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ANCIENT SPIRIT, MODERN MIND

Record of Written Resolution of EXECUTIVE COUNCIL

(*Government Act*, s. 52, 53, 56)

IN CAMERA

Motion

Motion Regarding: Sarita LNG Project Referendum

Introduced by:

Connie Waddell	January 12, 2017	Connie Waddell
Executive Council member	Date	Signature of Councillor

Seconded by:

Ben Clappis	January 12, 2017	Ben Clappis
Executive Council member	Date	Signature of Councillor

Record of decision:

☑ Adopted by consensus **OR** ☐ Recorded vote called by _____ (Executive Council member)

Record of vote:

Councillors in Favour:	Councillors Opposed:	Abstentions:

Resolution Number

☐ Did not pass OR ☑ Passed by Executive Council as Resolution #: EC 2017-017

January 12, 2017 _____

Date Signature of Chair

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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of EXECUTIVE COUNCIL

(*Government Act*, s. 52)

IN-CAMERA

For ease of reference, this motion may be referred to as:

In-Camera Motion Regarding **Sarita LNG Project Referendum**

Whereas:

a) At its November 2014 session, the People's Assembly approved proceeding with the proposed Sarita LNG Project provided certain conditions were met;

b) Executive Council has been exploring with Steelhead LNG how to proceed with the proposed project in accordance with the principles set out in the People's Assembly motion;

c) In December 2016, Executive Council approved in principle business terms for Huu-ay-aht Sarita LNG Project subject to, amongst other things, citizen approval of the Huu-ay-aht Sarita LNG Project through a referendum;

d) Executive Council does not wish to proceed with the proposed Huu-ay-aht Sarita LNG Project in the absence of citizen approval;

e) Executive Council may hold a referendum to determine the opinion of Huu-ay-aht citizens on any matter pursuant to the *Referendum and Recall Act*, s. 4;

f) Section 56 of the *Government Act* requires that a written report on any substantive matter to be considered by Executive Council must be delivered to Executive Council at least four working days in advance of consideration of the substantive matter;

g) A written report in respect of the matter was provided to Executive Council but it was not provided at least 4 days in advance;

h) Executive Council may waive the requirements of section 56 of the *Government Act* in an emergency or special circumstances where Executive Council reasonably believes that a delay in consideration of the matter is not in the best interests of the Huu-ay-aht (*Government Act, s. 56(4)*);

i) Because of the sensitive nature of the information being considered, materials were not distributed in advance of the meeting; and

j) Executive Council is of the view that it has been provided with sufficient information in respect of the matter and that a delay in consideration of the matter is not in the best interests of the Huu-ay-aht.

Be it resolved that:

1) Executive Council will hold a referendum pursuant to the *Referendum and Recall Act*, s. 4;

2) The reason for the referendum is to determine the opinion of Huu-ay-aht citizens with respect to the proposed Huu-ay-aht Sarita LNG Project;

3) The referendum question is: "Do you approve the proposed Huu-ay-aht Sarita LNG Project?";

4) Executive Council will not authorize proceeding with the Huu-ay-aht Sarita LNG Project unless more than 50% of Huu-ay-aht citizens voting in the referendum vote "yes";

5) Voting day for the referendum will be on March 25, 2017;

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(*Government Act*, s. 52)

IN-CAMERA

6) Subject to any contrary advice from the Ha'wiih Council, a special People's Assembly to consider the referendum question will take place on February 19, 2017;

7) The communications plan for the referendum will be as follows:

   a. full information on the proposed referendum will be provided to Huu-ay-aht citizens in accordance with the Strategic Engagement Plan;

   b. engagement with the Ha'wiih Council, which has already provided its support for the referendum, will continue in accordance with the Strategic Engagement Plan;

   c. the Law Clerk will give public notice of the Special People's Assembly on February 2, 2017, which will include the referendum question, notice of the date, time and location of the session of the People's Assembly and a copy of this resolution;

8) Because of the sensitive nature of business transactions related to the Huu-ay-aht Sarita LNG Project, this resolution will be kept confidential until February 2, 2017;

9) Kit Spence is hereby appointed as commissioner for the referendum;

10) In accordance with the *Government Act*, s. 56(4)(c), waives the requirement that the report regarding this matter be delivered four working days in advance of consideration.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, dated January 12, 2017;

Strategic Engagement Plan prepared by Rebecca Henn.

Introduced by: Connie Waddell EXECUTIVE COUNCIL MEMBER	Date: January 12, 2017 DATE OF EXECUTIVE COUNCIL MEETING

Administrative Requirements

1) Public notice of the special People's Assembly will be given on February 2, 2017 in accordance with the requirements of the RRA and the approved communications plan. Until that time, the referendum question will remain confidential.

2) The Strategic Engagement Plan will be carried out.

3) The Special People's Assembly will take place on February 19, 2017.

4) Voting day will take place on March 25, 2017.

5) Kit Spence will be notified of his appointment as soon as practicable.