" or "law enforcement division" is used, it shall mean the Cherokee Nation Marshal Service and those officials cross deputized or otherwise designated by the Principal Chief as having authority to issue field citations or take other actions regarding violations in accordance with the laws of the Cherokee Nation.

C. The following additional definitions shall apply:

1. Where reference is made to "**Cherokee citizen**", it means any enrolled citizen of Cherokee Nation.

Includes: LA 06-21, LA 04-22, and LA 37-24

2. The term "**Public Lands**" shall include lands within the jurisdictional boundaries of the Cherokee Nation that are owned, held, or administered by the State of Oklahoma or an agency thereof or the United States or any agency thereof and which are open to the public for purposes of hunting, fishing, trapping, or other wildlife harvesting activity.
3. The term "**Reservation Lands**" shall include lands within the jurisdictional boundaries of the Cherokee Nation and constituting Indian country that term is defined by 18 U.S.C. § 1153, and such other areas subject to the Nation's jurisdiction.
4. The term "**Restricted Lands**" shall include lands the title to which is held, for any individual Cherokee Citizen, in trust by the United States or is subject to restriction against alienation imposed by the United States.
5. The term "**Tribal Lands**" shall include lands held in trust by the United States of America for the benefit of Cherokee Nation and fee lands owned by the Cherokee Nation, including any subdivision thereof.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 105. Adoption of State Regulations

The provisions of the Oklahoma Wildlife Conservation Code, 29 O.S. § 1-101 et seq., and regulations established in accordance therewith, are adopted by reference, with the following exceptions, unless otherwise modified by applicable rules or regulations promulgated in accordance with this Code:

29 O.S. § 2-147. Waters of the Nation.

Whenever the term "**waters of the Nation**" is used, it shall refer to waters of Cherokee Nation as defined in the Cherokee Nation Environmental Quality Code, 27 CNCA § 100 et seq.

29 O.S. § 3-204. Procedures.

The Department shall operate under the provisions of the Cherokee Nation Hunting and Fishing Code, 29 C.N.C.A. § 101 et seq.

29 O.S. § 3-301. Dispositions of monies from fines and forfeitures.

Monies shall be collected by the Treasurer and be deposited into the Cherokee Nation general fund or such other accounts as may be authorized to promote wildlife conservation and management.

29 O.S. § 6-502. Closure of lands and waters.

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Includes: LA 06-21, LA 04-22, and LA 37-24

The Department may designate specific Tribal Lands that shall be closed to hunting, fishing or related activities to support conservation and wildlife management in accordance with Cherokee Nation Law and this Code.

29 O.S. § 7-204. Ownership of wildlife.

Fish and wildlife subject to the Nation's jurisdiction are the property of the Nation; provided however, in no event shall the Nation be held responsible for damages caused by fish and wildlife.

29 O.S. § 7-304. Wildlife refuges or wildlife management areas.

Specific areas of Tribal Land may be designated as a wildlife refuge or special management area in accordance with Tribal law and any rule regulation hereafter promulgated. Special conditions or restrictions on activities may apply to such areas.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 106. License requirements

A. It shall be unlawful as a violation of the Cherokee Nation's criminal laws for any Person subject to the jurisdiction of such laws to hunt, fish, trap, or otherwise harvest wildlife within Reservation Lands (inclusive of privately held fee lands of another, Public Lands, and Tribal Lands therein) without a license, tag, permit, or other authorization issued or recognized by the Department and pertaining to the engagement in such activities.

B. The Department designated by the Principal Chief shall have the authority to issue licenses, tags and permits for hunting, fishing, trapping and other activities as set forth in this Code.

C. Subject to section 110 of this chapter a valid Cherokee Nation Tribal Citizenship Card shall be considered a valid license to hunt, fish, or trap, or otherwise harvest wildlife by Cherokee Citizens on Reservation Lands (including any privately owned fee lands of another, Public Lands, and Tribal Lands located therein) for noncommercial traditional uses unless another licensing method is required in accordance with any rule or regulation hereafter promulgated.

1. Persons who are not citizens of the Cherokee Nation, but are members or citizens of a federally recognized Indian Tribe that is a party to a reciprocal agreement approved by the Principal Chief may hunt, fish, trap, or otherwise harvest wildlife on Reservation lands, including privately held fee lands or another, Public Lands, or Tribal Lands, as provided in such agreement.

2. Irrespective of such reciprocal or other intertribal agreement:

Includes: LA 06-21, LA 04-22, and LA 37-24

- i. All Persons subject to the criminal laws of the Cherokee Nation must comply with this chapter and the rules or regulations adopted or promulgated for its implementation; and
- ii. all citizens of the Cherokee Nation, when hunting, fishing, trapping, or otherwise harvesting wildlife within the jurisdiction of another federally recognized Indian Tribe that is party to such an agreement, must comply with the relevant wildlife laws of that tribe.

D. The Department may promulgate rules or regulations that limit the number of licenses, permits, establish appropriate conditions or restrictions hunting, fishing, or otherwise harvesting wildlife or engaging in traditional outdoor activities consistent with good conservation practices and the goal of preserving the Nation's wildlife resources for future generations.

E. Notwithstanding any provision of this Code, no exceptions shall be made, nor shall any provision be construed to deviate from the minimum requirements of federal law.

F. The Nation reserves the right to deny a permit application or to revoke a permit or license issued in accordance with this Code, and the regulations incorporated herein or otherwise promulgated, for any person subject to the Nation's jurisdiction who violates Cherokee Nation law, federal law, or other applicable law.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 107. Wildlife harvest registration and checkpoints.

- A. The Department shall prescribe a bag or harvest limit for each species that may be taken or otherwise harvested within Reservation Lands (including privately held fee lands of another, Public Lands, and Tribal Lands therein), and it shall be unlawful as a violation of the Cherokee Nation's criminal laws for any person subject to the jurisdiction of such laws to exceed the specified bag or harvest limit for any species, irrespective of where the take or harvest occurred within the State of Oklahoma, i.e., no person may harvest separate bag or harvest limits within the Cherokee Nation and elsewhere in the State of Oklahoma.
- B. Each Cherokee Citizen, as a condition on the right to lawfully take or harvest wildlife under this chapter, shall report, at minimum, all harvests of deer, turkey, and other species as required by the Department, irrespective of where the harvest occurred.
- C. The Department shall establish checkpoints or provide other methods for reporting applicable wildlife harvests by Cherokee Citizens entitled to hunt, fish, trap, or otherwise harvest wildlife within Cherokee Nation Reservation Lands or elsewhere pursuant to an agreement between the Cherokee Nation and any other Tribal government or agency thereof, the

Includes: LA 06-21, LA 04-22, and LA 37-24

state of Oklahoma, or any agency thereof, or the United States or any agency thereof.

- D. Such check point or reporting system shall include, at a minimum, information such as date of harvest, species, age class, sex, antler points (if applicable), method of harvest, county of harvest (including counties located outside Reservation Lands), and reservation of harvest (if taken from within the jurisdiction of another Tribal nation), and such other data as the Department might require to support informed fish and wildlife conservation and management decisions.
- E. By February 28 of each year, the Department shall report to each other Tribe that is a party to the Five Tribe Wildlife Management Reciprocity Agreement the basic harvest data collected from its citizens pursuant to this section. The report shall include aggregate data for citizen check ins and indicate cumulative numbers for species, age class, sex, antler points (if applicable), method of harvest, county of harvest, and jurisdiction of harvest for all deer and turkeys taken during the prior season(s). The Department shall not disclose in such report any identifying or personal information regarding any Cherokee Nation citizen.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 108. Rules

- A. A. The Department shall have the authority to promulgate any and all rules and regulations necessary to give full effect to this chapter and any agreements the Principal Chief may enter hereunder on the Cherokee Nation's behalf with another Tribal government or any agency thereof, the United States or an agency thereof, the State of Oklahoma or any agency thereof, or a private organization or land owner.
- B. Except as specified herein, and until such time as the Department promulgates rules or regulations, the hunting and fishing rules of the Oklahoma Department of Wildlife Conservation shall apply to all Reservation Lands, including privately held fee lands of another, Public Lands, and Tribal lands located therein, and Persons subject to the jurisdiction of the Cherokee Nation.
- C. The Department shall have the authority to promulgate, update, revise, modify or revoke any provisions or requirements contained in the rules of the Oklahoma Department of Wildlife Conservation, provided that:

- 1. The rules are not inconsistent with the provisions of this Code, Cherokee Nation law, and applicable federal law; and

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2. In the Department's reasonable view, the rules will support wildlife, resource conservation, public safety, habitat preservation, and cultural practices;

D. The Secretary of Natural Resources shall work with the Environmental Protection Commission and other departments of the Nation to identify and protect plant and animal species of special concern to the Nation and important habitats. For purposes of this code, **"species of special concern"** should include, but is not limited to, any species listed as endangered, threatened or rare by the federal government, states, and other tribal nations, and any **"culturally-protected species"** identified by Cherokee Nation, pursuant to the following rules:

1. Definitions

a. **"Culturally-protected species"** includes:

- i. bald eagle,
 - ii. mountain lion (aka puma, cougar, etc.) and
 - iii. any other plant, animal or aquatic species designated as a culturally-protected species as determined by regulations established by the Secretary of Natural Resources and approved by the Environmental Protection Commission.
- b. **"Indian"** means an individual who is a member of a federally-recognized Indian tribe or eligible for membership in a federally-recognized Indian tribe.
- c. **"Indian country"** has the meaning given to such term by 18 U.S.C. § 1151.
- d. **"Take"** means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. "Harm" in the definition of "take" in the act means an act which actually kills or injures wildlife. Such act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.

2. It shall be a crime for an Indian to take or possess a culturally-protected species from Indian country.

a. Exceptions.

- i. those possessing live animals or any part of a dead animal are not subject to sanction if in possession by

Includes: LA 06-21, LA 04-22, and LA 37-24

any legal tribal, federal or state method; specifically including:

(I) eagle feathers obtained through a repository,

(II) rehabilitation efforts of a live animal, or

(III) pursuant to the American Indian Religious Freedom Act, 42 U.S.C. § 1996.

ii. The Secretary of Natural Resources and Environmental Protection Commission shall promulgate rules that would allow an exception to take or possess a culturally-protected species, if that taking or possessing positively impacts the people of Cherokee Nation.

b. Punishment. This crime shall be punishable by a term of imprisonment not exceeding one (1) year or a fine in a sum not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine or imprisonment.

3. Cause of action.

a. Criminal sanctions may only be initiated by the Office of the Attorney General in Cherokee Nation District Court, Criminal Division;

b. Civil sanctions may be initiated by the Office of the Attorney General or the Environmental Protection Commission in Cherokee Nation District Court, Civil Division.

4. Preemption. This act specifically preempts state law applicable to Indian country.

5. Use of fines. Any criminal or civil fines collected pursuant to this act shall be earmarked for conservation efforts.

6. Guidelines for listing a species as a culturally-protected species:

a. Proposals to add/delist all species to/from the list of culturally-protected species shall be coordinated through and by the Secretary of Natural Resources;

b. The final determination of a listed species will be made by the Environmental Protection Commission;

c. To be considered for listing as a culturally-protected species, an individual must present information as required by the Secretary of Natural Resources and Environmental Protection Commission, including, but not limited to,

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cultural significance, habitat information, and likely harm to the species;

7. List. A list of culturally-protected species shall periodically, but no less than once per year, be published pursuant to rules established by the Environmental Protection Commission regarding time and place of publication.

LA 36-06, eff. January 7, 2007. Amended LA 10-10, eff. April 22, 2010; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 109. Management plans

A. The Department, in cooperation with other departments of the Nation, shall prepare management plans for fish and wildlife resources of the Nation and their habitats. Such management plans may incorporate the conservation requirements adopted by the State of Oklahoma, adjacent states, nations and tribes.

B. The Management Plans may be adopted or incorporated in the Strategic Land Plan, Integrated Resource Management Plan and other guidance used to make decisions about tribal land development and future land purchases and may identify sensitive areas and limits to uses of fish and wildlife resources and their habitats by rule or regulation.

C. The Department may enter into agreements with private landowners, state agencies, and tribes as appropriate for conservation of species, habitats and the preservation of Cherokee culture.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022.

§ 110. Permission to enter lands and general requirements

A. It shall be unlawful as a violation of the Cherokee Nation's criminal laws for any person subject to the jurisdiction of such laws to enter restricted lands, privately owned fee lands of another, public lands of the State of Oklahoma or the United States, or Tribal Lands closed to the public by applicable rule or regulation promulgated under this Code to hunt, fish, trap, harvest wildlife or otherwise engage in related activities without first obtaining appropriate permission from the owner of the lands privately held; or in the case of public lands of the State of Oklahoma or United States, compliance with rules applicable to land access promulgated by the owning government or land management agency responsible for such lands; or in the case of Tribal Lands, a permit, license, or other valid authorization from the Department. Any person violating this provision shall be guilty of trespass and subject to criminal and civil penalties in accordance with this Code and the Cherokee Nation law.

B. Any person who may hunt fish or otherwise take, fish, birds, plants or wildlife on lands and waters subject to the Nation's jurisdiction shall comply with the

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requirements set forth in this code and rules promulgated hereunder, applicable federal laws, and the other laws of the Cherokee Nation.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 111. Enforcement and field citations

The Cherokee Nation Marshal Service, and such officials designated by the Marshal, or otherwise in accordance with any cross deputization agreement and this Code, are authorized to issue field citations, make arrests, and confiscate property for violations of this Code and other Cherokee Nation laws. Such matters shall be cited to the Cherokee Nation District Court.

LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 112. Violations and Penalties

A. Any Person violating any provision of this code or any rule or regulation incorporated herein or otherwise promulgated hereby, shall be guilty of a crime and/or a civil infraction and subject to the following penalties.

1. Criminal Penalties. Violation of this Code as established in this Section shall be a misdemeanor punishable by a term of imprisonment not to exceed one (1) year, or a fine in a sum not to exceed Five Thousand Dollars (\$5,000), or by both such fine and imprisonment, and confiscation of vehicles, weapons, contraband, and/or equipment.

B. The requirements and penalties established in this Code and the rules or regulations incorporated herein or promulgated hereunder shall be cumulative and in addition to any other penalties set forth under Cherokee Nation law.

C. In addition to any other remedy provided by law, the Department may modify, revoke, refuse to renew or refuse to issue a license or permit to persons in violation of this code.

LA 36-06, eff. January 7, 2007; LA 04-22, eff. Feb. 1, 2022; LA 37-24, eff. September 15, 2024.

§ 113. Authority of District Court

Any decision of the Department revoking or rejecting a license or permit may be appealed to the District Court of the Cherokee Nation within fifteen (15)

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days of receipt of the final decision of the Department.

LA 04-22, eff. Feb. 1, 2022.

§ 114. Cooperative and Governmental Agreements

The Principal Chief is authorized to negotiate and execute agreements with federal, state, local governments, and other public and private entities to facilitate the purpose, policies, and requirements of this Code, which may include applications for grant funding, conservation programs and other cooperative agreements.

LA 04-22, eff. Feb. 1, 2022.

CHAPTER 2

HUNTING AND FISHING COMPACT ACT

Section

201. Repealed

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§ 201. Repealed effective December 31, 2018

Historical and Statutory Notes

The repealed § 201, which related to a hunting and finish compact between the state of Oklahoma and Cherokee Nation and was derived

from LA 09-15, effective May 29, 2015.

§ 1001. Definitions

The following words and phrases shall have the meanings ascribed in this article, except where the context requires otherwise:

A. ``Act`` means the Cherokee Nation Park, Wildlands, Fishing and Hunting Preserve Act of 2021.

Includes: LA 06-21, LA 04-22, and LA 37-24

B. ``Conservation`` means restrictions placed on property, or other natural resources, for the purpose of preservation, rehabilitation, restoration, or otherwise protecting a property, or natural resource from degradation for the benefit of current and future Cherokee Citizens.

C. ``Conservation Lands`` means any land, including Wildlands, Hunting Lands, Fishing Lands, Parks, and other properties set aside for specific or general conservation purposes in accordance with the Act.

D. ``Culturally Protected Species`` shall have the meaning set forth in Legislative Act 10-10, effective March, 22, 2010, and such other designations made in regulations adopted in accordance with the Act.

E. ``Cultural Resource`` means a natural resource or product of Cherokee activity, or an object or place given significance by Cherokee action or belief, including Culturally Protected Species and such other designations made in regulations adopted in accordance with the Act.

F. ``Hunting Lands`` means lands, including water, designated for the taking of wildlife for subsistence and recreational purposes.

G. ``Fishing Lands`` are lands, including water, designated for the taking of aquatic wildlife for subsistence and recreational purposes.

H. ``Park`` means an area of land or water open to the public for traditional outdoor activities, recreational use, or other purpose permitted by the Act.

I. ``Principal Chief`` means the Principal Chief of the Cherokee Nation.

J. ``Privileges`` means the opportunity to utilize Reserve Lands for the purposes set forth in the Act and associated regulations.

K. ``Reserve Lands`` means Wildlands, Hunting Lands, Fishing Lands, Conservation Lands, Parks, and other properties designated by, and subject to, the requirements of the Act.

L. ``Secretary`` means the Cherokee Nation Secretary of Natural Resources.

M. ``Wildland`` means an area of land or water which has retained its natural environmental integrity, although not necessarily completely natural and undisturbed, or has rare or culturally significant species of plant or animal life or similar features of interest worthy of management and preservation for current and future Cherokee citizens.

N. ``Wildlife`` means any wild animal, whether alive or dead, including, without limitation any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, whether or not bred, hatched, or born in captivity, and includes any part, product, egg, or offspring thereof.

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LA 06-21, eff. March 1, 2021.

§ 1002. Authority

The Principal Chief, through the Secretary of Natural Resources, shall have authority to manage all Reserve Lands under this Act. The Secretary shall be responsible for identifying, evaluating, listing, or otherwise restricting Reserve Lands for use consistent with the policies and requirements of this Act. The Secretary shall advise the Principal Chief, the Council of the Cherokee Nation, the divisions, departments, programs, agencies, authorities, and enterprises of the Cherokee Nation, and the federal, state and local governments on matters pertaining to the use of Reserve Lands designated for the purposes set forth in the Act. The Secretary shall develop written plans for the management and use of Reserve Lands and such other procedures and regulations necessary to effectuate the purposes and policies of this Act.

LA 06-21, eff. March 1, 2021.

§ 1003. Activities Permitted

Activities permitted on Reserve Lands covered by this Act shall be for any purpose that provides increased opportunities for Cherokee citizens, families, and other individuals to experience compatible recreation, subsistence, and cultural preservation activities, including, but not limited to conservation, hunting, fishing, public and private recreation, traditional outdoor activities, and any other accommodations consistent with the policies and requirements of the Act.

LA 06-21, eff. March 1, 2021.

§ 1004. Protection of Natural and Cultural Resources

No person shall disturb, immure, cut, burn, remove destroy, or possess any real or personal property, or Cultural Resource of the Cherokee Nation, including natural growth in any area of the Reserve Lands; or take or possess any Wildlife, plant, or Cultural Resource from the Reserve Land, unless such activities are permitted by the Act or regulations, procedures, standards and guidelines established in accordance with the Act, an express provision of law, or Executive Order issued by the Principal Chief of the Cherokee Nation.

LA 06-21, eff. March 1, 2021.

§ 1005. Designation of Properties

The following properties are hereby designated as Reserve Lands under the Act:

A. ``Cherokee Nation Sallisaw Creek Park'', as more fully described in the

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attached legal description, is approximately 790.70 acres of Tribal trust land located in Sequoyah County and is a partially developed public park utilized for hunting, fishing, camping and other recreational purposes.

B. ``Cherokee Nation Shawnee Preserve'', as more fully described in the attached legal description, is approximately 155.34 acres of Tribal trust property located in Craig County that is considered Wildlands and currently used for hunting and traditional outdoor activities.

C. ``Cherokee Nation Medicine Keepers Preserve'', as more fully described in the attached legal description and formerly referenced as CMS 83, is approximately 810 acres of Tribal trust property located in Adair County that is considered Wildlands and is currently utilized for traditional gathering and Cherokee cultural activities. This property shall be reserved for traditional cultural uses, with restricted access to the public.

D. ``Cherokee Nation Sequoyah Hunting Preserve'', as more fully described in the attached legal description, is approximately 4376.53 acres of Tribal fee property located in Sequoyah County that is considered Wildlands and currently utilized for hunting, fishing, and traditional outdoor activities.

LA 06-21, eff. March 1, 2021.

§ 1006. Additional Properties Designated Under the Act

The Principal Chief, upon recommendation of the Secretary, may designate additional properties as Reserve Lands under the Act for compatible purposes. A list of additional properties designated as Reserve Lands by the Principal Chief in accordance with this Act shall be reported to the Council of the Cherokee Nation at least quarterly, and the formal names of such properties may be modified by resolution of the Council of the Cherokee Nation.

LA 06-21, eff. March 1, 2021.

§ 1007. Suspension or Revocation of Privileges

The Secretary of Natural Resources may suspend or revoke any privileges granted under this Act upon determining that continuation of such privilege is not in the best interest of the Cherokee Nation.

LA 06-21, eff. March 1, 2021.

§ 1008. Criminal and Civil Penalties

Any person violating § 1004, or any other provision of this Act, including any regulation established in accordance with the Act, shall be guilty of a crime and or civil infraction and subject to the following penalties.

A. Criminal Penalties. Violation of the Act as established in this Section shall be a misdemeanor punishable by a term of imprisonment not to exceed

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one (1) year, or a fine in a sum not to exceed Five Thousand Dollars (\$5,000), or by both.

B. Civil Penalties. Violation of the Act as established in this Section shall also be a civil infraction punishable by a fine a fine in a sum not to exceed Five Thousand Dollars (\$5,000).

LA 06-21, eff. March 1, 2021.

§ 1009. Jurisdiction

Any person who enters onto any land covered by this Act consents to the civil and criminal jurisdiction of the Cherokee Nation to fullest extent allowable under the laws of the Cherokee Nation, and applicable federal law and shall be subject to the jurisdiction of the Cherokee Nation courts.

LA 06-21, eff. March 1, 2021.

§ 1010. Regulations, Procedures, Standards, and Guidelines

The Secretary of Natural Resources shall develop, promulgate, publish and implement such regulations, procedures, standards, and guidelines necessary to implement the requirements of or achieve the purpose of this Act.

LA 06-21, eff. March 1, 2021.

§ 1011. Cooperative and Governmental Agreements

The Principal Chief is authorized to negotiate and execute agreements with entities and agencies of the Cherokee Nation, including Cherokee Nation Businesses, federal, state, local governments, and other public and private entities to facilitate the purpose, policies, and requirements of the Act, which may include applications for grant funding, leases and other cooperative agreements.

LA 06-21, eff. March 1, 2021.