

Committee: Resource Committee  
Date: 6-15-15 Committee Date: 6-15-15

Author: Kim Teehee  
Sponsors: D. Thornton, J. Fullbright, T. Glory Jordan, J. Byrd,  
D. Walkingstick, D. Garvin, F. Hargis, J. Fishinghawk,  
C. Snell, H. Buzzard, V. Vazquez, J. Taylor, D. Lay,  
L. Keener, C. Cowan Watts, J. Baker, J. Coates

**RESOLUTION NO. 45-15**

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A SPECIAL GRANT APPLICATION FROM THE U. S. DEPARTMENT OF INTERIOR, OFFICE OF INDIAN ENERGY AND ECONOMIC DEVELOPMENT (IEED), ENERGY AND MINERALS DEVELOPMENT PROGRAM.**

**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 and jobs in Sequoyah County;


**WHEREAS**, that the Council of the Cherokee Nation hereby authorizes the Chief Executive Officer of Cherokee Nation Businesses, L.L.C. to apply for grant funding from the U. S. Department of Interior, Office of Indian Energy and Economic Development (IEED), Energy and Minerals Development Program (EMDP), to conduct any studies or assessments necessary on the W.D. Mayo site of the Arkansas Riverbed, including engineering and marketing, for pre-construction development of a hydroelectric facility for possible economic development and distributed generation purposes; and authorizes these studies to be conducted with tribal staff and/or private contractors/consultants.

**WHEREAS**, Cherokee Nation also authorizes the public release of information obtained from the energy and mineral development study upon request from the U.S. Department of Interior, Energy and Minerals Development Program.

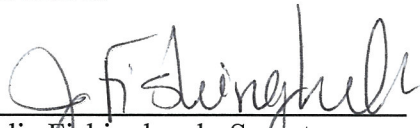
**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Council of the Cherokee Nation authorizes the submission of a grant application to the U.S. Department of Interior, Office of Indian Energy and Economic Development, Energy and Minerals Development Program in 2015 and the work to be performed in 2015-2016.

**CERTIFICATION**


The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 15<sup>th</sup> day of June, 2015, having 16 members present, constituting a quorum, by the vote of 16 yea; 0 nay; 0 abstaining.

  
Tina Glory Jordan, Speaker  
Council of the Cherokee Nation


**ATTEST:**

  
Jodie Fishinghawk, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 19<sup>th</sup> day of June, 2015

  
Bill Baker, Principal Chief  
Cherokee Nation

**ATTEST:**

  
Chuck Hoskin, Jr., Secretary of State  
Cherokee Nation

**DOI Grant 2015  
BIA-15-FA-0001**

Grant Deadline: June 23, 5:00pm

**The DEMD grant cannot fund the following:**

- Office or office equipment
- Salaries for Tribal employees
- Legal fees
- Application fees associated with permitting.
- Training
- Contracted negotiation fees
- Studies related to meeting NEPA requirements for project development

**In-kind suggestions:**

- Salaries - CNB personnel on project (actual time or % estimate)
- Legal – CNB, CN, & outside counsel
- Environmental on NEPA, permitting, etc. – CNB, CN, CRC, CN Natural Resources
- CN Roads Dept.
- CN Real Estate Services
- Leasing equipment
- Contract negotiation

**Resolution Requirements:**

- Current resolution, signed and dated
- Description of energy and mineral resource to be studied
- Statement that the tribe is willing to consider developing any potential energy and mineral resource discovered (includes hydro)\ (20% ranking on proposal)
- Statement describing how the tribe wishes to have project performed (i.e., by whom)
- Statement to the effect that the tribe will consider public release of information

## W. D. MAYO HYDROELECTRIC GENERATION FACILITY PROJECT

The W. D. Mayo Hydroelectric Generation Facility Project has been generously funded by the U.S. Department of Interior-Energy and Minerals Development Program (totaling \$2,731,100) as follows:

- **2009**: Received DOI \$130,000 non-match grant award for PH I study.
- **2010**: Received DOI \$150,000 non-match grant award for PH II study.
- **2011**: Received DOI \$1,667,100 non-match grant award for PH III study.
- **2012**: Received DOI \$550,000 non-match grant award for PH IV study.
- **2013**: Received DOI \$234,000 non-match grant award for PH V study.

Significant tasks accomplished to date:

1. Hydraulics & potential energy production updated
2. Cost estimate refined & updated
3. Project economics updated
4. Site survey for modeling completed
5. Preliminary geotechnical evaluation completed
6. Contacts with USACE established, Project Team within the USACE formed, Interagency Agreement with USACE negotiated
7. Mathematical river modeling work completed.
8. Final report and comments pending with USACE.
9. Phase V work scope currently in process. Will be complete by year end 2014.
10. Amendment of 1986 Legislation.
  - Project size – 30MW
  - Expected cost of completion - \$132 million
  - Timeline – 408 Permit and Design 2 years; Construction 2-3 years
  - 100+ job creation during construction period.

Additional funding will support continuation of Environmental (408 Permitting), Powerhouse Model Study, Design Engineering, Turbine Manufacturer Design/Analysis, Technical Specification updates, and 25 Year Marketing Forecast.

# Cherokee Nation Act/Resolution Proposal Form

Act       Resolution

A RESOLUTION AUTHORIZING THE SUBMISSION OF A  
 SPECIAL GRANT APPLICATION FROM THE U. S.  
 DEPARTMENT OF INTERIOR, OFFICE OF INDIAN ENERGY  
 AND ECONOMIC DEVELOPMENT (IEED), ENERGY AND

**TITLE:** MINERALS DEVELOPMENT PROGRAM

**DEPARTMENT CONTACT:** Kim Teehee

**RESOLUTION PRESENTER:** \_\_\_\_\_

**COUNCIL SPONSOR:** David Thornton ; Janelle Follbr...

**NARRATIVE:**

06-09-15P02:47 RCVD

<b><u>ADMINISTRATIVE CLEARANCE</u></b>	
<b>Dept/Program:</b>	
Signature/Initial	Date
<b>Executive Director:</b>	
Signature/Initial	Date
<b>Treasurer: (Required: Grants/Contracts/Budgets)</b>	
 <span style="font-size: 1.5em; vertical-align: middle;">6-9-15</span>	
Signature/Initial	Date
<b>Government Relations:</b>	
Signature/Initial	Date
<b>Administration Approval:</b>	
 <span style="font-size: 1.5em; vertical-align: middle;">6/9/15</span>	
Signature/Initial	Date
<b><u>LEGISLATIVE CLEARANCE:</u></b>	
<b>Legal &amp; Legislative Coordinator:</b>	
 <span style="font-size: 1.5em; vertical-align: middle;">6/9/15</span>	
Signature/Initial	Date
<b>Standing Committee &amp; Date:</b>	
 <span style="font-size: 1.5em; vertical-align: middle;">6/15/15</span>	
<b>Chairperson:</b>	
	
Signature/Initial	Date
<b>Returned to Presenter:</b> _____	
Date	