"Our Economy Walks on the Land": Secwepemc Resistance and Resilience After the Imperial Metals Mt. Polley Tailings Storage Facility Breach

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Gratitude, respect, and solidarity to Jacinda Mack of the Xat'sull First Nation, Bev Sellars of the Xat'sull First Nation, and the Indigenous and non-Indigenous communities of Williams Lake, Likely, and Quesnel. Thank you to Chris and Mikara Pettman from 100 Mile House.

It is just before dawn, at Quesnel Lake, on August 4, 2014. The small splash of a rainbow trout hunting flies echoes across the water at one of the world's deepest fjord lakes and the banshee call of loons ricochets through the surrounding forest. Every August, the sockeye salmon are readying for journeys through the Fraser and Quesnel River Watershed and the bright, cold waters that have been their home for a genetic eternity. In Quesnel Lake, clean gravel beds, deep cold water, and many shallow snag pools shelter colourful bull trout. Small boats slide into the water, humans preparing rods and hooks to catch, kill, gut, and eat the bull trout, rainbow trout, lake char, forked tail, and silver stomach. Black bears feed on deep purple huckleberries and soft overripe thimbleberries, sharing gathering space with a family of humans out filling baskets of blue-black Saskatoon berries. Hazeltine Creek flows into Quesnel Lake, though in August the creek barely wets the grey glacial boulders and moss-grown gravel beds. Lodgepole pine, trembling aspens, and paper birch lean almost right across the soft summer creek flow.

Then, upstream of Hazeltine Creek, the earthen walls of the Imperial Metals

Tailings Storage Facility shift—as if a heavy hand pushed them aside—millions of litres of post-industrial fluids rush into Hazeltine Creek. The breach of the storage facility is so sudden and so violent that creekside trees are uprooted as the tailings swell over the sides of Hazeltine Creek.

The creek—no longer a creek but a raging effluent spill—muddies and thickens. It carries a heavy sludge of copper, arsenic, mercury, and selenium, and it overturns the bull trout's gravel beds. As the tailings tumble into Quesnel Lake, boats rise high, and bears, humans, and deer are alerted by the rip and tear of trees, bushes, and 25 million cubic metres of water and silt flowing from Hazeltine Creek into Quesnel Lake. From Quesnel Lake, the tailings will flow into the Fraser River and the Pacific Ocean.

This is Canada's, and one of the world's, largest and most impactful mining disasters of its kind, and it is early morning, August 4, 2014, on unceded Secwepemc territory, in colonial British Columbia. In total, approximately 25 million cubic metres of contaminated water and ground mining waste, or tailings, spilled into Edney Creek, Polley Lake, Hazeltine Creek, and Quesnel Lake. A 10-metre swath of sedimentary material lies across the bottom of Quesnel Lake at the mouth of Hazeltine Creek. Non-Indigenous responses from government and industry represent the spill as an aberration in an otherwise peaceable mining industry. Indigenous and Indigenous ally responses set the spill in the context of more than a century of colonial imposition on unceded territory. Ongoing resistance to the re-opening of the mine, to the nature of government and industry response to the mine, and to mining on unceded territory is both specific to the Quesnel Lake watershed and concomitant with resistance to neoliberal extractivism as a practice of colonial genocide.

I am not a Secwepemc woman. I am a settler colonial scholar and continue to benefit from settler colonialism in my role as an academic and an ally activist. I grew up close to the site of this spill, on unceded Secwepemc territory. Quesnel Lake, or *Yuct Ne Senxiymetkwe*, is on the territory of the Xat'sull First Nation (also called the Soda Creek band). The traditional Secwepemc name *Yuct Ne Senxiymetkwe* was shared with me by Jacinda Mack, and shared with her by T'exelc elder Jean William. *Yuct Ne Senxiymetkwe* is mapped in Secwepemc territory through stories, family memories, and family names; the spill interrupts these stories and families. The name refers to the birthing waters of the salmon and to the greatness of the waters in these territories. The spill touches a multifarious community of generations of life moving through time, from great-grandparents and forward to great-grandchildren.

In February 2015, at the invitation of Jacinda Mack, mining response co-ordinator for the Xat'sull First Nation and daughter of elected Xat'sull Chief Bev Sellars, I attended a community meeting in the town of Williams Lake, on Secwepemc Territory. Chiefs, council, and community members from four Secwepemc nation bands, the Tsq'escen' (Canim Lake), Stswecem'c/Xgat'tem (Canoe & Dog Creek), Xat'sūll (Soda & Deep Creek), and T'exelc (Williams Lake a.k.a. Sugar Cane) communities, non-Indigenous and Indigenous community members, researchers from the Quesnel River Research Centre and the University of British Columbia, government

officials from the Ministry of Energy and Mines and the Ministry of Environment, and representatives from Imperial Metals came together for a series of presentations.

Jacinda Mack spoke first, for the Xat'sull First Nation, and welcomed the officials and visitors to Secwepemc territory. Researchers hired by the Xat'sull First Nation then presented a report on the spill, warning that while the arsenic, selenium, and copper that the sludge contains are not bioavailable (that is, not available for uptake by organic life such as plants, fish, and mammals) now, it is not known when bioavailability will occur. Researchers from the nearby University of Northern British Columbia spoke next. Among these, QRRC research associate Sam Albers warned that turbidity showed no signs of decreasing, and confirmed that biovailability could not be predicted or controlled. A tailings storage facility (TSF) breach of this magnitude, in a deep glacial fjord like Quesnel Lake, has never before occurred in Canada. Bioavailability depends on turbidity, water temperature, and water movement, and the hydrology of Quesnel Lake is still not understood by colonial hydrologists. The government officials then spoke of their own regulation process and outlined the year ahead of clean-up and restoration. Government officials, notably, did not acknowledge Quesnel Lake as part of unceded territory, but rather as a component in an economic ecology; they spoke minimally of the hunting and gathering practices of First Nations.

Following representatives for the BC government, Lee Nikl, a principal and environmental scientist for Golder Associates, an international consulting company, spoke as a representative of Imperial Metals. As Nikl began to speak to the room of community members, the row of people standing up with questions grew. Nikl showed the same data the scientists had showed, but he truncated the graphs just before they showed increased turbidity. He spoke cheerfully of the visual clarity of the tailings storage facilities before the breach, and showed images of weeds and fish living in the tailings. Overall, his presentation suggested that reclamation, restoration, and future operational success were inevitable, and that IM's cleanup of the spill was vigorous. When I took pictures of Nikl's slides as he spoke, he stopped, mid-sentence, to inform me that I could find all his presentation information online. I kept taking pictures and writing notes.

Nikl acknowledged that the TSF breach has now been officially blamed on the design of the embankment surrounding the tailings. Built on glacial till, the volume of waste became too heavy and slid, breaking the dam walls. An independent expert review of the breach states that the "dominant contribution to the failure resides in the design [...] [that] did not take into account the complexity of the sub-glacial and pre-glacial geological environment associated with the perimeter embankment foundation." In other words, the dam walls slid on a base of naturally forming glacial clay. The review also found that "the failure was triggered by construction of the downstream rockfill zone at a steep slope;" this construction was in "the process of being flattened" when the breach occurred. A heavy load of tailings slid off a mountainside with a base of glacial till, helped along by a steep slope of loose rocks. While

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the failure is the fault of those who designed the mine, to date, the mine has neither been criminally charged nor fined. I suggest that the structural weakness inherent in the tailings pond is the fault of Imperial Metals and the volume of tailings is a direct result of IM mining; glacial till is neither unusual nor difficult to discern. Nikl acknowledged the design flaw, and called the event a "disaster," but did not assume IM was legally or morally responsible for the breach.

Secwepemc Nation elders as well as non-Indigenous community members and Indigenous activists from the Southern Secwepemc Nation asked Nikl questions, some of which include:

You say the salmon are safe to eat. What about the plants and the berries?

The salmon may be safe now, but will they be safe next year?

Can we hunt deer and moose who graze on the plants alongside what once was Hazeltine Creek?

How will the toxins affect bears and deer and moose eating and drinking along the creek and lake?

This lake and the creeks are the food source for our families. How will this be affected? Who will tell us and when, what we can fish and hunt?

These questions were asked about the spill in the context of the annual cycle of hunting, fishing, and living on the land and waters of Quesnel Lake. Nikl's answers were that the fish would be available to eat, and that no tests had been done on mammals or flora surrounding the watershed. The question of mammals and hunting was posed to Nikl repeatedly; he doggedly answered that he did not know, and that in the future, when resources were available for such studies, they would have time to study the effect of the breach on non-aquatic life. Studies of mammals were slated as part of the future reclamation process; however, neither IM nor BC government officials were able to provide a timeline to reclamation or an estimate or where or when they would locate resources to study mammal health. Nikl's claim that IM was currently unable to study non-aquatic life was met with skepticism and fear; ungulates are a primary protein source for many Indigenous and non-Indigenous people in the region. Community members wanted to know if their food would be safe.

In fact, a day after the breach, on August 5, 2014, in a CBC interview, Chief Bev Sellars described the impact of the breach on fish and animals as her band's main concerns: "This is the prime time when the salmon are coming up the Fraser River [...] the First Nations' economy swims by in the river. Our economy walks on the land" (Sellars CBC). Sellars compares the economy walking on the land with the economy of IM, one which she calls an economy of "money." By calling out the neoliberal quantification of the watershed as a site of accumulation of colonial capital the day after the breach disaster, Sellars puts the breach in the context of colonialism and right to land use. Sellars effectively interrupts the discourse of neoliberal accumulation, in which the breach is a mere accidental pause, and articulates a discourse of biotic economy on unceded Secwepemc territory. An economy of interspecies life and interdependence is oppositional to the economy of capital accumulation; the

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stories and questions community members raise about fishing and hunting continue Sellars' resistance to colonial neoliberal accumulation and, in light of a recent Supreme Court decision, speak directly to rights and titles to unceded indigenous territory. The "right to an ancestral territory (aboriginal title)" is defined as "the right to exclusive possession and use of lands occupied at the time of sovereignty;" while the application varies between provinces and territories in Canada, it exists along the "right of cultural integrity," a right that includes the right to practice a traditional livelihood (Slattery 119). The right to aboriginal title flows, legally and intrinsically, from food-gathering and hunting on traditional territory.

To the west, Secwepemc territory borders with Tsilhqot'in territory. In the 2014 Supreme Court of Canada decision in the case of William vs. the Crown (the Tsilhqot'in case), the court affirmed the following:

Aboriginal title gives the Tsilhqot'in the right to control the land. These lands can be managed according to Tsilhqot'in laws and governance. Aboriginal title also means the Tsilhqot'in have the right to the *economic benefits* of the land and its resources. Aboriginal title is the "right to choose" how these lands will be used. (2014; italics mine)

Thus, similarly to the Tsilhqot'in claim to the right to "economic benefits" of their unceded territory, Chief Sellars' 2014 claim to the Secwepemc "economy that walks on the land" calls forth a history, a present, and a future of unceded Secwepemc territory. When elders rise to question Nikl and representatives of the BC government about bioaccumulation of toxins on the animals that walk on the land, their voices resist the view that the economy of the land is only measured by capitalist accumulation. By avoiding the questions of food gathering, fishing, and hunting, the Ministry of the Environment, the Ministry of Energy and Mines, and Imperial Metals avoided acknowledging Secwepemc rights to "the economic benefits of the land."

Andie Diane Palmer's ethnography "Maps of Experience: The Anchoring of Land to Story in Secwepemc Discourse" details the role of Secwepemc narrative about place "in a landscape that is increasingly under pressure from logging, ranching, road construction, and the attendance increase in human settlement" (22). Community memory, experience, and knowledge about the unceded traditional territory of a First Nation forms the basis of rights and title to land, and for the Secwpemec people, "the hunting and gathering economy has included a strong emphasis on fishing," including Secwepemc bands on the Quesnel River and the Fraser River Watershed (Palmer 59). Secwepemc Nations traded salmon with Tsilhqot'in to the west, and likely with the Nuxalk and Syilx (Lutz 125). The economy of the land, validated primarily by Secwepemc elders and members today, is also recorded in colonial records. I present this information to show that colonial administrators have known, since contact, of the economy of the land. Thus, when Palmer details the chronic underestimation of the First Nations' hunting, fishing, and plant gathering economy by colonial representatives throughout the twentieth century, she details a history of administrative genocide (57). Even though most records of the economy of the land 29

are not communicated to government or industry, and are kept orally within communities, dismissal of the importance of hunting and gathering to First Nations people is an intentional component of colonial land theft (Palmer 57). Oral "cultural transmission of knowledge" keeps ecological and economic mapping of the Quesnel Lake watershed sovereign to the Secwepemc Nations. The Imperial Metals representative's sloughing off of questions about deer and bears is a strategic avoidance of acknowledging rights and titles of the Secwepemc to the very land on which the mine is set to reopen.

Imperial Metals' performance of recognition of First Nations, by way of a desultory meeting—probably later spun as having been a 'consultation'—elides acknowledgement of the economy that walks on the land. IM metals recognized neither Xat'sull rights and titles nor the existence of the economy of the land at the Mt. Polley mine site. Indigenous scholar Glen Coulthard argues that recognition of First Nations people's existence is more than insufficient; in fact, the damaging lie that recognition of the existence of First Nations people as being *on* the land is anything other than a button in the tight suit of colonialism highlights the important of discussions of actual First Nations sovereignty (60-62). That is, as long as Imperial Metals can hold community meetings that stage a performance of listening to First Nations elders, and as long as pipeline hearings perform a recognition of First Nations and Metis communities and then *go on to behave as if recognizing the existence of people on the land is sufficient*, then extractivist colonial genocide continues unimpeded.

Recognition of the existence of First Nations people on the land, as if the economy of the people—the modes of production that Coulthard describes as including relationships, culture, and activities that produce the labour and the goods of a culture—can be removed from the land, fits within the genocidal narrative of the removal of people from their sustenance and culture. That is, recognition, even in the form of treaties, when it excludes indigenous rights and title to the economy of the land, is no challenge to colonial extractivism. Mt. Polley will reopen. The selenium, copper, and arsenic may—probably will—become bioavailable. They would then bioaccumulate in the bodies of bears and salmon, in the meals of children and elders, in the huck-leberries and Saskatoon berries, in the black flies and the willows. The Secwepemc people would be recognized by Imperial Metals, just as residential schools recognized the existence but not the political sovereignty of Indigenous people, but the land, and with it the economy, would be ruthlessly accumulated as capital.

In an unpublished 2015 document, Mining Watch, a Canadian NGO that reports on mining and human rights violations, defines extractivism as a process through which natural resources are accessed, removed from their original location, and capitalized upon as efficiently as possible. In extractivism, efficient natural resource extraction is a moral position and a policy. A "favourable political and legal framework" promotes and enables extractivism, and moves as quickly as possible through controlled "durations" of time and space with "maximum extractive volumes, and with heightened competition in all respects." Mining extraction, in particular,

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moves at the pace of the market, moving through intergenerational, interspecies, and indigenous time, space, and relationships with remarkable legal and mechanistic efficiency. Aided by provincial environmental assessment processes that are both opaque to outsiders and increasingly flexible to extractors, mining companies in British Columbia face little resistance to the narrative and practice of an efficient resource extraction economy. As I write this last sentence, I can sense the settler-colonial righteousness associated with an *efficient economy*. It is, absolutely, at odds with the "economy that walks on the land."

Regarding the importance of narrative resistance, Coulthard writes that "the primary experience of dispossession [in this case, the toxic dispossession of a living Indigenous economy [...] tends to fuel the most common modes of Indigenous resistance to and criticism of the colonial relationship itself" (60). In opposition to one-directional extractivism, "Indigenous struggles against capitalist imperialism are best understood as struggles oriented against the question of land-struggles not only for land, but also deeply informed by what the land as a mode of reciprocal relationship (which is itself informed by place-based practices and associated forms of knowledge)" (60). Coulthard thus clarifies that the insight of land as holding particularly meaningful material value to First Nations is insufficient—in a sense, talking about the Quesnel Lake watershed as a home to particular species of fish and tree, or rare fjord aquatic life, is a quantification too close to extractivist colonial discourse. Rather, Coulthard, and I believe Sellars and Mack, propose that place is a field of knowledge, relationships, language and social and political power for First Nations. The land is the people and the people are the land; violence to the land is violence to the people; extractivist exploitation and poison of the Quesnel River watershed can only proceed with conscious and strategic dispossession of indigenous territory. Colonization is not an accident; extractivism is a primary activity of cololonialism; mining is a feature of colonial extractivism in Secwepemc territory; and tailings storage facilities are necessary to every open-pit mine. We see, then, that ecocide and genocide do not occur together by happenstance; rather, extractivism requires dispossession of people from people and life from life.

Thus, resistance to extractivist capitalist colonialism takes the form of decolonizing the discourse of environmentalism. The speed of response and restitution along the highway of extractivism is hasty—deer and bear generations provide no capital, salmon spawning cycles are impossibly annual, and water itself, turning over every season moving in swathes of unpredictable turbidity, has no place in the extractivist model.

Feeling overwhelmed by the horror of this spill, by the complexity of life abundant in the Quesnel River watershed, and by the crushing oppression of governmental and industrial response to the spill, I wondered what value my writing could offer. Indigenous men and women are continuing their active resistance to the efforts of IM and the BC government to turn attention away from the TSF breach.

Indigenous and non-indigenous activists have protested at the Imperial Metals

headquarters in Vancouver at least three times since the spill. Sponsored by the Federation of Post Secondary Educators (BC's college instructor trade union), Jacinda Mack travelled to every community college in British Columbia, speaking about *Yuct Ne Senxiymetkwe* and the scale of the disaster, and former Chief Bev Sellars spoke often to media and government officials about the interests of the Xat'sull First Nation. Kanahus Manuel, a southern Secwepemc woman, organized a group of women who camped outside the gates to the Mt. Polley mine, making Secwepemc voices and faces the first contacts with visitors to the spill site. Manuel led a National Day of Action against the re-opening of the mine, and has produced numerous videos and articles calling for the closure of the mine on unceded Secwepemc territory.

As a settler colonial academic, I asked the permission of Bev Sellars¹ and Jacinda Mack in the spring of 2015 to write about the spill. After I attended the community meeting in February 2014, my primary impression was of the degree of violent indifference to Indigenous people expressed by government and industry. I realized the mine would open again, with tailings going into the springer pit, a small and insufficient facility for toxic tailings. It seemed apparent that, regardless of the effects of the breach on all life in and around the watershed, the goal of the breach clean-up was reopening the mine.

In June 2015, I emailed Jacinda Mack and asked her how she was feeling, 10 months after the spill. Mack responded:

I have had some time now to have a break and get some perspective on things, now that I can pull back from the minutia of day to day coordination. It is unsettling. It is a scary situation to think of the business as usual approach that appears to be happening [...] with an imminent restart in less than a month [...] That's scary. Temporary start up will inevitably lead to permanent operations, including continued discharge from the mine site into perpetuity. Tailings remain in Polley Lake and Quesnel Lake. Long term fish health, habitat and continuity remain in question.

I also asked her what she would like me to say, or not say, in this essay. To that question, Mack answered:

I think the main points that I would try to get across are the depth of the disaster and long term effects, and the quickness of resuming operations, as an industry standard and precedent that is being set, worldwide. Human rights, ecosystem integrity and long term effects/ precedents do not seem to weigh as heavily as short term profits and mining taxes. There is no vision beyond the next year of income. That's why the disaster happened in the first place.

It's insanity. Corporate-social responsibility is just another marketing catch-phase to placate the concerned public. There have yet to be any charges, no fines, no consequence to what happened. It's frustrating and very disheartening.

The "depth of the disaster" and the potential "long term effects" are possibly out of my capability as a writer to express. I can note that, according to Environment Canada's National Pollutant Release Index, "Imperial Metals reported that since the mine opened it had pumped into it at least 406 tonnes of the deadly poison arsenic,

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475 tonnes of the heavy metal cobalt, 46 tonnes of selenium and three tonnes of the neurotoxin mercury, among a basket of other toxic heavy metals" (Vice 2014). Does this list of metals now moving through the Quesnel River, the Fraser River, and to the Pacific, express the horror of this disaster? Or perhaps a reminder that bears have now awoken and begun foraging alongside the lake? This is no declension narrative; people and non-human life have not left the watersheds. Without a doubt, the breach is a great sorrow, a vast poisoning, and an attack on Indigenous sovereignty. The "vision" of Imperial Metals is a vision of ever-increasing efficiency, and with the TSF empty and a new TSF in the works, extractivism may continue. I wish I could agree with Mack that neoliberalism is without a vision, or that I could claim that the breach was symptomatic of a scattered and temporary illness of capitalism. I fear, rather, that there is a vision, and it is one of frightening clarity and efficiency. It is not the Secwepemc vision. It is not an indigenous vision; it looks no further back than the last budget, and ahead only to profits. And Mack is still correct about the lack of "consequences;" as of July 2015, there have been no fines and no charges laid for the breach.

Mack is worried about the "business as usual approach," and she fears that people will forget the breach, and forget the toxins in the watershed. Mack is entirely justified in this concern, as the breach fades from public memory and new disasters -more oil spills, bigger forest fires, marked climate change—take the headlines. This is what Rob Nixon, in his introduction to Slow Violence and the Environmentalism of the Poor, calls the "oxymoronic notion of slow violence." Those responsible, in this case IM, expect that "the causes and the memory of catastrophe [will] readily fade from view as the casualties incurred typically pass untallied and unremembered" (8-9). Bioaccumulation of TSF toxins in deer, moose, and fish is a slow, unpredictable, undramatic process; IM and the provincial government expect this molecular violence to recede in the minds of voters and consumers. In fact, Nixon says about the kind of dissimulating procrastination I saw at the community meeting (we will talk about bioaccumulation later, we will test the deer and fish later, we will talk about hunting later): "in the domain of slow violence 'yes, but not now, not yet' becomes the modus operandi" (9). Nixon reminds us that Rachel Carson called on political leaders to act on slow toxic violence 50 years ago; I now believe that the procrastination and spin IM and the Ministry of Energy and Mines offers indigenous people is a result of more than 50 years of practice. The forces of neoliberalism are getting better at slow violence; indigenous people and allies need new strategies for resistance. Nixon advocates "creative ways" of responding to the narratives of pacification with narratives of urgency, thus calling attention to environmental disasters that are "high in long-term effects" (10).

Resistance is tiring. Mack writes of feeling discouraged, but at the same time she urges others to resist. Resistance calls on creative narrative appropriation, and resistance demands attention from audiences close to the land, close to capital, far from the land, and far from capital. Resistance is not easy, but it is an economic practice

for the economy of the land. Secwepemc as well as non-Secwepemc Indigenous and non-Indigenous men and women continue to live, hunt, and fish in the Quesnel River watershed. The structural violence in which IM and provincial ministries consult minimally with First Nations and re-open a damaged mine in a watershed facing undetermined bioaccumulation and bioavailability of known toxins demands a response from allies living near and far from the Quesnel Watershed. What can allies do, exactly? How can allies counter the declension narrative in which First Nations succumb to the slow loss of food sources and the accumulation of neoliberal forces in their communities? Provincial allies can shame IM and the provincial government for the absence of attention to the toxins in food animals and fish, and can write and speak about violence to access to food sources as an attack on First Nations rights and titles. Canadian allies can urge the Government of Canada to hold Imperial Metals legally responsible for the spill, rather than letting them resume operations without fines, without significant safety upgrades, and without proper restoration. All allies 34 can learn the names and shared stories of Nations facing environmental violence, and can speak widely in favour of First Nations governance and rights and titles. Most importantly, allies can make space for the narratives of First Nations people, denying a declension narrative or a white-saviour narrative, both of which deny Indigenous rights and titles. For Yuct Ne Senxiymetkwe, the narratives of Indigenous resistance cannot be too loud, too frequent, or too persistent.

Notes

Chief Bev Sellars was Xat'sull Chief from 1997 until 2015, when she resigned and Chief Dixon was
elected. Bev Sellars wished to continue her leadership role in the community in a less demanding
way, and was elected to Xat'sull Council a month later.

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