



TŚILHQOT'IN NATIONAL GOVERNMENT

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Tsilhqot'in Angry and Alarmed by Decision to Review dead Prosperity Mine project Pursuing project that cannot be accepted is pointless, costly and divisive

Williams Lake, BC. November 7, 2011: The Tsilhqot'in Nation reacted today with anger, frustration, bewilderment and disappointment to the announcement that the already rejected Prosperity Mine proposal will proceed to another review.

“This is a wrong decision that makes no sense to us and raises serious concerns, but at least the Minister of Environment recognizes these must be addressed through a public review panel that ensures full transparency and accountability,” Tsilhqot'in National Government Tribal Chair Chief Joe Alphonse said.

The Tsilhqot'in Nation is also extremely alarmed that the proponent company, Taseko Mines Ltd (TML), will now try to use prematurely granted BC exploration permits to further damage the Teztan Biny (Fish Lake) area by constructing 24 Km's of roads and drill new holes.

“The cumulative impacts from the proposed road building and drilling in this area of proven cultural and spiritual importance is a serious threat to our Aboriginal rights, which have been affirmed by B.C.'s courts in the Vickers decision,” said Chief Marilyn Baptiste of the Xeni Gwet'in First Nation. “Any further destruction would be pointless as the federal government cannot possibly approve this proposal.”

The Tsilhqot'in people are angry and frustrated that they will be dragged through another costly, foolish and divisive process when the facts show this resubmission is just a repackaged version of a previous option that has already been ruled out as worse than the original plan by government and TML experts.*

Chief Alphonse said: “To avoid duplication and reduce costs, CEAA must re-appoint the same review panel members. They spent months hearing and reviewing the evidence for a report that then-environment minister Jim Prentice called ‘scathing’ and ‘probably the most condemning I have ever read.’”

Chief Baptiste added: “The government is still required under the Constitution and the United Nations Declaration on the Rights of Indigenous Peoples to reject the proposal to protect our rights. And there is nothing new here that would allow the Department of Fisheries and Oceans to reverse the total opposition it has given to this mining effort since 1995.

“One has to wonder if Taseko Mines Ltd – which has lobbyists registered with three Ottawa firms and a very close association with a company that recently hired a former Regional Director for CEAA – are trying to rewrite the rules. So the government must allow a public, transparent review by the same panel and one that protects our Aboriginal rights and title.”

Chief Alphonse said: “The mine proponents told us last year, when they expected the project to be approved, that we should shut up and accept it. Well, it was rejected and now they should take their own advice and accept this project is a lost cause. Canada's First Nations are united against this resubmission.

“At stake are the credibility of the EA process and the honour of the Crown. We would all rather be working with government and industry to find a better way forward for mining in Canada, but this poster child for all that is wrong with the system continues to stand in the way.”

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*** Attached: Fact sheet detailing why resubmitted project cannot be approved.**



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Ten facts that show why resubmitted Prosperity Mine proposal cannot be approved

1. The CEAA review panel process was very different from the BC EAO rubber-stamp decision. Its report found immitigable, devastating impacts to the local fish stocks and endangered grizzly populations, and to the existing and future rights of the Tsilhqot'in and its youth. Then Environment Minister Jim Prentice described the report's findings as "*scathing*" and "*probably the most condemning I have ever read.*"

2. The company knows its new option is worse than its first plan. TML's V.P. Corporate Affairs, Brian Battison, was clear in his Mar. 22, 2010, opening presentation to the CEAA hearings, when he stated: "*Developing Prosperity means draining Fish Lake. We wish it were otherwise. We searched hard for a different way. A way to retain the lake and have the mine. But there is no viable alternative. The lake and the deposit sit side by side. It is not possible to have one without the loss of the other.*"

3. The point was emphasised by TML's VP of engineering, Scott Jones, who stated: "*What happens to the water quality in Fish Lake, if you try and preserve that body of water with the tailings facility right up against it, is that over time the water quality in Fish Lake will become equivalent to the water quality in the pore water of the tailings facility, particularly when it's close.*"

4. This proposal does not address the issues that led to the rejection of the first bid last year. Fish Lake will be affected by the toxic waste and eventually die, and it will be surrounded by a massive open pit mine and related infrastructure for decades. The Tsilhqot'in people will not have access to their spiritual place, and the area will never be returned to the current pristine state.

It is not even new. It is "Mine Development Plan 2." TML states on page 20 of its project submission: "*Option 2 is the basis for the New Prosperity design ...The concepts that lead to the configuration of MDP Option 2 have been utilized to develop the project description currently being proposed.*"

5. This option was looked at and rejected last year by the company, Environment Canada and the CEAA review panel. For example, page 65 of the review report states: "*The Panel agrees with the observations made by Taseko and Environment Canada that Mine Development Plans 1 and 2 would result in greater long-term environmental risk than the preferred alternative.*"

6. The new \$300 million in proposed spending is to cover the costs of relocating mine waste a little further away. There is nothing in the 'new' plan to mitigate all the environmental impacts identified in the previous assessment. TML states in its economic statement: "*The new development design, predicated on higher long term prices for both copper and gold, would result in a direct increase in capital costs of \$200 million to purchase additional mining equipment to relocate the tailings dam and to move the mine waste around Fish Lake to new locations. This redesign also adds \$100 million in direct extra operating costs over the 20-year mine life to accomplish that task.*" In fact, this new spending is actually \$37 million less than the company said last year it would have to spend just to go with the option that it and the review panel agreed would be worse for the environment.

7. The federal government is required under the Constitution to protect First Nations, which have been found to be under serious threat in this case, and is internationally committed to do so under the United Nations Declaration on the Rights of Indigenous Peoples. These duties are every bit as clear regarding this resubmitted proposal.

8. Approving this mine would show the Environmental Assessment process is meaningless, and would demonstrate that governments are ignoring their obligations - as the Assembly of First Nations national chiefs-in-assembly made this crystal clear this summer in their resolution of support for the Tsilhqot'in.

9. The federal Department of Fisheries and Oceans has opposed this project since it was first raised in 1995. It soundly rejected it again last year. It has no reason to support it now. Nor does Environment Canada, which, as the CEAA report noted last year, also found option 2 to be worse than the original bid.

10. There are many other more worthy projects to be pursued – the vast majority of which, if not all will require working with aboriginal communities. Natural Resources Canada estimates there is \$350 billion-\$500 billion worth of such potential projects in Canada. Governments, industry and investors do not need to go backwards by pushing this confrontational proposal and rebuffing efforts by First Nations to find a way to create a better mining system that would benefit everyone in the long run.