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"Fast-Track" to Disaster: B.C.'s Bill 14/15, Indigenous Rights & the Climate Crisis

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JUST OVER ten years ago, the Canadian Government proposed omnibus legislation that included a series of sweeping changes to the environmental management regime. The Harper-era "Jobs and Growth Act" was meant to facilitate development — specifically resource development. It led to protests from Indigenous Peoples nationwide, ultimately resulting in the Idle No More Movement.

A decade later, we find ourselves at a similar point in history. A series of federal and provincial laws have been proposed (or passed) that similarly undermine Indigenous rights and environmental protections.

Governments are moving quickly despite growing and vehement Indigenous opposition.

Together, Bill C-5 (Canada), Bills 14 and 15 (B.C.), and Bill 5 (Ontario) mandate the "fast-tracking" of industrial and extractive projects, deprioritizing the climate crisis and the health of the environment and simultaneously violating Indigenous rights and title. The narratives driving this push for resources are economic: Canadians are threatened by tariffs, unreliable trading partners, and general uncertainty. In this context, Indigenous rights and the climate become secondary, at best, and can be sacrified, despite the fact that Indigenous people are already promising to challenge the laws on the land, in negotiation or the courts, and contest whether the proponents are inherently Canadian or Indigenous interests. This challenge will remain until questions of sovereignty, rights, title, and jurisdiction are answered.

Legislative Pathways Around Indigenous Jurisdiction

Many of these questions arise from the presumption of Crown sovereignty and subsequent authority flowing from Canadian law. In other words, Indigenous rights and title have been considered extinguished, despite Indigenous claims to the contrary. This presumption has been made clear since the innovation of Indigenous rights in Canadian law. Even as "Aboriginal rights" were affirmed, courts granted governments the freedom to infringe on those rights (R v. Sparrow). Then, when the duty to consult emerged, a result of Indigenous people contesting development they did not support, those rights were expanded. But, once again, the courts ruled that infringement was possible (Delgamuukw, 1997; Tsilhqot'in and Keewatin, 2013). In sum, Indigenous Peoples continue to be subordinated to presumed Crown sovereignty — there is no established right to veto a Crown initiative that may adversely affect rights and interests (Morales, 2019).

In response, Indigenous people have turned to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), to which Canada was a reluctant signatory. UNDRIP outlines Indigenous Peoples' right to Free, Prior, and Informed Consent (FPIC). Canada's 2021 United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) provides a "framework for the Government of Canada's implementation of the Declaration," but here, too, we can see a dilution of Indigenous rights. Mainville and Joynt deem UNDA to be a "watering down of UNDRIP in Canadian law" (2025, p. 16) because UNDA does not implement UNDRIP into law but rather as interpreted through the Canadian constitutional framework.

Canada's understanding of FPIC emphasizes recognition, collaboration, consultation, co-ownership, and partnership with Indigenous communities — including ensuring that "Indigenous Peoples have a seat at the table for decisions that may affect their economies" (Government of Canada, 2021, para. 23). UNDA's version of FPIC continues the colonial trend of subordinating Indigenous Peoples.

The New Resource Rush: B.C.'s Bill 15

This is the context for the renewed push to access resources on Indigenous lands. B.C.'s Bill 14 and 15, Ontario's Bill 5, and Canada's Bill C-5 were all fast-tracked without Indigenous consultation. This is a troubling development, considering each will significantly impact Indigenous people. Our primary concern is with Bills 14 and 15, which will affect our communities in B.C.

Both pieces of legislation are about expanding B.C. infrastructure. In the case of Bill 14, the aim is to remove regulations to expedite renewable energy projects. Meanwhile, Bill 15 is focused on fast-tracking the construction of hospitals and schools as well as energy and mining projects. Fast-tracking, in this sense, means circumventing existing laws.

Under Bill 15, the Cabinet and the Minister of Infrastructure can expedite environmental assessment processes, effectively evading Indigenous consultation requirements outlined in the Environmental Assessment Act, including the once-innovative approach of collaborative assessments. Are those effectively dead? How will the duty to consult be triggered if not by environmental assessments? How will public input be gathered and considered, if not by environmental a ssessments? The B.C. government assures First Nations that these details will be addressed via yet-to-be-developed regulations. B.C.'s Bill 15 only mentions Indigenous Peoples in reference to respecting B.C.'s 2019 Declaration on the Rights of Indigenous Peoples Act (DRIPA), which Mainville and Joynt argue fails to hold the respective governments accountable for its implementation.

Colonial governments, courts, and legislation continue to enact changes that recognize Indigenous rights and then infringe on them — justified in this case by projects deemed "provincially significant," as Bill C-15 outlines.

The narrative legitimizing the lack of Indigenous consultation is concerning. Bulldozing existing, albeit limited, Indigenous rights and title when they stand in the way of capitalism and territorial access is not a new tactic. These projects, deemed to be within the national interest (the language of the Federal Bill C-5), are fuelled by the fears around economic uncertainty mentioned above.

Fuel for the Fire: Greenwashing and Bill 14

This legislation subverts Indigenous authority by enabling the fast-tracking of projects that have not been reviewed, consented to, or aligned with varied Indigenous laws. These projects have the potential to harm our lands, waters, and the ecosystems we depend on — now and into the future.

This legislative push comes at a time when Indigenous Peoples are increasingly recognized as climate leaders – for our stewardship, knowledge systems, and relationship with the land. Yet, these bills reveal a contradiction as colonial governments reserve the right to pick and choose when that leadership matters and when it can be overridden.

They are quick to point to Indigenous Peoples' leadership as playing a vital role in addressing the (colonially-created) climate crisis. However, they are equally quick to trade in Indigenous decision-making power and stewardship — which could be the difference maker in fighting climate change — in favour of extractive industrial projects that undermine climate targets.

Bill 14's focus on renewable resources is a strategic move to greenwash and power the fossil fuel industry. Renewable resources (per Bill 14) include "biomass, biogas, geothermal heat, hydro, solar, ocean, wind or a prescribed resource." The B.C. cabinet (via the Lieutenant Governor in Council) may define what counts as a "prescribed resource." The fast-tracked "renewable projects" include transmission lines, such as the controversial North Coast Transmission Line (NCTL), intended to power non-renewable resource development, electrifying LNG, and other industrial projects. This electrification also raises concerns about the demand for increased mining activity on Indigenous territories.

Expediting and greenwashing development by exempting projects from certain environmental regulations may be driven by a sense of urgency — but that urgency is misplaced. Canada's economy depends on Indigenous territories that we have cared for and protected since time immemorial. The most urgent crises facing all of us — Indigenous and non-Indigenous alike — are the impacts of a rapidly changing climate: fires, floods, landslides, and heat waves.

These significant legislated changes come at a time when communities everywhere are already experiencing ecological grief and burnout, especially in response to large-scale wildfire evacuations. Fast-tracking environmental projects by bypassing environmental protections and Indigenous sovereignty will inevitably lead to more court cases — burning up time, capacity, and resources that are needed elsewhere.

Toward Relationality and Community Care

As we move into spring and summer harvesting, we enter a time of deep relationality — of reciprocity with the lands, waters, and one another. It is a season rooted in care and connection. At the same time, we find ourselves navigating increasingly turbulent political and climatic conditions. In moments like these, community care is not optional but necessary.

Reconnect with the land and waters. Spend time with family, Elders, and each other. When we engage deeply with our territories, we ground ourselves in purpose. It is there that we find the strength to act, and the clarity we need to protect a livable and just future for generations to come.

Once again, we face legislation that seeks to sever our relationships to our territories, weakening our inherent responsibilities as stewards. These efforts aim to divide and disconnect — but our strength lies in remembering what we are here to protect.

With climate change, time is our most precious resource. We must shift our systems toward sustainability, reciprocity, and respect for the living world. That means listening to Indigenous communities not just in ceremony or consultation — but in policy, practice, and the decisions that shape our shared future.

In economic terms, we cannot afford to wait to address the climate crisis, and we certainly cannot afford legislation that enables the very same extractivism that is fuelling climate change at the cost of Indigenous rights and title.

CITATION

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ENDNOTES

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