

DAMMING COLONIAL EVASION:

An Accounting of the Unaccountable in the Mount Polley Mine Disaster

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IN THE EARLY HOURS OF 4 August 2014, the dam containing tailings at the Mount Polley copper and gold mine in interior British Columbia failed. In transit, the tailings bulldozed wooded areas and transformed an existing stream from five metres to one hundred metres in width, depositing mining waste into the lake, which had served as a salmon-spawning watershed since time immemorial.¹ According to the 2015 investigation report generated by the Chief Inspector of Mines, “the failure of the dam took place suddenly, without any warning signs. The failure of the embankment is what led to the breach of the dam, which became uncontrollable in less than two hours,”² causing the mine to cease operations completely in order to stabilize the situation. After the disaster, the owner of Mount Polley Mining Corporation (MPMC), Imperial Metals Corporation, estimated that between 21 and 25 million cubic metres of discharge had been released in the breach, including 10 million cubic metres of unprocessed water stored in the tailings storage facility,³ resulting in the Mount Polley mining disaster being deemed the largest mine waste spill in Canadian history.⁴

Following the disaster, investigations were conducted to examine the causes of the breach to ensure long-term prevention measures could be taken. In this article, I analyze reports from various bodies, including the Canadian government, the provincial Ministry of Energy and Mines, the Wilderness Committee, Amnesty International, and the Corporate Mapping Project. By analyzing these reports, I work to better understand

¹ Earthworks et al., “Post-Mount Polley Tailings Dam Safety in Transboundary British Columbia,” Wilderness Committee, March 2016, 2, https://miningwatch.ca/sites/default/files/post-mountpolleytailingsdamsafety_0.pdf.

² Investigation Report of the Chief Inspector of Mines, “Mount Polley Mine Tailings Storage Facility Breach,” Ministry of Energy and Mines: Mining and Mineral Resources Division, 30 November 2015, 13, http://mssi.nrs.gov.bc.ca/1_CIMMountPolley/BCMCM-Report-3_04-web.pdf.

³ Investigation Report of the Chief Inspector of Mines, “Mount Polley Mine Tailings Storage Facility Breach,” 13.

⁴ Earthworks et al., “Post-Mount Polley Tailings Dam Safety,” 2.

how these attempts to identify the causes of the disaster still minimize the broader impact of the breach on Indigenous communities, including those located within the immediate site (Secwepemc and Tsilhqot'in) and those located downriver (St'at'imc and Nlaka'pamux).

To better understand the specific impacts that these various responses had on Indigenous Nations and territories, I draw from Traci Brynne Voyles's notion of wastelanding. I argue that the way that the Mount Polley Mine disaster has been framed by numerous institutions, intentionally or not, works to create an authoritative narrative that perpetuates a marginalization of Indigenous Peoples in the disaster narrative. To explore the structural elements of the disaster, as well as the impacts felt on the ground by Indigenous communities, I draw out what Voyles frames as two central aspects of wastelanding: (1) the material destruction of Indigenous lands and (2) the ideological destruction of Indigenous worldviews, epistemologies, history, and cultural and religious practices.⁵

The process of "wastelanding," according to Voyles, is a racial and spatial signifier and modern colonial process whereby particular environments, and the bodies inhabiting those environments, are pollutable. Voyles argues that, while wastelands are reliant upon Euro-American distaste for arid deserts, they can also be constructed out of the most abundant or lush landscapes that, to the settler imaginary, are "just so much waste of space."⁶ This "waste space" includes green forested areas as well as other natural features.⁷ But in the case of the Mount Polley Mine disaster it refers to the waterways that run throughout the province. This means that any landscape, whether verdant or non-lush, can be designated pollutable through the process of wastelanding regardless of its features. Indeed, "the referent of wastelanding is inconsistent; the outcome is not."⁸ This is reflected in the case of the Mount Polley Mine disaster, where Hazeltine Creek and Quesnel Lake have been rendered dumping grounds by the mine and regulator, and the outcome of wastelanding on the Fraser River continues to have dire consequences

⁵ Traci Brynne Voyles, *Wastelanding: Legacies of Uranium Mining in Navajo Country* (Minneapolis: University of Minnesota Press, 2015), 11.

⁶ Voyles, 9–10.

⁷ Natalie Koch, "Wastelanding Arabia: America's 'Garden of Eden' in Al Kharj, Saudi Arabia," *Journal of Historical Geography* 77 (2022): 13–24; Amber Hickey, "Vision of Consent: Nunavummiut against the Exploitation of 'Resource Frontiers,'" *Journal of Transnational American Studies* 13, no. 1 (2022): 163–92; Jessica Hurley, "Nuclear Settler Colonialism at Sea, or How to Civilize an Ocean," *American Quarterly* 74, no. 4 (2022): 983, doi:<http://doi.org/10.1353/aq.2022.0065>.

⁸ Voyles, *Wastelanding*, 15.

for Indigenous Peoples who rely on the health of the river ecosystem to sustain themselves and to uphold their cultural and legal systems.

The endless cycle of colonial development needs “wastelands from which resources are extracted and where (often toxic) waste is dumped.”⁹ Raw materials for products must come from somewhere, toxic waste must go somewhere, and it is this environmental racism that depicts Indigenous spaces as marginal, worthless, and ultimately pollutable.¹⁰ The result of this in the Mount Polley disaster is that tailings have been dumped into Quesnel Lake at an unprecedented scale and speed, even though these bodies of water are an integral source of cultural, spiritual, and economic wellness for the Secwepemc Nation and their non-human kin. This is important to note because it is representative of the colonial process of wastelanding, which rewrites the geographical elements of British Columbia so as to render Indigenous presence in these spaces minimal and, therefore, as less affected by the Mount Polley Mine disaster. This marginalization of Indigenous presence in the context of the Mount Polley Mine disaster is similarly represented in the existing literature on the disaster itself, which focuses on environmental and scientific rather than on colonial concerns.

A major subset of this literature focuses on the sediments and trace amounts of metals deposited by the spill and how these have shifted over time. Earlier scientific studies analyze the impact of the spill on the aquatic food webs and growth in Quesnel Lake over the short term,¹¹ while, over the long-term, noting the resilience of the microbial substrate, which leads to a decrease in tailings concentration over time.¹² Another focus of this literature concerns the erosion that occurred following the disaster, highlighting the effects that the spill had on the movements of

⁹ Voyles, 9.

¹⁰ Voyles, 9.

¹¹ E.L. Petticrew et al., “The Impact of a Catastrophic Mine Tailings Impoundment Spill into One of North America’s Largest Fjord Lakes: Quesnel Lake, British Columbia, Canada,” *Geophysical Research Letters* 42 (2015): 3347–55, doi:10.1002/2015GL063345; H.W. Garris, S.A. Baldwin, J. Taylor, D.B. Gurr, D.R. Denesiuk, J.D. Van Hamme, et al., “Short-Term Microbial Effects of a Large-Scale Mine-Tailing Storage Facility Collapse on the Local Natural Environment,” *PLoS ONE* 13, no. 4 (2018): e0196032, <https://doi.org/10.1371/journal.pone.0196032>.

¹² B. Granger, B. Laval, S. Vagle, E.L. Petticrew, P.N. Owens, and S.A. Baldwin, “Initial Distribution and Interannual Decrease of Suspended Sediment in a Two-Basin Lake Following a Massive Mine Tailings Spill: Quesnel Lake, BC, Canada,” *Water Resources Research* 58 (2022): e2021WR030574, <https://doi.org/10.1029/2021WR030574>.

sediment downstream,¹³ the seasonal turnover of the lake itself,¹⁴ and how these processes adversely affect aquatic life years after the breach.¹⁵

These more scientific and environmental-focused studies are integral to understanding the minutiae of the disaster but remain limited in scope, assessing the impacts through a narrow colonial lens while omitting broader social commentary. Authors such as Miriam Matejova look beyond this and assess how societal responses to the disaster compare to those brought about by similar environmental disasters, tracking, in the following years, the mobilization of non-violent protest.¹⁶ Neil Nunn and Janis Shandro et al. take seriously the post-disaster concerns of Indigenous communities, highlighting the underlying colonial dynamics at play. Using the Mount Polley Mine disaster as a case study, Nunn demonstrates that, no matter how thorough or sincere restoration efforts might be, this process does not automatically result in repair. Nunn argues that repair is a process rather than a definite state, which is necessary to enact non-hierarchical relations.¹⁷ Finally, Shandro et al. document the extent of the emotional trauma that Indigenous communities felt for the health of salmon, which was exacerbated by the lack of reliable information following the breach.¹⁸ Aside from these articles, Indigenous concerns have not been prioritized in discussions about the disaster and, so far, nothing has been written from an Indigenous perspective. This article aims to address this gap. Building on these thinkers,

¹³ Graham Bird et al., “River Sediment Geochemistry and Provenance following the Mount Polley Mine Tailings Spill, Canada: The Role of Hydraulic Sorting and Sediment Dilution Processes in Contaminant Dispersal and Remediation,” *Applied Geochemistry* 134 (2021): 1–11, <https://doi.org/10.1016/j.apgeochem.2021.105086>.

¹⁴ P.N. Owens et al., “Annual Pulses of Copper-Enriched Sediment in a North American River Downstream of a Large Lake following the Catastrophic Failure of a Mine Tailings Storage Facility,” *Science of the Total Environment* 856, no. 1 (2023): 1–14, <http://dx.doi.org/10.1016/j.scitotenv.2022.158927>.

¹⁵ Andrew Hamilton et al., “Seasonal Turbidity Linked to Physical Dynamics in a Deep Lake following the Catastrophic 2014 Mount Polley Mine Tailings Spill,” *Water Resources Research* 56 (2020): 1–21, <https://doi.org/10.1029/2019WR025790>; Gregory G. Pyle et al., “Invertebrate Metal Accumulation and Toxicity from Sediments Affected by the Mount Polley Mine Disaster,” *Environmental Science and Pollution Research* 29 (2022): 70380–95, <https://doi.org/10.1007/s11356-022-20677-1>.

¹⁶ Miriam Matejova, “Framing Environmental Disasters for Nonviolent Protests: A Content Analysis,” *Environmental Communication* 17, no. 4 (2023): 407–20, doi:10.1080/17524032.2023.2195589.

¹⁷ Neil Nunn, “Repair and the 2014 Mount Polley Mine Disaster: Antirelationality, Constrained, and Legacies of Socio-Ecological Disruption in Settler Colonial British Columbia,” *Environment and Planning D: Society, and Space* 41, no. 5 (2023): 888–909, <https://doi.org/10.1177/02637758231198293>.

¹⁸ Janis Shandro et al., “Risks and Impacts to First Nation Health and the Mount Polley Mine Tailings Dam Failure,” *Journal of Indigenous Health* 12, no. 2 (2017): 84–102, doi:10.18357/ijih122201717786.

I demonstrate that, while this continued marginalization of Indigenous concerns may seem unintentional and generally insignificant, the neglect of Indigenous communities and their narratives in the aftermath of the Mount Polley Mine disaster is a form of wastelanding, which highlights the shapeshifting nature of settler extraction on Indigenous lands.

In this section I show how the Mount Polley Mine disaster operates in relation to Voyles's notion of wastelanding and outline how this analysis is situated in relation to other literature on the disaster. I then lay out my argument that the disaster is a reflection of wastelanding because the framing of the reports following the disaster has created a narrative that fails to account for the harms experienced by Indigenous communities. To build upon this argument, the next section discusses the impacts of the disaster, specifically describing what is at stake for Indigenous communities amid and in the wake of the disaster.

WHAT IS AT STAKE FOR INDIGENOUS COMMUNITIES?

The voices of First Nations communities have been minimal in the official reports conducted by the Canadian government, the provincial Ministry of Energy and Mines, and the Wilderness Committee. The First Nations Health Authority's (FNHA) report was the only one, initially, that focused explicitly on the damages sustained by First Nations communities downstream, whereas the others only mention First Nations in passing or as a foil to highlight abstract negative phenomena in the immediate area of the disaster.¹⁹ Later, the reports compiled by Amnesty International in 2017 and Judith Marshall in 2018, along with the Corporate Mapping Project, took up a more meaningful lens, which included impacts felt by Indigenous communities. The official reports (aside from these and the FNHA) regularly separated Indigenous communities and concerns from those of settler society, a clear technique of wastelanding.

These reports treat Indigenous communities as almost synonymous with the natural realm, with the result that their inclusion is not an

¹⁹ It is important to note that twenty-three distinct communities participated in this study as they reported impacts and key issues related to the fallout of the mine disaster. These communities are located throughout the central interior and southern interior of British Columbia, all connected by the Fraser River system. The communities that experienced direct and immediate impacts were Xatsúll First Nation, T'exelcenc First Nation, and Lhtako Dene First Nation; however, similar impacts were reported by all participating First Nations communities. For more, see Janis Shandro, Mirko Winkler, Laura Jokinen, and Alison Stockwell, "Health Impact Assessment of the 2014 Mount Polley Mine Tailings Dam Breach: Screening and Scoping Phase Report," First Nations Health Authority, January 2016, 8, <http://www.fnha.ca/Documents/FNHA-Mount-Polley-Mine-HIA-SSP-Report.pdf>.

attempt to understand their loss as a consequence of settler actions but, rather, an attempt to show that they have been damaged by the disaster. Indigenous experiences are used as a foil, to enhance the ecological narrative of the disaster rather than to show that the experience of the disaster is devastating in its own right. Indigenous communities are only used as stand-ins to perpetuate a damage-centric narrative. Although their trauma is starkly highlighted, at the same time they are denied justice on every level – whether it is stolen land, a denial of access to water, or the erasure of their rights to environmental justice. Throughout these reports Indigenous communities are not engaged with as authorities on their own lands and waters; instead, they are extracted from their experiences of the disaster so as to build up a de-politicized narrative that the state can use to bolster its legitimacy. This framing of Indigenous Peoples as background elements in the Mount Polley disaster has distinct material impacts on the narrative created. As a result, it is difficult to shift the narrative away from root causes and corporate or government oversight, thus rendering Indigenous concerns over the well-being of their way of life inconsequential. Indeed, wastelanding involves not only the exploitation of resources but also a complex social construction of land either as already belonging to the settler or, if it is undesirable, unproductive, or unappealing, as a wasteland.²⁰

The spill itself flooded Polley Lake, Hazeltine Creek, and Quesnel Lake, and, in the process, land and water systems that have sustained salmon habitat since time immemorial were compromised. “The Northern Secwepemc people, on whose territory the mine was located, lost land, livelihoods and traditional uses integrally linked to the land.”²¹ Quesnel Lake was not only an important source of drinking water and spawning grounds for one-quarter of British Columbia’s sockeye salmon but it also fed directly into one of the provinces’ major watersheds, the Fraser River, effectively expanding the potential areas of contamination to much of the BC interior’s waterways.²² In other words, the impact of the disaster extends not only far beyond the immediate area of the breach but also far beyond immediate environmental concerns as Indigenous livelihoods, cultural practices, and community cohesion are dependent on fishing throughout these waterways.

²⁰ Voyles, *Wastelanding*, 7.

²¹ Judith Marshall, “Tailings Dam Spills at Mount Polley and Mariana: Chronicles of Disasters Foretold,” Corporate Mapping Project, 28 August 2018, 11, <https://policyalternatives.ca/tailings-disasters>.

²² Marshall, “Tailings Dam Spills,” 55.

To make the situation even more dire, the timing of the mining disaster could not have been worse for Indigenous communities since it happened at the start of the annual salmon fishery season, a vital time for Indigenous Peoples throughout the province for both economic and cultural reasons. This untimely event immediately raised fears about eating fish from the potentially contaminated waterways. Secwepemc Elder Jean Williams said: “The loss of the salmon for us as Secwepemc people is a matter of life or death for our culture. Can our salmon survive this devastation?” Williams’s comment highlights the unknown element created by the disaster. Her sentiments were echoed by Musqueam First Nations Chief Wayne Sparrow, who “called the interior territories the ‘incubators’ of the eggs that will eventually become salmon and feed downstream Indigenous communities.”²³ These comments simultaneously highlight the importance of the waterways to Indigenous Peoples all over the province as well as the mutual understanding of, and deep grief over, the unknown impacts on lands, bodies (both human and non-human), and waters felt by Indigenous communities from the interior to the coast.

Despite the fact that most of these reports acknowledge the importance of fish for Indigenous communities, the studies conducted focus on the immediate safety of the salmon for eating, not taking into consideration the more nuanced understanding of First Nations communities and their relationship to the environment, including how spawning grounds and juvenile fish in hatcheries would be affected. Where these studies were conducted, they recognized that the “levels of toxins that have no significant immediate impact on human health may make fish more susceptible to illness, or simply make them less resilient to surviving through their life cycle.”²⁴ This lack of understanding demonstrates an urgent need to protect the overall health of the Fraser River system in a manner that recognizes the connection between the health of the river, the salmon, and BC First Nations communities.

The lack of state or corporate interest in these conversations demonstrates a disinterest in Indigenous communities’ quality of life following the pollution of their major food source. Rendering Indigenous people, and their primary source of traditional food, so insignificant in the Mount Polley discourse makes it clear that there is no conceptual space in the settler colonial imaginary for making connections between access

²³ Amnesty International, “A Breach of Human Rights: The Human Rights Impacts of the Mount Polley Mine Disaster, British Columbia, Canada,” 5, https://live-amnesty-canada-wp.pantheonsite.io/wp-content/uploads/2020/04/FINAL_May-24_Mount-Polley-briefing.pdf.

²⁴ Shandro et al., “Risks and Impacts,” 96.

to food, health, and cultural and economic well-being. This reinforces the narrative that any impacts on Indigenous communities and their webs of human and non-human kinship are only useful as a backdrop to a tragic environmental narrative that, ultimately, will not change the structure that allows the pollution of Indigenous lands, bodies, and waters.

The First Nations Health Authority generated a report whose purpose was to focus on the direct health impacts felt by Indigenous communities following the disaster. However, going into the communities these researchers had not anticipated how central fish and fishery practices were to Indigenous communities on the river, especially for more than health- and sustenance-related reasons. The report conveys the intense loss that many communities felt as a result of the breach. “For First Nation communities, especially for those in rural and remote areas, the consumption of traditional food is directly linked to positive health outcomes. Not only is traditional food a fundamental source of nutrients, the collection of traditional food also provides social and cultural benefits for individuals, families and communities.”²⁵ This is true in the specific case of the seven communities represented by the Lillooet Tribal Council (LTC). Despite the fact that LTC communities are two hundred kilometres south of the dam failure site, the centrality of the Fraser River and salmon to their livelihoods, culture, social cohesion, and overall community health was negatively affected by the disaster.²⁶ Fishing on the Fraser River is an ongoing and integral part of many First Nations communities, such as those represented by the LTC, and thus constitutes a major part of their lives not only culturally but also economically and nutritionally. None of this was considered in other reports.

Culturally, fishing is a celebratory occasion that provides the opportunity for community gatherings that promote cohesion and the maintenance of collective values. For example, the acts of fishing, processing, and preserving fish are all integral to how Elders share their knowledge of cultural practices with youth. Furthermore, economically and nutritionally, salmon is a critical food source for LTC members. Rural locations, compounded by low incomes, mean that many in the community cannot afford to buy alternative foods from grocers and do not have access to a local substitute.²⁷ This is the story for many remote communities that rely on having “freezers and cupboards stocked with

²⁵ Shandro et al., “Health Impact Assessment,” 22.

²⁶ Shandro et al., 24.

²⁷ Shandro et al., 24.

frozen, dried and canned salmon for the months until the next fishing season.”²⁸ This disaster pushed the St’át’imc Nation to call for urgent steps to be taken to protect the Fraser River system from even further degradation.²⁹ The disaster and lack of recourse demonstrate the ongoing impacts of colonialism and the threat that industry poses to Indigenous lives, political authority, and cultural practices.

In addition to Indigenous concerns over waterway health and fishery practices, immediately following the breach, Indigenous communities near, or with access to, the Fraser River experienced intense emotional trauma associated with a lack of information on the disaster. The feeling of trauma and loss was exacerbated by the lack of reliable information from trusted sources in the fallout after the breach. The uncertainty of the health of the fish, and the Fraser River, led many First Nations communities to cease or reduce salmon fishing during the 2014 run and, in some cases, also during the 2015 run.³⁰ While this was a difficult decision, many believed that it was important to ascertain the health of their food source before again consuming it. Indeed, the need for information on the Mount Polley disaster propelled many community members of the LTC to travel at their own expense to Likely, the town closest to the breach, to attend information meetings organized either by Imperial Metals or by the BC Ministry of Environment.³¹ These meetings did little to put their minds at ease as they were not tailored to deal with specific Indigenous concerns over salmon health and downriver impacts on Indigenous culture, community, or economies.

A major technique that contributed to the deviousness of how the disaster was handled concerns how information pertaining to the breach was controlled and released by those investigating it. This speaks to the structural power of colonialism, whereby an institution determines the scope and gravity of the spill, and ensures that those who receive that information are kept in a zone of unknowing. Indigenous Peoples know that they are negatively affected by the disaster, but to what degree remains unclear. There is no consideration of the way that Indigenous life is lived. There is no account of the actual circumstances of their lives. In the months following the breach there was a lack of data, and this prompted Indigenous people to travel north to attend information gatherings. Later on, however, according to the FNHA report, this lack of information transformed into too much information. Even if information

²⁸ Amnesty International, “Breach of Human Rights,” 6.

²⁹ Amnesty International, 6.

³⁰ Shandro et al., “Health impact Assessment,” 50–51.

³¹ Shandro et al., 29.

is supposedly readily available, its inaccessibility to Indigenous people ensures that the severity of the situation and the impacts on their home communities remains relatively unknown until they manifest themselves on the ground and in the waters, potentially years or even decades later.

The FNHA report, which was published in 2016, states: “community leaders are now overwhelmed by a large volume of technical and other reports, which they find difficult to assess in terms of validity and trustworthiness.”³² The inaccessibility of the documents alienated First Nations communities, and in many cases the reports do not even cover the impacts that these community members are experiencing, focusing instead on the design failures that caused the breach and sidelining the health of the rivers and fish. Amnesty International also states that, over the last two years, documents that were once available have been archived or moved to other sites that make it harder for members of the public to gain access to them. Indeed, the bureaucratic nightmare that these websites pose to members of the public, and to Indigenous people in particular, who are just trying to understand this disaster cannot be understated. This information, as Amnesty International’s report notes, was spread across multiple online platforms forcing people to sift through an overwhelming amount of information to find updates that often required knowledge of keywords, report titles, and legal jargon. These issues do not include the fact that, in central British Columbia, internet service is often slow, and, as Amnesty International’s report states, many homes lack computers or internet connections. This has led to residents asking the province to create a single, user-friendly site with updated information so that they may easily find all of the information in one place.³³

Finally, when these reports do provide information to the public, they are likely to cater to settler society and their limited concerns following the disaster. One example of this concerns discussions surrounding water – more specifically, drinking water – which omits First Nations concerns around waterway well-being as well as fish health.³⁴ A stark example of this shows up in the FNHA study’s discussion of the impacts felt by the town of Likely, which was the only non-Indigenous community to participate in its study, and this participation revealed an interesting divergence in community concerns following the disaster. The report claims, “while respondents in Likely also raised concerns over health

³² Shandro et al., “Health Impact Assessment,” 26.

³³ Amnesty International, “Breach of Human Rights,” 13.

³⁴ Shandro et al., “Health Impact Assessment,” 49.

impacts and increased community conflict linked to the incident, their concerns focused on the safety of water for drinking, household, and recreational use.” In Likely, conflicts over the narrative emerged when one group was satisfied that the data presented no significant long-lasting water-based impacts, while other groups, comprised primarily of Indigenous people, continued to worry about the long-term impacts on the affected waterways.³⁵ The concerns of Likely residents dissipated once they were assured that water for drinking, household, and recreational use was fine, thus demonstrating that their concerns differed greatly from those of First Nations communities who rely on waterways in a more all-encompassing manner.

With all this said, these reports are somehow supposed to account not only for the experiences of settlers affected by the disaster but also for those of Indigenous communities. It is not that Indigenous and non-Indigenous concerns cannot be addressed simultaneously in the same report; however, an issue arises when settler concerns are taken as the baseline for inquiry and thus immediately foreclose any opportunity for meaningful engagement of Indigenous concerns that extend beyond those of the former. Furthermore, because many Indigenous communities possess limited resources, they are unable to fund research that would centre their own narratives. The result is that they are left having other parties trying to clumsily fit them into narratives that are clearly not focused in their well-being (beyond their victimhood).

In this section I outline how the processes of wastelanding operate through the ideological destruction of Indigenous worldviews, epistemologies, history, and cultural and religious practices by framing them as secondary and by failing to make an effort to voice Indigenous concerns. With this cultural context in mind, in the following sections I turn to another important part of Voyles’s process of wastelanding – the actual material destruction of Indigenous land – where we see how Indigenous spaces are maintained as marginal, worthless, and pollutable.³⁶ This material destruction of the environs and their sidelining in the script of official reports demonstrate an insidious element of wastelanding: colonialism does not always refer to the obvious neglect of Indigenous concerns; rather, it may refer to the continual framing of these concerns as something that can be relegated to the future and thus placed on another’s plate. To outline how the discursive work of excluding Indigenous concerns from the Mount Polley Mine disaster intersects

³⁵ Shandro et al., 49.

³⁶ Voyles, *Wastelanding*, 9.

with the material destruction at the site of the disaster I examine three structural elements that led to the breach: (1) design failure, (2) a lack of official recourse when issues arose, and (3) an overall absence of accountability processes immediately following the disaster. The final section identifies how Indigenous perspectives have been erased before, during, and after this disaster, drawing attention to how the breach affected not only the immediate environment but also traditional food systems downriver.

DESIGN FAILURE

In the months after the disaster, one of the significant ways that the BC government responded was by commissioning an expert panel of engineers to undertake an investigation into what happened. In the Independent Expert Engineering Investigation and Review Panel's report, four potential factors were identified as causes of the tailings breach, all of which erased or downplayed colonial and Indigenous discourses. The first three – human intervention, overtopping, piping and cracking – were all eliminated, leaving the final factor – foundation failure as the primary cause.³⁷ The report concluded that the embankment collapsed due to foundation failure, with other factors (like too much wastewater and a lack of beaches in the pond) ultimately resulting in the breach. Because the foundation was weaker than what had been designed, a major focus of the investigation concerned accounting for the design's role in the failure itself.³⁸

From the outset, this report was doing the discursive work of waster-landing, inviting readers to accept a very narrow understanding of the disaster while failing to mention the broader impacts of the breach on the environment and surrounding Indigenous communities. Identifying the root causes of the disaster is important; however, this singular narrative sidelines Indigenous concerns, reproducing the politics of colonialism and Indigenous erasure that led to the disaster in the first place.

In its investigations, the panel was troubled by the lack of appropriate interventions typically used to regularly assess the silts and clays that make up the foundation of such a structure; instead, it was assumed that the foundation materials were sound, and no attempts were made to

³⁷ Independent Expert Engineering Investigation and Review Panel, "Report on Mount Polley Tailings Storage Facility Breach," Government of Canada, 30 January 2015, ii, <https://www.mountpolleyreviewpanel.ca/sites/default/files/report/ReportonMountPolleyTailingsStorage-FacilityBreach.pdf>.

³⁸ Independent Expert Engineering Investigation and Review Panel, 12.

understand their stress history. The panel also found that the foundation, even if it had been sound to begin with, was likely weakened as loads on the dam continued to increase over time.³⁹ The onus for this is on the company, which was responsible for conducting regular inspections of the foundation and failed to do so. Here we begin to see how this negligence is an extension of colonial wastelanding, with resource extraction prioritized over dam maintenance and public safety. Prior to the disaster, the company did not see any problem with maintaining the status quo with regard to the conditions in the tailings storage facility.

With the faulty design in place, there was a persistent lack of due diligence and no regular dam maintenance. Eventually, something had to give, resulting in structural inefficiencies like “oversteepened dam slopes, deferred buttressing, and the seemingly ad hoc nature of dam expansion that so often ended up constructing something different from what had originally been designed.”⁴⁰ The uncertain and incremental nature of the pond expansion process, and the constraints under which it was carried out, caused those in charge of design to lose sight of the most basic element of building a dam: foundation stability. The perimeter embankment, where the breach occurred, reached a staggering height of forty metres with an unbuttressed slope.⁴¹ In short, adequate assessments of the embankment foundation were not conducted on the perimeter embankment because “there was an assumed degree of certainty that the foundation soils were dense and strong, which was not supported by a robust understanding of the foundation characteristics.”⁴²

A report generated by the Independent Expert Panel – which examined in detail the nine stages in which the tailings facility had been built over several years – noted that each stage was characterized by progressive expansion, where concerns about stability were consistently echoed.⁴³ The company cannot claim ignorance, only negligence; as the report emphasizes, at each stage it was recommended that the company address this common thread of concern immediately, yet it never bothered to take action. Furthermore, the regulatory bodies that generated these reports did not follow up on their recommendations. The multiscale impacts of wastelanding apply here because the official disaster narrative not only allows for the destruction of the environment but also simultaneously

³⁹ Independent Expert Engineering Investigation and Review Panel, 76.

⁴⁰ Independent Expert Engineering Investigation and Review Panel, 75.

⁴¹ Independent Expert Engineering Investigation and Review Panel, 75.

⁴² Investigation Report of the Chief Inspector of Mines, “Mount Polley Mine Tailings Storage Facility Breach,” 6, 156.

⁴³ Independent Expert Engineering Investigation and Review Panel, “Report on Mount Polley Tailings Storage Facility Breach,” 52.

de-emphasizes the effect this disaster has on Indigenous lands and communities.

In fact, as early as stage two, from 1998 to 2000, problems with the tailings pipeline system arose with regard to maintaining the required tailings beach, which meant that, in some places, water was in direct contact with the embankment.⁴⁴ If the mine wastewater comes into direct contact with the embankment, it begins to wear down the wall, weakening it over time. Over the next decade, more attention was brought to the fact that the dam itself did not have adequate structural support. A memorandum and a report released in 2013, conducted by the consulting company BCG Engineering Inc., drew attention to the fact that, even though the Mount Polley tailings storage facility was not meant to be operated as a water-retaining dam, this was effectively what happened,⁴⁵ compromising the stability of the embankment and leading to the breach.

For years the dam stayed marginally ahead of the rising water, but on 24 May 2014, mere months before the disaster, the water caught up, causing seepage flow. Following the seepage, rigorous oversight and construction succeeded in raising low areas of the embankment perimeter, restoring the containment integrity of the dam.⁴⁶ Following this incident, it was decided that the existing buttress on the main embankment would be raised and a new buttress would be added to the perimeter embankment, which would have included what became the area of the breach. This buttress was scheduled for construction in late 2014 or early 2015. Had it been in place prior to the 2014 breach, the dam would likely have survived.⁴⁷

The structural weakness of the perimeter embankment paired with the conditions of the tailings pond – which had insufficient beaches as a result of too much tailings water – caused the eroding of the embankment leading to the breach.⁴⁸ The lack of tailings beach development along the main and south embankments was flagged in an inspection conducted in 2010 following stage 6 of the expansion of the dam. Throughout the time that the Mount Polley Mine was operating, design documents regularly called for the establishment and continual maintenance of these beaches along all embankments of the tailings storage facility.⁴⁹ The decision to

⁴⁴ Independent Expert Engineering Investigation and Review Panel, 55.

⁴⁵ Independent Expert Engineering Investigation and Review Panel, 72.

⁴⁶ Independent Expert Engineering Investigation and Review Panel, 72.

⁴⁷ Independent Expert Engineering Investigation and Review Panel, 73.

⁴⁸ Investigation Report of the Chief Inspector of Mines, “Mount Polley Mine Tailings Storage Facility Breach,” 157.

⁴⁹ Investigation Report of the Chief Inspector of Mines, 143.

ignore the engineering company's recommendations shows the level of negligence Imperial Metals regularly practised. The accelerated mining activity coupled with the temperatures of central British Columbia meant that there was always a fight to keep the water levels in the tailings pond under control. Furthermore, because an adequate water management plan did not exist, adequate beaches could not be continuously maintained due to the surplus of supernatant water in the tailings storage facility.⁵⁰

The weak foundation, too much water, and the lack of a consistent buffer in the form of beaches in the pond led to the breach, meaning that the company was inherently at fault as it was its responsibility to resolve these issues. By the investigations' own 2015 standards, there is more than enough evidence to hold the company responsible for long-term neglect, yet it has faced few consequences; rather, the shared responsibility between the company and the engineers it contracted has been emphasized as a major fault leading to the breach. The regulatory and licensing body, the Engineers and Geoscientists BC, concluded its investigation in 2022, disciplining three engineers for unprofessional conduct that had exacerbated the conditions that led to the spill.⁵¹ It is important that these individuals were held accountable for their conduct, but the 2015 report of the Chief Inspector of Mines notes that there was more that the company could have done to implement other recommendations. So this is not just a failure of these particular individuals: the company clearly demonstrated a pattern of behaviour centred around collective neglect and the encouragement of high-risk decision-making. Both reports highlight the various elements of neglect that led to the disaster, but the consequences levied against each party are not evenly distributed. The company is easily able to shift the bulk of the blame back on to the engineers now that they have been charged with unprofessional conduct. This makes looking back at the 2015 report even more frustrating, with the Chief Inspector of Mines' announcement that there would be no charges against Imperial Metals, despite its overt lack of action to promote mine and tailing storage facility safety.⁵²

The ease with which Imperial Metals is able to cast off this narrative of neglect demonstrates how resource extraction industries are so highly valued that environmental degradation, potential health effects, biodiversity, and traditional food source concerns are not fully considered

⁵⁰ Investigation Report of the Chief Inspector of Mines, 7.

⁵¹ "Mount Polley Investigation Concludes: Three Engineers Disciplined," Engineers and Geoscientists BC, 11 March 2022, <https://www.egbc.ca/News/News-Releases/Mount-Polley-Investigation-Concludes-Three-Enginee>.

⁵² Marshall, "Tailings Dam Spills," 37.

in how the Chief Inspector of Mines – the governing body that purports to regulate and protect the interests of the “public” – makes its decisions. The Chief Inspector of Mines and, later, the Engineers and Geoscientists BC framed their inquiries as a geophysical fault, thus making apparent that the protection of the abundant relations of the land was not one of their concerns, further proving the colonial nature of this whole situation.

The process of wastelanding, which makes real, material, and lived what otherwise might only be discursive (i.e., settler colonial impulses to control land to exploit, excavate, and dump) means that these reports have a significant amount of power when it comes to defining what may or may not happen.⁵³ This state-instituted position to not hold the parties responsible for their extended history of neglect reveals how both the state and Imperial Metals have the same interest in putting extractive industry above public safety. The lack of responsibility on the part of both the state and the company is part of how settler colonialism has been reproduced throughout the Mount Polley disaster. An example to which I specifically point is the ways in which Indigenous communities are uniquely affected by this event but are not taken into consideration in the official reports. This exclusion demonstrates how colonialist notions of authority are maintained by ignoring Indigenous presence and excluding Indigenous perspectives. In other words, the state does not think Indigenous voices are crucial to its decision-making processes.

LACK OF RECOURSE

Following the catastrophic breach of the dam, the Mine’s Emergency Response Plan (MERP) fell short on all fronts, thus contributing to the structural inadequacies of the entire operation. The deficiencies of the emergency response plan are not directly tied to the dam failure, but they certainly hindered the ability of Mount Polley Mining Company staff to respond to it.⁵⁴ This lack of recourse is a feature of settler colonialism and wastelanding. Instead of prioritizing an appropriate plan in case of emergencies, the government and Imperial Metals relied on the most vulnerable communities to absorb the repercussions of a disaster should anything go awry. Indeed, as sacrificial wastelands, these landscapes of extraction allow industrial modernity to continue to expand and profit with few drawbacks.⁵⁵ The issue here is that Imperial Metals continuously

⁵³ Voyles, *Wastelanding*, 10.

⁵⁴ Investigation Report of the Chief Inspector of Mines, “Mount Polley Mine Tailings Storage Facility Breach,” 110.

⁵⁵ Voyles, *Wastelanding*, 10.

externalizes the negative aspects of mine operations while reaping the benefits. Drawing on wastelanding we can see how the treadmill of production requires technologies of racial and colonial domination to transform discourses of race, class, gender, and coloniality into material conditions on the ground.⁵⁶ These lands, and their significance to Indigenous Peoples prior to the establishment of the mine, carry no ideological weight for non-Indigenous Peoples, meaning they can pollute with impunity.

This carelessness is reflected in the immediate response to the disaster. The emergency response actions following the failure were not guided by any emergency process or documentation as these plans were not adequate to a disaster of this magnitude. The events challenged the mine employees to react to a situation for which they were not prepared because they had no plan in place and no tools to guide their response.⁵⁷ An effective MERP requires full worksite integration and designated persons listed on a chain of command. It was evident in the report prepared by the Chief Inspector of Mines that the mine did not have this in place as there was no immediate and effective response. This was exacerbated by the fact that the breach occurred at a time when there was the least site supervision, “in the early morning hours in the middle of a long weekend, when most of the management staff, and many employees, were not only off duty but unreachable.”⁵⁸

This lack of risk management paints a damning picture of neglect on the part of Imperial Metals: “This situation points to a broader need for more effective emergency planning, including inundation studies and disaster table-top exercises, at mines across the Province; training, including practice drills; and for MERPs that are actually effective in guiding response to events.”⁵⁹ Despite commonly held public assumptions of stability and preparedness about mine safety prior to the disaster, company plans were either not present or were wholly inadequate to protect both Indigenous and non-Indigenous Peoples in the area. With a reputable company and engineering firms operating and guiding it, this mine should not have failed. But it did, “depositing most of the waste into Quesnel Lake, a large salmon spawning glacial lake in the watershed below the tailings dam.”⁶⁰ Ultimately, this event endangered

⁵⁶ Voyles, 25.

⁵⁷ Investigation Report of the Chief Inspector of Mines, “Mount Polley Mine Tailings Storage Facility Breach,” 112.

⁵⁸ Investigation Report of the Chief Inspector of Mines, 160.

⁵⁹ Investigation Report of the Chief Inspector of Mines, 160.

⁶⁰ Earthworks et al., “Post-Mount Polley Tailings Dam Safety,” 2.

future fish populations that Indigenous communities, in particular, rely on for economic, social, and cultural well-being.

ACCOUNTABILITY?

In 2017 Imperial Metals, the owner of the Mount Polley Mining Company, was cleared to fully resume operations. One of the reasons cited was that, since the spill, the company “has spent more than \$70-million on remediation and restoration work, including the planting of about 30,000 trees and shrubs to repair damage caused by the spill.”⁶¹ The propagation of reclamation narratives that downplayed the cost of cleanup perpetuated the notion that this scant restoration was somehow equal to the damage done by the breach. As Nunn notes: “the sum of restoration efforts cannot match the entirety of the disruption it seeks to restore. No matter how thorough or sincere restoration planning efforts might be, restoration does not equate repair.”⁶² The way in which this allocation of funds and compartmentalization of environmental repair is framed reduces Indigenous concerns to decontextualized factoids, with no concern for cultural and social needs. This is a clear mechanism of power, repeatedly reinforced in these reports, which try to neatly resolve this issue.

The difficulty of achieving the aims of reclamation and restoration is due to the fact that wastelanding operates to maintain the colonial structure, which requires the exploitation of lands and resources.⁶³ Or, put differently, the goal of restoration, as far as the government and Imperial Metals is concerned, is not to restore these lands but, rather, to uphold the very structures of extraction and wastelanding that render them in need of restoration in the first place. Immediately following the disaster, on 18 August 2014, the province announced an agreement to provide \$400,000 in funding to Xat’sull First Nation to cover cleanup and administrative costs incurred following the incident; however, this funding quickly ran out.⁶⁴ The province also provided \$50,000 to the Likely Chamber of Commerce, but residents and business owners complained that the amount was inadequate because it worked out to a scant \$143 per person. In 2015, Ugo Lapointe, the program co-

⁶¹ Ian Bailey, “Mount Polley Mine Still at Risk for Future Tailings Breach: Analyst,” *Globe and Mail*, 4 August 2016, <https://www.theglobeandmail.com/news/british-columbia/mount-polley-mine-still-at-risk-for-future-tailings-breach-analyst/article31269473/>.

⁶² Nunn, “Repair and the 2014 Mount Polley Mine Disaster,” 903.

⁶³ Voyles, *Wastelanding*, 25.

⁶⁴ Amnesty International, “Breach of Human Rights,” 3.

ordinator for MiningWatch Canada, expressed concerns over the lack of detailed assessments of costs and damages, calling the province's lack of initiative a huge failure to the local environment, communities, and businesses as well as to First Nations rights and livelihoods. This led Lapointe to ask, "Who will ultimately compensate and pay the bill for all of those damages? The persistent blanket of silence on this issue is very worrisome."⁶⁵ While assigning these dollar amounts is important for dealing with the financial needs of the communities affected, they are seemingly arbitrary and fail to address the broader implications of long-term efforts concerning waterway reclamation and restoration.

Following this, Imperial Metals focused its attention on launching a lawsuit in the BC Supreme Court, "alleging negligence and breach of contract by two engineering firms involved in the design and monitoring of the ill-fated tailings operation."⁶⁶ Thus, it shifted the blame of the disaster from itself to the engineers responsible for inspecting its mines, ignoring the fact that engineers are not responsible for implementing the recommendations they make to the company. This action on the company's behalf lends credence to the argument that Bill Bennett,⁶⁷ then BC minister of energy and mines, made when he proclaimed that there had been significant changes made to how mining is undertaken and overseen in British Columbia.⁶⁸ Bennett's statement assumes that the Mount Polley Mine disaster served as an educational experience and that that, in and of itself, was enough for the BC government's peace of mind. Thus, the government wholly disagrees that having the Commission of Public Enquiry look into the province's mining industry serves the taxpayers of the province.⁶⁹ Bennett's comment holds the company responsible in financial terms rather than in environmental terms, thus dismissing the material impacts of the disaster on the environment and Indigenous communities. This perpetuates the erasure of Indigenous presence in British Columbia, rendering their homelands into a wasteland where the results of pollution and environmental degradation collect, settle, and adversely affect both humans and their non-human kin.⁷⁰

⁶⁵ Carol Linnitt, "They're Getting Away with It: Locals Say No Blame Means No Compensation for Mount Polley Mine Spill Victims," *Narwhal*, 9 August 2015, <https://thenarwhal.ca/they-re-getting-away-it-locals-say-no-blame-no-compensation-mount-polley-mine-spill/>.

⁶⁶ Bailey, "Mount Polley Mine Still at Risk."

⁶⁷ This is referring to Bill Bennett, the Liberal MLA who represented the riding of East Kootenay from 2001 to 2017, who is not to be confused with the former BC premier of the same name, in office from 1975 to 1986.

⁶⁸ Judith Lavoie, "BC Rejects Request for Inquiry into Mining Practices," *Narwhal*, 11 April 2017, <https://thenarwhal.ca/b-c-rejects-request-inquiry-mining-practices/>.

⁶⁹ Lavoie.

⁷⁰ Voyles, *Wastelanding*, 23.

The actions of Imperial Metals and the minister acting on behalf of the BC government demonstrate efforts by both industry and the state to distance themselves from accountability for the broader impacts of the disaster. The narrative established in the official reports explored earlier are so narrowly focused on structural inadequacies that any movement forward can be taken without holding either state or industry accountable. Furthermore, remedies already pursued by Imperial Metals (i.e., tree planting) were explicitly focused in the immediate area of the breach, thus diverting discussion of the impacts of the disaster on the waterways in the areas farther away. As all First Nations communities are connected, both culturally and economically, to salmon runs in the Fraser River and its tributaries, the exclusion of the longer-term impacts to waterways outside the immediate area of the disaster is indicative of how the company and the provincial government overlooked the role of Indigenous communities.

CONCLUSION

By rendering First Nations landscapes inconsequential, the violation of Indigenous communities becomes permissible in the eyes of the state. Ultimately, social injustices, like those done to First Nations communities by the Mount Polley breach, are the result of the ways in which settler colonial power is exerted by corporations and states over resources, and the ways in which these power structures construct knowledge about land and about what happens on it.⁷¹ In the case of the Mount Polley disaster, understandings of place were reconstructed to remove Indigenous connections to land. This was done by not taking into consideration how the disaster limited access to traditional food sources in rural and remote areas that are heavily dependent on them for positive health outcomes. In the main reports, this post-disaster marginalization of Indigenous experiences effectively lessens the effects of the disaster that these communities experienced on the ground and that were represented in the FNHA report.⁷² This fracturing of Indigenous experience following the disaster is a mechanism used by the state to reduce the importance of Indigenous concerns in general.

This reduction of Indigenous life was further reinforced by the proclamations throughout the reports that no lives were lost and that no

⁷¹ Voyles, ix.

⁷² Shandro et al., "Health Impact Assessment," 22.

deaths or injuries resulted from being in the direct path of the breach.⁷³ In this case, the life forms outside of the category of human, including plant and animal lives (upon which Indigenous people rely), are deemed inconsequential and therefore not worth noting. The assumption that there were no victims in the immediate aftermath of the breach leaves out the slow violence and destruction of the tailings moving through the waters, being absorbed by invertebrates,⁷⁴ and bioaccumulating in the salmon upon which First Nations communities subsist.⁷⁵ As a result, connections that Indigenous communities have with natural features (such as land and water) and with living beings (such as fish in the river) are erased in the eyes of the law.

Even though the reports on the cause of the mining disaster occasionally mention Indigenous people as one of the primary groups affected, they are never fully explored, with the exception of the FNHA report (which centres the narratives of the Lillooet Tribal Council in St'at'imc Nation) and, later, the Amnesty International and Corporate Mapping reports, both of which attempt to feature Indigenous experiences as a pillar of their investigations. The exclusion of the impacts on First Nations communities from reports conducted by the Chief Inspector of Mines and the Independent Expert Engineering Investigation and Review Panel can be read as deliberate. It can be read in a settler colonial context, meaning that the framing of the official reports and the narrative that emerges leave Indigenous communities with little official documentation of their post-disaster struggles. The findings and the framings of the official reports work to create *the* authoritative narrative, which shifts attention away from the state and the company and its engineers, despite overwhelming evidence that they are at fault.

The creation of this narrative is significant because these regulatory bodies, and the reports they produce, carry institutional weight following the disaster. With regard to the reports announced with the blessing of the government (i.e., the Chief Inspector of Mines and the Independent Expert Engineering Investigation and Review Panel) one would expect to see findings that would be of some consequence since they were carried out by public officials and independent experts in the interest of the public. But, apart from keeping a record, they did not. That said, I do recognize that significant regulatory reform has taken place as

⁷³ Investigation Report of the Chief Inspector of Mines, "Mount Polley Mine Tailings Storage Facility Breach," 156.

⁷⁴ Pyle et al., "Invertebrate Metal Accumulation."

⁷⁵ For more on the concept of slow violence, see Rob Nixon, *Slow Violence and the Environmentalism of the Poor* (Cambridge: Harvard University Press, 2013).

a result of the Mount Polley disaster. For example, the *Mines Act, 2016*, introduces more stringent rules for administrative monetary penalties (AMP), including large fines and jail time, with record administrative penalties being administered to Teck Resources Ltd. in the Elk Valley.⁷⁶

The BC government also revised its Health, Safety, and Reclamation Code for Mines in British Columbia to include new policy that mandates five-year mine plan updating requirements, bonding and reclamation requirements, and tailings storage facility restrictions.⁷⁷ These official changes, however, have proven to be subject to weak enforcement policies that still empathize with and tend to defer to the interests of mining companies. In the context of Teck Resources Ltd. fines in the Elk Valley, as Rick Holmes shares in this special issue of *BC Studies*, these record fines pale in comparison to the billions that Teck makes from the highly profitable but devastating mining practices for which it is being fined. This gap between discourse and action on the government's part demonstrates the tenuous relationship that settler colonial sovereignty must maintain – “this violent relation of settler extractivism and industrial primacy, at the core of the province's onto-political purpose [–] while also providing governance that maintains an appearance of social order and responsibility for the body politic.”⁷⁸ It is this kind of relationship between colonial politics and the material realities for Indigenous Peoples in British Columbia that serves as the baseline for this entire discussion.

The reports compiled by the FNHA, Amnesty International, and Judith Marshall through the Corporate Mapping project offer significant findings relating to Indigenous community concerns, but they have no built-in institutional consequences. The provincial and federal governments, as institutional bodies, have no obligation to these reports. Indigenous concerns cannot be meaningfully identified and addressed if, at the outset, they are excluded from the investigations that have an accountability function built in. Since the government and company reports do not have Indigenous voices at their core, it is unlikely that they would fight for justice for Indigenous communities. The Mount Polley Mine disaster shows that corporate injustices against the Indigenous

⁷⁶ Richard Holmes, “Likely Resident and Biologist's Reflections on the Mount Polley Mine Disaster,” *BC Studies* 221 (2024): 187–202.

⁷⁷ Ministry of Energy, Mines, and Low Carbon Innovation, “Health, Safety, and Reclamation Code for Mines in British Columbia,” April 2023, Government of British Columbia, Victoria, n.p., <https://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/health-safety/health-safety-and-reclamation-code-for-mines-in-british-columbia>.

⁷⁸ Neil Nunn, “The 2014 Mount Polley Mine Disaster: Environmental Injustice, Anti-relationality, and Dreams of Unconstrained Futures” (PhD diss., University of Toronto, 2022), 115, <https://tspace.library.utoronto.ca/handle/1807/110834>.

Peoples that constitute many of the communities along the Fraser River do not constitute a punishable offence because they affect areas that are seen as unimportant and mostly uninhabited wastelands.

The naturalization of mines in British Columbia, coupled with the obvious negligence of the mine operators and regulatory bodies, were not questioned as a wholly bad practice; rather, the disaster was presented as something from which we can learn. It has been decided for Indigenous Peoples, who experienced the worst parts of the disaster, that their experience was worth the lessons that industry and governments have learned and can apply to future development. Though this is unthinkable to those heavily dependent on the Fraser River for the maintenance of their existence, it is the reality of the situation now. In the colonial imaginary, the life-sustaining watercourses are made into something not worthy of protection or justice. In contrast, for First Nations, water and fish cannot be understood as only a part of nature or a small part of their diet that can be substituted with food from the grocery store. As one participant claimed in the FNHA report, “We live on fish, this is who we are.”⁷⁹ But this fact does not affect the discourses coming from the government or the company. Thus, wastelanding is a fully colonial project that renders valuable resources extractable and the bodies in the zone of sacrifice inherently pollutable.⁸⁰ Colonial logic is premised on the belief that anything wastelanded cannot be considered sacred to anyone. Thus, through settler colonial logic, wastelands cannot be claimed, cannot be seen as having a history, and cannot be seen as a home to anyone. “Instead, to wasteland a space is to defend the notion that the land is, always has been, and always will be ‘empty except for Indians’: to mark it and make it, ultimately, sacrificial land.”⁸¹ For colonialism to thrive and endure in this context, the settler colonial imaginary will, without hesitation, make another’s home its own. Even if Indigenous people are present on the land, the settler colonial drive for land will insist that it is not meaningfully occupied, that it is “empty except for Indians.” Ultimately, it is the goal of industry and the state to maintain notions of *terra nullius* – empty land – even when Indigenous people are living on it.

This article shows how the colonial processes of accountability work to the benefit of the state and corporations – specifically, the Mount Polley Mining Company, a subsidiary company of Imperial Metals – in order

⁷⁹ Shandro et al., “Health Impact Assessment,” 12.

⁸⁰ Voyles, *Wastelanding*, 25.

⁸¹ Voyles, 26.

to render these colonial institutions faultless. I draw upon immediate and long-term coverage of the Mount Polley disaster to show that there has been a consistent approach to Indigenous experiences – an approach that actively seeks to lessen the magnitude of the disaster’s impact on Indigenous communities. Colonialism does not always mean outright neglect of Indigenous Peoples; rather, it can mean continuously shifting responsibility and accountability. This shifting of blame between the state and the corporation is what generates the dynamic that marginalizes Indigenous experiences on their own lands. It is a tactic of avoidance: what is worse than being outright ignored is being told that you will be dealt with eventually. This is part of what makes this whole case so insidious. Thus, while broader calls for state and corporate accountability are juggled between the two, the grounded impacts of the disaster continue.