

# B. C. TAP WATER ALLIANCE

Caring for, Monitoring, and Protecting  
British Columbia's Community Water Supply Sources

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*Media Release*

## **Blueberry River First Nations vs Government of BC Trial Evidence Says: 91 Percent of Blueberry Territory Lands are within 500 m of an Industrial Disturbance, Primarily Oil and Gas**

*Vancouver:* On October 1, 2019, at 12:15 pm in Room 51, the Vancouver Supreme Court heard compelling and disturbing evidence corroborating cumulative ongoing harms by the Province of British Columbia against the Blueberry River First Nations (BRFNs) on their Treaty 8 lands which cover an area of nearly 4 million hectares within 18 distinct watersheds.

Stated in BFNs' [March 3, 2015 Civil Statement of Claim](#), "the Province ... has consistently made choices to undertake or allow land alienation, resource extraction and industrial activities in the traditional territories upon which the Nations' culture, economy and Treaty rights depend. These activities have damaged the forests, lands, waters, fish and wildlife that are integral to the Nations' mode of life upon which the Nations rely... The cumulative impacts of these activities have consistently and increasingly pushed the BRFNs to the margins of their traditional territory and have now left the members with almost no traditional territory within which to meaningfully pursue their constitutionally protected cultural and economic activities."

A June 2016 report, [Atlas of Cumulative Landscape Disturbance in the Traditional Territory of BRFNs](#), states that since 2012 the BC government "authorized construction in BRFNs traditional territory of more than 2,600 oil and gas wells, 1,884 km of petroleum access and permanent roads, 740 km of petroleum development roads, 1,500 km of new pipelines and 9,400 km of seismic lines. Also since that time, approximately 290 forestry cutblocks were harvested." The report concluded: "The analysis in this Atlas, which is based upon government of BC data, reveals that ... **approximately 84% ("of the area inside BRFNs traditional territory") is within 500 metres of an industrial disturbance.**"

According to internal government memos documented in a November 2010 report by the BC Tap Water Alliance, [Encana's Cabin No So Homey](#), Ministry of Environment staff have repeatedly advised government since at least 1986 to conduct "strategic planning" and "cumulative environmental effects" studies for petroleum activities permitting in northeast BC, advice never implemented by government.

Based on newly vetted digital and (as yet) proprietary BC government mapping data produced through the northeast BC Regional Strategic Environmental Assessment (RSEA) initiative, the Plaintiff's witness, Dr. Rachel Holt, an environmental consultant, presented updated analysis findings. Dr. Holt summarized that government data (to end of 2018) now confirms **a whopping 91% of BRFNs' lands are within 500 metres of an industrial disturbance**, primarily from oil and gas activities within the Montney geological formation.

The lengthy, path-breaking Civil trial at Vancouver Supreme Court is scheduled to last about 120 days, and by mid October will be half-way through.

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**Important related information in an Alberta First Nation lawsuit:** [Beaver Lake Cree Nation with 11-year-old first oil and gas cumulative effects case to be sent to trial, wins advance costs motion.](#)