

“You spoil everything!” Indigenous peoples and the consequences of industrial development in British Columbia

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Abstract This article discusses the perspectives of two First Nations of Canada, north-eastern British Columbia’s West Moberly First Nations, Halfway River First Nation, and Treaty 8 Tribal Council, regarding the impacts of industrial resource extraction in lands critical to their traditional cultures and subsistence activities. This collaborative project interviewed First Nation government officials and staff as well as community members and Elders, which created a complex picture of physical impacts of industrial development as well as psychological and cultural concerns. In addition, we briefly explore the impacts of First Nations being required to constantly participate in consultative processes, such as environmental assessment, designed to predict potential impacts. We conclude that recognizing and meaningfully addressing all types of impacts that First Nations experience is critical, both for ensuring environmental justice for indigenous peoples and for recognizing that some land and resources must remain for indigenous peoples to continue to practice their traditional culture. We note, as well, that if there is no room amidst industrial resource extraction activities for indigenous peoples, there is also no room for other environmentally critical values such as healthy ecosystems.

Keywords First Nations and industrial development · Consultation · Environmental assessment · Canadian indigenous peoples and environmental justice

1 Introduction

Natural resources exploitation and development have significant consequences for indigenous peoples around the world, particularly for those choosing to maintain a traditional relationship with their land. This is true in Canada as well, despite the fact that the

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indigenous peoples, or First Nations,¹ are acknowledged to have particular rights through Sect. 35 of the Canadian *Constitution* and, in many cases, through specific legal treaties, which should confer specific considerations with regard to the impacts of industrial development. However, while consultative processes, such as environmental assessments among others, are required in Canada for most resource extraction projects, little attention is paid during these processes to either the impacts on indigenous peoples of experiencing ongoing development in lands important to them or of the impacts of having to engage in the consultative processes themselves.

In this article, we explore the perceptions of two indigenous peoples of Canada regarding their understanding of the consequences of industrial resource extraction upon themselves as people and as cultures with deep ties into the land upon which they depend. Our discussion is drawn from research we undertook at the behest of three Treaty 8 First Nations in northeastern British Columbia, Canada, who were concerned about the environmental assessments that they were involved with, and the challenges that they were facing regarding consultation on proposed industrial development. While the research began by focusing upon First Nations concerns with respect to environmental assessment, the flexible nature of our methodology allowed the participants to speak broadly about related concerns. These concerns focussed upon the perceived impacts of resource extraction upon their lives and culture. We have reported on our findings regarding First Nation concerns about environmental assessment elsewhere (Booth and Skelton *in press a, b, c*). In this article, we focus upon what First Nations perceive to be the impacts of industrial resource extraction.

We do so for four reasons. While the impacts of development on First Nations have been documented in a limited fashion in other literature (Couch 2002; Galbraith 2005; Getty and Edwin 1975; Harvard Law School 2010; Korber 2001; O’Faircheallaigh 2007; Tollefson and Wipond 1998; Turner et al. 2008; and Wismer 1996), the limited nature of the research, coupled with the fact that little has been done in Canada to address First Nation concerns regarding industrial development, from their perspective, suggests that additional case studies, particularly case studies that are developed by the First Nations’ themselves, are crucial in expanding our understanding of the issue. Further, exceedingly little attention has been paid to the associated social and personal costs for First Nations required to participate in the assessment processes that are supposed to measure the costs of industrial development; this is a critical, and highly problematic, oversight that this research can only begin to address. Second, we wish to facilitate an often unheard people in presenting their concerns regarding industrial resource extraction in lands they utilize to preserve and perpetuate their culture. We believe that the more voices raised by indigenous peoples from around the world on these issues, the more likely it is that governments might listen to, and even acknowledge, those concerns. Third, we wish to add to the case studies within the field of environmental justice, with the goal of facilitating the demonstration of the link between ethnicity and economic disadvantages and a disregard by governments and industry of the consequences of industrial development. Fourth, we wish to demonstrate the complexity of the concerns indigenous peoples hold with regard to the consequences of industrial resource extraction, as we believe that this complexity is not always well articulated by researchers, and is clearly not understood at all by governments nor adequately incorporated into existing consultative processes.

¹ Canada legally recognizes three indigenous groups: Indians, Inuit and Métis (INAC 2008, 2010). Collectively Indian groups are referred to as First Nations. Depending upon their status, treaties and various court cases, different rights belong to different legal groups (Booth and Skelton 2010).

2 The research context

We situate our research within the context of environmental justice. The theory and practice of environmental justice developed around the understanding that visible minorities and socially or economically disadvantaged people are disproportionately targeted for and affected by industrial development. Deriving from work in the United States on the plight of African–American communities suffering from heavy industry in or adjacent to their communities (Bullard 1993a, b for the early work), the movement has grown to be inclusive of any vulnerable community of color or poor community victimized by industry (and by complicity, government). Indigenous communities have, as regular recipients of impacts, adopted the concept as well. While environmental justice theorists have focussed largely within the United States, and much of the theory is predicated upon American contexts, theorists and practitioners from other regions have considered environmental justice applications within their own contexts. In Canada, a contextual application is still under development; however, preliminary work has largely applied the theory to the case of Canada’s First Nations (see the chapters in Agyeman et al. 2009; Westra 2008; and Whiteman 2004, 2009 for example; see also Draper and Mitchell 2001; Haluza-Delay 2007; Harter 2004; Jerret et al. 1997; Mascarenhas 2007; McCurdy 1995; Page 2007; Teelucksingh 2002, 2007; Trainor et al. 2007).

The indigenous population of Canada ranks well below other Canadians by almost any socioeconomic indicator chosen. Whether reviewing life expectancy, child mortality rates, education levels attained, employment, income, or housing, First Nations are statistically disadvantaged when compared with the general Canadian population (Cooke et al. 2004; INAC 2008, 2010). Thus, they are, by any definition, vulnerable populations, largely due to ethnic identity and economic disadvantage. However, issues of worldview (or how a group defines their world) and the significant mismatch between First Nations’ worldviews and those of non-indigenous Canada create other environmental justice concerns.

One of the authors was once trying to explain the First Nations’ concept of land to a group of non-Aboriginal natural resource managers. After a mental struggle she looked at the First Nation co-facilitator who, without hesitation, said quietly, “It’s home,” a very simple illustration of the vastly different views First Nations often hold in which land is more than a collection of exploitable resources (Booth 2007).

Complicating their circumstances is the fact that the First Nations of Canada are surrounded by a growing, resource hungry non-Aboriginal population (see Statistics Canada 2004 and Centre for the Study of Living Standards 2003 for a discussion of the rapid rate of growth in Canada’s resource extraction activities). This growth is tempered only by a series of federal laws and court decisions over First Nation rights within, and possible title to, lands and resource access. First Nations do hold some Aboriginal rights (affirmed, although not granted, by Sect. 35 of the Canadian *Constitution*) to hunt, fish, and gather for subsistence, ceremonial, and cultural survival purposes, with some limitations. These rights have been upheld by a series of court cases. *R. v. Delgamuukw* (1997), while legally determining nothing, is held out as the case that made the case for Aboriginal title as the Supreme Court judge chose to define title as the right to the land itself, in other words as a property right, rather than simply rights to usage. Other court cases have determined that any infringement upon established Aboriginal rights must be avoided unless there are “compelling and substantial” reasons (*R. v. Sparrow* cited in Chandran 2002: 4). If those reasons can be demonstrated, the government can infringe upon Aboriginal rights, including limiting access to, or use of, natural resources. However, recent court cases have limited the government’s right to infringe. For example, in *Tsilhqot’in Nation v. British*

Columbia (2008), the BC Supreme Court found that forest harvesting and silviculture activities did infringe upon the Tsilhqot'in Nation's hunting and trapping rights by depleting species, both in their diversity and numbers, through direct mortality and the destruction of species habit. As the provincial government lacked a solid database on species numbers and types, their efforts at consultation could not justify the infringement. In *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage)* (2005), the court determined that under Treaty 8, the "Crown must however, act in good faith and not take up so much land that no meaningful right to hunt remains."

Some, but not all, indigenous peoples in Canada also possess rights conferred by historical or modern legal treaties between their governments and the Canadian government (see Booth and Skelton 2010 for a discussion of Aboriginal and Treaty rights and title). However, Treaty and Aboriginal rights are often ignored, abrogated or subject to court challenge to force a government to honor them. These rights have not stopped industrial encroachment upon lands important for First Nations' cultures and livelihoods, nor have they substantively limited the subsequent impacts of development (see *West Moberly First Nations v. British Columbia (Chief Inspector of Mines)* 2010).

The consequences for First Nations of industrial development upon lands they utilize to maintain their culture are profound. The loss of culture threatens their history, the well-being of the current generations and their children's future. As noted earlier, Canada's indigenous population already statistically ranks well below other Canadians in terms of socioeconomic indicators (Cooke et al. 2004; INAC 2008). This is often ascribed by many First Nations to be due to the intertwined loss of culture and land. However, little research documents or attempts to understand either the profound inter-linkage between cultural health, land health, and social well-being within First Nations or the long-term and subtle social impacts of the loss of land, and the culture that has developed within that land (identified in Neu and Terrien 2003), although this is deemed critical by the First Nations. Some research suggests, for example, that personal healing in First Nations communities is facilitated through connecting to family, community, spirituality, and the environment (Chandler and Lalonde 1998; McCormick 1994, 1997, 2000; Pinkerton and Anderson 1986). Other studies are starting to demonstrate the important connection between traditional lifestyle, access to traditional foods and indigenous health well-being, including limiting the rise in diabetes and other diseases (Damman et al. 2008; Kuhnlein and Turner 1991). These issues must be taken into consideration when planning industrial extraction activities, under the tenets of environmental justice, but according to the First Nations we worked with, they are ignored.

3 Methods

In 2006, a grant to investigate environmental assessment (EA) processes from the First Nations' perspective was developed collaboratively between the primary author, West Moberly First Nations, Halfway River First Nation, Saulteau First Nations, and Treaty 8 Tribal Association (Saulteau later withdrew due to overwhelming workloads from EAs). Research focused upon what elements of the EA process are considered by the First Nations to have met their concerns, and what elements of the process are considered by the First Nations to have set barriers to meaningful engagement. As the research progressed, however, several additional concerns were raised repeatedly by the First Nations we interviewed. One critical issue was the ongoing impacts of past, existing, and future

industrial development upon their land, their culture, and themselves as a people. This seemed an important issue requiring its own articulation at the end of our project.

West Moberly First Nations, Halfway River First Nation as well as Treaty 8 Tribal Association are located in northeastern BC (see Fig. 1). West Moberly First Nations has a population of approximately 200, while Halfway River First Nation has a population of approximately 227 people. Both are Dunne’za peoples or Beaver Indians. Treaty 8 Tribal Association is made up of the Nations that adhered to historical Treaty 8 in British Columbia, including West Moberly, Halfway River, Doig River, Saulteau, and Prophet River First Nations.

Treaty 8 Tribal Association lands are currently subject to substantial industrial development with more projected in the future. Recent developments include the following: 2 large-scale hydroelectric dams, 11 mines (gold-copper, coal), 8,000 oil and gas well sites, 8 wind farms, various support facilities, 10,000 pipelines, numerous power lines, and smaller uses such agriculture and guide-outfitting. This area of British Columbia is a substantial source of resources and potential energy generation and as such will likely continue to undergo a significant industrial development boom well into the future. This has consequences for the number of EAs and other consultative processes with which the affected First Nations must engage as well as for the extent of impacts with which the First Nations must cope.

Research methodology was negotiated with the First Nations (as per the university’s MOU with Treaty 8 Tribal Association), codified in a formal research protocol, and approved by both Band Councils and by the university’s Research Ethics Committee. The project’s methodology choices were driven in part by the First Nation Elders’ concerns to honor their peace and friendship Treaty (Treaty 8) by offering all affected parties the

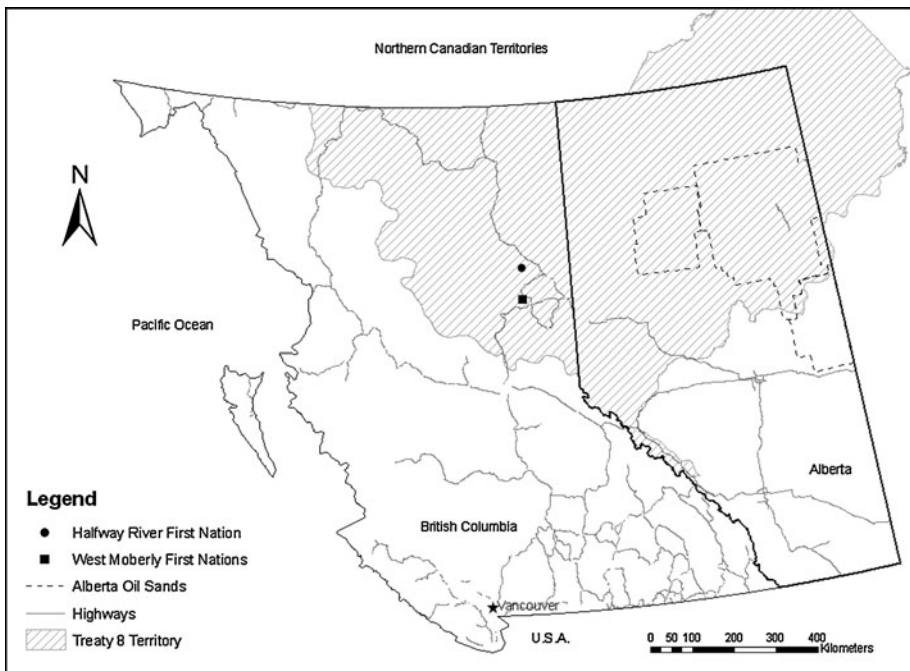


Fig. 1 Treaty 8 Stewardship Lands

opportunity to be heard. We therefore offered interviews to industry proponents, consultants, the British Columbia Environmental Assessment Office, and the Canadian Environmental Assessment Agency (for a presentation of their views see Booth and Skelton [in press a](#)). Semi-structured interviews and focus groups (Babbie 2008) were accepted as the most culturally appropriate methodology.

Interviews with the First Nations took place over the summer and fall of 2008, largely in their respective communities. Interviews and focus groups were conducted by the Principal Investigator. Special effort was made to interview the Chiefs and Councilors, Elders, and professional staff (land use managers, resource coordinators), as well as professionals from Treaty 8 Tribal Association. Fifteen community members from West Moberly First Nations and Halfway River First Nation agreed to interviews, as did two Chiefs, five Councilors, four staff, and five Elders. We relied upon the Chief and Council members to encourage interested participants to speak with us and to respectfully request the participation of the Elders. We also attended three cultural events and were available to anyone wishing to speak with us regarding the research.

Interview and focus group questions were organized around four existing EAs for discussion purposes. Questions were kept very basic and focussed around what worked and what did not work, from the First Nations' perspectives, in environmental assessment processes. However, while we started out by trying to focus upon environmental assessment processes, what the First Nations really wished to speak about during the interview and focus groups were the impacts they were observing, upon themselves and upon the land, of both the industrial development that the EAs were assessing and of the process of EA itself. We determined to allow the First Nations to tell us what they needed us to hear, which considerably expanded the type of data we collected.

With permission, interviews and focus groups were taped and most were transcribed (limited by funds). Data were analyzed using content analysis (Babbie 2008) to identify key themes and ideas within constituency groupings (First Nations [Elders, Chief, Councilor, Professional Staff, Community Members], Proponents, Consultants, and Government). In our analysis, we use extensive quotes from the participants, identified by role (Elder, Staff, Chief or Council member) and a distinguishing number. After our substantive review of both environmental justice and environmental assessment literature, we came to the conclusion that the First Nations are often not allowed to speak on their own behalf in research. Given that this research focuses on their perceptions, their voice is critical, particularly in light of the British Columbia Environmental Assessment Office's response to this research, arguing that the First Nations' views were "highly subjective (Mazure 2010)." If peoples' perceptions about events affecting their lives are so summarily dismissed by the very agency responsible for overseeing the documentation and weighting of responses to development, it becomes critical that those perceptions find acknowledgment in other venues. In our opinion, this is part of the ethical obligation we hold as academic researchers to our indigenous partners.

4 First Nation concerns about impacts of development

4.1 Impacts on Treaty and Aboriginal rights

First Nations in Canada have certain Aboriginal rights recognized and protected under Sect. 35 of the Canadian *Constitution*. Among other rights, First Nations hold the right to practice subsistence hunting, fishing, and gathering (Booth and Skelton 2010). In addition,

West Moberly First Nations and Halfway River First Nation adhere to Treaty 8, which grants specific rights, including the right to continue their way of life as if a Treaty had never been signed, as affirmed by the original Treaty Commissioners:

But over and above the provision, we had to solemnly assure [Treaty 8 signatories] that only such laws as to hunting and fishing as were in the interest of the Indians and were found necessary in order to protect the fish and fur-bearing animals would be made, and that they would be *as free to hunt and fish after the treaty as they would be if they never entered into it.*

We assured them that the treaty would *not lead to any forced interference with their mode of life...* (Laird et al. 1899; emphasis added).

Rights are very real and urgent issues for the First Nations, as they do not believe that the Canadian or British Columbia governments nor the agencies which approve and regulate industrial development, acknowledge or respect these rights, but they are foundational to the First Nations. In their opinion, their rights have been violated.

I can't see us continuing our way of life and having that [industrial] infrastructure in that area that we use all the time...I would say we have gone beyond a threshold where the Treaty says our way of life will be protected. As if we had never signed the Treaty...We can't exercise our way of life in any way that resembles what was contemplated at the time of signing of the Treaty. (Chief and Council 1)

Of greater concern is the fact that most industrial development is overseen by the provincial government. However, the Treaty and Aboriginal rights being violated are the responsibility of the federal government.

You know, [the federal government] are just letting the provincial government body slam us around here and where are you? You signed a treaty with us, and then you kind of disappear from the picture and don't you have to work with us to maintain the Treaty? (Chief and Council 2)

The ability to carry on a legally guaranteed way of life remains an overriding concern for First Nations and its compromise through industrial development is a huge impact.

4.2 Impacts on lands and wildlife

The impact of industrial development on wildlife and other resources they gathered was of significant concern to the First Nations. Every individual we spoke with independently raised concerns about the loss of a variety of plant and animal species and their habitats within areas where they were used to observing them. Two people spoke of chasing a moose straight into industrial sites, which deeply concerned them: wildlife should not be in industrial zones and they felt that the fact that the moose ran into a site indicated a loss of habitat. Amphibians and fish species were also reported as becoming rare over the past decade. Caribou was cited repeatedly as a species impacted by development:

So, who is responsible for those caribou, and making sure their habitat is continuous? They need large areas of undisturbed habitat. They are not very industry friendly animals. Them and grizzly bears, they do not like construction zones, roads and stuff like that. (Chief and Council 1)

Concerns about the loss of caribou were granted greater significance in 2010, when West Moberly First Nations won a Supreme Court case filed against the BC government, and a coal company whose approved development would have destroyed the habitat of the endangered Burnt Pine caribou herd (West Moberly First Nations News Release 2009). In his reasons for judgement, the Hon. Justice Williamson noted the following:

The honour of the Crown is not satisfied if the Crown delegates its responsibilities to officials who respond to First Nation concerns by saying the necessary assessment of proposed “taking up” of areas subject to treaty rights is beyond the scope of their authority.

I am satisfied that the Crown recognized that it had a duty to consult with and accommodate reasonably, the concerns of West Moberly. I am not satisfied, however, that in the circumstances the Crown consulted meaningfully, *nor that the Crown reasonably accommodated West Moberly’s concerns about their traditional seasonal round of hunting caribou for food, for cultural reasons, and for the manufacture of practical items (West Moberly First Nations v. British Columbia (Chief Inspector of Mines) 2010)* (emphasis added).

At the time of this writing, West Moberly First Nations staff indicated that the government was essentially ignoring the court required action to find appropriate mitigation for the caribou forcing West Moberly back into court. Unfortunately, caribou were not the only species the First Nations worried about.

And that poor animal, the house it lives in, how is it going to live? What is it going to do? (Elder 1)

The reason why there are no dams being proposed down south, is because of the salmon. Well, somebody put a monetary value to a salmon over a monetary value over a Dolly Vardon [trout]. Right? We can’t eat the Dolly Vardon up here anymore, because there is a conservation advisory on them right now. (Chief and Council 1)

Berry sites were also of concern. Many sites were cited as lost by a number of people, both to mine development and to the provincial Ministry of Forests and Range’s use of herbicides and pesticides.

They spoil it. They spoil the berries, and they spoil our water there. They spoil our fishing. They kill our fish too. You spoil everything! You really kill the moose, I said, “You get the hell out of here, because I don’t want you here. You come on and want to spray everything. I said; get the hell out of here.” (Elder 2)

We pick berries in the mountains for winter; that we keep it for our kids and grandkids. They are going to affect more animals from babies...Look at what that Forestry did, they destroyed all of our trap lines. What did the people get out of it? Nothing! It is all coming this way, all the destroying they did. (Elder 3)

The berries mentioned, blueberry, saskatoon, raspberry, huckleberries, soapberries, strawberries among others, are important as a preservable food source, to offset a high use of meat fat in the diet and for traditional medicines. While the loss or extirpation of plant and animal species are grave ecological concerns, they are also social concerns due to the impact on First Nations culture, as the loss of plants and wildlife had serious consequences, in their eyes, for their ability to eat traditional foods. For example, caribou were an important food, but as their numbers have dwindled, the First Nations were forced to turn

to moose, a less desirable species and now, First Nations state, also declining in numbers. As the First Nations repeatedly noted, there is no adequate substitute for the cultural impact of the loss of hunting and gathering sites.

4.3 Impacts of industrial development upon culture

The First Nations were consistent in their statements: no land means no culture. Damage to the land base is direct damage to the First Nations people.

To be a proud First Nations person, you have to be connected to your culture. You have to know where you came from, and where and what are the important parts. What was the value of that person, and why, and why is my culture important today, and why is making dry meat, and picking these berries, critical to our way of life. The whole tone of government is economics and jobs, and training and forcing people into this economy, and there is not an appropriate amount of attention placed on maintaining [our way of life]. We're the ones fighting. We can see our land base eroding. (Chief and Council 1)

Every time I go driving I see a change in the land...The people can't know who they are unless they know where they come from. (Chief and Council 4)

Spirituality is another critical concern.

And it's very irritating, this one...company, because I tried to explain to them that [a site] is a spiritual area, and it is very important to [community members]. And her response was, well there is already quite a bit of development there, so what's the problem. And I thought, lady, you and I are going to have some go arounds. (Staff 2)

[T]hey don't understand spirituality, so they are not going to accept it. If they do not understand what drives me in protecting that land, that their problem... (Staff 2)

Finally, First Nations were concerned that once the land is lost due to development, there is no recovery.

I think take a good long hard look at what it is they are doing because a lot of what they are doing can't be undone, if it turns out to be a bad decision. (Elder 2)

4.4 Impact of industrial development on people

The impact on the people living next to industrial development was raised as an overlooked but serious problem. One issue was that traditional use studies (commonly employed by consultants to document First Nations' use of the land to identify potential impacts) rarely noted where people were no longer undertaking activities as they had already been forced out by earlier industrial development. Several people noted that First Nations had already been displaced from areas that they traditionally hunted and gathered in, areas that they trapped in, and areas where they practiced cultural and spiritual activities. Culture camps, for example, where children and youth are taught traditional activities, often had to happen right next to an industrial site. Some proposed developments will have impacts near where people have their houses. Increased traffic is now a concern near the communities. All of these occurrences are stressful and distressing to people.

Health impacts were also raised. Several Elders commented on a decline in community members' health as industrial development moved into the area. Others cited concerns about the contamination of the animals they hunted or the other foods that were gathered.

It just becomes like an industrial zone, the area that they operate. Plus none of our people will eat the meat from those areas. Like once the oil and gas companies move in, in a big way, and everybody knows about the H₂S [sour natural gas]. Everybody just worries that it is contaminated. So, it has a huge impact on them. Psychological impacts... (Chief and Council 2)

Social changes due to industrial development were also raised as a concern. Increased access to drugs was mentioned by several people. Other issues were more subtle. Chief and Council, for example, noted that one community was experiencing challenges with people moving back to the reserve as rents in the nearby town had increased due to an influx of industry employees. Other participants noted the significant impact of increased numbers of strangers moving into an area after it was opened up for development:

And the next thing you know there is a bridge across there, and as soon as there is a bridge across there they tell everybody in town. We have one place in our other areas, we have kind of given up on,...there will be some weekends there we will see them going by here, there might be 25 RVs go by and there might be 75 bikes go by, and they have a forestry camp up there, and they fill it right up. (Chief and Council 5)

[New people] go up and down the side of the mines and shoot and wound the animals. The environmental impact of the influx of people into the area is probably as damaging as the resource development pressure. (Chief and Council 2)

4.5 Psychological impacts

The issue of psychological impacts was raised as one that is never considered in any consultative process. Further, these processes do not take into account the cost of endlessly participating in processes only to see the development happen. Yet, many First Nations raised the issue in different ways. One staff member (2) reported being reduced to tears by the attitudes of the company officials they had to deal with. As an Elder commented,

It's all right with me, because I am old, I might be gone tomorrow, might be today, but I am looking after my great grandchildren. I got 60 grandchildren. That's what I am thinking about. Not myself. It's good to talk like this, to bring it up, everything. A lot of times I could not sleep at night because thinking about this, a lot of things. (Elder 1)

In discussing psychological impacts, Chief and Council (1) made note of the circumstances of Blueberry First Nation, who had been subject to several community evacuations over the years due to sour gas leaks. In one case, the only notice received of the leak was an Elder out for a late night cigarette noting the incoming cloud of gas. Such events do not contribute to feelings of safety or security in one's home and community.

Finally, the impact on the children was raised repeatedly:

They gotta leave some of that alone, you know. The future generations got to have something to have. We just can't take it all now and then there will be nothing left...The younger generation they are coming up and that is our future and so, there is going to be nothing left for them. (Elder 2)

When I think the level of development...our children are seeing it, and they are scared. And they are upset, they are scared, they don't like what they see, and they understand, I mean they do not fully maybe understand the industry of course, but they understand what it is doing to the land and it scares them...What 11 year old should have to worry about having clean water or clean air. (Chief and Council 3)

4.6 Impacts of consultative processes on First Nations

Outside of the loss of the ability to pursue their rights, First Nations suffer impacts from the demands of having to participate in the various consultative processes which are to identify impacts to First Nations among other issues. The psychological impacts of ongoing processes are devastating.

People think that the impacts come from what happens to the land, but as soon as a project is announced it starts to have impacts. I have seen it divide communities, i.e. some people are for the projects, some against. It causes incredible community disruption that way. Especially if people are actually manipulating, or using divide and conquer tactics. I have seen frustration and anger. I have seen tears in Elders' eyes. I have seen a lot of hurt, and despair, especially when you think this is one project that is coming in.

I think people feel powerless. I think they feel hurt, and they are in a position, which no one likes to be in, where you are darned if you do and darned if you don't. If you participate you will feel the negative impacts and if you don't it will go ahead anyways... the whole process is an exercise in futility; and no one is listening while requiring you to be there on an ongoing basis day in and day out...it must be hard to be saying the same thing for 40 years or more, and have no one really listen to you. (Consultant employed by First Nations)

Research participants also indicated that they did not believe that either the provincial or the federal governments or their agencies were impartial or fair in their approach to industrial development, contributing to both their sense of frustration and their sense of futility.

Now at least [government officials] will walk up and pat you on the back as they destroy your land. That is kind of the new [relationship], that's what it looks like to me. Because no respect is shown, like this, this coal mine. I mean any fool in the world would look at a map and say, Holy Man!, there are 1,000 First Nations people living right there, and Whoops! I am going to put a coal mine right there. (Chief and Council 2)

One Elder felt that the government simply ganged up on First Nations:

You are fighting one government, one people you are fighting with and there is another one here behind it, and these here two, they work together, finally there are four or five people who are standing right here, and they fight with and you are alone, and that's too bad. (Elder 1)

Currently, provincially driven environmental assessment processes are not required to look at or assess impacts cumulatively (looking at all the activities going on on a piece of land before accepting more development). In our interview with staff from the British

Columbia Environmental Assessment Office, they stated that the BCEAO does not have the mandate to do cumulative assessment and the provincial government has not moved to require it. Federal environmental assessments do require some form of cumulative assessment, but that is often unclear in implementation, both in what is now assessed and in how the terms of reference are drawn, according to the First Nations. Yet, First Nations feel that the lack of cumulative assessment is one of the biggest procedural limitations on most consultative processes being anything other than a “development rubber-stamping process.”

Another one that I think is just a brilliant shell game,...is that industries and government refuse to look at cumulative impact. So, all of these things, the death of a 1,000 cuts, we are experiencing, you know because oil and gas has their mandate, and their planning process, forestry has their mandate and planning process. All of these different planning processes, independently working in their silos...separate from each other, with nobody overlooking the whole process, and definitely nobody managing the impacts of those interactions on treaty rights and health of the First Nations people. (Chief and Council 1)

Each environmental assessment and other consultative processes operate separately. The First Nations stated that different provincial agencies do not consult or communicate with each other about their activities. This concern is substantiated by the authors' cursory review of provincial government actions and the government's inability to provide collated information on different agencies resource management activities. Further, they do not assess the impacts of their activities collectively.

The consequences are that First Nations are deeply concerned, both by the impact of that development on the land they depend upon and by the ability of any single consultative process to do an accurate job:

When we started looking at that coal mine, there was only one other operational mine in our territory, but now today we look at you know on top of that coal mine in the same area, there is extensive oil and gas projects going on out there. Still forestry going on, pine beetle, and now wind farms. So I don't see how an environmental assessment cannot take into account that fragmentation. (Chief and Council 2)

For First Nations, everything is connected. The culture essentially thinks cumulatively. Not to do so makes no sense to them and irredeemably limits the validity of any assessment exercise.

This assessment is partially supported within research literature on environmental assessment. Tollefson and Wipond (1998) cited the need for the study of cumulative environmental impacts to fully understand the impact of development on Aboriginal rights as did Carrier Sekani Tribal Council (2007), the First Nations Energy and Mining Council (2009), Harvard Law School 2010 and Plate et al. (2009). These findings are supported by Korber (2001), based upon a workshop with Treaty 8 Tribal Association. First Nations articulated concerns about the pace and extent of industrial, agricultural, residential, and recreational development, a shrinking land base, issues of access, congestion, environmental contamination and human health, First Nations' ability to maintain their way of life on the land, and First Nations' frustration with policies that are not mutually beneficial. Lawe et al. (2005) noted that without trust in the cumulative assessment process and without weight granted to valuing First Nation concerns, the process becomes meaningless.

West Moberly First Nations and Halfway River First Nation believe that there is currently too much industrial development in lands covered by Treaty 8. The First Nations

believe that if the government were to admit this, through a meaningful cumulative assessment process, they would have to change their entire way of doing business, as do those who work with these First Nations.

If anybody took the constitutional rights of First Nations seriously, especially the treaty rights to hunt, fish and trap; as if they never entered into treaty...and if you use the treaty lens and the constitutional rights lens every time something was proposed the process would have to be different. How can you possibly exercise your existing rights if the industrial and governmental sector is so geared up to developing the land? How can you protect your rights if there is no land base left? (Consultant employed by First Nations)

The loss of the ability to practice their rights is even more devastating when First Nations themselves are trying to come to terms about their future. The First Nations noted that they have been engaging in consultative processes since the early 1970s. However, they believe that in the over 40 years that they have been required to participate, they have seen no significant change in either the level of, or the impacts of, industrial development. To endlessly be asked to participate, to answer similar questions time after time *and* to see no change, is an impact not easily measured but fundamentally impacting indigenous peoples.

5 Discussion and conclusions

In our interviews, the First Nations themselves have essentially identified their concerns as a question of environmental justice:

If they propose a coal mine in downtown Vancouver, it would be a different story. If they wanted to flood the Fraser River, you know. (Chief and Council 3)

They believe that the impacts of industrial development are allowed in their critical lands to a large extent because they are economically disadvantaged, a distinct cultural group with non-western values (i.e. values not understood or respected by Canadian society), that they are far away from the majority of the non-indigenous society which benefits from resource extraction and that because of their disadvantages in economic or political clout they can be bullied by the federal and provincial governments promoting industrial resource extraction activities. The theories of environmental justice would argue that this is precisely why non-indigenous society should care about the impacts of industrial development upon indigenous peoples. If we cannot respect and protect the disadvantaged peoples of the world, we are morally compromised.

In a more self-centered context, the failure to acknowledge the impacts of industrial development upon traditional cultures is to risk critically important ecosystem services. In many ways, indigenous peoples serve as the canary in the coal mine, their inability to carry on a traditional lifestyle is the first indicator of compromised ecosystem function and disappearing species. We ignore their future at peril of our own.

We have presented these findings on the impacts of industrial extraction as perspectives of the First Nations; however, there is evidence to support their assertions as of the extent of these impacts. Figure 2 presents four maps that document four types of industrial extraction activities on a portion of Treaty 8 Stewardship Lands (lands considered by Treaty 8 Nations to be of significance for Treaty and Aboriginal rights purposes) once used for traditional hunting and gathering activities (other industrial developments also occur on

this land; however, a “cumulative” map appears simply as completely black). Due to the significant level of disturbance, Treaty 8 Nations can no longer exercise Treaty or Aboriginal rights in this land. These maps depict one section of the Stewardship Lands. The total Treaty 8 land base looks similar. These maps raise a critical question, the same question that the First Nations ask: with all the past, current, and projected developments documented on these maps, where will the First Nations be able continue to practice their culture, Treaty and Aboriginal rights? There is simply no land left untenured. If the First Nations cannot fit themselves into an overdeveloped landscape, where then will the plants and wildlife fit? Until these questions are acknowledged and seriously addressed by both the provincial and federal governments, the fairness of industrial development on lands important to First Nations must continue to be raised, in part by case studies such as this one.

Our research suggests that a critical failure on the part of the Canadian and provincial governments is not acknowledging the impacts of industrial development on Treaty and Aboriginal rights and therefore traditional culture. The Canadian courts have repeatedly urged governments to be proactive in developing sound, cooperative working relationships with First Nations around rights and title (*Haida Nation v. BC* 2004; *Taku River Tlingit First Nation v. BC and Redfern Resources* 2004; *West Moberly First Nations v. British Columbia (Chief Inspector of Mines)*, 2010). Rather than treading a slippery slope of human rights violations, the federal and provincial governments might profit from an honest discussion with First Nations regarding their concerns over impacts on the land, on wildlife and upon their cultures, Aboriginal and Treaty rights. If people know they cannot practice their lifestyles, as in this case study the First Nations assert that their Treaty guarantees, then government and scientific assurances to the contrary will only create greater stresses between the groups until the issue is concretely acknowledged and addressed.

Finally, the provincial and federal governments’ indifference to the personal cost to First Nation individuals and communities of being forced endlessly to participate in processes that result in no positive outcome, from their perspective, is a significant but unacknowledged and unstudied impact. The limitations in existing consultative processes for First Nations have been documented in our research (Booth and Skelton *in press a, b, c*) as well as in other studies (Carrier Sekani Tribal Council 2007; First Nations Energy and Mining Council 2009; Harvard Law School 2010; and Plate et al. 2009). In reviewing the large collection of procedural failings embodied within Canada’s and British Columbia’s consultative processes these studies document, one is struck a disturbing larger picture. By allowing procedural failures to remain recognized, but unresolved is to abrogate a democratic government’s responsibility to be responsible for the costs of its actions. As the challenges of consultative processes for indigenous peoples are reasonably well documented, for governments and industry proponents to continue to expect First Nations to perform regardless and make no effort to modify a process to accommodate a readily admitted failure is itself a significant impact of industrial development. This circumstance suggests an almost sociopathic (in the sense of being unable to empathize with another) indifference to the costs of institutionalized and inevitable failure. It also profoundly and perhaps irredeemably damages any opportunity for governments to develop positive relationships with First Nations. How can you expect to develop a positive relationship if you ignore their pain, their stress or their fears for their children (see Turner et al. 2008 for a discussion of the concept of invisible losses from development).

Consider the First Nations’ own articulation of the personal costs of both industrial development and of the processes they must participate in. Elders lying awake at night

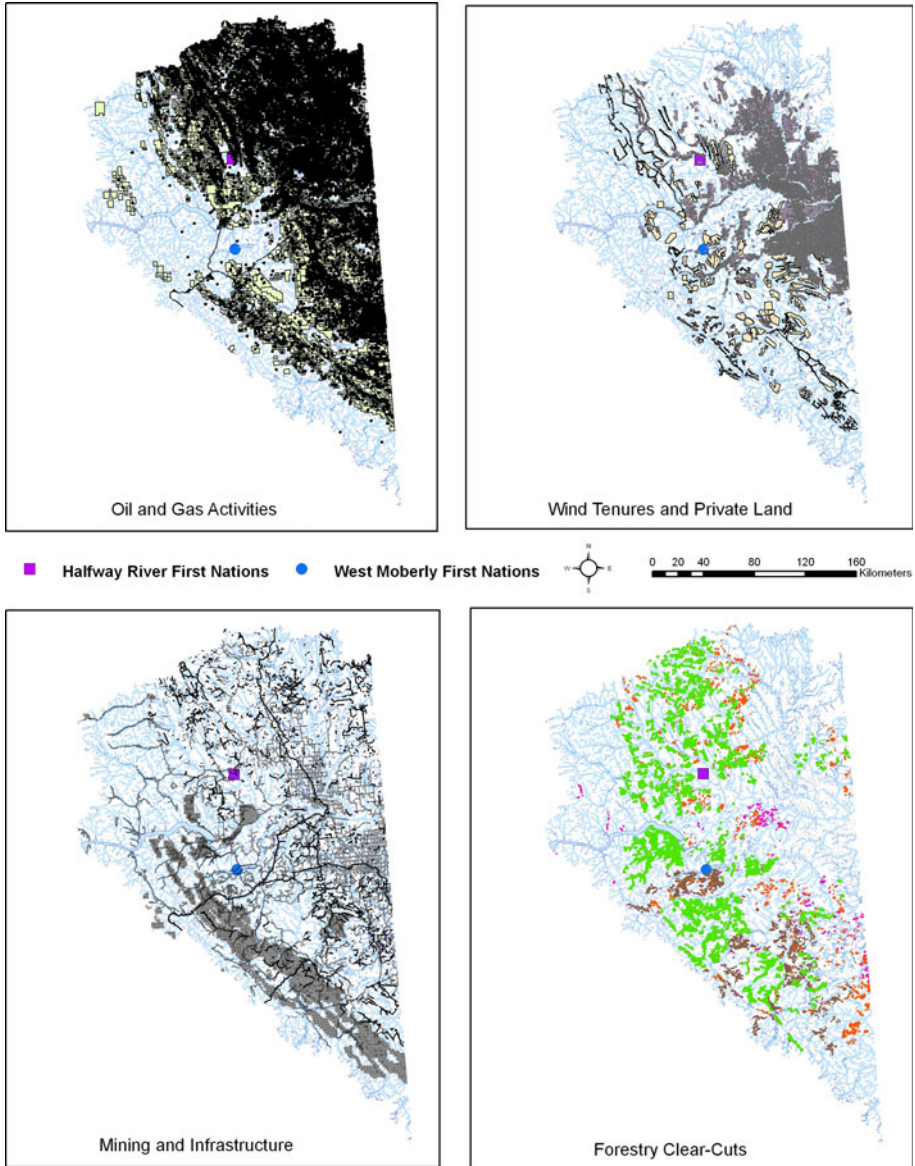


Fig. 2 Selected industrial development on a portion of BC Treaty 8's Stewardship Lands

worrying about their grandchildren. Children worried about their future. People aware that they are being slowly stripped of a culture that they value. The consequent rise in drug and alcohol use and the social problems that come with addiction. The inability to practice a valued spirituality. Destroying a culture through the destruction of its source of culture and livelihood is, as one Councilor calls it, “cultural genocide” (Chief and Councilor 2), even if it is merely collateral damage of industrial resource extraction activities.

All countries with a combination of indigenous peoples attempting to retain their traditional culture and exploitable natural resources face these challenges. While more study is called for to document the impacts of industrial development on indigenous peoples, we believe sufficient evidence exists to make preliminary conclusions about these impacts. From the First Nations of Canada's perspective, one conclusion is that the continued social and political acceptance of the impacts of industrial resource extraction upon indigenous cultures and their traditional lifestyles will lead to their disappearance as a people and as a land-based culture. As researchers, we tend to agree with this preliminary conclusion. As researchers who work in collaboration with First Nations, we also believe that the world will be poorer for the loss of indigenous cultures. As they go, so goes humanity. We believe this necessitates governments being willing to acknowledge the significance of the impacts of industrial resource extraction upon the indigenous cultures within their borders and, more importantly, to find solutions which will facilitate indigenous cultures to persist into the future.

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