

1 scheduled next, so be very quick.

2 CHIEF ROBBINS: Just one minute, please.

3 Esketemc doesn't view hunting as a sport. One of the  
4 things, you know, what happens when a community has  
5 nothing left to lose? As Esketemc, should this  
6 happen. It's exactly what you might be looking at.

7 Thank you, Mr. Chair.

8 THE CHAIRMAN: Yes, thank you,

9 Chief Robbins.

10 We'll take a short break and come back to the  
11 next presentation, which is from MiningWatch. Thank  
12 you.

13 **(BRIEF BREAK)**

14 THE CHAIRMAN: Thank you, we'll resume the  
15 hearing again. And our next presenter for closing  
16 remarks is Mr. Hart with the MiningWatch Canada. Go  
17 ahead, Mr. Hart.

18 **CLOSING REMARKS BY MININGWATCH CANADA, BY MR. HART:**

19 MR. HART: Thank you, Mr. Chair.

20 Once again, I'd like to acknowledge the fact  
21 that we're in Secwepemc territory. I would like to  
22 thank the Elders and drummers from this morning. A  
23 wonderful way to start off the day of proceedings.

24 Thank you to Panel members for the incredible  
25 task you've taken on and to the Secretariat who have

1           been managing things so smoothly and effortlessly.

2                       MiningWatch's position on the proposed  
3           Prosperity Project is that it cannot be approved  
4           through the Federal Environmental Assessment Process  
5           because it is not sustainable and it cannot be  
6           justified given the environmental effects and the  
7           social effects stemming from those environmental  
8           effects.

9                       Trying to figure out if a mining project can  
10          be sustainable is no easy task. Mines in many ways  
11          are inherently unsustainable because they are  
12          extracting a non-renewable resource.

13                      But it is my belief and MiningWatch's belief  
14          that it is possible, under some circumstances, to have  
15          a mine which contributes to sustainable development.

16                      We have found little evidence in reviewing  
17          the material for this Project that suggests that this  
18          mine will in fact contribute to sustainable  
19          development.

20                      There are serious unmitigable environmental  
21          and social impacts. And the net economic benefits  
22          have been questioned.

23                      Throughout this process, this assessment,  
24          this conclusion we've reached, has only been  
25          strengthened.

1 We have focused largely on three issues:

- 2 - The effects on First Nations;  
3 the need to find a new way of  
4 reconciling our relationship;  
5 - The effects on fish and fish  
6 habitat.  
7 - And socio-economics.

8 I regret that we did not have adequate time  
9 or resources to fully investigate the impacts of the  
10 transmission corridor, because I believe there, too,  
11 there are unmitigable effects of increased access.

12 This has been raised by the Secwepemc  
13 repeatedly.

14 As well as the effects on old forests which  
15 are of considerable concern.

16 Before getting into our principle concerns  
17 around fish habitats, socio-economics, and finding a  
18 new relationship with the Indigenous communities of  
19 the area, I would like to return to something that I  
20 brought up in my very first presentation to the Panel,  
21 which was in somewhat a response to Taseko's opening  
22 comments, and that's the question of certainty and  
23 uncertainty.

24 Taseko continues to insist that they have a  
25 high degree of certainty in how this Project is going

1 to play out environmentally.

2 And they have offered us some examples of  
3 other Projects to support the high degree of certainty  
4 that they have. A simple truck and shovel operation.  
5 It's been done many times before.

6 They offered us a couple of examples, like  
7 the Mount Polley Mine, which, as Mr. Holmes mentioned,  
8 is now requiring to reapply for its mining permit in  
9 order to be able to discharge water.

10 They offered up the Island Copper Mine as an  
11 example of reclamation and the movie they showed, a  
12 movie which is woefully out of date.

13 The Island Copper Mine needed to flood its  
14 pit in a hurry in order to avoid acid generation and  
15 metal leaching from the pit walls over the 25 years it  
16 was estimated to fill naturally. A similar time that  
17 it will take the Prosperity pit, if it is built, to  
18 fill naturally. The theory was going to be that the  
19 pit would fill and stratify and keep all of the  
20 contaminants in the bottom. Unfortunately, the truth  
21 is, that concept is flawed. The real world, it's not  
22 working.

23 The different layers in the pit lake are  
24 mixing, the toxic metals are slowly increasing in  
25 concentration on the surface, and eventually the pit

1 will require costly water treatment.

2 We've had a bit of a battle of experts on  
3 this question of certainty and uncertainty. We've had  
4 Taseko's experts and hydrogeologists and geologists  
5 and chemists and we've had other renowned experts come  
6 and present a very different picture of the question  
7 of certainty and uncertainty.

8 I'm certainly not qualified nor able to  
9 decide which of those two sides is right. I would  
10 guess it's perhaps beyond your capacity as well to do  
11 a full Scientific Review of who's right and who's  
12 wrong. I don't know. But either way, to my mind,  
13 those other experts' findings, renowned highly  
14 qualified experts, have fundamentally different  
15 conclusions to the Proponent, to me suggests at least  
16 a high degree of uncertainty.

17 Natural Resources Canada, too, has questions  
18 about the Project, and suggests that perhaps things  
19 haven't been got quite right.

20 There's concerns about the groundwater  
21 modelling entering Big Onion Lake suggests that the  
22 groundwater may move there faster than predicted.

23 There's uncertainty around proposed  
24 mitigation options. I was very disheartened to hear  
25 that one of Taseko's principal mitigation measures,

1 the pump and treat option, was described by one Canada  
2 Resources presenter as: "Highly variable in its  
3 success. Commonly applied, yes, but highly variable  
4 in its success."

5 Perhaps some of these things can be figured  
6 out. They can be addressed through mitigation,  
7 through application of more technology.

8 But Mr. Jones is on the record as saying that  
9 the difference of \$350 million was enough to not pull  
10 the trigger on a Project based on the Alternatives  
11 Assessment. That's a capital upfront cost. What  
12 would annual long-term treatment costs do to the  
13 viability of this Project?

14 Mr. Morin suggested a rough figure of a  
15 billion dollars or so to think about treatment costs  
16 for this Project.

17 To me, that introduces a high degree of  
18 uncertainty.

19 For me, another area of uncertainty, if  
20 problems should arrive, is how long will it take for  
21 the problems to be fixed?

22 The Commissioner of Environment and  
23 Sustainable Development had pointed to significant  
24 inadequacies in the Department of Fisheries and  
25 ocean's ability to monitor and enforce the **Fisheries**

1       **Act.**

2                   From my own experience, I know that  
3       remediating and addressing contamination issues can  
4       take a long time before a solution is found, before  
5       it's implemented and built.

6                   What impacts will occur in the meantime?

7                   So that leaves me with a high degree of  
8       discomfort and uncertainty around some of the  
9       technical aspects of this Project.

10                  Something which I don't have any uncertainty  
11       at all about is that the proposed Fish Habitat  
12       Compensation Plan cannot provide a sustained  
13       replacement fishery for the loss of Fish Lake, Little  
14       Fish Lake, and Fish Creek.

15                  Taseko has qualified its aims and objectives  
16       with the Habitat Fish Compensation Plan, they are  
17       saying they are not trying to recreate the lake,  
18       that's impossible, we can't make ecosystems. But it's  
19       hoping to replace the fish resource.

20                  Despite creating a self-sustaining fishery  
21       being a requirement for the Provincial approval,  
22       Taseko has offered no evidence that it can actually  
23       create a self-sustaining long-term viable fish  
24       habitat. I have no doubt they can make a lake.  
25       That's fairly straightforward. Making a lake with

1 spawning habitat, with hydrologic functions, with the  
2 right temperature, with the right spawning areas, that  
3 is something inherently complex.

4 The reviews clearly show that we do not have  
5 a good record of success in creating fish habitat,  
6 even simple fish habitat, let alone a highly complex  
7 multifunction system like that that's being proposed.

8 We've heard that this time it will be  
9 different, this time we'll get it right. Everybody  
10 else thought they were going to get it right, too.  
11 People will be onsite. People are onsite at Highland  
12 Valley Copper where the famous Trojan Pond and those  
13 big trophy copper-contaminated fish live. There are  
14 people on site at that mine, that's an active mine,  
15 but they haven't got an operating spawning bed that  
16 doesn't need regular maintenance.

17 Now, what about post mine life? Are we  
18 suggesting that replacing a fishery for 30 years is  
19 adequate mitigation and then we'll walk away and let  
20 nature take its course in a system that needs constant  
21 human intervention or frequent human intervention?

22 To me, that is not sustainable and it's not  
23 mitigation.

24 It's been suggested that there will be more  
25 discussion, that they are still going to keep working



1 to come up with an adequate Fish Habitat Compensation  
2 Plan that will be suitable to DFO.

3 I would submit it's the Panel's duty to  
4 assess the Project as it is now. As it is before  
5 them. Not as it may be.

6 And this process has given the most rigorous  
7 thorough review of that Compensation Plan it's going  
8 to get. There will not be significant public  
9 consultation about that project in the future.

10 So the compensation for Fish Lake is  
11 incomplete. It's not likely to work. At least in the  
12 long-term. But Fish Lake is much more than a place  
13 where trout live. Fish Lake has been called a  
14 backyard, a heartland, a homeland. It's a spiritual  
15 place. It has power. I felt that power. I had the  
16 honour of visiting the lake with Chief Marilyn and  
17 some youth from the community.

18 We scrambled over the islands, wandering  
19 through the pit house depressions that the  
20 archaeologists somehow didn't seem to find.

21 A young woman found an eagle feather on the  
22 shore.

23 I'm not going to belabour the cultural  
24 significance of this place. That's not my job.  
25 There's other people that can do that far better

1 than I.

2 I'd just like to point out that the  
3 destruction of Fish Lake is another completely  
4 unmitigable effect that will be had on the Tsilhqot'in  
5 People.

6 One of the most startling things I've heard  
7 in this entire Panel process that I've been involved  
8 with was just yesterday when Mr. Bell-Irving told the  
9 people in this room that he was offering this Project  
10 to the Tsilhqot'in People, but only if they wanted it.  
11 Only if they wanted it? Well, they don't want it, so  
12 does that mean the Project's not going ahead, I  
13 thought in a flash in my head. Oh, no, he means that  
14 they'll get to participate only if they want to.

15 To my mind, that's like somebody moving into  
16 your house against your will and setting up shop in  
17 your living room, trashing all of your family's  
18 heirlooms, eating your food, putting their feet up on  
19 your sofa, and then inviting you in to watch TV every  
20 once in a while on their terms.

21 I don't think that's socially just and I  
22 don't think that that's sustainable.

23 In this community of Williams Lake, we've  
24 heard about people that want to live, find a way to  
25 live together with the First Nations. We have

1 Provincial commitments to find a new relationship.

2 In Canada, the Federal Government is  
3 committed to trying to ratify or find a way to abide  
4 by the UN Declaration on the Rights of Indigenous  
5 Peoples. We've had an apology about the Residential  
6 Schools.

7 Our country needs to find a new way of  
8 relating with Aboriginal Peoples. A way based on  
9 social justice and mutual respect.

10 This is in all of our benefit. First Nations  
11 populations are growing, continued conflict will only  
12 hinder both of our future success.

13 Future conflict is something that bears  
14 heavily on my mind and on my heart. I don't know to  
15 what degree the Panel is able to consider the words  
16 that have been spoken through the Panel process about  
17 what might happen if this mine is approved. But in  
18 terms of justifiability of this Project, I think the  
19 potential for future conflict should be considered.  
20 And I think that potential is very real.

21 So we have a project with unmitigable  
22 environmental and social impacts.

23 Can those impacts be justified? Some,  
24 including the Provincial Government, apparently, would  
25 have us believe that they are -- that the economic

1 impact of this Project will be such that we should  
2 overlook those unmitigable effects.

3 There's been talk about the contribution to  
4 the local economy, which, undoubtedly, would have an  
5 impact here in Williams Lake, but most people that  
6 we've heard speak said it's not going to save Williams  
7 Lake, it will bring a few hundred jobs, some more  
8 spending, a few people buying new trucks. It's no  
9 silver bullet, it's no panacea. It's relatively  
10 short-term.

11 Williams Lake has identified the need to find  
12 alternative more sustainable sources of employment.  
13 But I haven't heard how this mine would contribute to  
14 that process. How exactly would the exploitation of  
15 another resource-based export-oriented resource  
16 Project contribute to that transition? I haven't  
17 heard that evidence.

18 Perhaps you have and I've missed it.

19 The EIS hasn't even attempted to address  
20 impacts on the most vulnerable economic communities.  
21 We don't have any information about how the community  
22 or the Proponent might deal with housing issues and  
23 the social services that are badly needed by those  
24 that are most vulnerable, including the First Nations.

25 At a Provincial level, we've heard about what

1 a phenomenal contribution this Project will be to the  
2 GDP of B.C.

3 But we've also heard that on a net balance  
4 sheet, perhaps the benefits aren't so great.

5 At the very least, we should take into  
6 consideration the huge Provincial subsidy that will go  
7 to providing hydroelectricity and building roads, or  
8 upgrading roads.

9 Yesterday, Ms. Kuyek gave an economic  
10 critique of the potential economic impacts. And in  
11 Taseko's response yesterday, they really didn't  
12 question the fundamental basis of her presentation.  
13 Took a few potshots at some of the smaller aspects of  
14 it, but there was no response to the basic facts that  
15 she presented.

16 So we have a Project with unmitigable impacts  
17 of a transmission corridor and the destruction of a  
18 watershed, the destruction of a place of cultural,  
19 spiritual significance.

20 And we have the potential for some economic  
21 growth. Highly qualified by the subsidies that will  
22 go in and the potential impacts on vulnerable  
23 populations.

24 This Project would take us a step backwards  
25 in finding a new relationship, a new way of living

1 with those who have first lived on this land.

2 It would be very easy, I imagine, it  
3 certainly has happened to me on many occasions, to get  
4 lost in the detail of this Project, to get weighed  
5 down by the volumes of information about how many  
6 breeding birds actually do live in Fish Lake, is it 63  
7 or 400.

8 If you find that happening to you, I urge you  
9 to take a step back, to take a break, to think of the  
10 big picture. To think about the watershed, about the  
11 people that you've met through this process, and to  
12 think about their grandchildren and their hopes for  
13 this land and what it could become.

14 I think in doing so you'll find great clarity  
15 in coming to a decision that this Project is not  
16 sustainable, it is not justifiable, and it should not  
17 be approved.

18 Thank you very much.

19 THE CHAIRMAN: Thank you, Mr. Hart. I don't  
20 think we have any questions of clarification at this  
21 point. I thank you for your closing remarks.

22 And next would be Mr. Williams of Friends of  
23 Nemaiah Valley, please.

24 **CLOSING REMARKS BY FRIENDS OF NEMAIAH VALLEY, BY**

25 **MR. WILLIAMS:**