



# Council of the Cherokee Nation

Cherokee Nation Tribal  
Council  
17763 S. Muskogee Ave.  
Tahlequah, OK 74464

## Legislation Details (With Text)

<b>File #:</b>	22-080	<b>Version:</b>	1	<b>Name:</b>	N/A
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<b>On agenda:</b>	10/11/2022	<b>Final action:</b>	10/28/2022		
<b>Enactment date:</b>	10/11/2022	<b>Enactment #:</b>	R-047-22		
<b>Title:</b>	A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT A SIX MONTH EXTENSION OF THE WIND RESOURCE LEASE TO CHILOCCO WIND FARM, LLC LOCATED ON TRIBAL TRUST LANDS IN KAY COUNTY OKLAHOMA				
<b>Sponsors:</b>	Mike Shambaugh, Victoria Vazquez, Dora Patzkowski, Rex Jordan, E. O. "JR." Smith				
<b>Indexes:</b>	Chilocco, Wind Energy Project				
<b>Code sections:</b>	N/A - Not Applicable				
<b>Attachments:</b>	1. R-47-22				

Date	Ver.	Action By	Action	Result
10/28/2022	1	OFFICE OF THE CHIEF	Signed	
10/11/2022	1	TRIBAL COUNCIL	Approved	Pass
10/11/2022	1	RESOURCE COMMITTEE	Approved and Forwarded to Council	Pass

### **A RESOLUTION AUTHORIZING CHEROKEE NATION TO GRANT A SIX MONTH EXTENSION OF THE WIND RESOURCE LEASE TO CHILOCCO WIND FARM, LLC LOCATED ON TRIBAL TRUST LANDS IN KAY COUNTY OKLAHOMA**

**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 Chilocco Wind Farm LLC wishes to obtain a six (6) month extension to the remaining eighteen (18) months of the current Wind Resource Lease to complete construction of the Wind Farm project. This extension and amendment to the Wind Resources Lease will authorize a period of twenty-four (24) months to complete construction, which began on August 26, 2022. The Wind Farm project is located on approximately 4,229 acres of Cherokee Nation Trust land located in Kay County, Oklahoma.

**WHEREAS**, Pursuant to **25 CFR §162.559(g)** that the Secretary of the Interior will defer to the tribe's determination that a waiver of performance bond or alternate form of security. Cherokee Nation has

determined that this is in the best interest of the tribe, and;

**WHEREAS**, Cherokee Nation will receive fifty thousand dollars (\$50,000.00) for the lease extension and requests a Waiver of Valuation and that the Negotiated Value be used pursuant to **25 CFR §162.549(a)**.

1. Cherokee Nation has negotiated compensation satisfactory to the tribe.
2. Cherokee Nation waives valuation; and
3. Cherokee Nation has determined that accepting such negotiated compensation and waiving valuation is in the best interest of the Cherokee Nation.

**BE IT RESOLVED BY THE CHEROKEE NATION**, that the Principal Chief of Cherokee Nation, Chuck Hoskin Jr., and/or his authorized designee(s) be authorized to enter into the above described leasing, with the negotiated compensation and with the appraisal and bond waived, in accordance with 25 CFR § 162 and the Bureau of Indian Affairs policy and procedure for leasing of land owned by United States of America in Trust for Cherokee Nation.