

TAR SANDS, PIPELINES, AND THE THREAT TO FIRST NATIONS

WINONA LADUKE,
WITH
MARTIN CURRY



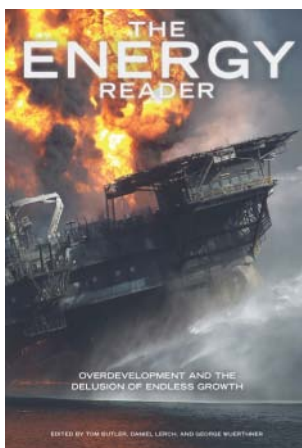
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ABOUT THE AUTHOR

WINONA LADUKE is an enrolled member of the Mississippi Band Anishinaabeg who lives and works on the White Earth Reservation. She is an internationally renowned Native American Indian activist and advocate for environmental, women's, and children's rights. A graduate of Harvard and Antioch Universities with advanced degrees in rural economic development, she is founder and Executive Director of Honor the Earth, a national advocacy group encouraging public support and funding for native environmental groups.

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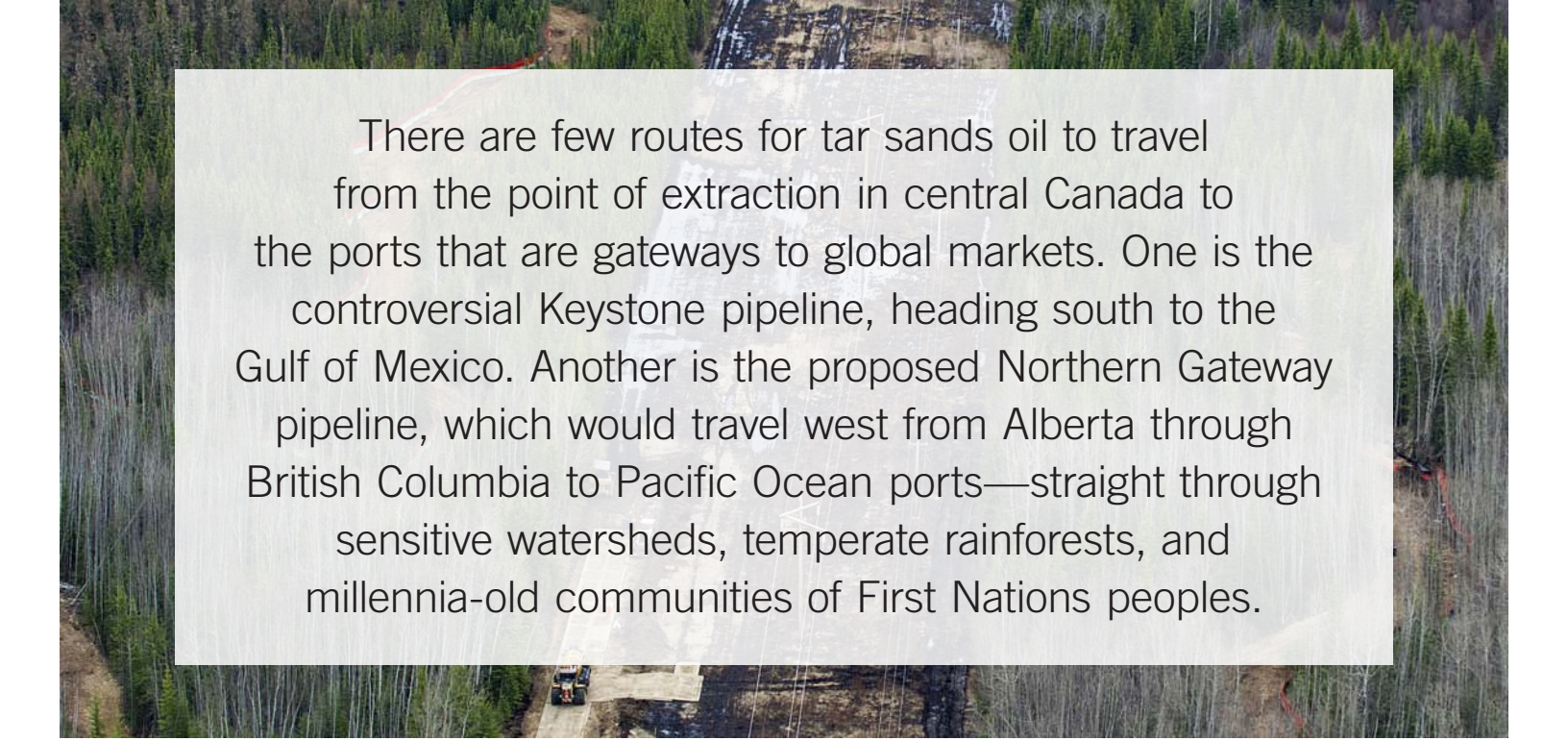
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Photo: ©Rogu Collecti / Greenpeace. In 2011, a breach of the Rainbow pipeline spilled 28,000 barrels of crude oil near the community of Little Buffalo in Lubicon Cree First Nation traditional territory in northern Alberta, Canada.

An aerial photograph of a forested area, likely a rainforest, with a road and a small vehicle visible. The image is used as a background for the text.

There are few routes for tar sands oil to travel from the point of extraction in central Canada to the ports that are gateways to global markets. One is the controversial Keystone pipeline, heading south to the Gulf of Mexico. Another is the proposed Northern Gateway pipeline, which would travel west from Alberta through British Columbia to Pacific Ocean ports—straight through sensitive watersheds, temperate rainforests, and millennia-old communities of First Nations peoples.

I am writing this story because of a bear—a white bear. The Spirit Bears are white bears in a clan of black bears; one out of every ten of these bears is born pure white. Called *Moksgm'ol* by the Tsimshian people, there are only 400 Spirit Bears in the Great Bear Rainforest in northern British Columbia. Their territory surrounds the town of Kitimat, the proposed end of yet another tar sands pipeline, which means large equipment, pipes, possible spills, and a lot of infrastructure may soon be invading the home of these bears.

In January 2012, just two weeks after President Barack Obama announced that the United States would not move ahead with the proposed Keystone XL pipeline from the Canadian tar sands down to the Gulf Coast, Enbridge Inc. was scrambling to show that its proposed Northern Gateway pipeline was a sure thing—and maybe, just maybe, Enbridge was also hoping to scare U.S. policy makers back to the table for another round of negotiations on the Keystone project.

With some very quick maneuvering after Obama's announcement, the Canadian government set up a National Energy Board (NEB) panel that started hearings on the highly contentious terrain of the proposed Northern Gateway pipeline. It would run from Alberta to British Columbia, crossing 785 rivers and streams, tunneling through the Coast Range twice, and spanning the headwaters of three of the continent's most

important rivers—the Mackenzie, Fraser, and Skeena. The pipe would also punch through the heart of the Spirit Bears' home. Upon reaching the coastal town of Kitimat, the oil would be pumped into holding tanks and then into colossal oil tankers called Very Large Crude Carriers (VLCCs, if you are an insider), which would then chug over the wreckage of a large government-owned passenger ferry—Queen of the North—that is still leaking oil into the ocean, as it has been for six years. After snaking through 120 miles of fjords, making a few tight turns offshore of the largest remaining temperate rainforest on the planet, the VLCCs would arrive at an open ocean that has record-setting tidal fluctuations. Beyond that, it's a clear shot to China. None of that was mentioned at the National Energy Board's Enbridge hearings held thus far.

In a hotel conference room in Edmonton, Alberta, filled with families from Cree communities in northern Alberta, Enbridge officials listened to testimony from members of the communities that would be touched by the Northern Gateway pipeline. Cree villagers talked about their land being overrun with roads and power lines, poisoned by oil and its by-products—and about their rivers and fish already exhibiting signs of stress, and long stretches of days when the fish are inedible and full of tumors. Panel officials politely nodded while Enbridge attorneys and public relations flacks scribbled notes. I sat next to the Enbridge representatives, and

as I watched them I recalled what a First Nations chief from British Columbia once told me: “You know what it’s like sitting down to negotiate with the Canadian government? It’s like sitting down to talk with a cannibal. You can make as much small talk as you want, but in the end, you both know what he is thinking.”

The hearings were interesting in a number of ways. Enbridge is pushing for quick regulatory approval of the Northern Gateway pipeline without providing cost and market analysis, adequate assessment of alternatives, or environmental impact studies. Enbridge is pushing for hearings with the support of the NEB, without any discussion of either the broader ramifications of the pipeline, such as the anticipated massive increase in production at the tar sands, or the transport of that oil through innumerable delicate ecosystems. Another intriguing fact is that this would be a pipeline to nowhere, since there are no ready markets for the oil. Despite that, Canadian Prime Minister Steven Harper has said the pipeline is “of national interest.”

Peter Okimaw walked up to the microphone. He is a middle-aged man from the village of Driftpile, a Cree reserve around 250 miles north of Edmonton. “When I was a kid, I used to drink from those creeks and rivers,” he said. “Now I have to go to Walmart and buy water when I go into the bush by those creeks. When I turned 18, I started to work for the oil industry at Fort McMurray [Alberta]. I cleaned up oil spills. If I tell my son something, it is: Do not work on those oil spills. The last one I worked on was at Slave Lake. We got hired on power-saw operations for ten to twelve hours a day. My brother and I, we were working in power-saw pants. We did not have proper equipment. We were walking in the oil in the creek for ten to twelve hours a day without proper equipment.”

During this portion of the testimony, the Enbridge representatives made few notes and wrote very slowly.

Okimaw continued: “I had seen the beaver there going crazy. I said to my brother that we wouldn’t go crazy. We would go to our hotel room, and our eyes and our skin would be burning. Now I am wondering if

that is going to do something to me in the future. It is all changed now. Like our river, no one swims there now because it is contaminated. Sure we’d like to take our children to swim, but where? We have to go to Edmonton to swim in a pool. It’s our traditional land and we should keep it that way. We should save the rest. Once you’ve taken the heart of Mother Nature, then where do we stand? The world will be looking at us in Alberta. They will say, ‘Boy, it was good while it lasted.’”

THE INVISIBLE HAND OF THE INVISIBLE MARKET

Here are a few major problems with the Northern Gateway pipeline project. To begin with it has no customers. It is a pipeline for the sake of building a pipeline. There is a glut in export pipeline capacity in western Canada. Current oil production in western Canada leaves 41 percent of existing export pipelines empty, according to a report by the Natural Resources Defense Council, which says, “Based on industry production estimates, no additional export pipelines are needed out of the tar sands for at least another ten years.”

The panicked response in the American press and from some U.S. politicians is that this Canadian oil will be sold to China, but the 525,000 barrels out of the Northern Gateway pipeline would amount to just 6 percent of what China used in 2010, and there is the real possibility that China may be content to buy cheaper oil from Iran. The U.S. Energy Information Administration says, “Iran’s best customer is China, which took about 22 percent of Tehran’s oil exports during the first half of [2011]” and is “one of the few nations on friendly terms with the Islamic republic. China’s demand will continue to grow, but there are a number of sources for this oil.”

Is it truly in Canada’s “national interest” to spend around \$6 billion on a pipeline without committed buyers for that oil? Or is it a Field of Dreams strategy: If you build it, they will come?

SAFETY LAST

Those VLCCs, which can hold 2.2 million barrels of oil and are as large as the Empire State Building, would be deployed to move oil from the pipeline through the port of Kitimat. There could be up to 200 shipments each year, and on every journey the VLCC's captain would have to navigate challenging straits, which have never been traversed by anything that large.

Then there is the pipeline problem. Enbridge's track record for spills is not stellar. According to Enbridge's own data, between 1999 and 2010 there were some 804 reported spills, which released 161,475 barrels of hydrocarbons into wetlands, farms, and waterways—approximately half the oil spilled in the Exxon Valdez disaster.¹ In July 2010, an Enbridge pipeline ruptured near Kalamazoo, Michigan, spilling more than 840,000 gallons of tar sands oil. Enbridge's operators were unaware of the spill at first and did not shut the pipeline down for a full 17 hours.² A year after the spill approximately 200 acres of river sediment were still contaminated and a nearly 40-mile stretch of the Kalamazoo River remained closed to the public. Kalamazoo has infrastructure and a relatively large population, so the response there was good by industry standards. It is unlikely that the spill response would be nearly so prompt in the mountain passes or rainforest traversed by the Northern Gateway pipeline.

NIGERIA OF THE NORTH

Prime Minister Harper is from Alberta, where he worked for an oil company. A majority of Alberta's politicians come from oil families, oil money, or families who worked in the oil business. According to Eriel Deranger, a Dene mother and activist from Fort McMurray, in the heart of the tar sands, Alberta is so serious about being a petrol state that the Canadian government has actively sought to limit renewable-energy businesses in the region by changing legislation, making special permits, and limiting access to subsidies.

Here's another way of looking at the Northern Gateway pipeline proposal: Think of Alberta as the Nigeria of the North. (Well, there are a lot more white people

in Alberta, and Canada's military hasn't killed anybody to protect the oil business.) Both economies have been increasingly dominated by oil. In 2009 Nigeria exported around 2.1 million barrels of oil per day; Canada exported 1.9 million barrels per day. Environmental regulation of the oil industry in both Nigeria and Alberta is lax, and the industry has been actively opposed by Native people—the Ogoni, in particular, in Nigeria and the Cree in Alberta. In the early 1990s, battles between the Ogoni and the oil companies escalated, with the indigenous people demanding some \$10 billion in damages, compensation, and denied royalties. They also called for an “immediate stoppage of environmental degradation.” Those demands were answered with military action that led to the deaths of an estimated 2,000 people, including noted Ogoni poet and political leader Ken Saro-Wira.

In Alberta, death and oil have a more subtle relationship. Alberta has the highest suicide rate of any province in Canada—127 percent higher than the rest of Canada, with a 400 percent increase in the past fifteen years. All of this is worsened, arguably, by the tar sands. Consider that an estimated 40 percent of the drivers of equipment are on some sort of illegal drug, which of course means these drugs are now increasingly available in the northern Native communities. According to investigative journalists, approximately \$7 million worth of cocaine now travels up Highway 63 every week on transport trucks to the north, which is where the aboriginal people live.

Not surprisingly, since it is a petrol state, Alberta has the largest disparity of wealth of any province in Canada, and the gap there between the average income of a non-Native resident and that of a Native resident is equally appalling—the average Alberta family makes six times the income of an on-reserve Native family. This is somewhat similar to the income disparities in Nigeria. Nigeria is Africa's top oil producer, but the number of Nigerians in dire poverty rose to 61.2 percent in 2010 from 51.6 percent in 2004, the Nigerian National Bureau of Statistics said in a recent report. “It remains a paradox... that despite the fact that the Nigerian economy is growing, the proportion of Nigerians living in

poverty is increasing every year,” said Yemi Kale, the head of the Nigerian statistics bureau.

“HARD OF HEARING” HEARING

Back at that hearing held at the hotel in Edmonton: Chief Brenda Sam from Driftpile Cree First Nation steps up to the microphone. She reminds the panel of the history of the province, the treaties, and the duality of responsibility. She also reminds her audience of the long history of problematic relations with settlers, including pervasive sexual abuse in residential schools. “The treaty said we should not molest the newcomers. We kept our end of the bargain, but who molested whom? Think about the residential schools? Who molested whom? Our concerns are about impact. We may have not had the right to live as equals in this unjust society, but we have the right to an opinion.”

Next, Gene Chalifoux comes to the podium. She is married to a community member, but, from what I can tell, she came from New Brunswick a very long time ago. She says she has moved in with the Natives, and found it a quite delightful place to live. Her Cree name is Kakiwaksquo, “Dry Meat Woman.” She explains that she is proud of learning how to live in the north. She boasts about her trap line of squirrels. “It was just a real exhilaration to be a mean old woman and see all these little squirrels hanging by their neck because I did it myself.” And then she laughs. We all laugh. But she also made the crucial point that needs to be pondered throughout Canada. “The people here in front of you signed treaty with the government of Canada about 113 years ago.... Those people that signed treaty had a belief that they would be treated fairly and that this land would be theirs.... They got the short end of the stick, the same as my ancestors, the Montauks did... If you give these people another eight generations, ... at the rate things are going, they won’t exist either.... If you don’t deal with them fairly, they won’t exist seven generations from now.”

And there it is, a fundamental question for Canada, for all of us: If a people disappear in seven generations does that mean responsibility disappears too?

There is a proposal for a massive pipeline for no apparent reason, and a people may disappear because of it. Make that peoples—the Driftpile Cree First Nation is just one of more than 130 First Nations in western Canada who have publicly stated their opposition to the pipeline and the tankers. At least 70 of them have declared bans on the transport of tar sands crude through their traditional territories. It will be interesting to see if corporations and governments respect these bans.

The Keystone XL pipeline was pitched as a way to provide Americans with oil and much-needed jobs. The Northern Gateway pipeline is being pitched on the promise of sales to foreign markets. Here in Edmonton and in the far north, Alberta’s Petrol State is hoping that no one will notice the threat to the aboriginal people, the water, and the Spirit Bear.

ENDNOTES

- 1 Polaris Institute, “Out on the Tar Sands Mainline: Mapping Enbridge’s Dirty Web of Pipelines” (May 2010). <http://www.tarsandswatch.org/files/Updated%20Enbridge%20Profile.pdf> (citing statistics obtained from Enbridge’s “Environmental Health and Safety and Corporate Social Responsibility” reports).

- 2 Mark Brush, “Report: Enbridge stopped and restarted pipeline during oil spill,” *Michigan Public Media*, May 30, 2012, <http://www.michiganradio.org/post/report-enbridge-stopped-and-restarted-pipeline-during-oil-spill> (citing report released earlier in May 2012 by the U.S. National Transportation Safety Board).