

Dispassionate Destruction:

Site C and the Inertia of Colonial Development

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TABLE OF CONTENTS

INTRODUCTION..... 3

COLONIAL DEVELOPMENT AND INDIGENOUS DISPOSSESSION.....6

A BRIEF HISTORY OF HYDROPOWER.....12

BIRTH OF A CONTROVERSIAL DAM.....16

INTERLUDE INTO TREATY 8.....19

THE FIRST NATION FIGHT.....20

    Primary positions.....21

    Direct Action.....25

    Legal Disputes.....29

CONCLUSION.....31

REFERENCES.....34

## INTRODUCTION

In June 2016, B.C. Hydro opened an installation in the W.A.C. Bennett dam visitor center called, “Our Story, Our Voice.” The back wall of the gallery is covered in televisions which play a documentary produced by the Kwadacha Nation. The video tells the story of when B.C. Hydro destroyed an entire valley, flooding 1,761 square kilometers of forested land, and displaced hundreds of First Nation people in order to produce ‘clean’ energy. The other two walls of the gallery are covered in stenciled quotes of various sizes, the largest reading, “They call it progress, we call it destruction.” B.C. Hydro claims that the installation gives First Nations a chance to share their story and begin to heal. Meanwhile, just 120 km down that very same river, the province-owned energy company was beginning construction of the Site C Hydroelectric project against the explicit consent of West Moberly and Prophet River First Nations. “The 1960s were a different time,” claims B.C. Hydro, while giving ample evidence to the contrary (“First” 2016).

Hydropower is heralded by supporters for being a clean source of energy which is part of a promising energy future. Although there are many benefits to damming, it has serious negative consequences on the surrounding ecology and on indigenous people with legal, cultural, and material ties to that ecology. Flooding large swaths of indigenous land in order to extract energy from the water has perpetrated dispossession and displacement, and continues to be so today in the case of the Site C Hydroelectric Project in British Columbia, Canada. Mega development projects like the Site C dam still enact the core story of settler environmental destruction, which is a disregard for ecosystem health and indigenous land rights in favor of surplus production. Large scale hydroelectric projects such as this have historically been the product of a high-modernist perspective that nature must be made ‘useful’ through technology which extracts

economic value from natural resources. At the height of damming in the US and Canada, this perspective was taken in earnest by the likes of W.A.C. Bennett, the premiere behind B.C. Hydro. Today, the justification for mega projects like Site C are weaker, dispassionate, and confused. The language of extraction and development is no longer fashionable, but it continues to be profitable. In the story of Site C, passion only exists within those who want to stop it, and whose ecological philosophies have never been willing to justify the destruction of a valley and all the knowledge and life it holds, only to produce a surplus of energy for sale.

Development operates globally through the delineation of resources from their existing systems of growth. Resources, including the resource of energy, are extracted out of their existing system, and into the global trade. This is inherently threatening to indigenous ways of life. The concept of development comes from a western notion of progress which is dependent on the exploitation of resources in the name of economic growth. Furthermore, developmentalism challenges indigenous sovereignty and ways of life in order to consolidate corporate and state power and extract indigenous resources. The language surrounding these dynamics of exploitation have changed more than the dynamics themselves. Although developmental and colonial language has become publicly less acceptable, exploitative practices have not.

Damming reached its peak during the post-war period of high modernism and rapid development, which displaced indigenous people and dispossessed them of their land and land rights without second thought or apology. Damming in the last decades has been much less popular in the U.S., but has maintained its position in Canada as the top solution for energy needs, despite the well - established negative impact damming can have on the environment and on indigenous groups. The impetus for this is unclear, because although B.C. Hydro claims that

energy needs are forecasted to increase, they refuse to publish these reports publicly.

Furthermore, their reported forecasting could be met more cheaply and with less negative impact to First Nations via geothermal generation, a solution proposed by First Nations themselves. In addition, the majority of the electricity provided by B.C. Hydro comes not from the hydropower produced at a surplus in the province, but is instead bought cheaply from states which produce energy from fossil fuels in the U.S..

Though not yet completed as of May 2021, construction of Site C dam has already negatively impacted the ecology of Peace River valley, home to the Dane-zaa First Nations. Since its announcement in 2014, First Nation political leaders and activists have led an impassioned, multi-pronged resistance to the completion of the dam. This project is in direct discord with Treaty 8, which prohibits settlers from interfering with First Nation ways of life. Were the Site C dam be completed, it will impede on First Nation fishing rights, access to medicinal plants and native wildlife, and flood ancestral lands. In literature, in interviews, in direct action and in litigation, West Moberly and other First Nations express the importance of their relationship to the land and its health. They stand against Site C for the health of their cultural practices, the future of food sovereignty and wildlife preservation, and the preservation of ancestral knowledge which is held by the land. Their message is clear, logical, and based in deep spiritual practice. This stands in sharp contrast to B.C. Hydro, who can hardly justify Site C even to themselves.

B.C. Hydro was born out of a time when dominating over land in order to reap maximum economic benefits was heralded as the path towards brighter futures. As we near climate catastrophe, this ideology appeals to less and less people, and has always been antithetical to indigenous ecological practice. B.C. Hydro may attempt to use the language of

environmentalism to justify mega projects like Site C, but this message rings flat, especially when compared to the vibrance and strength of First Nations anti- Site C arguments. It seems the company is unable to transition away from the domination, destruction, and surplus production, even when this process promises no bright, 'clean' future.

## COLONIAL DEVELOPMENT AND INDIGENOUS DISPOSSESSION

Existing literature has critiqued both very concept of development, and the ways development builds state power while challenging indigenous autonomy. Both as essential in understanding the ways in which mega development projects like Site C are antithetical to indigenous ecological perspectives which value the health of complete ecosystems over its delineated resources. Scholars from many disciplines have critiqued the concept of 'development' as it is often used to describe the exploitation of the global south, for using a hierarchical and western-centric scale for progression. Although the dynamics of neo-colonialism differ from that of settler-colonialism in many ways, the extraction of resources from their natural systems for profit remains the same. This exploitation of resources impacts indigenous sovereignty by dispossessing them of land and the vital resources it provides in many contexts around the world. Settler-colonial states have generally shifted away from the language of of domination over nature in order to suit the needs of man, but still continue with developmental projects which devastate ecosystems for a small profit, as seen in the example of Site C.

In considering conflicts between indigenous interests and development, it is worth considering what 'development' means. The word has strong connotations of progression. That which waits to be developed is seen as potential energy-- this *could* be something worthwhile, if

only we ‘developed’ it. To develop a piece of land or a country is to make that place more valuable. Value, in this context, is almost exclusively economical. When we speak of ‘land development,’ we are not talking about land rewilding, or land preservation, or beautification. When we speak of ‘developing countries,’ we do not speak of countries which are in need of human rights protections, prison reform, or better educational outcomes. ‘Development’ imagines progress, but progress towards what? When so much of ‘development’ is destructive, what cause or condition is progressing?

The meaning of development has been explored by political philosophers and developmental anthropologists for several decades. Francois Partant, a French economist, was one of the first major critical voices against development with his book *La fin du développement — Naissance d'une alternative?* He, and many after him, have argued that development is colonialism by another name. International finance institutions which drive ‘development’ do not operate altruistically, but instead serve to spread western hegemony and increase capital opportunity for the global north (Dossa, 2007, Goldsmith, 2002, Partant, 1982). Jason Hickel, an anthropologist and major voice in degrowth theory, recently reported that for every \$1 the global south receives in aid, they lose \$14 in unequal exchange of material and labor (Hickel et al, 2021). Through this literature perspective, ‘development’ describes a relationship of exploitation between the ‘developing’ and ‘developed.’

Although the dynamics of global development and neocolonialism differ from settler colonialism, indigenous groups in both contexts are subject to the same cycle of displacement and dispossession in the name of ‘progression’ and ‘development’ (Samson, 2017). Katherine Macdonald’s fieldwork in the Guyanese Amazon describes how in 2013, the Guyanese government sold 8,000 hectares of unseeded Makushi and Wapish land to Brazilian rice farmers,

with absolutely no input from indigenous people (2016). The people of this region now fear for the health of the watershed, which is vital to them as a fishing society. Without food security, more Makushi and Wapish turn to wage labor, which endangers the preservation of cultural knowledge. The dispossession of these 8,000 hectares of wetlands in the name of industrial agriculture will have the worst consequences for the people who have inhabited these lands for hundreds of years, and were not once consulted about the decision.

Colin Samson describes how similar dynamics have played out in Northeastern Canada, first by tracing the meaning of ‘development’ back to the enlightenment philosophy which positioned colonial Great Britain as the pinnacle of human society. The language of cultural and environmental domination may not as explicit as it was at the height of the British Empire, but this worldview continues to express itself in mega developmental projects which cause massive and irreparable disruption to wildlife and indigenous ways of life. Today this pattern is visible in many places, including Brazil, Peru, and where Samson focuses his case-- the Muskrat Falls Hydroelectric Project in Newfoundland and Labrador. Samson notes that in literature and press releases, the project completely omits the Innu people from its narrative. Supporters exalt the progress which the dam represents without accounting for the devastation it will bring for local Innu people. He concludes that, “The Muskrat Falls project illustrates that industrialization cannot be a politically neutral process that ensures progress for all, because mega dams principally benefit powerful political and economic interests,” (17). Huge hydroelectric projects like the Muskrat Falls dam and Site C may be marketed as positive progress for Canadians, while only reaping significant benefit for already powerful corporate interests, and significantly harming First Nations.

Likewise, despite claiming to represent the interests of First Nations, the Canadian government often justifies the destruction of vital watersheds, forests, and wildlife in the name of ‘critical’ Canadian infrastructure. Freda Huston, spokesperson for the permanent camp that the Wet’suwet’en people have built to block the construction of multiple pipelines that Canada is trying to develop, has developed a framework for speaking about environmentalism which turns the capitalist definition of infrastructure development on its head. During an interview with anthropologist Anne Spice, Huston argues that for the Wet’suwet’en people, the environment itself is critical infrastructure, (Spice, 2018, 40-41).

So industry and government always talk about critical infrastructure, and their critical infrastructure is making money, and using destructive projects to make that money, and they go by any means necessary to make that happen. . . . So for us, our critical infrastructure is the clean drinking water, and the very water that the salmon spawn in, and they go back downstream and four years, come back. That salmon is our food source; it’s our main staple food. That’s one of our critical infrastructures. And there’s berries that are our critical infrastructure, because the berries not only feed us, they also feed the bears, and the salmon also don’t just feed us, they feed the bears. And each and every one of those are all connected, and without each other, we wouldn’t survive on this planet. . .

One could interpret this framework as Huston reclaiming the language which treats the earth as if it exists only to be developed upon. Industrialization may be ‘critical’ for the development of capital, but the health of the ecosystem is critical for life on earth. The pipeline projects that Canada is trying to build would prioritize the former over the latter. This framework places humans and the environment together in cooperation and not in hierarchy; the health of the environment and the health of the Wet’suwet’en people are interdependent. It’s important to note that Hudson does not mention only the elements of the environment which the Wet’suwet’en people benefit from directly, like the salmon, which is their major food source, but also the health of the river that the salmon live in. In this framework, you cannot appreciate the

bear for his pelt without also appreciating the berries for feeding the bear. As she says, “. . .Each and every one of those are all connected, and without each other, we wouldn't survive on this planet. . .” (Spice, 2018, 41). There is an understanding that what is good for the entire ecosystem is good for people, which is lacking when Canada imagines the critical infrastructure of oil pipelines. “Development,” with its connotation of being a positive forward motion, no longer applies in this context. What would be development for Canadian infrastructure would be destruction for the Wet'suwet'en people.

In some cases, the conflict between the benefit of the state and the benefit of indigenous populations is made explicit, and direct. Indigenous people are positioned as not only outside the state, but directly oppositional to it and its interests. Andréa Zhouri describes how the Brazilian State justifies massive damming and agricultural projects by positioning the development of the state as directly oppositional to the cultural and environmental concerns on indigenous people and activists fighting for the rainforest (2010). In the interest of preserving Brazil's agenda of growth, complex arguments and concerns for land protections and indigenous citizenship rights are simplified and aligned with the interest of foreign powers who benefit from keeping Brazil 'underdeveloped'. Because Amazonians and environmentalists' interests contradict the interests of the Brazilian governance and military, they are conceived as external and not internal threats, existing outside of Brazilian nationhood. This, in turn, transforms the Amazon into a place uninhabited by Brazilians, thereby justifying its destruction and the exploitation of its natural resources, (255).

Beier (2010) explains that in the case of settler colonial states-- especially democratic ones-- admitting that developmental projects benefit the state and not indigenous populations could threaten the legitimacy of state power. In admitting that the state is directly threatening the

security of people who are subject to its jurisdiction, the state shows itself not either to not be working for the benefit of constituents, or to not consider indigenous people to be legitimate constituents (178). Furthermore, the positioning of indigenous communities as antithetical and/or threatening to their state counterparts endangers native lives. Utilizing Foucauldian theories of racialization and surveillance, Monaghan (2013) details the dynamic of cultural elimination of indigenous people, in this case in Canada, when they are seen as a threat to the goals of the state, explaining how in the settler mission to acquire territory, indigenous people who stand in the way of expansion are racialized and demonized. She remarks, “Defiled as savage, deviant, abnormal, and backwards, expressions of indigeneity were systematically repressed by Canadian authorities as they developed reformatory strategies focused on making Indians into proper Canadians,” (505). It is essential to examine who is included in the states narrative of progression when discussing ‘development.’

Although the Canadian government no longer uses this language to enforce colonial suppression on indigenous population, their insurance on continuing a colonial tradition of flooding indigenous land in order to extract energy from rivers indicates the perseverance of this dynamic. As Keynote speaker at the R.A.C.E convention of 2014, Audre Simpson gave a lecture about how the settler reaction to Teresa Spence’s hunger strike was an expression of colonialism, in that her survival and the fleshiness of her body offended the settler desire to see indigenous women disappear. During the lecture, she reminded the audience:

Settler states do not narrate themselves in the following manner: As settler states, we are founded upon native dispossession, sometimes outright, and unambiguous enslavement we are tethered to capitalist modes of production that allow for deep social and economic differences that take the shape in the contemporary of so called unequal social relations. As settler states we now seek to repair, through invigorated forms of economic liberalism, that further dispossess, and some would say, consensually enslave those who

do not own their own means of production, or opt out, or fall out of this form of economic life. No, they do not talk about themselves this way.

Instead, Simpson continues, the contemporary settler states tell a story of themselves about multiculturalism, democratic, economically liberal, and sometimes social policies that attempt to correct and repair the ‘fundamental and unnarratable’ violence that they are built upon. Ultimately, she argues, attempts at redress are purely performative, as demonstrated either by direct forms of violence via displacement or neglectful forms of violence via unwillingness to investigate the phenomenon of murdered and missing indigenous women.

The performance of reconciliation may placate settlers who no longer tolerate language of cultural suppression and environmental domination, but it does not impede the colonial pattern of displacing indigenous people and devastating the ecology of their lands in the name of economic and political development. Though the language of progression is often used, this progress yields little benefit to the people it dispossesses. What progresses the economic and political goals of the colonial state works in direct opposition to the livelihoods of indigenous people who value (and benefit from) the health and well-being of whole environments over the material extraction of natural resources.

## A BRIEF HISTORY OF HYDROPOWER

The Site C Hydroelectric project fits into a long history of settler-colonial development in North America. Despite capitalizing off of a renewable source of energy, the construction of hydroelectric dams is a particularly destructive development initiative. It is essential to outline the pattern of destruction which this case fits into. This section will first outline the broad strokes of major damming projects in the United States and Canada, and the key advantages and disadvantages of hydropower, then transition into the origins of B.C. Hydro and its operations

within the providence today. Lastly I will describe the projects already in place on the Peace River, and the plans for site C. The goal of this section is to understand the tradition of large hydroelectric projects which the site C project spring out of, and how Site C fits into that tradition.

Dams are useful both for their potential in hydroelectric energy production, and for the creation of reservoirs of fresh water which can be used for drinking water, irrigation, and flood mitigation. The use of dams varies according to location; while most large dams generate hydro power, this may not be the primary purpose of dams built in arid areas in need of a stable water supply. Large scale Canadian dams have been built primarily to maximize electric energy production (“Dams” 2019). The International Commission on Large Dams (ICOLD) defines ‘large dams’ as a dam with a height of 15 m (49 ft), or a dam that is at least 5 m tall and has the capacity to impound more than 3 million cubic meters of water (“Definition” 2011). As of 2019 there were 1,157 such dams in Canada (“Dams” 2019) and over 8,100 in the United States (“Major” 2009).

Industrial hydropower plants have their origins in the early 19th century United States, (“The World’s”). Today, hydropower generates 16% of the world electricity, making it the #1 source of renewable energy by far, (“Renewable” 2020). Hydropower is attractive for several reasons. Unlike fossil fuels, the generation of hydro power does not consume water, and produces no co2 after construction is complete. Compared to other sources of renewable energy, hydro is unique in its ability to adapt energy production to suit demand, ramping up and down generation to accommodate each day’s needs (Wagoner, 2017). It is also the cheapest renewable energy source when measured by the lifetime cost of production by lifetime energy output, (“Affordable” 2019).

In both Canada and the United States, the majority of large dams were built between the 1930s and 1970s. Academics who study dams have labelled these decades as ‘the go-go years’ or ‘the big dam era.’ (Van Huizen, 2010). During this time, approval for dams was expedited, with little attention paid to damage done to archaeological sites or indigenous cultural practices. Large dams were favored over smaller-scale projects, because although they required huge amounts of capital upfront, the payoff in regard to energy production or reservoir size was seen as worthwhile (Lawrence, 2005). The colossal scale of dams built during this time were presented by politicians as proof of the power of the states constructing them, signifying progress and modernity, (Samson, 2017). The agenda of the U.S. and Canada during this era was to build as many dams as possible so as to ‘tame’ the watersheds and extract the maximum amount of water for irrigation and hydroelectric energy as possible. River systems were systematically transformed into industrialized dams and reservoirs so that no water source was ‘wasted,’ (Van Huizen, 2010).

B.C. Hydro, the province-owned utility corporation behind Site C, formed during this time period. It was created in 1961 by joining and nationalizing two private hydroelectric companies during the premiership of W.A.C. Bennett (1952-1972), who believed strongly in high modernism, which places absolute confidence in the ability of science and technology to reorder the social and natural world as humans best see fit (Loo, 2004). Bennett believed that hydropower served as the foundation to other forms of development, and that any resource not capitalized from was a resource wasted. Support of dams often used language of domination, framing such projects of a conquest over the wildness of nature by the technological ingenuity of man (Van Huizen, 2010). During the Bennett era, language around hydropower focused on the ability of the province to construct massive, technologically advanced dams which forwarded the

infrastructural development of the province and produced cheap energy which could be sold to the USA. As this language became less palatable as the environmentalism movement swept the late 60s, dam and dam-related architecture (visiting centers, reservoir parks) began ‘naturalizing’ dams with intentionally wild-looking landscaping and rock scaping, and promoting a white-washed history of the dam as part of a natural evolution in the relationship between humans and rivers, despite doing little to actually mitigate the negative consequences of damming on the environment (Van Huizen, 2010).

In response to mounting anti-dam protests the World Commission on Dams (WCD) formed in 1998 to review what they called ‘the dam debate.’ Damming experts from around the world congregated to review the advantages and disadvantages to large scale damming projects. They concluded that although states have certainly benefited economically from damming, those who live closest to the dam sites-- particularly indigenous people, are often severely disadvantaged. These disadvantages take the form not only of flooding which often destroys sacred natural landscapes, ceremonial sites, and burial grounds, but of disruptions in wildlife which negatively impact the fishing and hunting patterns, and therefore food security and food sovereignty of indigenous peoples. The report found negative social and cultural impacts of flooding were insufficiently considered when corporate and governmental agencies determined the ‘balance sheet’ of dam construction (Lawrence, 2005).

Of all renewable energy sources dams require the most land mass, as upstream flooding is inevitable. The area of reservoir is highly dependent on the geography of the flooding area; an extreme example is the Balbina hydroelectric plant in Brazil, which flooded 2,360 square kilometers, an area the size of Delaware (“Environmental” 2013). Environmentalists have come to understand the clogging up watersheds with dams and reservoirs impacts the entire watershed,

and at every level. According to Dr. John Waldman, an aquatic conservation biologist at the City University of New York, all the energy produced by industrial dams in the continental US could be replaced with solar banks, while using only 13% of the same land mass. Flooding can have devastating effects on the surrounding wildlife, with migratory fish being the most heavily impacted (Gabbatiss, 2019).

Canada is unique from other western countries in its persistence in building large-scale hydroelectric projects, despite the environmental and cultural impacts. This is due in no small part to the success of B.C. Hydro, the main energy source of one of Canada's most populated provinces. B.C. Hydro supplies 95% of the province's electricity. 80% of the energy produced in the province was generated on the Peace and Columbia rivers ("BC" 2013), which were targeted by the Bennett administration for development under the two rivers policy ("Our" BC hydro). Although B.C Hydro is the main energy supplier in the province, the energy it generates is often not the energy which powers B.C. The province-owned utility company trades with different producers along the west coast of the United States through a partner company called Powerex. In 2018, Powerex imported energy from coal states such as Wyoming, Utah, and Nebraska at a higher rate than it exported energy to Oregon and California where clean energy is in high demand. That year, Powerex sold power for an average of \$87 per megawatt hour and imported electricity for an average of \$58 per megawatt hour (Cox 2019).

BC Hydro and supporters of the project argue that the energy which Site C will produce is necessary to meet 'increasing energy demands,' despite the fact that energy demand has not increased from 2005 - 2015 (Gilchrist, 2015). Though the energy demand doesn't exist in B.C., it is on the west coast, and B.C. Hydro profits greatly from selling it to them. Although much of the energy provided by B.C. Hydro comes from fossil fuels. The company has made multiple

attempts at cultivating an image as a progressive, climate-savvy energy supplier in recent years. In 2019 they launched the ‘CleanBC’ advertising campaign, which promotes their plan to reduce emissions (Cox 2019), and in 2016 they publicly apologized to First Nations for the irrevocable harm caused by the W.A.C. Bennett Dam, promising not to repeat “mistakes of the past” while making no mention of Site C, which had already begun construction just 100 kilometers up the river (Cox 2016).

### BIRTH OF A CONTROVERSIAL DAM

The Site C Hydroelectric Project is to be the third major dam constructed on the Peace River, as part of the ‘one river program’. The first is the previously mentioned W.A.C. Bennett Dam, completed in 1968, is 186 meters (610 ft) high (“40” 2010) and created Wilson Lake, the 8th largest reservoir on earth, impounding 70 billion cubic meters (McLaughlin, 2019). The second is the Peace Canyon Dam, completed in 1980 and located only 23 km downstream from the W.A.C. Bennett. The Peace Canyon is 50 meters (165 ft) high and created a 13-mile-long reservoir which impounds 216 million cubic meters of water (“Peace” 2009). The combined power of these two projects generates 17,500 GWh/year, which accounts for 38% of B.C. Hydros total generated power (“Peace” 2021).

B.C. Hydro began engineering studies for Site C before the Peace Canyon Dam was completed. Five locations between it and the Alberta border were scouted-- Sites A, B, C, D, and E. The surveys determined that both sites C and E were viable, while the rest were not. Both were shelved until Site C was seriously considered in the early 80s. By 1983 project development had gone so far that B.C. Hydro applied for an Energy Project Certificate from the newly created B.C. Utility Commission (BCUC) for review (Kucic-Riker, 2017). After a two-

year long assessment on the project's justification, design, impacts, and other relevant matters, they concluded that there was insufficient need for the project, and that the future needs of the province may be met in less ecologically negative ways (Eagle, 2017, Kucic-Riker, 2017). In respect to First Nation impact, BCUB concluded that “While the impacts of Site C on a provincial scale may be small, they could be significant to the native population in the region,” adding that if adverse effects on First Nation ways of life were identified, monetary compensation would not be sufficient to offset this impact (Kucic-Riker, 2017). B.C. Hydro revisited the project again in 1989 and gained some political support, only for the project to be shelved again because additional research determined that the cost of the project would be too great and that the environmental impact was ‘unacceptable’. In 2011 plans for Site C were once again revitalized despite this long history of grim impact reports, this time marketed by then Liberal Premiere Gordon Campbell as a “clean energy project” and an important part of “B.C.’s economic and ecological future,” (Eagle, 2017). The provincial B.C. government approved the project in December of 2014 (“Site” 2014).

Should Site C be completed, it will be an earthfill dam with a height of 60 meters and a length of 1,100 meters (“Backgrounder” 2010), and will create a reservoir of 2.3 billion cubic meters (Bruce 2012). Its capacity will be about 900 megawatts (MW) (“Backgrounder” 2010). The project was announced in 2014, and construction began in the summer of 2015, it is currently projected to be complete in 2025 (“Project” BC Hydro). When it was approved in 2014, Site C had an estimated cost of \$8.775 billion. By February of 2021, that budget had nearly doubled to \$16 billion. Between \$3-4 billion of those costs can be attributed to unforeseen geotechnical complications and slowdown on construction due to COVID19. Despite this, and the fact that external investigators concluded stopping the project and replacing the energy needs

with wind or solar would affect taxpayers the same, B.C. premiere John Horgan insists that the dam ‘must’ be completed (Jurjata, Bains 2021).

The B.C Government announced its plan for the Site C hydroelectric Project in December of 2014. Land clearings were underway by July of the following year. The announcement drew negative reactions from First Nations, Peace Valley Farmers, and environmentalists alike. The strongest and most long-lasting voice against Site C has been with First Nations, particularly by the West Moberly First Nation. West Moberly and Prophet River, both nations within the Dane-zaa tribe, have pursued litigation against B.C. Hydro for infringing on the Treaty 8 promise not to infringe on First Nation ways of life (including hunting, fishing, and spiritual practice) within an area of land which includes the Peace River Valley.

#### INTERLUDE INTO TREATY 8

Before describing the specific arguments which First Nations have made against the Site C Hydroelectric project, it is important to understand that indigenous people have legal, as well as spiritual claim to the land which will be flooded and the water system which will be clogged. These legal rights are protected in Treaty 8, signed on 21 June 1899 by the Crown and First Nations of the Lesser Slave Lake area. The treaty covers roughly 841,487.137 km<sup>2</sup> of what was formerly the North-West Territories and British Columbia, and now includes parts of Alberta, Saskatchewan, B.C., and portions of the modern Northwest Territories. It is the largest treaty in Canada (Tesar, 2016). Denesuline, Cree, Dane-zaa, and Metis tribes of what are today 39 nations are included in the treaty (Tesar, 2016, “Treaty” Treaty 8). During negotiations, First Nations were insistent that their hunting, fishing, logging, and religious practices are not impaired by settlers in Treaty 8 territory. This is the core tenant of Treaty 8. Former Chief Stewart Cameron

of the Saulteau First Nations, speaking on the significance of Treaty 8 elaborates on this, explaining:

Whether they were written or not, we know what the true spirit and intent of Treaty 8 is to us...for hunting, fishing, trapping, yes, but it goes way more than that also. It's a way of life, mode of life, [a] meaning that's [in] the land. It's related to the land... Our language is related to the land. Our teachings come from that. Our way of life, our laws come from that, from all of this (Kucic-Riker 2017).

In the case of Site C, there is strong evidence to suggest that this mega project will have irreparable negative consequences on the ecology of the Peace River Valley. The Joint Review Panel on Site C found in disagreement with B.C. Hydro that the project would have significant adverse effects on fishing opportunities and practices for First Nations. Treaty 8 specifically protects First Nations' right to fish their preferred species of fish including bull trout, arctic grayling, and mountain whitefish, most of which would be completely lost as their migratory patterns would be blocked by the dam. The panel also found that Site C would likely have significant adverse effects on trapping, hunting, and traditional uses of land, such as foraging for medicinal plants (Kucic-Riker 2017).

## THE FIRST NATION FIGHT

The Dane-zaa First Nations of the Peace River Valley have a legal right for their ways of life not to be interfered, as protected by Treaty 8. Site C would unambiguously interfere with indigenous ways of life by clogging waterways, impeding on wildlife patterns and access, and flooding ancestral lands. West Moberley, Prophet River, allied Treaty 8 First Nations and First nation organizations, as well as indigenous activists from all over Canada, have presented many specific points of contention for the project through literature, press releases, legal challenges, and direct action. Together, they persuasively argue that the Peace River Valley is legally

protected by First Nations, and that it is not justifiable to destroy the valley in order to extract energy from its river. This case is yet another demonstration of how major development projects constructed on indigenous land can illuminate differences in the values, ecological philosophies, and issues of sovereignty between settler colonial nations such as Canada, and indigenous nations such as Prophet River and West Moberly.

This section will be in three parts: primary positions, direct action, and legal disputes. The first section will review general statements and First Nation literature against the dam. These are meant to represent the official, most outward-facing stance of First Nations about Site C. The second section will cover the history of protest organized against Site C, and will share the perspectives of indigenous activists fighting in solidarity with West Moberly and Prophet River. The third section will review statements made in the context of the ongoing litigation against B.C. Hydro for violating treaty rights, and will shed light on how First Nation relationship to land is discussed in the officiality of the court system.

### **Primary Positions**

Below are card designs available for free print out on the West Moberly First Nation website, which outline fish, effect on cultural values, treaty rights, effects on wildlife, and effects on medicinal plants. They describe what is at stake for West Moberly in the Site C project, which are essential aspects of their relationship to land, as expressed by interactions with animals, plants, and history, and remind the reader that there is no replacement for ancestral homeland, and that West Moberly is legally entitled to live in a valley “free of Site C.” These represent the most official stances and concerns about Site C on the part of West Moberly, the most active First Nation in the fight against the dam. A common theme in these cards is that B.C. Hydro has

neglected to consider the impact of this dam on West Moberly. The impact on treaty rights to fish, to hunting, cultural loss, or on medicinal plants are being neglected by B.C. Hydro. These positions represent the basis of West Moberly’s claim against Site C.

 <p><b>The Effects on Treaty Rights</b> If the Proposed Site C Dam were to be constructed</p> <ul style="list-style-type: none"> <li>• BC Hydro is taking the “go somewhere else” stance when it comes to the practice of Treaty Rights</li> <li>• The valley is too important to “go somewhere else”, what is left that is not impacted already?</li> <li>• The valley remaining <b>free of Site C</b>, is important to continued practice of Treaty Rights</li> <li>• BC Hydro is not assessing how the impacts of Site C will impact Treaty Rights</li> <li>• The valley contains a large number of important cultural and historical sites and values.</li> <li>• How does “go somewhere else” deal with this issue?</li> <li>• <b>Cultural loss is a key issue that BC Hydro is not taking seriously</b></li> </ul> 	 <p><b>The Effects on Medicinal Plants</b> If the Proposed Site C Dam were to be constructed</p> <ul style="list-style-type: none"> <li>• BC Hydro has not completed a First Nations focused medicinal plant assessment of the Peace River Valley</li> <li>• BC Hydro admits Site C would impact vegetation within the project area but what about culturally important plants?</li> <li>• Instead, BC Hydro is using information taken from Traditional Land Use Studies – these studies provided general information only</li> <li>• BC Hydro is not taking the issue of medicinal plants seriously or the importance of these plants to our members and the continued practice of their Treaty Rights</li> </ul> 	<p><b>The Effects on FISH</b> If the Proposed Site C Dam were to be constructed</p>  <ul style="list-style-type: none"> <li>• Site C will seriously impact fish and their habitat</li> <li>• Some fish species will decrease in numbers and cause reduced fishing opportunities for our members</li> <li>• Site C will form a barrier to fish movement by blocking the river</li> <li>• Impacts on the Treaty Right to fish are not being assessed properly or taken seriously by BC Hydro</li> <li>• Fish contamination still is a concern to our members. Are you concerned?</li> </ul> 
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<p><b>The Effects on Cultural Values</b> If the Proposed Site C Dam were to be constructed</p>  <ul style="list-style-type: none"> <li>• The ability to share stories and pass on knowledge will be impacted if sacred spaces are flooded</li> <li>• BC Hydro thinks digging up our history and putting it in a museum is acceptable mitigation</li> <li>• The Peace River Valley remaining intact is important in maintaining our cultural and spiritual identity</li> <li>• The valley is rich in cultural values that require protection for future generations to enjoy, flooding this value only adds to <b>cultural loss</b>.</li> </ul> 	<p><b>The Effects on Wildlife</b> If the Proposed Site C Dam were to be constructed</p>   <ul style="list-style-type: none"> <li>• BC Hydro says that the Site C reservoir will not become a barrier to wildlife movement – we disagree</li> <li>• BC Hydro is not assessing the impacts of erosion on wildlife movement but did for vegetation – this is unacceptable</li> <li>• Overall BC Hydro is not properly assessing the potential impacts on ungulates (moose, deer, elk) in a meaningful way</li> <li>• BC Hydro is not properly assessing the impacts of the project on the Treaty Right to hunt.</li> <li>• There are serious questions remaining about the status of the moose populations in this region</li> </ul>  
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In order to gain a deeper understanding of these and other arguments against Site C, I will be presenting and analyzing interview data which was collected in response to Site C. This section will focus on statements given by First Nation representatives to journalists covering the announcement of the project and its’ first stages of development and controversy, from 2014-2016. CBC News reached the leader of the Union of B.C. Indian Chiefs and environmentalist Grand Chief Stewart Phillip for comment shortly after the project gained approval from the B.C. liberal government in December 2014. He told reporters that the project would ‘never see the light of day.’ He’s quoted as such:

We believe it to be an incredibly short-sighted and stupid decision. It's not about the money. It's about the environment, it's about the land — about constitutional rights, treaty rights and so on and so forth. It's about a way of life (CBC, 2014).

Many of the official statements made by First Nation leaders focus primarily on the legal rights promised to Treaty 8. Grand Chief Stewart Phillip acknowledges the breach of treaty rights, but also speaks to the cultural heart of the issue. ‘It’s not about the money’ could either reference the possibility of a settlement payment as compensation, or the project's initial 16.4-billion-dollar budget. Either way, Grand Chief Phillip establishes his priorities and the priorities his leadership represents, which puts the environment and human’s relationship to it above a price tag. “It’s about a way of life” perfectly encompasses what stands to be lost if Peace Valley were to flood. With the loss of the land also comes the loss of the cultural knowledge and practice which depends on it.

Chief Roland Willson of the West Moberly First Nation is a key figure in this conflict, as the leader and spokesperson for the First Nation most affected by and most vocal against Site C. After a meeting of The Northern First Nations Leadership Alliance in October of 2015, he issued the following statement:

Canada has an opportunity to become a leader in alternative energy development. I am calling on our new Prime Minister to work with us in developing Canada's potential to be a global leader in this field, instead of pursuing archaic approaches like the Site C dam. The era of destroying rivers should be over (Hoggan, 2015).

Chief Roland Willson and others often repeat the fact they are not against energy production or ‘development,’ but instead counter that the ‘development’ Site C is not a positive or forward-thinking one. ‘Destruction’ and ‘development’ can be seen as antonyms in this context. Willson effectively flips the two, pointing out the contradiction inherent in the ‘development’ of something which is incredibly destructive. Though B.C. might say that they are *building* a dam (building being progressive and forward- thinking), Willson points out that they are also *destroying* a river.

CBC News reported in September of 2016 about First Nation backlash to the Site C project, including protests and litigation. Andrew Kurjata reached Willson for comment, who responded with the following:

The Peace River is the main thoroughfare through our territory. It's kind of the main artery for all the wildlife, all the stuff that goes on in northeast B.C. If the relationship with Indigenous people is so important... Why isn't anyone listening to us? (Kurjata, 2016).

Willson is the first in this series to present the metaphor of the body when describing the importance of the river. Comparing the river to an artery describes the interconnectedness between the river and everything it brings its nutrients to. It evokes notions of symbiosis; if the artery is the river, the plants and animals are the organs. Without proper blood flow, organs can't function. The river is not 'just a river.'

The New York Times did a profile on Site C and its controversies in December of 2016. When reached for comment, Chief Roland Willson said:

"This land is our church, our supermarket and our pharmacy" (Levin, 2016).

This comment, likewise, describes how the land in the valley is something which West Moberly interacts with and depends on. It's not possible to separate the land from these functions, to delineate 'land' from 'church,' 'supermarket' and 'pharmacy.' Damage the land, and you damage essential elements of a way of life.

Keven Drews of CBC news reported about anti-Site C protests in January of 2016. He reached Art Napoleon, former Chief of the Sauleau First Nation and current host of the popular TV cooking show, "Moose meat and Marmalade." He told Drew that he hoped that Trudeau would get involved, and said:

That whole area was a culturally significant area for us, for hunting, trapping, fishing, gathering, a lot of history, all of our history, so that's our cultural institution and it's being raped, and it's still not enough. (Drews, 2016).

This quote speaks on several levels. One is the material reliance and food security which the valley provides for local First Nations which should be considered in terms of hunting, trapping, fishing and gathering. The land provides sustenance, and destroying the river will result in damage to that beneficial, sustaining relationship. Second and more pronounced is the reference to ancestry, history, and lineage in reference to 'a lot of history, all of our history... that's our cultural institution.' Napoleon connects the land to the concept of homeland and an ancestral past, which is being destroyed. 'It's being raped' expresses the violence and exploitation involved in this destruction, and supports the comparison of the land to a body presented by Willson, and later others.

Napoleon was not alone in hoping that a promising new Trudeau administration might put a stop to Site C. This attitude took a sharp turn when the project got Federal approval and issued permits for Site C in July of 2016. Caleb Behn was among First Nation members interviewed about the decision. Behn is a member of treaty 8 and the executive director of Keepers of the Water, a water activism non-profit. Geordond Ormond of CBS News reports that Behn described the permit as 'a politically motivated decision that reinforced the Trudeau Liberals' business-as-usual approach to First Nations relations. Behn is quoted as saying:

We are the heart and soul of the oil and gas economy in this country. We have given coal. We have given oil. We have given trees. My dad went to residential school. We gave souls. And this is how you're going to treat us in the 21st century? This is the kind of hypocrisy that makes me question the wisdom of my ancestors choosing to sign on to treaties." (Omand 2016)

Like Napoleon's, this comment references the violence and exploitation enacted by the

Canadian government in reference to First Nations, both historically and in the case of Site C. Site C is yet another project of colonial expansion, exploitation, and violence, both to natural resources and to the lives of indigenous people.

### **Direct Action**

From 2015- 2017, anti-Site C protests formed all throughout B.C. These included occupations in Vancouver and in the Peace River Valley, a hunger strike, and gatherings in major cities including Montreal, Victoria, and Vancouver. This section will review quotes taken on the site by journalists covering these protests.

In December of 2015, 6 Tribal 8 activists began an encampment in Northern BC, where land clearing in preparation for Site C had begun. The protest lasted 62 days through temperatures as low as 20C until the B.C. government ordered the camp be dissolved. Journalists interviewed activists Helen Knott and Yvonne Tupper when the camp was dismantled on March 1st, 2016. Ashifa Kassam of the Guardian quoted Knott as follows:

This is home. The rivers are the arteries of the Earth. When we block them up, the earth becomes unhealthy. It's about being able to protect something to pass on to our children. (Kassam, 2016)

Here, Knott develops the metaphor of the river as an artery. She expresses the interconnectedness of the rivers to the ecosystem. Her phrasing demonstrates the absurdity of the project-- what authority chooses to block its own arteries? Like others, Knott references ancestry, but this time in a forward motion. The body must be healthy in order to continue supporting life.

Yvonne Tupper was also interviewed when the camp was dismantled. She called the protests end bittersweet, saying:

We bought that small chunk of land another 62 days of life. When you understand your relationship to the land, it tells you where your place is (Trumpender, 2016).

Here, Tupper references the land in Peace Valley as a living being which is being threatened, while also positioning the land as a teacher. The land is both victim and sage; it is a relationship of reciprocity and belonging. This quote has no reference to the connection between the body and land, and yet it positions the land almost as kin. It is a relationship of dual reciprocity-- *we look out for each other*.

The end of the Northern B.C. occupation was not the end of Tupper and Knott's protests against Site C. Both were part of a caravan which drove a bus with a banner reading "Stand with First Nations to Protect Peace River" from St. John's Bay on September 6th to Montreal on September 11th, 2016. On the 12th both took part in an anti-Site C rally outside the building where the court hearing between West Moberly and Prophet River First Nations vs the B.C. government was being held. Outside the courthouse, Sidhartha Banerjee of CBC news quotes Knotts as saying:

Even as we stand here today, back home they're still doing the work, they're still working on the project even though we've been saying no. (Banerjee, 2016)

While Justin McElroy, also from CBC news, quoted Tupper as follows:

We share traditional land that's untouched from all the effects from oil and gas and forestry and mining. We want to keep that area prime, we don't want it touched. (McElroy, 2016)

Both Knotts and Tupper use themes of consent in their statements in 'we've been saying no' and 'we don't want it touched.' Tupper also references tradition, once again calling upon a historical connection to establish attachment to the land.

Kristin Henry is an activist in BC who went on a 19-day hunger strike to protest against the dam in March of 2016. It is unclear from reporting about her protest whether or not Henry is of First Nation descent. In this interview and elsewhere, she does not claim First Nation

membership, nor does she claim a position of allyship. It is only clear that she protests with indigenous activists and repeats many of the same potions<sup>1</sup>. Elizabeth McSheffrey of the National Observer interviewed Henry on the 19th day of her hunger strike, hours before she was hospitalized due to a falling heart rate. She told the reporter that B.C. Premier Christy Clark would have blood on her hands if she continued to move forward with the Site C Dam. Here is Henry in her own words:

I don't plan on living in a world that has the Site C Dam in it. I'm hopeful the government will come and engage with me because I think it would show a lot about the society we're living in if they don't. We don't need the energy but we need everything that the project's going to destroy — the valley, the farmland, the water. I'm sick of putting my health on the line to fight our government to do what's right for us, not industry. The world can go in two directions — they can work with us, respect us, work with nature and we can have a bright future, or they can oppress us and destroy the environment. I think Site C is kind of this point — they can make that decision and go one way or another. (Mcsheffrey, 2016).

Here, Henry asserts a system of priorities that she holds and which the government contradicts, similar to what Grand Chief Stewart Phillip established in 2014. Doing 'what's right for us' and 'working with nature' vs what's 'right for industry', and 'oppresses us and destroys the environment.' Like Willson, she uses language of destruction to describe what would be lost with the flooding of the valley. In this description, she references a relationship of reliance-- "we need everything this project is going to destroy."

Another anti-Site C protest was held on July 9th, 2016 also in Vancouver, reports the National Observer. Dozens of people attended, including Connie David Brown of the West Moberly First Nation. She told reporters that the development has caused berry bushes to

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<sup>1</sup> In [this](#) video by APTN News, Chief Roland Willson traveled to an anti-Site C encampment outside of B.C hydro headquarters in Vancouver to honor Henry for her efforts. During the clip he commends her, but does not reference a collective First Nation struggle. Her relationship to First Nation rights seems to be one of allyship, but I hesitate to make assumptions about someone's background without confirmation either way.

disappear and changed grazing patterns of moose, making it harder for her family to find food, and is quoted as saying:

I feel like I don't matter, my kids don't matter, my mom doesn't matter. They have no remorse for us at all (Canadian, 2016).

Though not directly quoted, Brown references material reliance and food sovereignty when she mentions that already in 2016 she is having a harder time finding food in the valley. Her relationship to the land was one of usage and sustenance, and that sustenance is being threatened. When describing her feelings on the matter, she uses language of ancestry and lineage. Her family, beginning with the generation before her and ending with the generation after her, are all being dismissed and are worthy of remorse. Something vital to her and her family is at stake with the construction of Site C.

### **Legal Disputes**

Although this thesis is not primarily interested in the legality of Site C or Canadian/ First Nation land treaties, an overview of the legal disputes between First Nations and the B.C. Government and the comments made by First Nation representatives about it is necessary contextual information for this case. This section will provide a broad overview of litigation against Site C, then analyze quotes which were taken in the context of this litigation and which speak to the themes of this section.

West Moberly and Prophet River First Nations, both members of the Treaty Tribal 8 association with land claims to the Peace River Valley, filed a joint civil claim against the B.C. government for infringing on treaty rights on January 15th, 2018 (Kurjata, 2018). In July of the same year, West Moberly filed for an interim injunction to stop construction for the 18-month

expected length of the trial (Proctor, 2018). The following quote is from this injunction, as presented by the West Moberly First Nations:

Construction of Site C has not proceeded past the point of no return. But there is a risk that, if not enjoined now, West Moberly will be left without a remedy for the infringement of their treaty rights. First Nations did not enter into treaties with the Crown so they could have compensation once their way of life was destroyed, but to ensure protection of that way of life... To West Moberly, the Peace has always been more than a place. It is a vital part of their cultural identity, the main artery of their territory.

This quote speaks to the themes of this section in multiple ways. First, it references a system of prioritization which puts ‘way of life’ before ‘compensation,’ a value system which was established by Grand Chief Stewart Phillip in the very first days of Site C. There is no way to accurately or adequately compensate for the destruction of land which this project requires. The description of the valley as an essential player in ‘a way of life’ and ‘more than a place’ establishes the Peace as more than the sum of its parts, similar to the way in which a human being is often seen as more than their delineated body parts. The injunction deepens this connection by using the metaphor of the river as an artery. This is expanded upon when the injunction quotes West Moberly Chief Roland Willson as follows:

The main artery of the area is going to get clogged up. It's just like the human body. If your arteries get clogged, you have a heart attack or a stroke, and you become dysfunctional or die (Proctor, 2018).

Although West Moberly lost the injunction, the court ruled that the case had to be heard by 2023, a year before the valley was expected to flood, Sarah Cox of The Narwal reported in 2019. Cox reached Chief Willson for comment:

Right from the beginning we thought this whole project was a sham. We’ve been railroaded. ... There’s billions and billions being spent on a project that is totally not needed. And the environmental footprint and the devastation that this thing is going to create is sad. Everything’s in the shadows (Cox, 2019).

Although Prophet River withdrew their lawsuit over Site C in August of 2020, West Moberly is still battling it out in court (Kurjata 2020). Both the trial and construction have been delayed due to COVID-19 complications.

In conversations where First nation representatives respond to Site C in news media, some common themes emerge. References are made to family, ancestry, food production, and the body. Together they form a narrative which paints the Peace River Valley as a living being which brings life force to a wider system. The valley and the people in it live in an agreement of mutual aid; the valley provides, and the people protect. The land is worth more than its resources or its monetary value-- in fact, it is impossible to accurately monetize the value of the land. One cannot put a price on a soul. Destroying the river and flooding the dam could never be a logical decision within this world view. The arguments which First Nation leaders and activists have been repeating since 2014 are based both in a legal and ontological truth; the Peace River Valley is called for. It is in the legal and spiritual care of the Dane-zaa people, and has been for centuries. B.C. Hydro's disregard for this relationship is disappointing considering their reported regard for First Nation rights, not surprising considering their long history as a political tool for state expansion and economic development.

## CONCLUSION

'Development' as it is used by states and global agents, comes from a western conception of industrial and capital expansion. Developmental projects devastate environmental health in the pursuit of material extraction and economic power. Caught in the way are indigenous groups, who do not share this mode of thought and who rely upon the health of the ecosystems they maintain. The state refuses to recognize the harm that these projects inflict on indigenous

populations in any material, non-performative way. Although the 21st century expectations of environmental sensitivity and indigenous rights has changed the ways in which Canadian governments talk about land and resources, the process through which lands are taken and abused have remained the same in Canada.

Historically, massive hydroelectric projects have caused irreparable harm to ecosystems and resulted in the dispossession and displacement of indigenous peoples. Hydropower has a deep and longstanding history in B.C., with the majority of dams being built during the W.A.C. Bennett Premiership of 1952-1972. He and his supporters strongly believed in the promise of development, especially through hydropower. It was during this time that Site C was first conceived. Yet when Site C began to materialize decades later, B.C. Hydro no longer used the language of high modernism to justify the project. Instead, they focus on its clean energy production, despite their unwillingness to be transparent about the necessity of the energy in the project or if the energy will be used in the province. In the face of First nation opposition, budget increases, and geotechnical complications, political leadership has admitted that Site C was a mistake. And yet, the project continues, getting closer every day towards the destruction of the valley.

Though B.C.'s reasoning behind Site C may be suspect, the protests by First Nations are perfectly clear. They argue that the project infringes on the Treaty 8 guarantee that settlers would not interfere in First Nation ways of life which are highly dependent on their relationship to the land. With the leadership of Chief Roland Wilson, the West Moberly First Nation has never relented in their fight against Site C and the destruction of the Peace River Valley. Indigenous allies from across Canada have joined to protect the valley and its plant and animal life. The protection of the valley would mean the protection of medicinal plants, the protection of

migratory fish and animals, and the protection of First Nations right to steward the land unobstructed by this dam.

In the fight against Site C, First Nations have something beautiful to protect. They are fighting for their home, their way of life, and their river. Despite promising not to repeat the mistakes of the past, B.C. Hydro is walking with closed ears and heart in the path it has always walked, seemingly unable to break free of its colonial history. Although damming and the developmental mindset are usually framed as ‘progressive’ and modern, the Site C Dam represents how little has changed in regard to how B.C. Hydro understands the rights of First Nations. B.C. Hydro prides itself on producing clean energy while dirtying their hands in the displacement and dispossession of First Nations in the Peace River Valley.

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