

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 15: Cherokee Nation Energy and Sustainability Act of 2026

§ 1505. Substantive Provisions

Cite as: 27 CNCA § 1505

A. Programs Defined and Authorized, Mandated Plans and Reports:

1. Policy of Reducing of Energy Consumption: It shall be the policy of the Cherokee Nation to reduce net energy consumption within facilities or on land owned or controlled by Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation every three years beginning in fiscal year 2027, unless the Secretary of Natural Resources declares that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation achieved a state of Reasonably Optimal Energy usage, provided:

a. Measure of energy consumption should be limited to those facilities or land which are customarily climate controlled, lit with artificial lighting or have outdoor operations which substantially utilize grid-supplied electricity on a square footage basis,

b. Measure of such energy consumption shall be determined by the Secretary of Natural Resources on such basis as the Secretary determines, by regulation, meets the purposes and policies of this Act.

2. Policy of Reducing Water Consumption: It shall be the policy of the Cherokee Nation to reduce net water consumption within facilities or on land owned or controlled by Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation every three years beginning in fiscal year 2027, unless the Secretary of Natural Resources declares that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation achieved a state of Reasonably Optimal Water Consumption, provided:

a. Measure of water consumption should be limited to those facilities which are customarily supplied with water service and land which is customarily irrigated, on a square footage basis,

b. Measure of such water consumption shall be determined by the Secretary of Natural Resources on such basis as the Secretary determines, by regulation, meets the purposes and policies of this Act.

3. Policy of Reducing Food Waste: It shall be the policy of the Cherokee Nation to reduce food waste operations controlled by Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation every three years beginning in fiscal year 2027, unless the

Secretary of Natural Resources declares that Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation achieved a state of Reasonably Optimal Food Waste Efficiency, provided:

a. Measure of food waste consumption should be limited to those operations where food is customarily prepared and or provided for mass consumption pursuant to the commercial or public service interests of the Cherokee Nation, its entities or the Housing Authority of the Cherokee Nation,

b. Measure of such food waste shall be determined by the Secretary of Natural Resources on such basis as the Secretary determines, by regulation, meets the purposes and policies of this Act.

4. Policy of Reducing Light Pollution: It shall be the policy of the Cherokee Nation to reduce the incidence of light pollution resulting from its use of artificial lighting beginning in fiscal year 2027 through strategies recommended by the Secretary of Natural Resources to Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation.

5. Cherokee Nation Office of Energy: An office within the Department of Natural Resources, which provides planning, oversight, recommendations, policies, regulations and other activities to effectuate the purposes and policies of this Act, including but not limited to:

a. Serving as a clearinghouse of information, approvals and/or consultation for all matters relating to energy usage in facilities operated by Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation.

b. Establishing energy efficiency goals or mandates for Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation. Requiring Cherokee Nation Departments, Entities and the Housing Authority of the Cherokee Nation to submit plans and projects substantially impacting energy and natural resources consumption for review and comment prior to their implementation.

6. Cherokee Nation Three-Year Energy and Sustainability Plan: A plan issued by the Secretary of Natural Resources relating to all energy consumption by Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation, and relating to sustainability goals of the tribe, provided:

a. Such plan be issued every three years commencing with Fiscal Year 2027, with such inaugural plan issued no later than December 31, 2026.

b. The plan shall consolidate the reporting requirements of the “Clean Energy Task Force,” as mandated under Executive Order 2024-03-CTH, and incorporate all content

requirements previously attributed to the “Strategic Energy Plan,” in addition to those set forth herein:

(1) Such plan broadly assesses:

(a) The state of energy consumption, major investments increasing energy efficiency, and energy efficiency goals for three-year plan period.

(b) The state of recycling activity, major achievements or policies relating to recycling and recycling goals for the three-year plan period.

(c) The state of other sustainability related initiatives identified within the “Strategic Energy Plan” first issued in April 2025.

(d) Recommendations to reduce light pollution consistent with this Act.

(2) Such plan specifically assesses whether Cherokee Nation, each of its entities and the Housing Authority of the Cherokee Nation are:

(a) Compliant with the policy of reduction energy consumption and water consumption.

(b) In a state of Reasonably Optimal Energy Consumption or Reasonably Optimal Water Consumption

(c) Non-Compliant with the policy of reduction energy consumption and water consumption.

7. Cherokee Nation Recycles: A program administered by the Secretary of Natural Resources in the interests of increasing recycling activities and reducing waste by Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation, which:

a. Provides workforce education on recycling and waste reduction.

b. Provides public education on recycling and waste reduction.

c. Establishes and publishes recycling and waste reduction goals.

d. Issues policies, rules and regulations relating to recycling and waste reduction.

8. Litter Free Cherokee Nation: A program administered by the Secretary of Natural Resources to reduce litter and other material or substance disposal within the Cherokee Nation reservation, which:

a. Provides workforce education on the impact of littering.

b. Provides public education on the impact of littering.

- c. Establishes goals, policies, rules and regulations to reduce littering.
- d. Coordinates with Gadugi Corps and Cherokee Nation Community and Cultural Outreach to assist with public and community non-profit volunteer-based litter remediation efforts and coordinates with the departments or sub-units of Cherokee Nation, its entities and the Housing Authority of the Cherokee Nation for employee-based litter remediation efforts.
- e. Makes recommendations to the Principal Chief and the Council as to policies, regulations and/or legislation to effectuate the purposes and policies of this section of the Act.

9. Cherokee Nation Energy and Sustainability Act Annual Report: The Secretary of Natural Resources shall replace the “Annual Energy Report” previously mandated under Executive Order 2024-03-CTH with a “Cherokee Nation Energy and Sustainability Act Annual Report,” commencing with fiscal year 2027, no later than December 31 of each fiscal year, to the Principal Chief, the Speaker of the Council, the Chairperson of the Cherokee Nation Environmental Protection Commission and, within 60 days thereafter made available for public inspection including by posting on Cherokee Nation’s website, provided such report:

- a. Summarizes efforts to achieve the purposes of policies of this Act during the preceding fiscal year.
- b. Measures progress against goals established by the Cherokee Nation Three-Year Energy and Sustainability Plan.

10. Executive Orders Remain Effective: Any executive orders relating to energy usage and recycling as of the effective date of this Act, except to the extent such orders may conflict with this Act, remain in full force and effect and nothing herein restricts the Principal Chief from issuing Executive Orders in the subject areas relevant to this Act, provided such orders are not inconsistent with rules, policies or regulations issued by the Secretary of Natural Resources pursuant to this Act.

11. Consultation with Cherokee Nation Environmental Protection Commission: All programs, policies, rules, and projects authorized under this Act that may affect environmental quality, recycling, waste management, water conservation, or pollution control shall be developed and implemented in consultation with the Cherokee Nation Environmental Protection Commission (EPC). No rule, standard, or permit issued pursuant to this Act shall conflict with or supersede EPC regulations unless expressly amended by the Council of the Cherokee Nation.

Historical Data

LA 17-26, eff. April 30, 2026.