



PLACE: Atlin, BC

JURISDICTION: Taku River Tlingit First Nation Government

DATE: May 29th, 2022

JOINT CLAN MANDATE #3

RE: Optimized Project

WHEREAS:

- (A) The Tlingit Homeland Energy Limited Partnership (the "Proponent") is a partnership comprised of Tlingit Homeland Energy Limited ("THEL"), as the general partner that is responsible for the management and operation of the business of the partnership and has unlimited liability for all debts and obligations of the partnership, and THELP, as the limited partner;
- (B) The Proponent proposed the Atlin Hydro Expansion Project (the "Project") to expand the existing two-megawatt hydropower facility, that is operated by Xeilt Limited, to export electricity to the Yukon and generate significant own-source revenues for the Taku River Tlingit First Nation (the "TRTFN");
- (C) The Proponent submitted the clean energy development plan (the "CEDP") for the Project in 2021 that must be submitted to the BC Ministry of Forests ("MoF") and approved before its permits, licenses or authorizations can be issued;
- (D) The Project Review Group (the "PRG"), which was established by the TRTFN, undertook a technical review of the Project and submitted information to the Proponent and the TRTFN about the Project in October 2021;
- (E) The Proponent now proposes a new optimized plan of the Project (the "Optimized Project") that would make substantial changes to the original design of the Project, which the Proponent advises would be safer, smarter, and more sustainable than the Proposal, and it intends to submit a new CEDP for the Optimized Project to MoF this summer; and
- (F) The Proponent's requirement to file a new CEDP has delayed the timeline for any approvals for the Optimized Project and this delay may jeopardize the federal, territorial, and provincial funding grants and contributions.

THEREFORE, BE IT RESOLVED THAT the Joint Clan Meeting:

- 1. confirms its support in principle for the Optimized Project, subject to the Joint Clan Meeting's review of the PRG's report of the Optimized Project and its final approval of the Optimized Project;
- 2. directs that the PRG complete its review of the Optimized Project as soon as practicable and, where possible, avoid any overlap with the technical work completed by the PRG last year with respect to the Optimized Project;
- 3. confirms that the PRG is responsible to:
 - a. ensure that information and materials are made available for TRTFN citizens and, working with the Proponent, convene information meetings and site tours about the Optimized Project to TRTFN members;
 - b. work with the Proponent to complete the studies and assessments and mitigation of any impacts relating to the Optimized Project;



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- c. work with the Proponent to complete monitoring and adaptive management plans for key values;
 - d. review, assess and evaluate the Optimized Project and identify any environmental, socio-economic, and cultural impacts and, if possible, propose any mitigation measures;
 - e. participate in the assessments and regulatory processes of the Province, Canada and Yukon and provide advice and technical support to the TRTFN with respect to these processes, including the clean energy development plan; and
 - f. provide a final report of its findings and recommendations to the Joint Clan Meeting;
4. confirms that the membership of the PRG would include at least four TRTFN members, comprised of two representatives of each the Crow and Wolf clans and appointed by their respective Clans, and TRTFN staff and technicians and advisors would be *ex officio* members of the PRG and provide technical and legal support to the PRG;
 5. mandates the Clan Directors Council to seek funding support from the Proponent, the Province and Yukon government to support the work of the PRG; and
 6. mandates the Clan Directors Council to work with the Proponent and other TRTFN corporate entities to:
 - a. finalize a protocol, that addresses the issues set out in the proposed 2015 protocol and other issues identified by the parties, and recommend a final protocol;
 - b. undertake a review of the existing structures of the Proponent, including consideration of a Shareholder structure and agreement, and recommend changes to that structure and process to provide for transparency and accountability and community involvement; and
 - c. examine whether a community trust should be established to, among other matters, ensure that a portion of the wealth generated by the Optimized Project is administered and preserved for current and future generations;

and complete this work no later than September 30, 2022, and the recommendations would be presented to the Joint Clan Meeting as soon as practicable thereafter.

Moved by: Susan Carlick, *Wolf*
Seconded by: Donna Jim, *Crow*
Passed by consensus May 29, 2022



Charmaine Thom, Spokesperson