



LUMMI INDIAN BUSINESS COUNCIL

2616 KWINA ROAD • BELLINGHAM, WA 98226 • (360) 384-1489

DEPARTMENT _____

DIRECT NO. _____

RESOLUTION #2011-030 OF THE LUMMI INDIAN BUSINESS COUNCIL

TITLE: Reformation of Lummi Nation Cherry Point Team

WHEREAS, the Lummi Indian Business Council is the duly constituted governing body of the Lummi Indian Reservation by the authority of the Constitution and By-laws of the Lummi Tribe of the Lummi Reservation, Washington; and

WHEREAS, the Lummi Indian Business Council (LIBC) is the elected body of the Lummi Nation given the responsibility and authority, pursuant to Article VI, Sec. 1 of the Lummi Constitution to: (1) protect and administer all tribal property and assets, including all natural and cultural resources; (2) safeguard and promote the health, safety and welfare of the Lummi people and the Lummi Reservation and (3) negotiate with outside interests on behalf of the Nation; and

WHEREAS, the Lummi Indian Business Council finds that it is in the interest of the Nation to be involved in the discussions, consideration, and planning related to the development efforts by SSA Marine for a new import/export dock at Cherry Point; and

WHEREAS, reformation of a Lummi Nation Cherry Point Team is needed to examine the issues surrounding the impacts and methods of mitigation to the fisheries, fishery industry, and cultural resources and the long-term economic development potential related to the proposed import/export dock at Cherry Point; and

WHEREAS, in 2004 the LIBC appointed a "Cherry Point Core Team" pursuant to Resolution #2004-065 based on recommendations by the now-defunct Lummi Development Authority and that team explored similar projects and considerations on behalf of the Nation but no project was developed at Cherry Point; and

WHEREAS, in 2007 the LIBC reformed the Economic Development Task Force pursuant to Resolution #2007-018 and specifically directed that the Economic Development Task Force be empowered with leadership responsibility for the development at Cherry Point; and

WHEREAS, the Lummi Nation has knowledge and reason to believe that there are cultural considerations at Cherry Point and there must be involvement from the LIBC Culture Resources Protection Commission in order to ensure appropriate protection of these resources in the planning and any development at Cherry Point; and

WHEREAS, the proposed development at Cherry Point would have an impact on the tribal fishery, tidelands, and other natural resources and there must be involvement by the Lummi Natural Resources Commission in order to ensure appropriate protection of these resources in the planning and any development at Cherry Point.

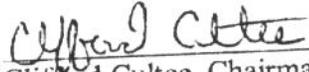
NOW, THEREFORE, BE IT RESOLVED, that the following positions within the tribal government shall constitute the Lummi Nation Cherry Point Team: Merle Jefferson (LIBC Policy representative and Cherry Point Team Lead), Leroy Deardorff (LIBC Policy representative), Elden Hillaire (Natural Resources Commission representative), James Hillaire (Culture Resources Protection Commission representative), Randy Kinley (LNR staff), Jeremy Freimund (LNR staff), Richard Jefferson (Economic Development Task Force representative), Evan Morse (Economic Development staff), a representative from the Treasurer's Office, and a representative from the Office of the Reservation Attorney; and

BE IT FURTHER RESOLVED, that those individuals listed above are collectively authorized to pursue funding to participate in the planning and development at Cherry Point, gather information, conduct studies and assessments, meet with government officials from other jurisdictions or private business representatives, and engage in other activities including negotiations related to developing the Lummi Nation's position regarding the proposed import/export dock at Cherry Point, impact mitigations, and other related matters; and

BE IT FURTHER RESOLVED, that the Cherry Point Team shall report periodically to the LIBC on the work of the Team and shall submit for final LIBC review and approval any binding agreements regarding the import/export dock, including but not limited to, contracts, memoranda of understanding, or letters of intent; and

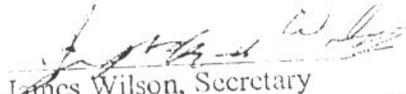
BE IT FINALLY RESOLVED, that the Chairman (or Vice Chairman in his absence) is hereby authorized and directed to execute this resolution and any documents connected therewith, and the Secretary (or the Recording Secretary in his absence) is authorized and directed to execute the following certification.

LUMMI INDIAN NATION


Clifford Cultee, Chairman
Lummi Indian Business Council

CERTIFICATION

As Secretary of the Lummi Indian Business Council, I hereby certify that the above Resolution #2011-030 was adopted at a Special Meeting of the Council held on the 8th day of February 2011, at which time a quorum of 8 was present by a vote of 7 For, 0 Against and 0 Abstention(s).


James Wilson, Secretary
Lummi Indian Business Council

