

**RESOLUTION NO. 25-09**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION AUTHORIZING CHEROKEE NATION BUSINESSES, LLC TO  
SUBMIT A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF  
ENERGY, OFFICE OF ENERGY AND ENERGY EFFICIENCY DEPARTMENT FOR  
RENEWABLE ENERGY DEPLOYMENT IN INDIAN COUNTRY**

**WHEREAS**, The Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

**WHEREAS**, the Cherokee Nation is a federally-recognized Indian Nation with a historic and continual government-to-government relationship with the United States of America;

**WHEREAS**, the Cherokee Nation encourages economic development and acknowledges renewable energy resources are necessary to prevent land and air pollution as an alternative to the use of fossil fuels, as well as a part of our solution toward sustainability.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation hereby authorizes the Chief Executive Officer of Cherokee Nation Businesses, LLC to apply for grant funding from the U.S. Department of Energy, Office of Energy and Energy Efficiency, for Renewable Energy and Energy Efficiency Deployment in Indian Country for a wind farm, including contracting with any consultants or contractors needed for the pre-construction activities of the wind farm and leasing or purchasing any equipment needed. The proposed wind farm project is to be located on Cherokee Nation's Chilocco property on the 2,633.348 acres on the western portion of the property, of which Sections 27 and 28 are held in trust and the remaining property fee simple, as well as the use of any of the 1,641.687 acres on the eastern portion of the property as needed. All environmental/NEPA studies will be conducted on the entire property owned by Cherokee Nation at Chilocco, and

**BE IT FURTHER RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation acknowledges that the subject grant application requires a 100% match by the awardee. The time period anticipated for placing the project in service is estimated to be approximately eighteen (18) months to three (3) years from execution of a Power Purchase Agreement. The Council of the Cherokee Nation further authorizes commitment of resources, including the land on which the project is proposed for construction, assets which may be currently owned by, or granted to CNB by a "partnering entity", for example Kay Electric Cooperative, or other in-kind services or assets, and financial contributions that may result from the company(s) cash reserves or from financing, in a value of 100% of the grant award, up to \$1,000,000; and

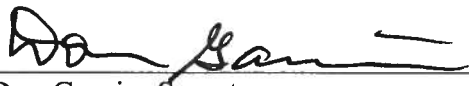
**BE IT FINALLY RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation authorizes the submission of a grant application to the U.S. Department of Energy, Office of Energy and Energy Efficiency Department for Renewable Energy Deployment in Indian Country.

**CERTIFICATION**

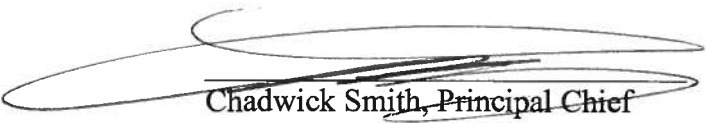
The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 16th day of March, 2009, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

  
Meredith A. Frailey, Speaker  
Council of the Cherokee Nation


**ATTEST:**

  
Don Garvin, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 23rd day of March, 2009.

  
Chadwick Smith, Principal Chief  
Cherokee Nation

**ATTEST:**

  
Melanie Knight, Secretary of State  
Cherokee Nation

<b><u>ADMINISTRATIVE CLEARANCE</u></b>	
<b>Program/Project Manager:</b> Carol Wyatt/cew 3-06-09	
Signature/Initial	Date
<b>Department Director:</b>	
Signature/Initial	Date
<b>Group Leader:</b>	
Signature/Initial	Date
<b>Government Resources:</b>	
Lita Maupin	3-13-09
Signature/Initial	Date
<b>Administration Approval:</b>	
Melanie Knight	3-13-09
Signature/Initial	Date

<b><u>LEGISLATIVE CLEARANCE:</u></b>	
<b>Legal &amp; Legislative Coordinator:</b>	
<i>Brittain</i>	<i>3/13/09</i>
Signature/Initial	Date
<b>Standing Committee &amp; Date:</b>	
<i>Resources 3/16/09</i>	
<b>Chairperson:</b>	
<i>Snell</i>	
Signature/Initial	Date
<b>Returned to Presenter:</b>	
	Date

## Cherokee Nation Act/Resolution Proposal Form

Act       Resolution

**TITLE:**

**DEPARTMENT CONTACT:** Carol Wyatt, Project Coordinator

**RESOLUTION PRESENTER:** Carol Wyatt

**COUNCIL SPONSOR:** Jack Baker

**NARRATIVE:**

The wind energy project is in the final pre-construction phase. Application has been made to the Southwest Power Pool (SPP) for 150 megawatts of power on the transmission grid. When SPP tells us how much power they can take on the transmission grid, we will be able to design the size of the wind farm.

The DOE grant application allows up to \$1,000,000.00 funds for pre-construction projects. A preliminary budget of \$870,500.00 is for pre-construction expenses for engineering design for transmission, substation, and electrical system, site civil engineering, turbine contract negotiations, engineering procurement construction (EPC) firm contract negotiations, travel and expenses, and additional archaeological and cultural studies.

DOE requires a 100% match of the amount of funds they award. However, DOE has stated the \$1,350,500.00 funds approved at the September 27, 2009 CNB meeting can qualify as the match.

The application is due April 1, 2009.