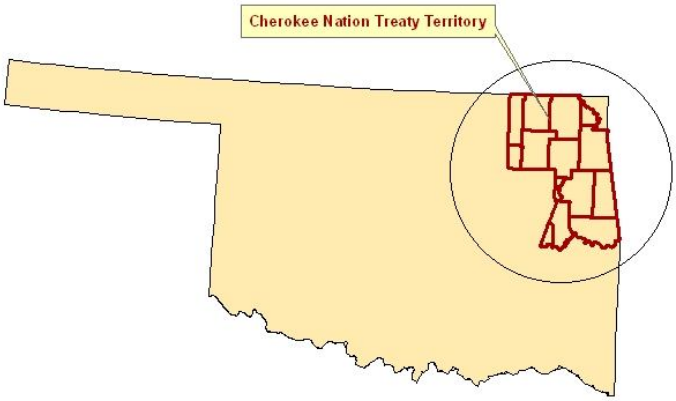
HUNTING AND FISHING WITHIN THE CHEROKEE NATION

Cherokee Nation Hunting and Fishing Laws

Hunting and fishing activities are time honored traditions in our Cherokee communities. As per treaties with the United States dated 1835, 1838, 1866, et al, the Cherokee Nation maintains its hunting/fishing rights within its Treaty Territory. On January 18, 2006, the Cherokee Nation enacted the "Cherokee Nation Hunting and Fishing Code" to assist with the management of hunting and fishing activities within this treaty territory. Thus, to assist our citizens with questions they may have regarding our hunting/fishing rights, the Nation wishes to provide the following information:

- The "**Cherokee Nation Hunting and Fishing Code**" (hereinafter referred to as the "Code") allows for Cherokee Nation citizens to hunt and fish within the Cherokee Nation's Treaty Territory (see graphic below) without purchasing State of Oklahoma hunting/fishing licenses and associated tags/permits. This same Code specifically adopts the many of the current hunting/fishing regulations of the Oklahoma Department of Wildlife Conservation (ODWC), (specifically those regulations specifying season dates, bag limits, legal means of take, etc.). However, as mentioned above, the Code substitutes Cherokee Nation Citizenship for the ODWC's licensing/tagging requirements. Enforcement of the Code (including the referenced sections of the ODWC Hunting and Fishing Regulations) will be conducted by the Cherokee Nation Marshal Service and Office of the Attorney General. These Cherokee Nation entities will rigorously enforce the Code (and corresponding regulations) via field citations and the Court system of the Cherokee Nation.

Cherokee Nation Treaty Territory



- **Licensing** – As per the Code, the Cherokee Nation Tribal Citizenship Card, "blue card," is considered a valid Cherokee hunting and fishing license. When afield, Cherokee hunters and anglers must carry this card as well as proper photo identification.

- **Tagging** – Where ODWC requires harvested game to be tagged, the Cherokee Nation Hunting and Fishing Code requires the Cherokee Licensee to likewise "tag" such legally harvested game via affixing a photocopy of their Cherokee Nation Tribal Citizenship Card, "blue card," to the carcass of the legally harvested game.

- **Game Check-in** – Until such time as an agreement between the Nation and the State of Oklahoma can be reached, it will not be possible for Cherokee citizens using their Cherokee License/tag to utilize State of Oklahoma Hunter Check Stations. Where ODWC requires harvested game to be tagged, the Cherokee Nation Hunting and Fishing Code requires the Cherokee Licensee to utilize a telephone service for such check in requirements. **The toll free, 7 days a week, 24 hours a day telephone number for checking game is (866) 458-5399.** Information obtained using this phone service is similar to the information one would provide to an Oklahoma Hunter Check Station.

- **Game Processing** – Please note that most all game processors in the State of Oklahoma (and surrounding areas) require animals delivered for processing to be tagged with an ODWC carcass tag. Thus, please check with your game processor to see if they will accept legally harvested game tagged with a Cherokee Nation Tribal Citizenship Card prior to harvest/delivery.

- **Commercial hunting, fishing and trapping activities** - The Cherokee Nation Hunting and Fishing Code does not allow for any form of commercial hunting, fishing or trapping activities. Individuals wishing to conduct such activities must do so under the purview of the ODWC.

- The **Natural Resource Department** (NRD) of the Cherokee Nation has been designated the lead department for Tribal hunting and fishing activities matters. NRD staff is available to answer questions and provide further information to all of our citizens. Please call (918) 453-5671 to speak with NRD staff.

- **Cherokee Nation Tribal Land Policies:**
    - Cherokee Nation Tribal lands are open for authorized hunting/fishing activities to Cherokee Nation citizens. The following clarifications and exceptions apply:
        - All access to Cherokee Nation Tribal lands is by "walk-in" only. No motorized vehicle access is allowed.
        - Special access areas – Tribal lands leased for agriculture use are open for such activities pending proper notification of the lessee. Cherokee Nation NRD staff will assist Cherokee hunters and anglers with such notification if requested.
        - Areas within the incorporated boundaries of towns/cities are closed to hunting activities.
        - All hunting/fishing activities must be conducted in a way that ensures the safety of and respects the privacy of area residents.
    - Cherokee Nation NRD staff will assist Cherokee citizens with Tribal land locations and inventories. Please call (918) 453-5671 to speak with NRD staff.
    - No access to Cherokee Nation Tribal lands is allowed for non-Cherokee citizens.
    - No commercial hunting/fishing activities are allowed on Cherokee Nation Tribal lands.
    - No trapping activities are allowed on Cherokee Nation Tribal lands.
    - The Cherokee Nation has no facilities for any form of overnight camping on its Tribal lands (with the one exception being a small campground at Sallisaw Creek Park in Sequoyah County). Thus, overnight camping is not permitted on Cherokee Nation Tribal lands.

- **Cherokee Nation Restricted Land Policies:**
    - Non-Cherokee citizens may hunt on Restricted Indian lands with any of the following allowances:
        - They have an interest in said Restricted Indian property; this includes the spouse and children of the interest holder unless contested by co-owner.
        - Written permission from an interest holder in said restricted land unless contested by co-owner.

        - Presumptive heir of said Restricted Indian land of an un-probated estate with official Cherokee Nation Hunting & Fishing Permit.
        - An official Cherokee Nation Hunting Lease.
        - An official Cherokee Nation Hunting & Fishing Permit.
            - Non-Cherokee Citizens must abide by State and Federal Hunting Regulations, which includes all licenses and tags required.
            - Permits can be issued to any of the aforementioned criteria holders.
    - Cherokee citizens may hunt or fish on Restricted Indian lands with valid Cherokee Hunting and Fishing with any of the following allowances:
        - They have an interest in said Restricted Indian property; this includes the spouse and children of the interest holder unless contested by co-owner.
        - Written permission from an interest holder in said restricted land unless contested by co-owner.
        - Presumptive heir of said Restricted Indian land of an un-probated estate.
        - An official Cherokee Nation Hunting Lease.

- The Cherokee Nation Hunting and Fishing Code can be accessed via the following link:

http://wildlife.cherokee.org

- WARNING – there is not yet any written agreement with the State of Oklahoma on these provisions; therefore, it is possible that you may be stopped, or even cited, for hunting off of trust or restricted land using only your Cherokee Nation license. If you are in full compliance with Cherokee Nation regulations and you receive such a citation, notify the Cherokee Nation Office of the Attorney General or Marshal Service at (918) 456-9224. The Nation may or may not attempt to assert its hunting/fishing rights in your case as a defense. UNTIL THERE IS A FORMAL AGREEMENT WITH THE STATE, YOU MAY BE SUBJECT TO FINES AND/OR OTHER PENALTIES FOR HUNTING ON STATE LAND WITHOUT A STATE LICENSE. While the Nation believes that such penalties would be improper, there is no guarantee that you will not be subject to them.