

Lax Kw'alaams Announces Aboriginal Title Claim to Lelu Island

Vancouver, September 16, 2015 -- The Lax Kw'alaams First Nation has announced it is proceeding with a title action on Lelu Island and Flora Bank, an area of critical fisheries habitat located in the estuary of the Skeena River. A title action is the first step in the establishment of existing aboriginal title to the land. Once established, aboriginal title obligates government to seek the consent of the Lax Kw'alaams people for a project such as the Petronas – Pacific North West LNG terminal.

This week, PNW started test drilling off Lelu Island, the location of a proposed \$36 billion LNG project in northwest BC, despite Lax Kw'alaams opposition. The Lax Kw'alaams community members are concerned that construction of the massive LNG project will irreparably harm all salmon stocks originating from the Skeena River system. It has been shown definitively that all Skeena salmon stocks use Flora Bank during critical stages in their development.

“The Lax Kw'alaams people will not tolerate any threat to our sea resources,” says Lax Kw'alaams Mayor Garry Reece. “We are open to development, including PNW’s project. But not the way the project is currently constituted. We have serious concerns about Flora Bank and its environmental importance. The project needs to change before its embraced by the Lax Kw'alaams members.”

Flora Bank is part of the Lax Kw'alaams traditional territory. Mayor Reece says his community, and other aboriginal communities in the Skeena corridor, are not satisfied the government environmental review processes will adequately protect their rights. He says they believe food security and the constitutional rights of their people will be at risk if the PNW-LNG project – and all other LNG projects slated for the Prince Rupert area, are not rigorously scientifically reviewed by Lax Kw'alaams personnel.

The Lax Kw'alaams have been extremely concerned with the apathy and indifference shown by the Government of Canada and its delegated body, the Prince Rupert Port Authority (PRPA). The PRPA has repeatedly ignored Lax Kw'alaams concerns about the placement of the PNW project in the culturally and environmentally sensitive area of Flora Bank.

“We need a proper process and good science,” says Mayor Reece. “Lax Kw'alaams requires all projects be reviewed to a standard set by our scientists and experts.” Mayor Reece says his people feel both the provincial and federal environmental review processes seem unable to fully evaluate the risks to Lax Kw'alaams interests, especially the cumulative effect of all projects (up to 7 in total now) being proposed for the area.

This spring, Lax Kw'alaams members overwhelmingly rejected a \$1.15 billion dollar package from the company and province over concerns about Flora Bank. Lax Kw'alaams members, Mayor and council have all been clear that area is not open for resource development. To protect Flora Bank and the crucial salmon habitat, the Lax Kw'alaams have decided to launch an aboriginal title claim on Lelu Island, the proposed site of the project.

“Our traditional law, backed by our scientific reports, has made it clear that Flora Bank cannot be touched by PNW or any other company that proposes development,” says Mayor Reece. “This decision is backed by the community and an alternate site must be found if the project is to proceed.”

Pacific North West LNG's proposed suspension bridge over Flora Bank would be larger in span than San Francisco's Golden Gate Bridge and would carry a pipeline that extends southwest for 1.6 kilometres away from Lelu Island. According to a report commissioned by the Lax Kw'alaams, the project threatens to disrupt the complex ecosystem.

Lax Kw'alaams has about 3700 members in total and is one of the largest aboriginal groups in BC. Lax Kw'alaams Mayor and Council will be meeting with the community on September 30 to answer any and all questions around the PNW project and title claim. “It is our goal to be transparent and accountable to our people,” says Mayor Reece, “and we look forward to seeing our members there.”

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