



## **LAX KW'ALAAMS BAND**

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### **PRESS RELEASE Wednesday, May 13, 2015**

#### **The Project**

1. Pacific NorthWest LNG (“**PNW**”) proposes a liquefied natural gas (“**LNG**”) project on Lelu Island in the port of Prince Rupert. Natural gas input will be transmitted on a pipeline to be owned by Prince Rupert Gas Transmission (“**PRGT**”), a subsidiary of TransCanada Limited.

#### **Lelu Island / Flora Bank / Skeena**

2. Lelu Island and the adjacent Flora Bank are located entirely in the traditional territory of the Allied Tsimshian Tribes of Lax Kw'alaams (“**Lax Kw'alaams**”). Lelu Island and Flora Bank are situated in the estuary of the Skeena River. The Skeena River is the second largest salmon producing river in BC.
3. The significance of the Skeena River estuary to area First Nations cannot be overstated. Lax Kw'alaams is bound by the traditional law of all Tsimshian and up-river communities to protect the fisheries resource – including the salmon and all other species – for future generations. This is a first line of defense in respect to the aboriginal food fishery, a fishery which has sustained coastal and upriver first nations through the millennia.

#### **Scientific Standards / Environmental Safeguards**

4. The Government of Canada recognized the importance of this specific site in 1977. An LNG project proposed by Dome Petroleum was rejected then for the same reason that makes this site unsuitable now – major fisheries values. This finding confirmed then – 50 years ago - what First Nations have known for generations.
5. CEAA 2012 does not prescribe the standard of science information required for the environmental assessment review. In the absence of a defined federal standard, Lax Kw'alaams employs an international standard of verifiable, replicable field science and expects, at the very least, the proponent and the federal government to meet this standard.
6. Lax Kw'alaams has engaged with PNW since 2011 and has consistently articulated that the proposed LNG Terminal must meet environmental safeguards appropriate for an estuary as important as the Skeena.

7. Lax Kw'alaams has on staff a team of scientists directed to assess the environmental challenges posed by the existing design for movement of LNG from the Terminal. Lax Kw'alaams scientific personnel adhere closely to the international science standards.
8. The proponent has made little effort to harmonize its field methods or its standards of data collection and interpretation with those of Lax Kw'alaams, even though Lax Kw'alaams has offered several times to collaborate with PNW.
9. Lax Kw'alaams recognizes the positive economic impacts for all British Columbians that might result from a positive final investment decision by PNW. Lax Kw'alaams will continue to work with PNW in good faith to find a solution.

### **Aboriginal Rights and Title**

10. The Terminal is planned to be located in the traditional territory of the Lax Kw'alaams. Only Lax Kw'alaams have a valid claim to aboriginal title in the relevant area - their consent is required for this project to proceed. There are suggestions governments and the Proponent may try to proceed with the project without consent of the Lax Kw'alaams. That would be unfortunate.
11. While the benefits agreements concluded by other First Nations with PNW are a fact, they are not remotely determinative in this matter and do not affect the aboriginal rights and title of Lax Kw'alaams.

### **Governments / PRPA**

12. While the significance of the foregoing matters might not be known to British Columbians, they are known generally by the provincial government and the federal government, and specifically by the Prince Rupert Port Authority ("**PRPA**") (an agent of the federal government). All levels of government (and their agents) have a responsibility, fiduciary or otherwise, to discharge. To date, it is the considered opinion of the Lax Kw'alaams that there has been indifference to the point of negligence or wilful blindness, or both, by PRPA in respect of the PNW project.
13. Hopefully, the public will recognize that unanimous consensus in communities (and where unanimity is the exception) against a project where those communities are offered in excess of a billion dollars, sends an unequivocal message this is not a money issue: this is environmental and cultural. That unanimity was achieved in three separate community meetings.
14. Lax Kw'alaams is open to business, to development, and to LNG (including PNW). It is not open to development proximate to Flora Bank.

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15. Lax Kw'alaams would like to thank publicly the Gitanyow Nation, the Gitxsan Nation and the Skeena Fisheries Commission for their support in this critical decision-making process.

This press release is the official position of the Lax Kw'alaams Band Council.

Mayor Garry Reece  
Lax Kw'alaams Band