

## NEWS RELEASE

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Ministry of Aboriginal Relations and  
Reconciliation  
Ministry of Environment  
Ministry of Finance  
Nisga'a Lisims Government

### **Nisga'a Nation a key partner in LNG economy**

VICTORIA – Two pieces of legislation, if passed, will enable the Nisga'a Nation to become a major participant in the emerging liquefied natural gas economy in northern British Columbia. Aboriginal Relations and Reconciliation Minister John Rustad introduced Bill 7 - 2014 – the Nisga'a Final Agreement Amendment Act today, which, if passed, will establish the Nisga'a Nation as the primary property taxation authority over Nisga'a Lands.

The legislation gives effect to the Real Property Tax Co-ordination Agreement between the Province and the Nisga'a Nation which was signed by the parties in July, and enables the Nisga'a Lisims Government to levy and collect property tax from persons other than Nisga'a citizens, including companies that operate industrial installations, such as LNG pipelines and midstream infrastructure.

"The Real Property Tax Co-ordination Agreement ensures that the Nisga'a Nation receives a direct benefit from property taxation on Nisga'a Lands, and particularly with respect to the LNG opportunity," said Rustad. "Treaties are the highest form of reconciliation and the Nisga'a Final Agreement exemplifies that. It enables economic development and a prosperous future for the Nisga'a Nation, while respecting Nisga'a cultural and environmental values."

"Ensuring the Nisga'a Nation is able to levy property tax is a vital component of selfgovernment and will provide the Nisga'a Nation with a further ability to benefit from key resource and other industrial development on Nisga'a Lands," said Finance Minister Michael de Jong. "Concluding the Real Property Tax Co-ordination Agreement has been a collaborative, government-to-government process, and enabling these arrangements will promote the economic prosperity of the Nisga'a Nation, the Nass Valley and northern B.C."

With the agreement of the Nisga'a Nation, co-ordinated legislation introduced today from Environment Minister Mary Polak offers an initial step for a proposed LNG pipeline project to move forward, through the modification of the boundaries of Nisga'a Memorial Lava Bed Park.

The introduction of this legislation follows discussions between the Province and the Nisga'a Nation. The two parties jointly manage Nisga'a Memorial Lava Bed Park, and any alteration to the park's boundaries requires the consent of the Nisga'a Nation.

Bill 8-2014 – the Protected Areas of British Columbia Amendment Act (No. 2), 2014, if passed and brought into force by regulation, will confirm the removal of 63.5 hectares of land from Nisga'a Memorial Lava Bed Park. This will assist Prince Rupert Gas Transmission's (PRGT)

proposed 900-kilometre pipeline project to move forward if all regulatory approvals are received.

“B.C.’s protected areas have a high level of protection, and decisions to make boundary adjustments are not taken lightly,” said Polak. “PRGT submitted an application and proposal that met government’s rigorous protected area boundary adjustment process. This amendment, developed with the agreement of the Nisga’a Nation, will only be brought into force if the proposed pipeline receives all other regulatory approvals, including the Environmental Assessment Certificate.”

“These pieces of legislation are major milestones for the Nisga’a Nation. They will assist the Nisga’a Nation in participating in the emerging LNG economy, on terms acceptable to the Nisga’a Nation. Allowing the modification of protected land is never easy, but it strikes a balance between respecting our Treaty interests and encouraging economic development for Nisga’a citizens,” said Mitchell Stevens, president of the Nisga’a Lisims Government.

Currently under review by the Environmental Assessment Office, the proposed pipeline route traverses the park for approximately 12 kilometres, following Highway 113 for most of its length through the park.

Since 2004, B.C.’s system of Class A parks, conservancies, ecological reserves and protected areas has increased by more than 3.3 million hectares. During the same time period, 0.027% of lands – 3,813 hectares – have been removed from parks, ecological reserves, conservancies and protected areas. More than 55,000 hectares have been added to B.C.’s protected areas system in 2014.

**Learn More:**

Boundary adjustment proposals and the policy, process and guidelines are found on BC Parks’ website <http://www.env.gov.bc.ca/bcparks/PBAProcess>.

For more on the Nisga’a Nation and the Nisga’a Final Agreement, see [nisgaanation.ca](http://nisgaanation.ca).

Backgrounders follow.

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## BACKGROUND

### **The Real Property Tax Co-ordination Agreement**

The Nisga'a Final Agreement Amendment Act implements the Real Property Tax Co-ordination Agreement between the Province and the Nisga'a Nation.

- The Nisga'a Real Property Tax Coordination Agreement (RPTCA) establishes the Nisga'a Nation as the primary property taxation authority on Nisga'a Lands.
- The Nisga'a Nation will levy and collect property taxes from all properties of both Nisga'a citizens and persons other than Nisga'a citizens on Nisga'a Lands.
- Under the RPTCA, the Nisga'a Nation will set residential property tax rates at the same rate as provincial rural areas. However, the Nisga'a Nation will have the ability to tax non-residential property at rates higher than the provincial rural rates.
- Under the RPTCA, property tax rates for each property class will be the same for Nisga'a citizens and persons other than Nisga'a citizens.
- Elements of the RPTCA provide for:
  - The Nisga'a Nation's membership in the North West Regional Hospital District. The Nisga'a Nation will appoint a director to the board and will contribute to the Regional Hospital District through property taxation.
  - The administration of a service/tax agreement between the Nisga'a Nation and the Kitimat-Stikine Regional District.
  - The Nisga'a Nation's collection of grants in lieu of property tax from BC Hydro with respect to BC Hydro infrastructure on Nisga'a Lands.
  - The addition of Nisga'a Lands to B.C.'s provincial assessment framework to ensure the consistent application of provincial property assessment rules.

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## BACKGROUND

### **Park boundary adjustments introduced with Nisga'a Nation agreement**

Under the terms of the Nisga'a Final Agreement, the consent of the Nisga'a Nation is required to modify the boundaries of Nisga'a Memorial Lava Bed Park, and the description in the Nisga'a treaty must be amended.

The Nisga'a Lisims Government passed a resolution in their Legislature on October 29, 2014, consenting to this modification to the park's boundaries upon the granting of an Environmental Assessment Certificate.

Amendments to the Protected Areas of British Columbia Act are regularly required to establish new ecological reserves, parks and conservancies, as well as to adjust the boundaries of these protected areas for a variety of reasons.

Often, proposed amendments will implement land-use plan recommendations, meet the objectives of government-to-government agreements with First Nations, develop economic opportunities and correct administrative errors.

PRGT's proposed pipeline route cannot be authorized in Nisga'a Memorial Lava Bed Park under the Park Act. If the project is to proceed along the proposed route, the land must be removed from the park by first amending the Nisga'a Final Agreement and then the Protected Areas of British Columbia Act.

The amendment will only take effect once regulatory approvals are in place, including an Environmental Assessment Certificate and the British Columbia Legislature considers, in the spring of 2015, and approves a motion to amend the description of the Memorial Lava Bed Park in the Nisga'a Final Agreement.

By following Highway 113 through the park for most of its length, the proposed route will reduce the amount of land disturbance resulting from the construction of the project and reduce the impacts of the project on the environment.

British Columbia has the highest percentage of its land base dedicated to protected areas of all provincial Canadian jurisdictions, and has one of the largest protected area systems in North America.

There are 1,029 provincial parks, recreation areas, conservancies, ecological reserves and protected areas in B.C., covering more than 14 million hectares, or approximately 14.4% of the provincial land base.

Since 2004, B.C.'s system of Class A parks, conservancies, ecological reserves and protected areas has increased by more than 3.3 million hectares. During the same time period, 0.027% of lands – 3,813 hectares – have been removed from parks, ecological reserves, conservancies and protected areas. More than 55,000 hectares have been added to B.C.'s protected areas system in 2014.

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