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CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: _____

RESOLUTION NO. _____ (2025)

A resolution authorizing the Tribe to conduct a study of Highway 441 through Cherokee and the Great Smoky Mountains National Park to assess the economic impact of travel on, and closures of, the road.

WHEREAS, Highway 441, also known as Tsali Boulevard, is a primary road that carries visitors to and from Cherokee, North Carolina, the Great Smoky Mountains National Park (hereinafter, the "Park"), Gatlinburg, and Sevierville, Tennessee; and

WHEREAS, private businesses and local governments rely on travelers using that road to provide substantial annual revenues, and when the road is closed, revenues are severely reduced; and

WHEREAS, the Park has become very aggressive about closing the road when Park personnel make an internal decision, without consultation with officials in Cherokee, that the safety of travelers Highway 441 may be compromised due to bad weather; and

WHEREAS, the ability to keep traffic flowing on the road is even more important now than before, because Hurricane Helene has cut off travel on Interstate 40 between North Carolina and Tennessee; and

WHEREAS, on November 4, 2024, the National Park Service issued Director's Order #71C, which requires the Park Service to consult with Indian tribes regarding Park Service decisions that "may have a substantial direct effect on an Indian Tribe" on various matters, and the EBCI believes use and control of Highway 441 are two of those matters; and

WHEREAS, the Park Service and the Park are not consulting with the EBCI in any meaningful way about closures of Highway 441; and

WHEREAS, this resolution authorizes the EBCI to conduct a study of all relevant aspects of Highway 441, with the goal of determining how management and control of the road, and consultation about the road, may be improved.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians, in Council assembled, at which a quorum is present, that the Tribe is authorized to fund and conduct a study of Highway 441 as it serves Cherokee and partner communities that will assess and evaluate the following issues:

- (a) The legal status of Highway 441 on Tribal trust land in Cherokee;

- 1 (b) The authority of the Tribe to control the use of the road on Tribal trust land, or
2 impose a fee for such use;
3 (c) The Tribe's relationships with other government entities that impacts some
4 aspects of Highway 441;
5 (d) Measuring traffic on the road for all seasons and traffic created from local
6 events;
7 (e) Assessing relationships with private businesses and local governments that
8 share the Tribe's concern about the road;
9 (f) Any other matter relevant to Highway 441 and its management and control; and
10 (g) Options for the residents of the Tow String community, and other local
11 community members, to ease access, including Saunooke Bridge Road.
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13 BE IT FURTHER RESOLVED that the cost for the analysis shall not exceed \$ _____ and
14 will be taken from the FY 25 General Fund Reserve.
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16 BE IT FURTHER RESOLVED that the timeline to perform the analysis will be no longer than
17 120 days from the date of ratification of this resolution in which the final
18 assessment will be provided to Tribal Council once concluded.
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20 BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are
21 rescinded, and that this resolution shall become effective when ratified by the
22 Principal Chief.
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25 *Submitted by Mitchell Hicks, Principal Chief.*