

The Pictou Landing First Nation

Reclaiming the A'se'k Estuary



Boat Harbour. Photo Credit: Miles Howe

This story is about A'se'k, an estuary where the ancestors of the Mi'kmaq community of Pictou Landing First Nation once seasonally fished, clammed, hunted, played and prayed. A'se'k (pronounced (Ah-Sagg) means “over there” or “the other room” in Mi'kmaq, and was so called because it was such a significant part of their home and relied upon for the community's well-being.

Fifty years ago, the Nova Scotia government leased the land for a pulp mill built near Pictou Landing to pump toxic effluent into a once healthy tidal estuary. The effluent travelled by pipe away from the largely white settlement of Pictou into A'se'k, which came to be known as “Boat Harbour”.

The health of the estuary and the surrounding land, air and water was destroyed. Almost overnight, A'se'k lost its ability to support the livelihoods, recreation and spiritual needs of the Mi'kmaq people of Pictou Landing. Community members were faced with discoloured, foul-smelling water, mass fish die-offs and even houses turned black with air pollution. Community members soon began to notice an increase in health concerns, and many no longer felt safe harvesting traditional foods, including clams, or even breastfeeding.

Boat Harbour is no longer “A’s’e’k”, no longer the treasured “other room” for the Pictou Landing First Nation community. It is now a toxic place, fueling serious environmental health concerns for the community, along with economic plight, exhausting legal and political strain, and a general atmosphere of unrest.

Boat Harbour is now best known as a classic illustration of environmental racism. Environmental racism describes the insidious pattern of polluting industries and other environmental hazards being located disproportionately in Indigenous communities, black communities and those of the working poor. It also includes the fact that these communities lack the relative power and access to be part of these siting decisions.

The Pictou Landing Native Women’s Association mobilized in 2010, coordinating a community-based participatory health research project asking, “Are we getting sick from Boat Harbour?” Using a two-eyed seeing approach (pairing Mi’kmaq and western knowledge perspectives), this group has taken initiative to study the air, land, and water for themselves. They have also shared the story of Boat Harbour at environmental health conferences and through digital storytelling.

Despite some gradual improvements to the treatment process, current mill owners Northern Pulp continue to dump 90 million litres of toxic effluent into Boat Harbour every day. The estuary remains contaminated with toxins including mercury, dioxins, furans, and cadmium. In 2014, a pipe carrying effluent from the Northern Pulp Mill burst, and dumped millions more litres of untreated toxic waste into the Harbour. It spilled up onto land as well, disturbing an ancient sacred Mi’kmaq burial site at Indian Cross Point.



Maurina Beadle points to effluent pipe. Photo credit: Miles Howe

After community members set up a blockade to protest inaction following the leak, the Nova Scotia government made an agreement with Pictou Landing First Nation to close down Boat Harbour's treatment facility. Northern Pulp was also fined \$225,000 under the Federal *Fisheries Act*. There is now provincial law that requires Northern Pulp to stop dumping waste into Boat Harbour by 2020. While this is promising, the government backed away from environmental regulations that would have reduced the amount of effluent being dumped into the estuary in the meantime, along with the concentration of toxins in the effluent. The remediation of Boat Harbour is expected to take at least ten years.

What if Nova Scotia had an Environmental Bill of Rights?

The environmental racism faced by Pictou Landing First Nation is not an isolated case, but rather it is part of an alarming trend of environmental and health injustices for Indigenous peoples across Canada. In this case, the Nova Scotia Government allowed a pulp and paper mill to dump their toxic effluent into Boat Harbour, and has continued to allow it for nearly half a century. Although Pictou Landing First Nation has resisted this injustice from the start, their concerns have been largely ignored.

As environmental racism shows us, environmental impacts are unfairly distributed. African Nova Scotian, Mi'kmaq and poor communities bear disproportionately high burdens, along with a lack of access to environmental benefits such as clean drinking water. The NS EBR is the first proposed law on environmental rights that articulates the injustices created through environmental racism and seeks to ensure that special consideration is given.

The EBR would give PLFN community members the right to meaningfully participate in decision-making and the right to access information that impacts their well being and surrounding environment. Imagine if they had been able to participate in the decision to site the lagoon in the first place. A'se'k might still exist. Further, the EBR would oblige government intervention to enforce or strengthen regulations and permits when necessary to protect health and the environment.

Finally, when other avenues fail, communities like Pictou Landing First Nation will have better access to justice through the EBR. The EBR would allow the community standing in court to challenge decisions that do not support their right to a healthy environment.

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