NECHAKO

It Will Be a Big River Again

DISCUSSION GUIDE

USE THIS GUIDE TO PREPARE FOR A SCREENING OF
NECHAKO: IT WILL BE A BIG RIVER AGAIN IN YOUR COMMUNITY!

ONF NFB

NECHAKO: IT WILL BE A BIG RIVER AGAIN

2025, 91 MIN, ENGLISH AND DAKELH

WRITTEN AND DIRECTED BY LYANA PATRICK

A Lantern Films and Experimental Forest Films production, in co-production with the National Film Board of Canada

ABOUT THE FILM

Nechako is a story of survival 70 years in the making. The saga begins in the early 1950s in northwestern British Columbia, when the Kenney Dam was built to power an aluminum smelter. This for-profit megaproject diverted 70 percent of the Nechako River into an artificial reservoir, flooding lands, displacing wildlife, destroying ecosystems and severely impacting the lives of local Stellat'en and Saik'uz Nations. The dam decimated salmon runs, which are vital to the Nations' way of life and provide a food source that composes up to 90 percent of their diet.

What followed were decades of resistance, including legal actions against the Canadian federal and provincial governments and Alcan (later Rio Tinto Alcan, a subsidiary of the global mining conglomerate), beginning in the 1980s. Indigenous Elders had to prove not only that they held a right to the lands and waters they'd coexisted with for centuries, but that their people had existed there *at all*. Fast-forward to the present day, as the Nations wage a precedent-setting legal battle against Rio Tinto Alcan.

This crucial documentary follows the people fighting to restore a river and a way of life. ***Nechako*** is a chronicle of hope and resistance against all odds, amidst large-scale environmental destruction and despite the will of powerful institutions. It is also a call to action as the world reckons with waves of climate crises. The film asks what survival looks like when it serves everyone, and urges viewers to consider those already fighting for our collective future.

"WHAT THE NECHAKO NATIONS ARE SEEKING IS A ROLE IN THE STEWARDSHIP OF OUR LANDS AND WATERS, SOMETHING DENIED TO US FOR GENERATIONS. AS SOMEONE WHOSE ANCESTORS TRAVELLED THESE LANDS AND WATERWAYS, WHOSE FAMILY CONTINUES TO ACCESS THE LANDS AND WATERS, I FEEL THESE ARE TIMELY AND IMPORTANT STORIES TO SHARE IN A WORLD WHERE, NOW MORE THAN EVER, COEXISTENCE MEANS FIGHTING TOGETHER FOR THE FUTURE OF OUR PLANET."

– LYANA PATRICK, FILMMAKER

SUGGESTED POST-SCREENING QUESTIONS

- Why are the Stellat'en and Saik'uz people dedicated to saving the Nechako River?
- What are Stellat'en and Saik'uz asking for in their court battle?
- In what ways did you see Indigenous knowledge passed down from generation to generation in the film?
  - ↳ What types of lessons were taught?
- If the Stellat'en and Saik'uz people still had full access to the resources they steward, what do you think their lives would be like today?
  - ↳ How would this support the spiritual and physical health of the community?
- How does the B.C. government's use of land and water demonstrate values that differ from those of the Stellat'en and Saik'uz people?
  - ↳ How does this impact wealth distribution?
- Are the values of the Potlatch (Bahlats) reflected in Canadian society today?
- Can you think of other instances in history or the present day where land has been taken from Indigenous people to benefit corporations and/or settlers?
- How do non-Indigenous people benefit from resource extraction on Indigenous lands?
- In the area where you live, what are some of the settler-colonial policies and practices Indigenous people are resisting?
- In the area where you live, what forms of Indigenous self-government do you observe?
  - ↳ In what ways do Indigenous people continue to protect and govern land and resources?
- Can you think of examples of non-Indigenous people standing up to corporations like Alcan?
  - ↳ If not, why don't we hear more about these instances?
- What can non-Indigenous allyship and solidarity look like in cases such as this?

In keeping with the Truth and Reconciliation Commission of Canada's Calls to Action, you may wish to start your discussion with a land acknowledgement. If you are curious about the traditional territories of the land you live and work on, visit ↗native-land.ca.

INDIGENOUS KNOWLEDGE AND RELATIONSHIP TO THE LAND

The mental, physical, emotional and spiritual health of First Nations people is inextricably linked to the lands and waters they steward. The environment forms a basis of social well-being, in addition to providing food, water and medicines.

The Nechako Nations have lived in and maintained relationships with their traditional territories since time immemorial. Because of the knowledge that was passed down from generation to generation, the Nations were self-sufficient, with the expertise to sustainably manage resources of fish, berries, moose, timber, water, medicines and more from the Nechako watershed. Salmon, trout and sturgeon are all pivotal species in the Nechako River and for the Stellat'en and Saik'uz people.

Before contact with European colonizers, the Nechako River and watershed were full of life and abundance. The Stellat'en and Saik'uz had complex social and economic governance systems that allowed them to sustain relationships with the land, each other and neighbouring nations. Engaging in Bahlats, often referred to as Potlatch, was foundational to these systems. Bahlats involves a connection to spirituality and a redistribution of resources to ensure prosperity for all. The ceremony affirms territorial boundaries and settles and mitigates disputes; humility and generosity are valued, and status is elevated through giving away valuable items and resources.

> ***"WHEN I WAS A LITTLE GIRL, I REMEMBER CLEANING 200 FISH IN ONE DAY. ALL OUR SUMMER, ALL OUR AUGUST, WAS JUST FISH EVERY DAY. PREPARING FISH, DRYING FISH, CANNING. WE'D SPEND WEEKS DOING THAT."***
>
> **– CHIEF PRISCILLA MUELLER, SAIK'UZ FIRST NATION**

ABRIDGED CHRONOLOGY

1948

On an invitation from the Government of British Columbia, the Aluminum Company of Canada sends its experts to study the Nechako region in the interest of developing industry in the area.

1950

The provincial government and the Aluminum Company of Canada enter into ↗ **the 1950 Agreement**.

1951

As construction of the Kenney Dam begins, the federal Department of Fisheries and Oceans (DFO) expresses concern about its impact on fish stocks. First mention of a cold-water outlet to release more water from the reservoir.

1952

The Skins Lake Spillway is constructed to permit the discharge of water from the reservoir to the Nechako River.

1954

The Kenney Dam becomes operational. The dam effectively reverses the flow of the Nechako River and creates a reservoir that will ultimately flood 900 km² of Dakelh and Wet'suwet'en traditional territories. Aluminum production at the Kitimat smelting facility begins.

1979

Outflow from the Skins Lake Spillways has decreased by more than half. The DFO requests that Alcan increase the discharge from the spillway to at least two-thirds of the former level to ensure the safety of fish during spawning migration. Alcan declines the request.

1980

Canada files an action in court against Alcan. The resulting decision, known as ↗ **the 1980 Agreement**, grants the motion and demands Alcan comply.

1985

As Alcan indicates it wishes to go to trial, the DFO seeks to determine its technical position on water levels and fish stocks in the Nechako.

1986

The release of the DFO report on flow requirements in the Nechako River lays out two possible scenarios: the "composite base flow," which is sufficient to maintain, but not necessarily rebuild, existing fish populations, and the "preferred protection flow," which would maximize spawning and rearing habitat and optimize egg-to-fry survival. Against the advice of its own scientists, the "preferred flows," which were two to three times higher than the suggested "base flows," were not pursued.

1986

A motion by local First Nations to be added as parties to the 1980 Action is initially ↗ **granted** and then refused on appeal. As a result, the Nations are excluded from participating in any of the negotiations, ultimately leading to the 1987 Settlement Agreement.

1987

The ↗ **1987 Settlement Agreement** aims to ensure the conservation of fish populations by establishing the level of water releases from the Nechako Reservoir. The Agreement also creates the Nechako Fisheries Conservation Program, which directs the flows to be released from the reservoir through the Skins Lake Spillway.

1990s

Alcan begins construction of the Kemano Completion Project, which includes construction of a second tunnel and a second powerhouse, as well as the potential for a cold-water release facility. The project becomes mired in controversy, and in 1995 the Province of British Columbia announces its cancellation.

1997

The ↗ **BC-Alcan 1997 Agreement** affirms the terms of the 1987 Settlement Agreement, including the requirement to release the Short-Term Water Allocation. Significantly, it also gives Alcan the right to store, divert and use water from the river *in perpetuity*, as well as to sell excess power back to the province. Also established is the Nechako Environmental Enhancement Fund, a $50-million fund committed by Alcan for environmental rehabilitation in the watershed.

2008

Alcan applies for authorization to complete the construction of the second Kemano tunnel. The Province approves the project.

2011

The Saik'uz and Stellat'en First Nations file a Notice of Civil Claim in the B.C. Supreme Court against Alcan. They assert that the storage and diversion of water from the Nechako River has caused a decline in fish populations, infringing their Aboriginal right to fish in the river.

2022

After 189 days of hearings, the B.C. Supreme Court dismisses the Nations' case against RTA (see next page for more info).

2024

The B.C. Court of Appeal upholds the original ruling of the B.C. Supreme Court, with some changes (see pages 5–6 for more info).

2024

The Stellat'en and Saik'uz apply for leave to appeal the question of Alcan's liability to the Supreme Court of Canada. On October 10, 2024, the Court denies the application.

RIO TINTO AND THE IMPACTS OF RESOURCE EXTRACTION

On an invitation from the B.C. Government, the Aluminum Company of Canada (later Alcan, then Rio Tinto Alcan) began surveying Stellat'en and Saik'uz land in 1948. Two years later, with the signing of the 1950 Agreement, Alcan was given the legal right to occupy and use all lands and waters pertinent to the full development and operation of a hydroelectric facility in the region, including a dam and reservoir. (At this time the *Indian Act* made it illegal for Indigenous people to hire legal counsel or pursue land claims, so opposition by the local First Nations was not possible.) The Kenney Dam, meant to divert water to power an aluminum smelter in Kitimat, was fully operational by 1954.

The construction and operation of the Kenney Dam has had cascading negative impacts on the traditional territories and livelihoods of the First Nations people living there. Traditional water stewardship has always been directly connected to the health of Indigenous communities. It supports political and environmental stability and sustains social and economic development. The 1950 Agreement removed stewardship of the river from First Nations and placed it firmly in the hands of industry.

In his 2022 ruling, Justice Kent of the B.C. Supreme Court concluded that the installation and operation of the Dam and related reservoir has caused or contributed to the near extinction of the Nechako white sturgeon and a substantial decline of sockeye salmon populations, to the extent that the fishery has become a mere shadow of its former abundance. It also had a devastating effect on the Nechako chinook salmon; in fact, the number of fish returning to spawn in 2017—only 588—was the lowest on record since the federal Department of Fisheries and Oceans started collecting reliable data, a sure indicator of the fragile state of the stock. Additionally, the creation of the Nechako Reservoir led to flooding, deforestation and displacement of people and wildlife, including the forcible displacement of the entire Cheslatta Carrier Nation.

The genetically distinct Nechako white sturgeon was officially designated as endangered, or facing imminent extinction, under the federal *Species at Risk Act* in 2006. In 2018, the Committee on the Status of Endangered Wildlife in Canada recommended that populations of chinook and sockeye salmon that rely on the Nechako River also be listed on the *Species at Risk Act*.

The damming of the Nechako River can be used as a global example of the influence of colonial water-management techniques on water security. Today, there is an increasing desire to research the management of watersheds as they relate to health and social objectives. While Indigenous Peoples' experience and expertise has often been left out of discussions of water management, there is also a growing demand to recognize and include knowledge from Indigenous people in research around sustainability, climate change and the health of environments. Integrated approaches that utilize the science and expertise of both Indigenous people and non-Indigenous people are critical to understanding and addressing the climate emergency, environmental changes and land and water management.

"...WITH FIRST NATIONS, WE HAVE ONLY ONE WAY IN THE FUTURE, AND THAT'S THE WAY OF THE SALMON. THEY'RE THE ONES THAT SURVIVE EVERYTHING AND COME BACK HOME. AND THAT'S WHAT OUR PEOPLE DO. WE SURVIVE EVERYTHING AND WE COME BACK HOME."

– ISAIAH REYNOLDS, STELLAT'EN FIRST NATION FISHERIES COORDINATOR

THE COURT CASES

In 2011, the Saik'uz and Stellat'en First Nations filed a Notice of Civil Claim in the B.C. Supreme Court against Alcan. They asserted that the storage and diversion of water from the Nechako River arising from the construction and operation of the Kenney Dam has caused a decline in fish populations, infringing on their Aboriginal right to fish in the river. The case was not heard until 2022.

In its 2022 ruling, the B.C. Supreme Court recognized First Nations' constitutionally entrenched Aboriginal fishing rights and established that Alcan's use of the river was causing significant harm to the fish and an unreasonable and substantial interference with the plaintiff's Aboriginal rights. Despite this, the Court dismissed the Nations' case against Alcan because it determined that the company cannot be held legally liable due to the statutory authorization implicit in their agreement with the government. The decision of the judge, in the form of a Declaration, placed obligation back on the Crown to address and correct the impacts of the river's diversion. (While a Declaration clarifies the legal rights and obligations of the parties, it does not require either party to take any specific action.)

In 2024, the case was heard by the B.C. Court of Appeal. This court upheld the lower court's decision dismissing the nuisance claim against Rio Tinto. However, the Court went on to find that the lower court's declaration was insufficient given the significant, ongoing impacts of the hydroelectric project on the First Nations' established fishing rights.

THOMAS AND SAIK'UZ FIRST NATION V. RIO TINTO ALCAN INC., 2022 BCSC 15

↗ **Complete decision**

↗ **Ratcliff LLP – Case Summary**

THOMAS V. RIO TINTO ALCAN INC., 2024 BCCA 62

↗ **Complete decision**

↗ **First Peoples Law Case Summary**

KEY OUTCOMES OF THE CASE

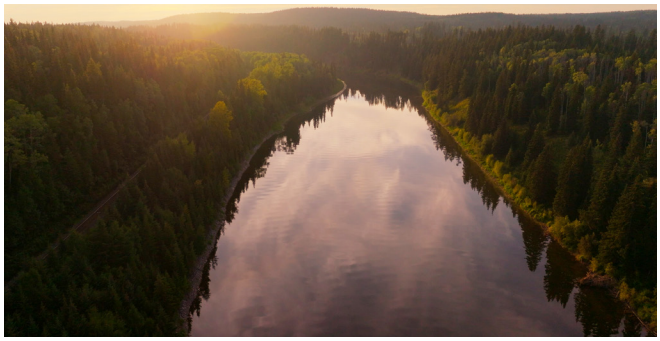
- **First Nations' constitutionally protected rights are recognized by the Court;**
- **Indigenous plaintiffs can bring claims against private parties for harms done to their rights;**
- **Historical permission granted by the Crown that infringes on Aboriginal rights can be judged as no longer justified;**
- **The Crown has an obligation to protect Aboriginal rights and may be held accountable for third-party infringement on those rights.**

WHAT'S HAPPENED SINCE THE COURT CASE

- In January 2025, the Saik'uz First Nation, the Stellat'en First Nation and Rio Tinto, together with Nadleh Whut'en First Nation and the Cheslatta Carrier Nation, signed an Agreement "to collaborate on the study of two major infrastructure projects in the Nechako watershed that could assist in providing the flexibility for a more natural flow for the Nechako River";
- Similar to the above, in 2021, the Regional District of Bulkley-Nechako and Nechako First Nations—Saik'uz, Stellat'en and Nadleh Whut'en—agreed to a Memorandum of Understanding (MOU) in which they determined to work together in their call "↗ **for the 1987 Settlement Agreement to be replaced with a new co-management framework that will include community input and return more natural flows to the Nechako**";
- Then, in November 2024, the MOU was renewed with amendments to include the Cheslatta Carrier Nation and the District of Vanderhoof as signatories, committing the parties to work together to restore the health of the Nechako River, its affected tributaries and its fish populations, with a particular focus on salmon and sturgeon populations that are on the precipice of extinction. It also called for government-to-government collaboration to develop a water-sustainability plan to identify environmental flow needs and risks to aquatic ecosystem health, and further, to determine restoration measures for the damaged ecosystems of the Nechako Watershed.

WHAT YOU CAN DO

- Share information about this film in your community and encourage others to book a free screening of ***Nechako*** in their communities by emailing **communityscreenings@nfb.ca**.
- Write to your MP or MLA to show your support for the restoration of the Nechako River. Find your current MP at **openparliament.ca/politicians** or **www.ourcommons.ca/members/en**. Find your current B.C. MLA at **www.leg.bc.ca/members/mla-by-community**.
- Visit the website for the film ***Nechako: It Will Be a Big River Again***, for concrete actions you can take to support the Nechako Nations.
- Volunteer for a local environmental organization in your area. In the Nechako region, organizations such as the **Nechako White Sturgeon Conservation Centre and the Nechako Environment** and **Water Stewardship Society (NEWSS)** are always looking for volunteers.
- Get involved! Join a local environmental organization, sign up for newsletters, share social-media posts.
- Attend in-person, Indigenous-led actions in your community to defend land and water. Speak up! Be an ally!



FURTHER READING

- **"Dismantling the Doctrine of Discovery,"** Assembly of First Nations, January 2018, pp. 1–7.
- **"Indian Act,"** Native Women's Association of Canada, 2025.
- **"Scenarios of Climate Change and Natural Resource Development: Complexity and Uncertainty in the Nechako Watershed,"** *Canadian Geographer*, vol. 64, no. 12, 2020, pp. 1–14.
- **"Repairing the Devastation of the Nechako Reservoir,"** a three-part series in *The Tyee*, Nov 7, 10, 17, 2022, Amanda Follett Hosgood.
- **"Trying to save our fish': B.C. First Nations appeal a court ruling in an attempt to restore the Nechako River,"** *The Narwhal*, Aug 30, 2022, Matt Simmons.
- **"Nechako: A river, a film, a fight for justice,"** Michael Smith Health Research BC, Jun 19, 2025, Lubna Ekramoddoullah.

For further information on how to support the Saik'uz First Nation, please contact the Band Office at **250-567-9293**. For information on how to further support the Stellat'en First Nation, contact the Band Office at **250-699-8747**.

This community screening discussion guide was written by Laura Civica and Sheelah McLean, with contributions from the National Film Board of Canada's Impact and Engagement team.