

**CHEROKEE NATION'S JULY 2023 SEMIANNUAL REPORT  
UNDER SECTION 5.3 OF THE ENVIRONMENTAL MITIGATION TRUST  
AGREEMENT FOR INDIAN TRIBE BENEFICIARIES DATED OCTOBER 2, 2017**

The Office of the Secretary of Natural Resources, the lead agency authorized to act on behalf of the beneficiary Cherokee Nation, is submitting this July 2023 Semiannual Report pursuant to Section 5.3 of the Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries dated October 2, 2017 (“Indian Tribe Trust Agreement”). This Report is submitted for the six-month period ending June 30, 2023 for (i) the Cherokee Nation’s 2<sup>nd</sup> Round Zero Emission Project (“Round 2 Project”), which was funded in Round 2 under the Indian Tribe Trust Agreement; (ii) the Cherokee Nation’s 3<sup>rd</sup> Round Zero Emission Project (“Round 3 Project”), which was funded in Round 3 under the Indian Tribe Trust Agreement; and (iii) the Cherokee Nation’s 4<sup>th</sup> Round Zero Emission Project (“Round 4 Project”), which was funded in Round 4 under the Indian Tribe Trust Agreement. As described in the Cherokee Nation’s Final Round 1 Report Under Section 5.3 Of The Environmental Mitigation Trust Agreement For Indian Tribe Beneficiaries Dated October 2, 2017 (“Final Round 1 Report”), the Cherokee Nation has completed its 1<sup>st</sup> Round Zero Emission Project (“Round 1 Project”).

**Report On Status Of Eligible Mitigation Action Items**

The Round 1 Project is complete. The Round 1 Project deployed one all new zero emission school bus to provide transportation for the Cherokee Nation’s school system. An electric Thomas Built Saf-T-Liner C2 341TS was delivered by Midwest Bus Sales in December 2020. The school bus will travel on multiple routes including destinations such as Stilwell, Tahlequah, Catoosa, West Siloam Springs, Roland, Vinita, Sallisaw, and Muskogee, among others. As part of the Round 1 Project, the Stilwell charging station has been completed. Also, as part of its Round 1 Project, the Cherokee Nation completed a light duty charging station in Tahlequah.

As discussed in prior reports, the Cherokee Nation modified its projects in response to an event that significantly disrupted the Cherokee Nation’s electric vehicle projects. Specifically, due to a wide scale electrical power outage, all of the Cherokee Nation’s charging stations became inoperable, some of them for multiple days. Due to the charging stations being inoperable, and the lack of other charger availability, the Cherokee Nation’s electric vehicles also became inoperable. This caused significant operational issues for the departments who relied on use of the electric vehicles, as well as significant concern for those departments who were planning to receive an electric vehicle as part of the Cherokee Nation’s projects. As a result, the Cherokee Nation modified its projects in several ways. First, where at all possible, the Cherokee Nation planned to install redundant charging stations, and to design such charging stations to be as independent from each other as possible (for example, by installing the charging stations on different power grids and investigating different manufacturers and types of charging stations). Second, the Cherokee Nation engaged a contractor to provide 24/7 operational support for the chargers. Third, while the Cherokee Nation still intends to destroy any eligible vehicle that is replaced, the Cherokee Nation intends to delay such destruction to give time for the operational issues to be satisfactorily worked out. These modifications may impact all of the projects, including the allocation of additional funds to charging stations which may lead to less funds being available for replacement of vehicles, or for light duty projects.

As also discussed in prior reports, the Cherokee Nation has been steadily working on its open projects. Primarily due to the increased costs expected for the charging stations, the Cherokee Nation has modified its plans accordingly.

For one project, the Cherokee Nation has deployed a new zero emission electric executive shuttle bus that provides customer transportation for Cherokee Nation Business. The new zero emission electric executive shuttle bus has been delivered.

For a second project, the Cherokee Nation intends to deploy a new zero emission electric dump truck that would primarily be used at the Will Rogers Down facility. The Cherokee Nation has ordered the new zero emission electric dump truck, and it is under construction. Cherokee Nation has multiple eligible vehicles that the new electric vehicle could replace, and will designate that replacement vehicle once a final decision is made.

For a third project, the Cherokee Nation intends to deploy multiple new zero emission electric water trucks that would be used at the Will Rogers Down facility. The Cherokee Nation has ordered three new zero emission electric dump trucks, and they are under construction. Cherokee Nation has multiple eligible vehicles that the new electric vehicles could replace, and will designate replacement vehicles once a final decision is made.

For a fourth project, the Cherokee Nation intends to deploy a new zero emission electric box truck. A new zero emission electric box truck may be used for a variety of purposes, such as a laundry truck for Cherokee Nation Business. The Cherokee Nation has ordered the new zero emission electric box truck, and it is under construction. Cherokee Nation has multiple eligible vehicles that the new electric vehicle could replace, and will designate that replacement vehicle once a final decision is made.

For all replaced vehicles, the old engine and chassis will be permanently disabled. Disabling the engine consists of cutting or punching a three-inch hole in the engine block. Disabling the chassis entails cutting completely through the frame/frame rails on each side of the vehicle/equipment at a point located between the front and rear axles. If other, pre-approved scrapping methods were used, details and documentation will be obtained, including photos of the disabled engine/chassis and/or a signed Certificate of Vehicle/Engine Destruction. However, as mentioned above, this step will be delayed until the operational issues with the charging stations have been satisfactorily worked out.

Electric vehicles may travel on multiple routes including destinations such as Tahlequah, Catoosa, Stilwell, West Siloam Springs, Roland, Vinita, Sallisaw, and Muskogee, among others. The Nation intends to install charging stations at many of these locations as part of the charging infrastructure for the new vehicles. As mentioned above, the Cherokee Nation also now intends to install redundant but independent charging stations to ensure charging continuity for the vehicles it has purchased, which means multiple charging stations may be installed in similar locations. Here is the status of the Section 2(e)(4) charging stations that are planned to be installed as part of the projects:

- Tahlequah (Cherokee Nation - WW Keeler Main Complex) charging station is

installed.

- Stilwell charging station is installed.
- Sequoyah High School charging station is installed.
- Catoosa charging station is installed.
- Vinita charging station is in the planning phase.
- Will Rogers Downs charging station is installed.
- Additional charging stations will be installed in a cascading order of priority depending on available funding and actual costs.

The Cherokee Nation also intends to install a solar canopy in Catoosa as part of the charging infrastructure, and a solar canopy in Vinita as part of the charging infrastructure. The solar canopy in Catoosa is installed. The solar canopy in Vinita is installed.

The projects also include a construction cost component under the administrative cost section of Appendix D-2. Francis Renewable Energy, the contractor the Cherokee Nation is working with on the charging stations, has informed the Cherokee Nation that many of the facilities may need to be altered to allow for use as a multiple bus charging station, primarily consisting of reinforcing the concrete due to the anticipated weight of the buses. Cost estimates for this are included in the budgets below.

The projects also include light duty ZEV charging stations. In accordance with Section 9(c)(1) of Appendix D-2, the Cherokee Nation is planning to make all light duty ZEV charging stations available to the public on property owned by the Cherokee Nation. The number and final design of these charging stations will depend on the particular site's needs, as well as the available budget based on the actual costs of installation at each selected site. The process for the light duty ZEV component for each round will not be finalized until the charging station infrastructure plans are completed for the heavy duty vehicles. Here is the status of the Section 9 charging stations that are planned to be installed as part of the projects:

- Tahlequah (Cherokee Nation - WW Keeler Main Complex) light duty ZEV charging station is installed.
- Tahlequah (Cherokee Nation - Markoma Complex) light duty ZEV charging station is installed.
- Catoosa light duty ZEV charging station is installed.
- Vinita light duty ZEV charging station is installed.
- Additional light duty ZEV charging stations will be installed in a cascading order of priority depending on available funding and actual costs.

The project schedule and budget have had revisions as detailed below. Costs expended thus far are also detailed below.

**Report On How Cherokee Nation Has Made Documentation Publicly Available**

The Cherokee Nation has complied with Sections 5.2.7.2 and 5.3 of the Indian Tribe Trust Agreement by making publicly available all documentation submitted in support of its funding request and all records supporting all expenditures of any funds it receives, subject to applicable laws governing the publication of confidential business information and personally identifiable information, including the following:

- Posting its Round 1 Project application at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its November 2019 Semiannual Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its Round 2 Project application at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its January 2020 Semiannual Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its July 2020 Semiannual Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its Round 3 Project application at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its January 2021 Semiannual Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its May 2021 Semiannual Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its May 2021 Final Round 1 Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its July 2021 Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its August 2021 Round 4 application at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>
- Posting its January 2022 Report at the following website:  
<https://www.cherokee.org/our-government/secretary-of-natural-resources-office/>

**Report On Eligible Mitigation Action Management Plan  
Including Detailed Costs, Budget, And Implementation And Expenditures Timeline**

**REVISED PROJECT SCHEDULE AND MILESTONES – ROUND 1 PROJECT**

The Cherokee Nation has completed its Round 1 Project.

## **REVISED PROJECT SCHEDULE AND MILESTONES – ROUNDS 2-4 PROJECTS**

The Cherokee Nation has revised its Rounds 2-4 Project schedules.

### Step 1. Trustee Awards [COMPLETED]

*The Trustee distributed funds to the Cherokee Nation in November 2019 for Round 2, November 2020 for Round 3, and November 2021 for Round 4.*

### Step 2. Contracting, Project Planning, and Initiation [Ongoing]

This step will include detailed project planning to finalize the scope, assignments, and timeline. This phase will result in a formal kick-off of the Project with all team members so that they can successfully meet project goals and objectives. This step also includes executing agreements with the contractors, including final selection of the all-new electric medium and large vehicle manufacturers. The Cherokee Nation anticipates that this can mostly be performed simultaneously with project planning.

### Step 3 (Infrastructure Installation and Vehicle Deployment) [January 2024]

The Cherokee Nation anticipates that steps 3.a. (Vehicle Procurement and Deployment) and 3.b. (Infrastructure Installation) can be performed simultaneously.

### Step 3a. Vehicle Procurement and Deployment [December 2023]

This step includes finalizing the specifications for the vehicles by working with the third party supplier. Once the specifications are finalized, the Cherokee Nation expects that the lead-time on the vehicles will be at least 12 months. The funds for the vehicle will be expended when the vehicle is delivered. The Cherokee Nation will conduct pre-delivery inspections to approve vehicle delivery, and conduct post-delivery inspections for final approval. If necessary, the Cherokee Nation will engage the services of external vendors to complete the inspections.

This step also includes deployment of the vehicle. Delivered vehicles will be registered and insured by the Cherokee Nation. At the time the vehicle is delivered, construction of some of the charging stations should be completed. A series of tests will be conducted to ensure the vehicles can be charged properly with the charging equipment and can operate along the planned routes, including testing the vehicle at any existing charging station(s). During this phase, staff will receive the necessary training to operate and maintain the vehicles.

### Step 3b. Infrastructure Installation [January 2024]

This step includes finalizing site plans for the charging stations and seeking the necessary permits from local authorities to install the systems. During this step, the Cherokee Nation will be working with all third parties to develop site and installation plans for the charging stations, including any site engineering (such as civil, electrical, and mechanical), construction, and equipment installation.

The costs for the charging infrastructure equipment will be expended when the parts are ordered once the site design is complete. The costs for the charging infrastructure installation will be expended as infrastructure is completed. Once construction at a charging site is complete, the site will be tested with the vehicles in the Cherokee Nation's electric fleet.

Step 4. Project Completion [February 2024]

Once the replaced vehicle is scrapped and the charging infrastructure is installed, the Cherokee Nation will issue a final report summarizing implementation and will close out the projects with the Trustee.

**SUMMARY OF ALL COSTS EXPENDED**

The costs expended thus far are included in the table attached hereto.

**CERTIFICATIONS**

**By submitting this report, the Lead Agency makes the following certifications:**

- 1. This report is submitted on behalf of Beneficiary Cherokee Nation, and the person executing this certification has authority to make this certification on behalf of the Lead Agency and Beneficiary, pursuant to the Certification for Beneficiary Status filed with the Court.**
  
- 2. This report contains all information and certifications required by Paragraph 5.3 of the Trust Agreement.**
  
- 3. To the best of my information and belief, and under penalty of perjury, the information in this report is true and correct.**

**DATED:** 8/3/2023 | 6:17 PM CDT

DocuSigned by:  
*Chad Harsha*  
582AF8D6B9E34EE

**Chad Harsha**  
**Secretary of Natural Resources**

**The Office of the Secretary of Natural Resources**  
**[LEAD AGENCY]**

for

**Cherokee Nation**  
**[BENEFICIARY]**

<b>Task Description</b>	<b>EXPENSES TO DATE</b>
<b>HD Charger (Stilwell) PO# 252672</b>	<b>\$ 66,200.00</b>
	<b>\$ 145,042.00</b>
<b>LD Charger rehab (CN Complex, 8/16-L2) PO# 261966</b>	<b>\$ 107,305.00</b>
	<b>\$ 19,925.00</b>
<b>School Bus &amp; supplies PO#s 239030 Midwest Bus-PO# 266126 Lowes-PO# 263242 Lowes - PO# 260098 - PO# 266676 inv GP-01240-01 - PO# 261724 Summit Truck</b>	<b>\$ 383,210.75</b>
<b>Prof. Admin. Fees (ALF, FRE)</b>	<b>\$ 78,754.90</b>
<b>HD Charger (Tah Casino) PO# 253969</b>	<b>\$ 67,200.00</b>
	<b>\$ 301,565.00</b>
	<b>\$ (21,091.00)</b>
<b>HD Charger (SHS) PO# 266676</b>	<b>\$ 140,960.00</b>
	<b>\$ 226,542.16</b>
<b>SNR LD install PO# 266689</b>	<b>\$ 14,733.00</b>
<b>CN Complex Solar Canopy Data logger PO# 261966 INVOICE GP-01245-01</b>	<b>\$ 1,826.00</b>
<b>HRC Shuttlebus PO# 279947 ABC Co's</b>	<b>\$ 297,362.70</b>
<b>HD Charger (HRC) PO#s 276604 \$15,000 - 276605 \$15,000 -285005 (\$490,766) and Collins PO# 294249 (\$107,400)</b>	<b>\$ 631,216.00</b>
	<b>\$ 30,000.00</b>



		\$	(9,613.00)
	<b>Prof. Admin. Fees (ALF)</b>	\$	<b>33,752.18</b>
	<b>HD Charger (Water) PO# 284947</b>	\$	<b>573,735.16</b>
	<b>WRD Water Truck #1 PO# 280590</b>		
	<b>WRD Dump Truck PO# 283738</b>		
	<b>Prof. Admin. Fees (ALF)</b>	\$	<b>13,006.06</b>
	<b>Solar Canopy (Vinita) PO# 285566 \$467,280 PLUS</b>	\$	<b>416,336.00</b>
	<b>PO# 276609 Vinita Welcome Ctr LD EV Chg \$16,000</b>	\$	<b>16,000.00</b>
	<b>EV Charging #1 (Vinita Canopy, utility prep) PO# 276895 \$25,693.87</b>	\$	<b>25,693.87</b>
	<b>EV Charging #2 (Vinita Canopy, LD - 1/2 L2) PO# 285565</b>		
		\$	<b>258,895.00</b>
	<b>EV Charging #3 (Vinita Canopy, HD - L3 ) PO# 285565</b>		
	<b>WRD Box Truck Bruckner PO# 279948</b>		
	<b>HD Charger (WRD Box) PO# 284948</b>	\$	<b>280,319.00</b>
	<b>Solar Canopy (HRC) PO# 285008</b>		
		\$	<b>427,573.00</b>

	<b>EV Charging # 1 (HRC Canopy, utility prep) Collins PO# 294248</b>	<b>\$ 168,450.00</b>
	<b>EV Charging # 2 (HRC Canopy, LD - 2/4 L2) PO# 285006</b>	
		<b>\$ 352,654.69</b>
	<b>EV Charging # 3 (HRC Canopy, HD - 1 L3) PO# 285006</b>	
	<b>WRD Water Truck #2 PO# 280590</b>	
	<b>WRD Water Truck #3 PO# 280590</b>	
	<b><i>Prof. Admin. Fees (ALF)</i></b>	<b>\$ 10,360.00</b>