



The Brief

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Eyes on the land at the proposed Sisson mine site

By AMY FLOYD



Nick Polchies at his home on the proposed Sisson mine site. Photo by Amy Floyd.

In early October, Andrea Polchies, a Wolastoqiyik Grandmother from Woodstock First Nation, alerted allies about activity on the proposed site of Sisson mine and tailings pond. Road widening done by an excavator with a chipper had happened in late September, but it was not clear why this was happening or who was directing the work.

There have been various proposals to build a tungsten and molybdenum mine in the Upper Nashwaak, near Stanley, for many years, with the most recent being proposed by Northcliff Resources of Vancouver and Todd Minerals of New Zealand.

The conditions set out in the Environmental Impact Assessment for this project have yet to be met and by many accounts the project seems to be dead in the water. However, news like this crops up from time to time and sets Indigenous opponents, community members and environmental activists into a new wave of anxiety.

On October 16, myself and Lawrence Wuest, a researcher and local opponent of the mine drove to the site to investigate. For years I've relied on regular email updates from Wuest to understand the changing situation between Northcliff, Todd Minerals and the Government of New Brunswick.

Before leaving home, I filled my gas tank and packed my hunter's orange. I felt better traveling with someone else in the vehicle – a person could get terribly lost on those access roads. Just past Napadogan, we left the road and made a 30 km/hour meander around boulders and washouts to get to the site. This area is unceded Wolastoqiyik land, also known as Crown land, that has been divided into leases for multiple forestry companies. The cut-over forest is massive and covers a vast tract of land in the Nashwaak Watershed, running south of Highway 107 from Napadogan, to Deersdale and down to Currieburg near Stanley.

The proposed site of the mine and the extensive tailings pond has been the home to a camp of Wolastoqiyik grandmothers and others from different communities for the last five or so years. The camp is visited from time to time by supporters. When I made the first trip in 2018, there were tents and tent trailers. Now there are two off-grid cabins on site with one resident in each. Nick Polchies, the son of Andrea Polchies, has lived on this land for the last six years.

Polchies does regular patrols and report-backs to the communities about what is happening on the land. This is how we came to know about the roadwork at the site.

He says, “It doesn’t seem like there is drilling happening right now, but no one is supposed to be working on the land without permission. These guys don’t seem to work directly for the forestry companies. I think they are probably contractors. Even so, they can’t be here.”

There are a lot of different kinds of activities that happen in the area like tagging trees for thinning, or people just around in the area generally without apparent reason. Polchies says, “The project area is restricted, but we aren’t trying to stop people from doing things outside of the project area.”

The camp is 13 kilometres from the main road, which is about 60 kilometres from Fredericton. It is an isolated life. Polchies says that he is glad to be there. “I thought for a long time that I would want to live in the woods. I feel good here.”

The other resident has lived on-site for three years now, so Polchies is not alone if there is an emergency. There is cell and Internet service, but still, life can be intense. Last winter there was a thaw and then a deep freeze and the pumps going into the well casing froze hard.

Even though he likes the solitude in the woods, there is certainly a commitment involved being here. When asked what will it take for him and the people in his community to know that this is finally over and not worry, Polchies answers, “Never. Maybe it is about them proving that they can win this. Someone else could always buy the land in the future. I don’t know if it will ever be safe.”

Wuest comments that, “There is no hope of this ever being a profitable mine. First the focus was on the molybdenum and then when those prices fell, it was on the tungsten. It seems like a game; somehow, they can continue to get money from investors.” You can learn more about the financial situation in Wuest’s August 2022 article, “Has the Sisson mine tanked? Analysis: Controversial project sees capital and operating costs rise, while investor value plummets.”

Before we left the cabin, I asked: how can people help? Polchies says that donations of lumber and concrete would be welcome (although the concrete work won’t happen until next spring). A predator-proof chicken coop and some other infrastructure is needed on-site. Polchies says that he prefers donations of materials rather than money, because it is more transparent that way. For people who simply can’t access such a remote site, there is an online giving platform set-up. Donations can be sent to connectingtotheland@gmail.com.

New Brunswick does not need a new prison, experts say

By ARUN BUDHATHOKI

The New Brunswick government is facing criticisms over its decision to build a new \$32 million prison in the Fredericton region. Two experts say that the new prison will not help the province bring down crime.

“New Brunswick does not need a new jail. What most residents in New Brunswick would benefit from is redirecting that \$32 million into solving the housing crisis,” said Ardath Whynacht, Associate Professor and Director of the Health Studies Program at Mount Allison University, in an interview with the NB Media Co-op.

Whynacht said that the government’s decision to build a new prison when New Brunswickers are suffering lacks coherence and is a misplaced priority.

“A lot of New Brunswickers are suffering. The cost of food has gone up incredibly in the last year. Folks are suffering due to the COVID-19 pandemic. In order to really reduce the number of folks who end up in jail, what we need to do is prevent a lot of the conditions that lead them towards crime in the first place. We’ll see a much better investment in the health and safety of folks in New Brunswick, if we stop looking to incarceration as the only way to deal with social problems,” she said.

After the Throne Speech that spoke of high crime rates, the *Telegraph-Journal’s* Andrew Waugh got Justice and Public Safety Minister Kris Austin to admit that the crime claims are based on anecdotes.

Whynacht says the New Brunswick government “doesn’t appear to understand the difference between data and anecdotes.”

“I find that extremely concerning considering that they’re spending millions and millions of dollars worth of public money on policies that are not informed by accurate data,” she said.

In an email statement to the NB Media Co-op, a Department of Justice and Public Safety spokesperson pointed out that the department “considered the existing network of correctional facilities, their capacity, and their locations when deciding to build a new facility in the Fredericton region.”

The spokesperson sent a data table showing the average monthly capacity counts for the five provincial correctional facilities. “As of yesterday, Nov. 2, there were 511 adult men in custody, while the capacity is 470. This means an over capacity of 41,” said Judy Désalliers for the department.

“The adult male correctional centers are operating at full or over capacity. Operating at or near capacity is not optimal for the health and safety of correctional officers or inmates as it can impact safe population management practices, which a new facility will help alleviate,” said Désalliers.

The spokesperson also told the NB Media Co-op that the reason for choosing Fredericton for the new prison was to “help relieve capacity pressure on other correctional centers, particularly the Saint John Regional Correctional Centre.”



Ardath Whynacht, an Associate Professor and Director of the Health Studies Program at Mount Allison University, is against the proposal to build a new prison in Fredericton. She is the author of *Insurgent Love: Transformative Justice and Domestic Homicide* with Fernwood Press.

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The myth of the free market is causing New Brunswick’s housing crisis

By HARRISON DRESSLER



Following the government of New Brunswick’s announcement that the rent cap would not be extended after this year, tenants and housing rights advocates rallied for rent control at the New Brunswick Legislature on November 26, 2022.
Photo by Tracy Glynn.

New Brunswick’s rent cap is set to end on December 31. The rent cap—which limited rent increases to 3.8 percent per year in 2022—temporarily limited landlords’ ability to extract exorbitant private profit from their tenants.

However, when the rent cap ends, a veritable tsunami of high rent increases will flood the province, leaving New Brunswick’s most vulnerable populations unprotected.

Premier Blaine Higgs remains unconvinced. He currently expects “landlords to be fair and reasonable with their rents.”

Former Service New Brunswick Minister Mary Wilson agreed. “Most landlords in the province are wonderful,” she explained during a Zoom call. “The majority have been very good with their tenants.”

For Higgs and Wilson, landlords are good people. They keep the best interests of their tenants in mind. For both politicians, social issues arise in the rental market when bad people engage in nefarious behaviours, temporarily altering the inner workings of an otherwise benevolent system. Conservative politicians assume that economic markets are fundamentally free, and that tenants and landlords have access to similar amounts of financial and legal power.

From this view, government bureaucrats position New Brunswick’s housing crisis as an issue of personal accountability.

However, Higgs and Wilson’s approaches are wholly detached from reality. To date, the Conservative Party remains unconcerned with the difficulties faced by the province’s working people.

Jael Duarte is a lawyer with LA Henry Law and the Tenants Advocate for New Brunswick. Duarte, a dual citizen of Colombia with Canada, has lived in Colombia, Switzerland, France, the U.S., Ontario, Quebec, and now New Brunswick.

When Duarte first moved to New Brunswick, she was shocked by the province’s lack of legal protections. “I couldn’t believe it,” she explained. “In many countries, there is always a rent cap attached to inflation.”

Permanent rent caps work.

According to a working paper published by the Barcelona Institute of Economics, “rent control policies can be effective in reducing rental prices and do not necessarily shrink the rental market.”

Tom Slater, a professor at the University of Edinburgh, writes, “Rent controls work best when they are paired with tenant security measures.” In this sense, “rent control is just one policy among many that can and should be implemented in order to reframe the debate around housing.”

Rent controls—in concert with robust housing laws cognizant of human rights—work by limiting the power of landlords and moving the concept of housing away from profit, finance, and speculation toward “community, family, home and shelter.”

According to Duarte, many of New Brunswick’s housing issues stem from fundamental power imbalances baked into the province’s legal system. “The *Residential Tenancies Act* was written before the Canadian Charter of

Rights and Freedoms,” she explained. “It doesn’t have a framework for human rights.”

Duarte argues that the *Residential Tenancies Act* “sees the relationship between tenants and landlords as a contract. Normally, contracts are free.”

However, Duarte points out, landlords and tenants “are not truly free. There is a relationship of power there.”

In a very real sense, free markets do not exist with respect to housing. They never have. Instead, rental markets are built—from the ground up—using laws and regulations to protect landlords and incentivize them to profit from renters.

The tenant’s relationship with their landlord is fundamentally unequal. Landlord holds all of the power: wealth, police, and even the courts.

“There are very few [legal] precedents in New Brunswick,” Duarte explained. “The few precedents that have been decided are in favour of the landlord.” In part, because landlords have direct access to capital and lawyers.

The interests of landlords are opposed to those of tenants. For landlords to turn a profit, at times, the security of tenants must be undermined.

“It is not a question of good and evil,” Duarte explained. “It’s how the system works.”

In this sense, the landlord’s financial interests sometimes seem to outweigh their commitment to civility, social responsibility, and human decency. Landlords are increasingly weaponizing housing—a human right—by using the threat of forceful evictions to coerce tenants into paying exorbitant rents.

In April 2022, over two dozen property owners met online to find “loopholes” in the province’s legal system. They discussed coercing their tenants into paying higher rents through forced renovation and associated price hikes.

According to CBC, since March 2022, the province has logged 69 evictions due to forced renovations.

Indeed, in New Brunswick and elsewhere, the housing and rental market is fundamentally tilted in favour of the interests of corporations and real estate companies.

Enacting a human-rights based legal framework capable of recognizing the imbalances of power inherent to the landlord-tenant relationship is a necessary precondition to facilitate the fight for humane, just, and universal housing.

A human rights framework would allow the judicial system and Residential Tenancies Tribunal to consider whether tenants are elderly, sick, disabled, the caretaker of a child, or otherwise vulnerable, while considering eviction claims and rent increases.

Implementing rent control policies would decrease the power of landlords by reorienting the issue of housing toward human need rather than private profit.

If the rent cap is not extended by December 31, and if the Higgs government places undue faith in the province’s free market and underdeveloped legal system, the province’s most vulnerable populations will be saddled with massive financial burdens and skyrocketing rents.

New Brunswick’s poor, sick, elderly, and disabled will be hit the hardest, while landlords will profit.

Mr. Higgs, whose side are you on?

Harrison Dressler is a master’s student in history at Queen’s University. He writes about Canadian history, labour, politics and environmental activism.

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Eyes on the proposed Sisson mine site

For anyone wishing to visit the site in solidarity, it is important to call ahead. There aren’t enough warming spaces for people in the winter, but the rest of the year, Polchies says that people could come up with advance notice. You can email the same address as above to get connected. As mentioned, the network of logging roads is vast and you may encounter logging trucks. It is not recommended that you try to visit this site without a guide.

After our visit with Polchies, Wuest and I drove another few kilometres to investigate the road clearing work. We see the excavator tracks and chewed up trees, but the Acadian Timber sign in a pile of leaves is the only evidence that we find as to who has been in the area generally. I pulled my vehicle over on the way back to take a photo of the valley that is proposed for destruction. The entire area would be a tailings pond if the mine were ever to open. As a downstream resident on the Nashwaak River, I hope that I never see that day.

Amy Floyd is a regular contributor to the NB Media Co-op and an advocate for strong, rural communities.

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NB does not need a new prison, experts say

‘Building prisons should be a thing of the past’: criminologist

Criminologist Justin Piché argues that the New Brunswick government should spend the \$32 million it has allocated to the Fredericton prison on education and early intervention if it wants to make communities safer.

“You also need to look at how you can better address people living with drug use issues and look at increasing harm reduction in drug treatment capacity, and also increasing mental health supports. And I think if you do that, you would have significantly fewer people behind bars. And if you tackle homelessness, you’ll help stop that cycle of people going from homelessness to prisons,” said Piché, Associate Professor in the Department of Criminology and Director of the Carceral Studies Research Collective at the University of Ottawa, in an interview with the NB Media Co-op.

Piché argues that building a new prison is a flawed approach at making communities safer. “Building prisons should be a thing of the past,” said Piché.

Arun Budhathoki is a journalist with the NB Media Co-op. This project has been made possible in part by the Government of Canada, administered by the Canadian Association of Community Television Stations and Users (CACTUS).