

Environmental and Consultation
Issues Related to the Enbridge
Northern Gateway Pipeline
*Nak'azdli and Nadleh Whut'en
First Nations*

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Who Are the Nak'azdli and Nadleh Whut'en?

- ◆ Yinka Dene language speakers.
- ◆ Traditional governance through *bahlats* (potlatch), *keyoh* (territory).



Title: Photo from Swannell survey; Tatche - Stuart Lake.

- ▶ Independent and aligned through Carrier Sekani Tribal Council (8 member Nations).
- ▶ No signed treaties with Crown.

Regulatory Challenges: Joint Review Panel

- ◆ No clear policy on Aboriginal title and rights in environmental assessment processes.
- ◆ No EA processes jointly designed by First Nations and government.
- ◆ Numerous legal challenges on EA outcomes and decisions.
- ◆ First Nations not stakeholders; not recognized as decision-makers by government and industry. Undefined role means delay, conflict, litigation and uncertainty.

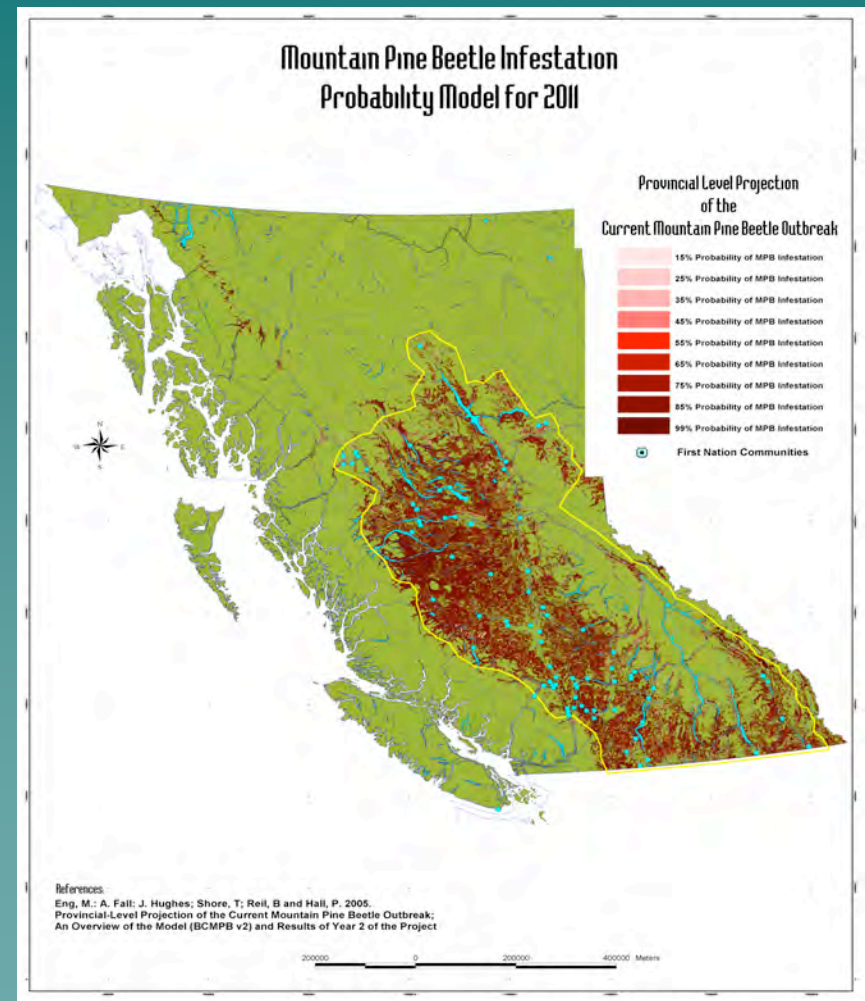
Environmental Impacts

- ◆ Two pipelines carrying toxic substances to cross hundreds of fish-bearing streams and rivers.
- ◆ Stuart River (Fraser) salmon critically endangered.
- ◆ Nechako White Sturgeon endangered.
- ◆ Construction increases chance of wildfire, disrupt wildlife, loss of gathering, hunting and fishing grounds.




Cumulative Impacts on Territories

- Construction of Kenny Dam on Nechako River.
- Pollution and tailings waste from mines: Endako, Pinchi, Kemess South, Huckleberry.
- Mountain pine beetle epidemic will transform land.
- PNG and other pipelines proposed.



First Nations Review Process: A Way Forward

Principles

- 1.  Decision Making Authority of First Nations
- 2. Protection of Aboriginal Rights a Priority
- 3. Free, Prior and Informed Consent
- 4. Transparency & Accountability
- 5. First Nations-designed Process
- 6. Parallel to Federal and/or Provincial Process

More than 20 First Nations signed-on in of support First Nations Review Process.

Consent, Not Just Consultation

- ◆ First Nations land in BC has never been surrendered to the Crown.
- ◆ Development has been slowed and stopped because of government failure to respect Aboriginal title.
- ◆ Shared decision-making enshrined in New Relationship (BC government).
- ◆ United Nations Declaration on Indigenous Rights principle of free, prior, informed consent.