

SQUAMISH NATION TAKES KINDER MORGAN TO COURT

Posted by Joan Russow
Thursday, 16 June 2016 19:13 -

[□ SQUAMISH NATION TAKES KINDER MORGAN TO COURT; CHIEF IAN CAMPBELL COMMENTS](#)

Posted on [June 16, 2016](#) by [Leah Newman](#)

NORTH VANCOUVER — Just minutes ago, the Squamish Nation filed an application in the Federal Court of Appeal in Vancouver. See Chief Ian Campbell comments below

“The Squamish Nation is stunned that the NEB has recommended that the Kinder Morgan expansion project be approved by the federal government — without first properly consulting the Squamish Nation on the impacts of the project on its aboriginal rights and title. Nor assessing the project through a real environmental assessment process.

As a result, the Squamish Nation has no other choice but to challenge the NEB recommendation — by going to court.

To this end, on June 16, 2016 the Nation filed an application with the Federal Court of Appeal to address the breaches of the Crown’s constitutional duties to consult the Squamish Nation, to properly assess the environmental and socio-economic impacts of the project and the lack of procedural fairness.

– In its application, the Nation is asking the court to quash the NEB decision. That it be referred back to the NEB for reconsideration.

The Squamish Nation categorically rejects the NEB report. We simply can not — will not — approve it for the following reasons:

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– We're stunned to learn that the NEB finds that any risk of an oil spill in Burrard Inlet is acceptable — when the risk of valuable marine habitat destruction is so high.

– In its own research the NEB Board admits that the heavy oil may sink in certain circumstances and potentially fouling the shoreline of Burrard Inlet. And further, that this heavy oil may be resistant to biodegradation and cleanup.

– Both Trans Mountain and Environment Canada state that additional research is needed to understand the fate and behavior of dilbit spills. The NEB does not have the scientific data it needs to make a decision on this project.

– How can the NEB make a recommendation to approve without fully consulting the Squamish Nation on the project? A promise of further studies give us no comfort. We need to understand the impacts now before we can make an informed decision on this project. Therefore NEB is, in essence, making a recommendation to approve the project without fully taking into account our aboriginal rights and title.

–This past December, Prime Minister Trudeau talked to First Nations about becoming working partners — about renewal and reconciliation. If that is true — beyond fine words and lofty rhetoric — we need the Prime Minister and his government to meet with us about saving Burrard Inlet — now.”

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