

Cherokee Nation Code Annotated
Title 27: Environmental Quality
Chapter 9: Water Quality Code
§ 903. Powers and duties of Commission
Cite as: 27 CNCA § 903

A. The Commission shall have the power and duty to:

1. develop comprehensive programs for the prevention, control and abatement of new or existing pollution of the waters of this Nation;
2. require the submission of plans, specifications and other data in connection with the issuance of permits required pursuant to this chapter;
3. require monitoring and testing of waters and discharges, and the submission of reports or laboratory analyses performed by certified laboratories or operators;
4. issue swimming and fishing advisories related to human and animal health hazards;
5. adopt standards of quality of the waters of the Nation and classifications of such waters, and promulgate other rules to protect, maintain and improve the best uses of waters in this Nation and establish such best management practices and conditions as may be necessary or appropriate for the prevention, control and abatement of pollution;
6. issue, continue in effect, revoke, amend, modify, condition, deny, renew, or refuse to renew permits, licenses, water quality certifications and other authorizations;
7. establish a schedule of fees for permits, studies, laboratory services or technical assistance and for recovering copy and other costs in response to open records requests;
8. establish, implement, amend and enforce a Water Quality Management Plan and total maximum daily loads;
9. issue, modify, or revoke orders requiring the construction of new disposal or treatment systems or the modification or extension of existing systems, or the adoption of other remedial measures to prevent, control or abate pollution; and
10. issue, modify, or revoke orders requiring other actions such as the Commission may deem necessary to enforce the provisions of this chapter and rules promulgated thereunder.

B. The Commission may, pursuant to resolution or a writing approved in a regular or special meeting of the Commission, delegate any authority to the Administrator except for final rulemaking decisions.

C. Except as specifically provided herein, duties and requirements pursuant to this chapter shall apply to all lands of Cherokee Nation, all waters of Cherokee Nation and all persons and activities subject to the authority and jurisdiction of Cherokee Nation.

Historical Data

LA 35-04, eff. August 16, 2004.