

**CHEROKEE NATION'S JANUARY 2021 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 January 2021 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 period ending December 30, 2020 for (i) the Cherokee Nation’s 1st Round Zero Emission Project (“Round 1 Project”), which was funded in Round 1 under the Indian Tribe Trust Agreement, and (ii) the Cherokee Nation’s 2nd Round Zero Emission Project (“Round 2 Project”), which was funded in Round 2 under the Indian Tribe Trust Agreement.

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

The Round 1 Project involves deploying one all new zero emission school bus under Section 2(e)(4) of Appendix D-2 to the Indian Tribe Trust Agreement 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 eligible vehicle the new bus will replace is a 1998 Blue Bird 48 passenger bus, VIN number 1HVBBABP9WH569999. Once the new bus is fully operational, the replaced bus will be rendered inoperable (meaning, at a minimum, it will have a 3-inch hole cut in the engine block and its frame rails will be cut completely in half) and made available to recycle.

The Round 2 Project had initially intended to deploy one all new zero emission school activity coach bus under Section 2(e)(4) of Appendix D-2 to the Indian Tribe Trust Agreement. However, primarily due to the increased costs expected for the charging stations, the Cherokee Nation now intends to deploy a different type of zero emission vehicle, likely either an executive shuttle bus or a box truck. Since the coach bus is more expensive than these vehicles, this will allow budget to be reallocated to the charging stations. A new zero emission executive shuttle bus would provide customer transportation for Cherokee Nation Business, while a new zero emission box truck may be used for a variety of purposes, such as a laundry truck for Cherokee Nation Business. The Cherokee Nation has not yet decided which electric vehicle to order. 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 on which new electric vehicle is being purchased. Once the new vehicle is delivered, the replaced vehicle will be rendered inoperable (meaning, at a minimum, it will have a 3-inch hole cut in the engine block and its frame rails will be cut completely in half) and made available to recycle.

The school bus will be based in Tahlequah, but will travel on multiple routes including destinations such as Catoosa, Stilwell, West Siloam Springs, Roland, Vinita, Sallisaw, and Muskogee, among others. These are also locations where the executive shuttle bus or box truck may travel. The Nation intends to install charging stations at many of these locations as part of the charging infrastructure for the new vehicles. Currently, the following charging stations are planned to be installed as part of the projects: Tahlequah, Stilwell, Catoosa, and West Siloam

Springs. The Stilwell charging station has been completed and is being tested. The Tahlequah charging station is in the construction phase. The other charging stations remain in the planning phase. The Cherokee Nation will install additional charging stations in a cascading order of priority depending on available funding and actual costs.

The Cherokee Nation had intended to install a solar canopy as part of the charging infrastructure for each new vehicle. However, due to budgetary constraints, for Round 1 the Cherokee Nation has decided instead to complete a light duty charging station. For Round 2 and future rounds, the Cherokee Nation still intends to install a solar canopy as part of the charging infrastructure for each vehicle. For the Round 2 Project the solar canopy is planned for Catoosa.

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. For example, the Stillwell charging station includes a concrete cost of \$28,300. Updated cost estimates for this are included in the updated budgets below.

The projects also include light duty ZEV charging stations under Section 9 of Appendix D-2. 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 bus charging infrastructure plan is completed. The Round 1 light duty ZEV project has increased in scope since the Cherokee Nation decided not to install a solar canopy in Round 1. Currently, the Round 2 Project plans for one Level 2 light duty ZEV charger and one Level 3 light duty ZEV charger.

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/>

**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 revised its Round 1 Project schedule, and now estimates it will conclude in about October 2021.

**Step 1. Trustee Award [COMPLETED]**

*The Trustee distributed funds to the Cherokee Nation in May 2019.*

**Step 2. Contracting, Project Planning, and Initiation [COMPLETED]**

*This step is completed.*

**Steps 3a. (Infrastructure Installation) and 3b. (Vehicle Procurement) [August 2021]**

The Cherokee Nation anticipates that steps 3a, 3b, and 3c can mostly be performed simultaneously.

**Step 3a. Bus Infrastructure Installation [February 2021]**

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.

**Step 3b. Bus Vehicle Procurement [COMPLETED]**

*The bus was delivered in December 2020.*

### Step 3c. Light Duty Project (NEW) [August 2021]

This is a new step. It includes finalizing site plans for the light duty ZEV 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.

### Step 4. Bus Deployment [March 2021]

Delivered vehicles will be registered and insured by the Cherokee Nation. 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 bus routes. During this phase, staff will receive the necessary training to operate and maintain the vehicles. At the end of this phase, the vehicle being replaced will be scrapped.

### Step 5. Project Completion [October 2021]

Once the replaced vehicle is scrapped and the light duty ZEV charging station is installed, the Cherokee Nation will issue a final report summarizing implementation and will close out the project with the Trustee. The Cherokee Nation estimates project completion will occur in October 2021.

## **REVISED PROJECT SCHEDULE AND MILESTONES – ROUND 2 PROJECT**

The Cherokee Nation has revised its Round 2 Project schedule, and now estimates it will conclude in about February 2023.

### Step 1. Trustee Award (3 months) [COMPLETED]

*The Trustee distributed funds to the Cherokee Nation in November 2019.*

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

*This step is completed.*

### Step 3 (Infrastructure Installation and Vehicle Deployment) [May 2022]

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 [May 2022]

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 [May 2022]

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 [August 2022]

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 project with the Trustee.

## **SUMMARY OF ALL COSTS EXPENDED ON THE ROUND 1 PROJECT**

The costs expended thus far are:

- \$375,823 payment for the Thomas Bus
- \$1,755.16 payment for a bus accessory (cleaning mister)
  
- \$101,000.00 payment for Francis Solar
- \$68,500.00 payment for Francis Solar
- \$64,200.00 payment for Francis Solar
- \$64,200.00 payment for Francis Solar

- \$28,300.00 payment for Francis Solar
- \$25,000.00 payment to Francis Solar for contractual – technical support expense
- \$3,000.00 payment for Francis Solar
- \$2,000.00 payment for Francis Solar
  
- \$39,916.10 payment for Askman Firm contractual – application administrative expense
- \$12,365.00 payment for Askman Firm contractual – application administrative expense
- \$6,545.00 payment for Askman Firm contractual – project administrative expense
- \$4,808.80 payment for Askman Firm contractual – project administrative expense
- \$2,485.00 payment for Askman Firm contractual – project administrative expense
- \$1,202.18 payment for Askman Firm contractual – project administrative expense
- \$980.00 payment for Askman Firm contractual – project administrative expense

**REVISED BUDGET – ROUND 1 PROJECT**

| <b>Eligible Mitigation Action and Mitigation Action Expenditure Categories</b>   | <b>Item</b>                                | <b>Cost</b> | <b>Qty.</b> | <b>Revised Budget</b> | <b>Original Budget</b> |
|--|--|-------------|-------------|-----------------------|------------------------|
| D-2 Section 2(e)(1) - Government-Owned Eligible Buses  | Thomas Bus                                 | \$ 375,823  | 1           | \$ 375,823            | \$ 395,823             |
|  | Bus Charging Infrastructure                | \$ 182,942  | 1           | \$ 182,942            | \$ 154,602             |
|  | Bus Charging Infrastructure - Solar Canopy | \$ -        | 0%          | \$ -                  | \$ 126,000             |
|  | Bus Accessories                            | \$ 5,000    | 1           | \$ 5,000              | \$ -                   |
|  | Bus salvage fee                            | \$ 5,000    | 1           | \$ 5,000              | \$ -                   |
| <i>D-2 Section 2(e)(1) - Government-Owned Eligible Buses Subtotal:</i>   |  |             |             | \$ 568,765            | \$ 676,425             |
| D-2 Section 9(c)(1) - Light Duty ZEV, Gov't Property   | Light Duty Chargers                        | \$ 121,318  | 1           | \$ 121,318            | \$ 74,720              |
| <i>D-2 Section 9(c)(1) - Light Duty ZEV, Gov't Property Subtotal:</i>  |  |             |             | \$ 121,318            | \$ 74,720              |
| Administrative Expenditures  | Contractual - application                  | \$ 350      | 114         | \$ 39,916             | \$ 39,916              |
|  | Contractual - project                      | \$ 350      | 40          | \$ 14,000             | \$ 19,950              |
|  | Contractual - technical                    | \$ 25,000   | 1           | \$ 25,000             | \$ -                   |
|  | Contractual - commissioning                | \$ 16,668   | 1           | \$ 16,668             |                        |
|  | Construction - concrete                    | \$ 28,300   | 1           | \$ 28,300             | \$ -                   |
| <i>Administrative Expenditures Subtotal:</i>   |  |             |             | \$ 123,884            | \$ 59,866              |
| Cost share correction - to be accomplished by reducing funding of the light duty ZEV project and/or administrative costs |  |             |             | \$ (5,178)            | \$ (2,222)             |
| <b>PROJECT TOTAL</b>   |  |             |             | <b>\$ 808,789</b>     | <b>\$ 808,789</b>      |

**REVISED BUDGET – ROUND 2 PROJECT**

| <b>Eligible Mitigation Action and Mitigation Action Expenditure Categories</b> | <b>Item</b>  | <b>Cost</b> | <b>Qty.</b> | <b>Revised</b>      | <b>Original</b>     |
|--|--|-------------|-------------|---------------------|---------------------|
| Government-Owned Eligible Vehicles   | Electric Vehicle                                     | \$450,000   | 1           | \$ 450,000          | \$ 1,099,000        |
|  | Charging Infrastructure - DC Charger w/ new elec.    | \$258,765   | 1           | \$ 258,765          | \$ 188,448          |
|  | Charging Infrastructure - DC Charger                 | \$189,079   | 1           | \$ 189,079          | \$ 154,602          |
|  | Charging Infrastructure - DC Charger w/ new electric | \$175,000   | 1           | \$ 175,000          | \$ -                |
|  | Charging Infrastructure - Solar Canopy               | \$278,603   | 75%         | \$ 208,952          | \$ 129,780          |
|  | Other - vehicle accessories                          | \$5,000     | 1           | \$ 5,000            | \$ -                |
|  | Other - salvage fee                                  | \$5,000     | 1           | \$ 5,000            | \$ 5,000            |
| <i>D-2 Section 2(e)(1) - Government-Owned Eligible Buses Subtotal:</i>         |  |             |             | <i>\$ 1,291,796</i> | <i>\$ 1,571,830</i> |
| D-2 Section 9(c)(1) - Light Duty ZEV, Gov't Property                           | First Level 2 Charger                                | \$17,486    | 1           | \$ 17,486           | \$ 17,486           |
|  | Each Add'l Level 2 Charger                           | \$15,234    | 1           | \$ 15,234           | \$ 31,474           |
|  | First Level 3 Charger                                | \$151,942   | 1           | \$ 151,942          | \$ -                |
|  | Each Add'l Level 3 Charger                           | \$102,711   | 0           | \$ -                | \$ -                |
|  | Charging Infrastructure - Solar Canopy               | \$278,603   | 25%         | \$ 69,651           | \$ 43,260           |
| <i>D-2 Section 9(c)(1) - Light Duty ZEV, Gov't Property Subtotal:</i>          |  |             |             | <i>\$ 254,313</i>   | <i>\$ 92,220</i>    |



|  |                           |                   |             |                     |                     |
|--|---------------------------|-------------------|-------------|---------------------|---------------------|
| Administrative Expenditures  | Contractual - application | \$350             | 36.1        | \$ 12,635           | \$ 12,635           |
|  | Contractual - project     | \$350             | 50          | \$ 17,500           | \$ 17,500           |
|  | Construction - concrete   | Item cost bundled | Bundle est. | \$ 110,000          | \$ 100,000          |
|  | Construction              | Item cost bundled | Bundle est. | \$ 106,571          | \$ -                |
| <i>Administrative Expenditures Subtotal:</i>   |                           |                   |             | \$ 246,706          | \$ 135,135          |
| Cost share correction - to be accomplished by reducing funding of the light duty ZEV project and/or administrative costs |                           |                   |             | \$ (1,133)          | \$ (7,503)          |
| <b>PROJECT TOTAL</b>   |                           |                   |             | <b>\$ 1,791,682</b> | <b>\$ 1,791,682</b> |

**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: January 27, 2021



**Chad Harsha**  
Secretary of Natural Resources

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

for

**Cherokee Nation**  
[BENEFICIARY]