



# Taseko's Proposal for an Open Pit Gold-Copper Mine at Teztan Biny

## Some Fundamental Concerns

Ramsey Hart

MiningWatch Canada

[ramsey@miningwatch.ca](mailto:ramsey@miningwatch.ca)

# Outline

- BC EAO
- History of the project
- Significant Impacts
- Understated or ignored risks downstream
- Unaddressed social impacts
- **The wrong direction towards reconciliation and a new relationship with Indigenous Canadians.**
- Implications of NO

# BC EAO

- Different policies and jurisdiction from the federal process.
- No participant funding for independent review of EIS.
- Limited provincial capacity.
- Limited public consultation.
- No participation of the Tsilhqot'in National Government.

# History of the Project 1990s

- A large but low grade deposit with significant challenges (ex, high concentration of contaminants.)
- Failed to achieve regulatory approvals.
- Fish compensation plan rejected.
- Serious concerns both within federal and provincial governments.
- Drop in mineral prices.
- No consent from First Nations

(Source: emails and conversations shared in confidence from retired and active federal and provincial bureaucrats and politicians)

# History of the Project cont'd

- 2002 Change in federal regulations (Schedule 2 of MMER)
- Increase in gold and copper prices.
- New provincial government
- Decline in forestry leads to “desperate” economic situation in Williams Lake

# History of Project 2008-09

- Province goes on its own - no joint panel review
- Political support (ex. Premier Campbell supporting project before BC EAO approval)
- TML financial contributions to Liberal Party \$25,500 from Nov 2008 to May 2009
- BC EAO Approval - Dec. 2009

# Recent History - 2010

- Attempt to have Ms. Morin removed from panel
- Attempt to prevent showing of *Blue Gold*
- Called U-Vic about student presentation
- Consistently emphasizing benefits and vastly understating risks (ex. Mr. Jones on March 22)

# Significant Effects on Aquatic Ecosystems

- BC EAO - “significant effects”
- Loss of Teztan Biny (Fish Lake), Nabas (Little Fish Lake) and Fish Creek.
- Cultural, spiritual and ecological losses
- Not an average watershed
  - Fish Creek 60% higher density of trout than an average interior lake (DFO 2010)
  - Easily caught pan-sized fish



# Lakes and Streams for Tailings Impoundments

- Schedule 2 added to MMER in 2002
- Not included in consultation with multi-stakeholder advisory committee.
- Intended to permit grandfathering of illegally operating mines.
- Since 2006 used by companies to reclassify new water bodies.

# Net Loss of Fish Habitat

- Review of compensation plan by Dr. David Levy.
  - Poor history of compensation success.
  - Prosperity Lake only 1/4 to 1/5 size necessary.
- Department of Fisheries and Oceans
  - Net loss of 440 ha of fish habitat
  - Compensating for complex lake in watershed context very difficult.
  - Overestimations of benefits, underestimation of losses.

# Risks of Downstream Impacts

- Important downstream fisheries including Chinook, Sockeye, Steelhead and Bull Trout
- Considered by Taseko to not be a risk.
- Based on questionable assumptions.
  - No mine effluent
  - Tailings Management
  - Pit Water Quality
  - Adequate Treatment

# Independent Review of Hydrology and ML / AMD

- “Fundamental Flaws”
  - Stratus Consulting
- “Weak Foundation”
  - K. Morin

## Other reviews

- Kuipers et al. poor predictions
- Environment Canada - most mines have significant downstream effects.

# Unaddressed Social Impacts

- Panel must consider environmental effects, social impacts of environmental degradation and justifiability of any significant environmental impacts.
- Kemess North *Sustainability Criteria* should be considered as your guide for justification.
- Examples of issues to address: housing, crime, substance abuse.
- We recommend an independent socio-economic evaluation of project.

# Reconciliation and a New Relationship?

“One of the most important components of the panel review process is to integrate public values as well as government policy expectations in the review process.”

Kemess North Copper-Gold Mine Project,  
Joint Review Panel Report

# UN Declaration on the Rights of Indigenous Peoples

- *Convinced* that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs

# UN DRIP, Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.



# 2010 Speech from the Throne

We are a country with an Aboriginal heritage. A growing number of states have given qualified recognition to the United Nations Declaration on the Rights of Indigenous Peoples. Our Government will take steps to endorse this aspirational document in a manner fully consistent with Canada's Constitution and laws.

# Federal apology for residential schools, June 2008

There is no place in Canada for the attitudes that inspired the Indian residential schools system to ever again prevail.

You have been working on recovering from this experience for a long time and in a very real sense, we are now joining you on this journey.

The government of Canada sincerely apologizes and asks the forgiveness of the aboriginal peoples of this country for failing them so profoundly. We are sorry.....

A cornerstone of the settlement agreement is the Indian Residential Schools Truth and Reconciliation Commission....

It will be a positive step in forging a new relationship between aboriginal peoples and other Canadians, a relationship based on the knowledge of our shared history, a respect for each other and a desire to move forward together with a renewed understanding that strong families, strong communities and vibrant cultures and traditions will contribute to a stronger Canada for all of us.

# A New Relationship with BC?

We are all here to stay. We agree to a new government-to-government relationship based on respect, recognition and accommodation of aboriginal title and rights. Our shared vision includes respect for our respective laws and responsibilities. Through this new relationship, we commit to reconciliation of Aboriginal and Crown titles and jurisdictions.

We agree to establish processes and institutions for shared decision-making about the land and resources and for revenue and benefit sharing, recognizing, as has been determined in court decisions, that the right to aboriginal title “in its full form”, including the inherent right for the community to make decisions as to the use of the land and therefore the right to have a political structure for making those decisions, is constitutionally guaranteed by Section 35. These inherent rights flow from First Nations’ historical and sacred relationship with their territories.

# Williams Lake: Imagine our Future

Any and all plans must be generated by the people who call a place home. The ICSP and OCP cannot move forward without embracing our local First Nations' people, particularly the T'exelcenc and Xat'sull bands. Sustainability means that the best possible future is attainable for all people in a community. This process is committed to working with local First Nations on creating a path to a better shared future.

# Implications of a NO

- Taseko share price drops, writes off losses, seeks new prospects. (ex. Northgate post Kemess)
- Williams Lake seeks alternative economic development options - less investment than promised with mine.
- BC avoids an image damaging resource project on par with clear cutting virgin oldgrowth forests.
- Industry gets clarity and more certainty around EA decisions.
- Communities of the Chilcotin move forward with intentions for building a relationship and development strategy based on mutual respect.