

**CHEROKEE NATION'S JANUARY 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 January 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 December 31, 2022 for (i) the Cherokee Nation’s Round 2 Project; (ii) the Cherokee Nation’s Round 3 Project; and (iii) the Cherokee Nation’s Round 4 Project. As described in the Cherokee Nation’s Final Round 1 Report Dated October 2, 2017, the Cherokee Nation has completed its 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 the Cherokee Nation’s last semiannual report, the Cherokee Nation has been working to modify all of its remaining projects due to a wide scale electrical power outage that rendered all of the Cherokee Nation’s charging stations inoperable. As a result, the Cherokee Nation has been working to modify its projects in several ways. First, where at all possible, the Cherokee Nation is planning to install redundant charging stations as part of the charging infrastructure associated with its new electric vehicles, 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, as part of the charging infrastructure associated with its new electric vehicles, the Cherokee Nation has 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 remaining open projects for Rounds 2 through 4, 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.

The Round 2 Project had initially intended to deploy one all new zero emission school activity coach bus. However, primarily due to the increased costs expected for the charging stations, the Cherokee Nation currently intends to deploy a different type of zero emission vehicle, likely an executive shuttle bus. 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. The

Cherokee Nation has ordered the shuttle bus, and it is currently being built. 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.

The Round 3 Project will deploy one or more all new zero emission vehicles, along with their charging infrastructure. The Cherokee Nation has not yet decided which electric vehicle to order, but currently plants to deploy multiple new electric water trucks and a dump truck, which would all be used at the Will Rogers Down facility. Cherokee Nation has multiple eligible vehicles that the new electric vehicles could replace, and will designate that replacement vehicle once a final decision is made on which new electric vehicles are being purchased.

The Round 4 Project will deploy one or more all new zero emission vehicles, along with their charging infrastructure. The Cherokee Nation has not yet decided which electric vehicle to order, but currently plants to deploy a new electric box truck. 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 also currently plants to deploy multiple new electric water trucks and a dump truck, which would all be used at the Will Rogers Down facility. 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.

For all replaced vehicles in all rounds, 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 from all of the rounds 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:

Installed in 2021:

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

Installed in 2022:

- Sequoyah High School charging station.

In construction or planning:

- Catoosa charging stations have been contracted and construction has started.
- Vinita charging station has been contracted and construction has started.
- Will Rogers Downs charging stations have been contracted and construction has started.

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 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:

Installed in 2021:

- Tahlequah (Cherokee Nation - WW Keeler Main Complex) light duty ZEV charging station.
- Tahlequah (Cherokee Nation - Markoma Complex) light duty ZEV charging station.

In construction or planning:

- Catoosa light duty ZEV charging station is contracted and under construction.
- Vinita light duty ZEV charging station is contracted and under construction.

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 for Rounds 2 through 4 have been revised with an anticipated

completion of 2024. The costs expended thus far are included in the table attached hereto.

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/>

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 31, 2023

DocuSigned by:
Chad Harsha
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Chad Harsha
Secretary of Natural Resources

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

for

Cherokee Nation
[BENEFICIARY]

TASK DESCRIPTION	EXPENSES TO DATE
HD Charger (Stilwell) PO# 252672	\$ 66,200.00
	\$ 145,042.00
LD Charger rehab (CN Complex, 8/16-L2) PO# 261966	\$ 107,305.00
	\$ 19,925.00
School Bus & supplies PO#s 239030 Midwest Bus-PO# 266126 Lowes-PO# 263242 Lowes - PO# 260098 - PO# 266676 inv GP-01240-01 - PO# 261724 Summit Truck	\$ 383,210.75
	\$ 78,754.90
Prof. Admin. Fees (ALF, FRE) HD Charger (Tah Casino) PO# 253969	\$ 67,200.00
	\$ 301,565.00
	\$ (21,091.00)
HD Charger (SHS) PO# 266676	\$ 140,960.00
	\$ 226,542.16
SNR LD install PO# 266689	\$ 14,733.00
CN Complex Solar Canopy Data logger PO# 261966 INVOICE GP-01245-01	\$ 1,826.00
HRC Shuttlebus PO# 279947 ABC Co's	
HD Charger (HRC) PO#s 276604 \$15,000 - 276605 \$15,000 -285005 (\$490,766) and Collins PO# 294249 (\$107,400)	\$ 297,856.00
	\$ 30,000.00
	\$ (9,613.00)
Prof. Admin. Fees (ALF)	\$ 31,372.18
WRD Box Truck Bruckner PO# 279948	
HD Charger (WRD Box) PO# 284948	\$ 205,272.00
HD Charger (Water) PO# 284947	\$ 433,805.00
Solar Canopy (Vinita) PO# 285566 \$467,280 PLUS PO# 276609 Vinita Welcome Ctr LD EV Chg \$16,000	\$ 225,255.00
	\$ 16,000.00
EV Charging #1 (Vinita Canopy, utility prep) PO# 276895 \$25,693.87	\$ 25,693.87
EV Charging #2 (Vinita Canopy, LD - 1/2 L2) PO# 285565	\$ 137,606.00
EV Charging #3 (Vinita Canopy, HD - L3) PO# 285565	
Prof. Admin. Fees (ALF)	\$ 10,136.06
Solar Canopy (HRC) PO# 285008	\$ 199,606.00
EV Charging # 1 (HRC Canopy, utility prep) Collins PO# 294248	
EV Charging # 2 (HRC Canopy, LD - 2/4 L2) PO# 285006	

	\$ 207,348.00
EV Charging # 3 (HRC Canopy, HD - 1 L3) PO# 285006	
WRD Water Truck #1 PO# 280590	
WRD Water Truck #2 PO# 280590	
WRD Water Truck #3 PO# 280590	
WRD Dump Truck PO# 283738	
<i>Prof. Admin. Fees (ALF)</i>	\$ 10,080.00
	EXPENSES TO DATE
	\$ 3,352,589.92