

Ancestral Wealth vs. Gold: Archaeological and Heritage Resources in the Proposed Fish Lake Mine Footprint

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¹ Document by Linda Smith, B.A. (Anthropology), M.A. (Linguistics). Note that Borden numbers have been removed, quotations from recent panel presentations do not include dates, and a final revision has not been made since the archaeological discussions. Photos are taken by the author and by Douglas Myers.

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Introduction



Težtan

Pristine land, mountains, vegetation, water, traditional food, ancient stories, knowledge on ways of life, and generally any details about culture are all precious to Tsilhqot'in, and even more highly valued because they were handed down since the beginning of time by Tsilhqot'in ancestors. These are the things which keep Tsilhqot'in spiritually grounded and connected to their ancestors. These gifts are necessities for survival and were transferred down the generations. The ancestral spirits are in these gifts, and the ancestors are also within the generations - in the genes and in the souls. They are just a thought away. The ancestors, the gifts, and the receivers of these gifts are spiritually intertwined. And in turn, it is a sacred and fundamental duty to preserve and to pass on these inheritances in their purity and totality. The fact that foreign laws are taking precedence and allowing the destruction of these cherished traditional provisions is what makes the critical assessments of proposed destructions an extremely emotional undertaking. This painful task was expressed during the CEAA Panel Hearings in the First Nations communities through tears, anger, frustration, and poignant descriptions:

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...As Mother Earth is being ripped apart and into pieces. It's just like ripping my heart out of my chest (Agnes William, Xeni Gwet'in, Page 2216).

We're trying to show who we are. We are tearing our skin off and saying this is who we are underneath. Our land, our culture. The mining is hurting us (April William, Xeni Gwet'in, Page 2209).

: ...Like the Tsilhqot'in War, I feel as if we are being metaphorically hung right now (Kimberly William, Xeni Gwet'in, Page 2218).

I am re-establishing my dad's homestead at Nadanow (phonetic) [sic] basin, Teztan, Little Fish Lake, and the trap line as well. ... What does Teztan mean to us? This is a hard question to ask of Tsilhqot'ns [sic]. Tsilhqot'ns [sic] have never been without the land and they never had to think about it. I, personally, have to think long and hard to put into words our People's feelings about our soul. It is incomprehensible. Tsilhqot'ins are left grasping for answers. It is likened to being asked, "What does the earth mean to you?" "What will your life be like without the earth?" The Teztan, the Yanah Biny, Biny Gunchagh, Jidizhay [sic], Dadilin-yex, Nabis, Chilko Lake, Yatlayoko [sic], Yohetta, Tchaikazan, is the earth to the Tsilhqot'ins (Alice William, Xeni Gwet'in, Page 2242).

Any other land, mountain, water, food, story, or culture cannot take the place of the precious wealth the ancestors have handed down. Sue Carlson, David Williams, Gordon Hoglund, and David Diether explained this spiritual reality in a way which would make sense to both Tsilhqot'in and non-Tsilhqot'in:

I was thinking about what gives something value. An item may be valuable because the thing itself is made of something expensive, like gold or diamonds. Maybe there's a piece of art, like a painting or sculpture, and its monetary value is high because it was done by a famous artist who is no (2588) longer living, it can't be produced anymore. Other times something is precious to us only because it comes from someone special and has memories attached to it that are uniquely ours. Teztan Biny has all of those characteristics. The land itself holds something of value. It was created by the master artist. It cannot be reproduced. And the deep memories of the area belong to the Tsilhqot'in. Any substitute offered in exchange for destroying the real thing cannot measure up (Page 2589).

And I have lived and worked on the land all my life, hunted and fished and walked many trails, slept out in all weathers. Nevertheless, I feel sometimes that my connection compared to theirs is simply tenuous. Teztan Biny is part of their land. Its loss and all the other material losses caused by the construction of this mine -- of water, of fish, plants and animals -- will be as nothing compared to the sense of spiritual loss the people of this valley will

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experience should that place be destroyed (David Williams, Xeni Panel Hearings, Page 2322).

In essence, the land is their church, the place where sacred and essential ceremonies and rituals take place. If you desecrate the land, you disrespect the people by destroying evidence of their heritage (Gordon Hoglund, Lower Bridge Creek Stewardship Society, 100 Mile House, Page 1325).

Dave Diether, Property Owner (100 Mile House), spoke at length to a similar spiritual connection to land:

As someone said earlier, my church is this Earth. Wild places are in my soul and I don't believe I can live without them. You cannot know me and I cannot know myself without understanding my attachment to Mother Earth. I didn't ask for this. It's not something that's come by lately at all. In the beginning, as I say, I didn't pursue this thing. It's so central to my being. But when I look back at my life beginning at the time of young childhood play, I see how clearly this sense of wonder, this love, this passion, this interest in the natural world developed.

I don't present myself as a perfect environmental citizen. Far from it. But still I feel compelled to speak my thoughts and feelings on behalf of this part of the province, this cherished earth that I'm deeply connected to (Dave Diether, 1372).

To open up in the Nemiah Valley, the(1372) territory of the Xeni Gwet'in people to a one generation, although I think I heard when I asked the question earlier that this may in fact be a two-generation operation, it would seem to me it would be similar to the severing of a limb of Mother Earth.

This special affiliation in my heart for nature was probably passed on to me by my father. When he spoke of the Nemiah Valley, it was as if he was speaking of a magical place (1373).

The Prosperity Gold-Copper Project of Taseko Mines Limited's submission to the CEAA Panel does not address the concept of land itself in its totality as in the Tsilhqot'in concept of heritage. Without intact land and a fragmented land-base, the Tsilhqot'in traditions have no means of surviving, and without culture the Tsilhqot'in have no identity.

The Yunešit'in people have waited generations for recognition of their title and rights to their traditional territories, and too many times they have been disappointed by the lack of progress, thus it is with great faith in the panel hearings that they have participated and in doing so, hope to stop the proposed mine. The people wish to preserve what remains of

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their lands, forests, and their watersheds and thereby safeguard their traditions for future generations.

The Prosperity Gold-Copper Project of Taseko Mines Limited's EIS archaeological and heritage submission, Volume 7 and Appendices, inadequately portrays prehistoric, historic, cultural heritage and archaeological resources that are important to Tsilhqot'in. There are no provisions of compensation for archaeological, historical, traditional land use, or to contemporary land use. Their submission simply assumes that there are no significant archaeological sites found at Težtan and supposes that no further important sites will be found. Their position is that quantity and quality of artifacts found will dictate further archaeological studies and undiscovered sites will simply be avoided, more or less, destroyed.

Present land use (ranching, traditional subsistence gathering,² tourism) and future land use (subsistence resources, tourism, and preservation) are scantily documented in the EIS appendices. There are no photographs in the EIS of historic sites (cabins, corrals, hayfields, livestock grazing areas, favourite fish camps, and spiritual sites), and no classifications as protected areas, or sufficient recommendations for mitigation or compensation. How can one prove that sites are being destroyed without taking photographs of all the areas to be impacted prior to destructive projects? What will be done to the rainbow trout in Little Fish Lake?

The denial of the actual significance of Tsilhqot'in heritage, historic and traditional land use resources will result in detrimental losses to Tsilhqot'in livelihood and traditions. Cumulative environmental and cultural effects from this mine project have not been discussed with Tsilhqot'in. There is no way to mitigate or compensate for the great cultural losses, effects, and impacts to Tsilhqot'in once the mine has begun operation. The archaeological investigation within the transmission corridor has yet to be completed. The areas not considered for archaeological studies are the Fish Creek watershed, the mine access road, and the southern tip of the mine site. Since there has been scarce documentation of Tsilhqot'in, and since Tsilhqot'in continuously deal with racial discrimination within their territory and in the nearest city of Williams Lake; and since this is a common occurrence experienced by Aboriginal people internationally; it would be practical to request more careful research of the Tsilhqot'in prehistory, culture, history, language, and connection to lands, to help alleviate misunderstandings of the cultural issues which continue to divide communities.

² "Subsistence gathering" is defined in this document as hunting, fishing, and food and medicinal gathering.

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Background



Yunešit'in Community, Photo by Douglas Myers

The Yunešit'in³ (Tsilhqot'in of the south) are becoming more concerned about all the areas important to their spiritual wellbeing, including their watersheds (rivers, lakes, creeks, spring water, and wetlands), agricultural lands, forests, hunting, fishing, trapping, and plant gathering areas, including any subsurface resources.

The ancient Tsilhqot'in perspective has been that the earth is too sacred to inflict with negative impacts and other contaminants in the form of negative energy or chemicals. There are many ritual observances to prevent land, resources and trapping/hunting/fishing gear, from being affected by negative human energy (Helena Myers, Yunešit'in Elder). Elders share that a forceful and physical impact to the ground such as a human accidentally falling to the ground could bring dire consequences to the individual. It seems that this simple blunder is a grave offense to the earth. How much greater is the impact inflicted upon the earth from logging, drilling, and mining. Such basic Tsilhqot'in values are intended to prolong life and preserve land and resources for future generations.

Tsilhqot'in have struggled to maintain their way of life and have addressed their aboriginal title and rights to land and resources since contact. Provincial and Federal laws conflict with Tsilhqot'in rights, and in general, imposed laws seem to challenge the Tsilhqot'in right to live according to their ancestral traditions. Present practices encouraged by the Provincial Agencies such as the Ministry of Agriculture and Lands, Ministry of Energy, Mines and Petroleum Resources, Ministry of Forests and Range, Ministry of Fisheries and Wildlife, Ministry of Transportation and Infrastructure, etc., have allowed land and resource based activities to be carried out in ways which

³ The Yunešit'in community (Stone) has approximately 371 band members (2007). The community is much like other reserve communities, impoverished in daily necessities including inadequate housing (50 homes), dependency on wild food, lack of intact land, high unemployment (over 80%), etc. Due to the remoteness of the community, only five have undergraduate degrees and two have completed graduate studies.

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accelerate the eradication of Tsilhqot'in culture and their resources. If laws and regulations conflict between governments and First Nations, it is the Provincial and Federal laws and regulations which take precedence, despite Judge Vicker's decision. Bill Spencer (Yalakom Ecological Society Director, 100 Mile) also stated at the Panel Hearing at 100 Mile House "Under the present circumstances, we don't see that the Government of Canada or the Provincial Government of B.C. is acting in good faith with the Tsilhqot'in; by this we mean that these governments consider permitting a mine to be developed while ignoring the advice off [sic] their highest courts" (Page 1329).

Kimberly William sums up present global issues in her presentation at the Xeni Gwet'in CEAA Hearings:

The cycle of destroying nature for short-term profit has to stop (Page 2217).

...Society as a whole has turned a blind eye to the horrors. Global warming, massive pollution, increase in the number of extinct life forms, water, new diseases, earthquakes, hurricanes, floods, droughts, melting glaciers, and so on. All of which are increasing at an exponential rate. Has society caused this? It would be naïve and pure insane to say we don't believe it didn't. We are supposed to be intelligent beings yet we are embracing our own extinction (Page 2219).

The ancient Tsilhqot'in philosophy is to leave no footprint. Tsilhqot'in ancestors have handed down numerous laws, protocols, restrictions, and rules based on the need to preserve, sustain, and show respect for all species, resources, and the lands. The Tsilhqot'in term súwh-ts'éghèdúdính 'preserving oneself; self-care' takes into account the concepts of care, specifically, care of the physical self, others, the handling of food resources, and keeping resources and lands pure. This observation of self-care follows two of Ernesto Alvarado's principles of three commandments in life which are essential to living a spiritual life (Freke 1999).⁴ Alvarado, Gavilan Mexican-Apache, is a shaman and has a doctorate in Psychology. The first law, he says, is "to take care of Motherearth" [and its inhabitants]. The second which is the prerequisite for physical health is "to take care of our bodies" (123). In a roundabout way, the Tsilhqot'in principles of súwh-ts'éghèdúdính set out guidelines to preserve and protect all life. Marion William (Xeni Gwet'in, Page 2223) spoke to the life-long educational aspects for learning such specified area of expertise:

It takes a whole lifetime to gain all this knowledge. And there's certain protocols to receive and gain these knowledge. We can't just give it to you through paper. You have to earn this. This is not something that you can just give-and-take.

⁴ Freke, Timothy. 1999. Shamanic Wisdomkeepers: Shamanism in the Modern World. Godsfield Press. New York. Ernest is from the Apache Tradition.

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To note additional Tsilhqot'in guidelines for natural resources, one must not be wasteful, but to take only what one needs to survive and to take only what will be used, and leave the rest for the future. Samuel William (Xeni Gwet'in, born in the late 1800s), by adhering to ancient customs, showed the importance of offering a prayer request and offering a gift prior to harvesting a resource. When one takes, one must always give something back. Chief Sil Canim (elected leader of Yunesit'in and Xeni), born in the 1800s, stressed that branches are not to be broken needlessly, because trees must be respected and allowed to live and enjoy their surroundings unless there's a dire need to use them. Plants are believed to be living spiritual beings along with the earth and all its life forms.

The above cultural observations are some of the reasons why, at contact, Tsilhqot'in land was intact and pristine, rich in its resources and life. This beauty, abundance, language, and culture are necessities the ancestors have left for the present Tsilhqot'in. When life is held sacred and the Tsilhqot'in cultural principles are observed, the individual and collective rewards are youthfulness, good health, continuity, and balance.

Present Issues

The knowledge of pre-existing pristine lands is echoed by many non-Tsilhqot'in around the world and this awareness was presented by Martin Zibeau (born in Quebec City) at the 100 Mile House Panel Hearing (Page 1386):

I could not leave without underlining how embarrassed I feel regarding the treatment we give the members of our Canadian First Nations. How is it possible for us to feel so superior to a people to whom we owe so much? Please correct me if I am wrong, but haven't they taken care of the land we live on for thousands of years before we came and wrecked it, exploited it ruthlessly in just a few hundred years? Should we not listen to the wisdom of the Elders for our own sake instead of bullying them like we do?

Each year, Tsilhqot'in observe the lack of respect for natural resources, for example, with extensive trophy hunting, recreational fishing, clearcut logging, excessive road building, mining exploration, all of which lead to the extinction of life forms including the pollution of lands and waterways, the destruction of culturally significant plants, the general destruction of mammal and fish and their habitat, and the obliteration of ancient trails and cultural habitation. Much of the Yunesit'in forested territory has already been clear-cut without the community's expressed consent and these devastations to the earth and vegetation are viewed by Tsilhqot'in as a desecration to the land and an assault on Tsilhqot'in existence.

Provincial and Federal regulations continue to violate Tsilhqot'in ways of life by their ineffective and disrespectful consultation requirements and by their intrusive policies in areas which are contested. At no time have these governments or their employees paused

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to consider their unlawful activities or even develop appropriate communication measures in their dealings with Tsilhqot'in. It is not within ancient Tsilhqot'in traditions to interfere, to lecture another on their wrongdoing, to tell another directly how wrong they are, etc., but attempts have been made. Even the use of the term "crime" seems somewhat out of place to describe the proposed mine undertaking, although, the word is an accurate description of the proposed project and expresses truthfully the way Tsilhqot'in have been treated since contact. Rod Hennecker, Community Enhancement and Economic Development Society (CEEDS) brought out strongly felt views during the CEAA Panel Hearing in 100 Mile House:

Are we any better than Hitler marching into Poland or the Russians taking Czechoslovakia? (1338)

We are considering the death of a lake as an acceptable trade-off for 20 years of prosperity (1336).

To allow this development to happen would be a great travesty at best and a criminal act at worst that threatens all of us and the nature that supports us (1340).

There have been Tsilhqot'in oppositions and road blocks to stop resource extractions, and the William court case is yet to be fully decided, and now, more than a hundred years since contact, no side has been able to close the gaps in differences to resolve these issues. Instead, Tsilhqot'in are kept busy dealing with the many referrals, in addition to their present day-to-day activities, and at the same time, seeing so much destruction happening all around them and the lack of acknowledgement from the governments for their rights is maddening. It is difficult for Tsilhqot'in leaders and band staff to plan for the future and at the same time, stay on present tasks and effectively serve their communities.

After the many years of cultural deprivation, it is the ancient connection to ancestors and the sense of oneness with nature that Tsilhqot'in currently search for, long for, and seek out when they go out on the land. Tsilhqot'in ancestors have walked on the many trails which connect to the landscapes within and beyond their territory. They have fished at numerous lakes, hunted practically every land mammal, gathered food and medicine, and made sacred the areas of their hearths. Težtan is one of those places and the cultural remains of some of those who lived there are integral to piecing together what Tsilhqot'in cultural heritage has been lost since contact.

Personal Yunešit'in Capacity

The Yunešit'in have traditionally used territories beyond the boundaries mentioned during the hearings. There has been no capacity for community members to document all the areas of concern and to do in-depth reports on the impacts and effects of the proposed

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mine and the area of the transmission corridor has been the most difficult to assess for impacts, because this includes bringing elders out on the land in order to learn the cultural and historical significance of the sites. For present purposes without prejudice to their land title and rights, a few elders of the community have outlined some areas within their territories which have immediate and profound, cultural, economic, and environmental impact on their community.

Rivers and mountains have been used as natural boundary markers between countries throughout history for the reason that these are visible markers which do not change with time. These boundaries are recognized in history and in law, and by surveyors. Other things such as highways change with time thus are unreliable as boundary markers. The Yunešit'in people are no different in this sense. Although there are negotiated shared areas, the mountains to the south have served as a traditional boundary between themselves and the people of Lillooet. In the same way, historically, Elhdaqox (Fraser River) has separated the Shuswap lands from the Yunešit'in lands. Furthermore, Dasiqox (Taseko River) has served as the boundary between the Yunešit'in and the Xeni Gwet'in, and Tsilhqox (Chilcotin River) has separated Tl'etinqox (Anaham) from the Yunešit'in. Some areas mentioned are shared territories and these are co-managed by the respective Tsilhqot'in parties. Some examples of heavily shared areas are the river corridors, the mining site at Težtan (Fish Lake), and the eastern part of Big Creek area.

The designated Yunešit'in rangeland and trapline have been included in this undertaking so livestock and wildlife will continue to have access to feed and water. The grazing boundary lies within the trapline and such areas are obviously recognized boundaries as well as being significant for traditional use. The whole area, formerly drawn out by the Alexis Creek Forestry Branch, has been expressed as being a significant part of Yunešit'in subsistence, that is, historically, and hopefully, after the recovery from clear-cuts, essential resources will again be available to the future well-being of the Yunešit'in families and their livestock. There are numerous hay-cutting meadows, seasonal fish camps, hunting areas, moose habitat, medicine and plant gathering grounds, all historical and cherished sites frequented seasonally by Yunešit'in members, thus, must be protected from future resource extractions, i.e. logging, oil, gas, and future mineral explorations. These areas have undergone very extensive clear-cut logging as it is, which has destroyed many food plants, wildlife habitat, ancient trails, historic trails, historic wagon roads, and basically clear-cuts have obscured cultural evidence of land use. These pristine areas, among others, are significant places for future tourism; protection of wildlife and plant species; land preservation; and additional reserve lots.

Težtan is an area which was historically used as rangeland by Stone (Rose Marie Quilt). The late, Qitl'ax-Xan (Jimmie William) made a verbal agreement with Louie Quilt, the Chief of Stone, to use the land to raise cattle as long as he lived (Agnes Haller). Beqiyex (his/her fish camp) and betl'ech'id (his\her hay field) appear in many of the placenames within the Yunešit'in area and beyond; obvious evidence of regular occupation and use of meadows and lakes in which the terms appear.

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Resource Considerations

The Yunešit'in need to set aside places for reserve expansion to take in future Tsilhqot'in populations and Tete Hill, which is in close proximity to the proposed mine, is an area where Yunešit'in Elders have expressed as ideal for future housing development. There is a need to preserve spiritual sites, set out large tracts of land for future tourism, and to establish wildlife preserves. Reserve lots or deeded lots were mentioned during this hearing process by Joseph Case of Tsi Del Del (Pages 3869-3889). Nabiš has two historic villages which were partly negotiated as reserve allocations. Agnes Haller's paternal aunt owned land under or near the proposed corridor situated in the area of Churn Creek where Yunešit'in people are buried (Agnes Haller). There are reserve posts around Biny Gunchagh 'Fletcher Lake' which strongly suggests that this area was formerly reserved for the Yunešit'in people (Agnes Haller). Empire Valley was also reserved for members of Stone and this area was a historic trading site where goods were traded with the Shuswap (Christine Hink).

At a general band gathering, other areas which have no English placenames were noted for their historic significance, and specifically, Elders mentioned Dediny-Gulin (lit. where there are marmots), Nagwedeyu, Akow Betl'ech'id (Akow's Meadow), Lasis Betl'ech'id (Laceese's Meadow), Atažl Betl'ech'id (Atažl's Meadow) in the context of future tourism, because of the historic presence of Tsilhqot'in in these areas. There has been no time to do comprehensive research about these place, other than to list them.

There is a sacred mountain near Gwetsilh (Siwash; Agnes Haller) and this place sits within the Yunešit'in trapping boundary. There are a number of Tsilhqot'in gathering and ceremonial places including Lillooet, Lac La Hache, Deadman's Creek, etc. which are beyond the scope of this present document.

The Yunešit'in caretaking area is comprised of three geographic areas which differ in soil, vegetation, and climate. Because of this diversity, differing elevations and richness of the landscapes result in plant species maturing at different times in a given year, so there is one resource gathering "strategy" which is used by Tsilhqot'in. This goes for game, food plants, and medicinal plants. For example, not all the five Tsilhqot'in varieties of Saskatoon berries grow on the plateau or in the mountains. There are several Saskatoon berry varieties which grow in dry, hot river canyons (i.e. Farewell Canyon); and other varieties which like the slopes on the plateau. The Saskatoon berries and soapberries are ready in the Yunešit'in community around the month of June, and the same berries are ready in August or September in Xeni. There are likely other varieties of plants and berries which mature at different times in different parts of the Chilcotin. Helena Myers (Yunešit'in) mentioned that some soapberries stay green even though they are ripe and other soapberries are very sweet, so it can be assumed that locations of such varieties are known, yet are unrecorded at this stage.

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Because the majority of the Tsilhqot'in landscapes have already been clear-cut logged, there are declining number of areas to gather plants and berries. The places not yet logged are mountains, canyons, steep slopes, and the Xeni area. So, Težtan has become more important to those who want to gather uncontaminated plant resources, and for those who want to camp in a pristine location. These are important considerations for the areas of Nabaš and the proposed corridor in regards to the proposed mine footprint. Two Tsilhqot'in Elders have indicated that plants gathered in high elevations are more powerful and this is generally known among other First Nations Elders:

That area [Teztan] was a special place to pick these medicinal plants (Minnie Charleyboy, Tsi Del Del).

The roots from plants that grew on those spiritual mountains are the best medicine we could ever have. I still use those medicines for my aches and pains today (Dinah Billyboy, Tl'etinqox, Page 3383).

It should be noted that there are many other named species in the Tsilhqot'in language as being useful to Tsilhqot'in culture and the majority of these species are not represented in the proponent's EIS submission. Wildlife and plant lists are inadequate: Cindy Ehrhart-English listed only 16 mammals (49 species specified by Tsilhqut'in); listed 9 fish (28 species specified by Tsilhqut'in); listed 24 plants (120 species specified by Tsilhqut'in); listed 3 birds (101 species specified by Tsilhqut'in). There are many Tsilhqot'in people who have detailed knowledge on species of plants, wildlife, fish, and insects, and people still communicate with their surroundings through dreams and visions, and Tsilhqot'in deyen 'spiritual healers' have much to share on their spiritual knowledge about all the different species which exist on the landscapes. A cultural keystone species list for mammals, plants, birds, fish, and insects is in its initial stage of research so it is yet unavailable for this public hearing submission.

Research on Tsilhqot'in culture is very important, not just for this generation, but more for the generations to follow. Tsilhqot'in are very fortunate that they still have Tsilhqot'in speakers and Elders on whom they can rely for cultural information. In doing research, Tsilhqot'in must think ahead to the generations following and leave as much Tsilhqot'in knowledge and resources as possible for them so that they can learn their language and culture. As it is now, it is sad to realize that our language is near extinction, with fluent speakers at the age of 30 years and over. There are practically no Tsilhqot'in children learning the language fluently at this time, but many want to learn their language and culture now and in the future. According to three presenters at the community Panel Hearings, the Tsilhqot'in language cannot exist without intact land and vice versa:

Without the land, you can't teach the language. Without the language, you don't have the land. ... In certain areas, such as berry picking, medicinal plant gathering, Labrador-tea gathering, you actually have to go out on to those sites and teach the children what you're picking. You can't do that in these

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areas anymore because of the devastation of logging practices (Orrie Charleyboy, Tsi Del Del, Page 3961).

Being on the land is very important to teaching the Tsilhqot'in language. It's survival skills that we always pass on to the children. And what my parents pass on to me, I pass it on down to my kids and especially in my work area, that's very important. Because we're going to (2184) continue to live off the land (Susie Lulua, Xeni Gwet'in, Page 2185).

We were and still are very spiritual. At Tsilhqot'in, Nenqayni, all First Nations have a language that is tied to the lands. A lot of the language if, without the language, you would have a hard time as to where you're coming from. Language has been important to us. Very important. Without language, part of you is going to -- is missing. Because language is also spiritual. The language, the land, the environment, earth, it all works together as one. We are the children of Mother Earth as Tsilhqot'in People. If you separate those, then part of you is going to be -- a bit is missing here. And that's what we do not want. We are connection. We are in connection with our land. Our territory. We are one with the land. We are one with the environment (William Billyboy, Tletinqox, Pages 3390-3392).

Keeping language extinction in mind, there are many things Tsilhqot'in need to consider in documenting their research on the various species which exist, and at the same time, consider that these species may be endangered and be heavily impacted by imposed resource practices. Different Tsilhqot'in Elders and people may know more about certain species, for example, one person may be more knowledgeable about the names of species or may be better able to describe species, and another may know specific details on the preparation of certain plants, and different families may have carried down other knowledge about species. Researchers will want to return to the same individuals for more information, and be able to narrow down other potential elders and people to approach for other knowledge. Videotaping and recording interviews and fieldtrips are crucial resources to future generations who may want to learn the language, and visual representations will enable them to see people speaking the language. It is quite difficult to learn the language by listening to words on cassettes, because listeners sometimes need to see the actual voicing of words to learn. Tsilhqot'in have a difficult time trying to make sense of parts of ancient stories, because Elders often speak too fast and use ancient languages. There are many words which have complete histories of their own. Tsilhqot'in language is very rich in its description of ancient ways, and altogether the culture offers a unique worldview.

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Dadiliyex (the narrows at Taseko)

Protection of the watersheds is necessary to Tsilhqot'in survival and to the practice of their spiritual way of life. A number of Tsilhqot'in individuals and Elders voiced this during the CEAA Panel Hearings:

We use the Chilcotin River for healing ourselves, too. Whenever we don't feel well, and we are in pain, we go into that river. We stand in there or dip ourself into that river for healing and it helps ease our pain. And we use that river for spirituality. Because we are the River People and the river knows that. He helps us get our medicine of whatever we ask of him or her. The river is our life. He or she is our blood (Dinah Billyboy, Tl'etinqox, Pages 3247-3446).

She said the water we use as medicine. This Chilcotin River here that's running right over here, just a little ways from us. She said they use, they drink it. They bath in it. They use it for medicine. They fish there. She said if the mine comes in, it is all going to get wrecked. We won't be able to drink it. We will not be able to use it as a medicine. It's not going to be pure anymore. And we will not be able to bathe in it (Susan Alphonse, Tl'etinqox, Page 3411).

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The corridors of Taseko Lake, Taseko River to the Taseko River\Chilko River junction, and Chilcotin River to the Fraser River junction are traditionally used. The preservation of these corridors and waterways are essential for future fishing, spiritual rituals, rafting, and tourism. The Yunešit'in expressed the need to protect all watersheds within their territory and hold rights to these bodies of water to prevent the contamination of these waterways. For Big Creek, it should be noted that salmon from the Chilcotin River come up Big Creek annually but it is not known how far upstream they travel.

Fish was the reliable source of protein in the past, likely because of their variety and availability and archaeologists are always uncovering pit house depressions around fish bearing lakes. Taken from a recent study, the Tsilhqot'in seasonal round table below seems to indicate that mammals and fish are of equal importance.



Photo by Douglas Myers 2009

An assortment of food is the general preference in any home whether in the past or in the present. Plant roots are now gathered in smaller quantities with more reliance on garden vegetables due to the impact on wild roots from present land use for grazing livestock and weather conditions (global warming). As always, berries are sought after, even if one has to go a long distance to find them.

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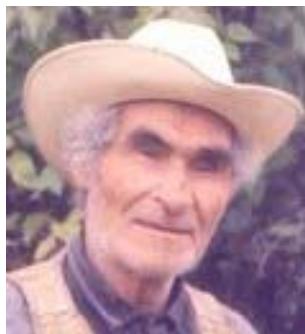
Table 1: The seasonal round – Tsilhqot'in subsistence activities

	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
trapping	x	x	x	x	x	x	x	x	x	x	x	x
fishing	x	x	x	x	x	x	x	x	x	x	x	x
hunting	x	x	x	x	x	x	x	x	x	x	x	x
root harvesting	x	x	x	x	x	x	x	x				
berry gathering			x	x	x	x	x					
vegetable gardening		x	x	x	x	x	x					
ranching	x	x	x	x	x	x	x	x	x	x	x	x

In this study, there was only one reference for game animals in the discussion about specific Tsilhqot'in rituals related to nímính⁵ but there are five Tsilhqot'in terms for fish. Fish are smaller in size and so are likely more vulnerable to the effects of nímính energy. Today, hunting is done more frequently than fishing by some Tsilhqot'in families, and others still prefer fish, but it has been noted that there are more nímính terms and rituals for fish. As already mentioned, the extended nímính vocabulary for fish is likely due to the heavy Tsilhqot'in reliance on fish in the past.

⁵ Nímính ‘an individual who carries energy’: this energy, whether retained by a person, object, or place has an element of power which is sensed by animals and fish. If a cultural prohibition is ignored by a nímính individual, his/her restricted action is described as a ritual act, because the presence and contact with subsistence resources or the gear used for harvesting resources results either in a balance of energy or an imbalance to resources. The ritual, as this is referred to, may not be a deliberate act perhaps, but it is as effective as if it were intended.

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George Myers, Photo taken by unknown photographer 1950-1960

Typical of hunting and gathering societies, the seasonal movements of the Tsilhqot'in were generally dependent on places rich in food and basic resources, and people historically traveled to these areas on foot and canoes or rafts, and later with horses and motor powered vehicles. For example, in a tape recording by Pearl Myers (1973), George Myers (born 1883) mentioned that people carried spruce root baskets, and in their travels, children also packed necessary items, as did the dogs. Babies were carried in spruce root baskets. Helena's great grandmother (born in 1850), said that heavily packed spruce root baskets were carried hanging from straps across the forehead, and the foreheads of newborn babies were shaped to accommodate this. Ida Hunlin, (born 1904?), raised by her grandmother, mentioned that larger dogs were used traditionally for packing. Helena Myers (born 1916), claims that the ancestors of Tsilhqot'in had tame wolves in a certain village, which in one myth was depended on to kill deer. Charlie Quilt (born 1913?), related that, before horses, people used to run 100 miles in twenty-four hours, for example, one man ran from Gwetsilh (Siwash Bridge) to Farewell Canyon and back in twenty-four hours. Abiyan (born 1850) used to come from the Yunesit'in and arrive in the Xeni mountains in one day on horseback. Ida Hunlin heard that the people used to cross the river near Tl'egwated on a willow bridge, and there was a hemp bridge at another location. George Myers said that the river at Farewell Canyon was so full of salmon that people caught ten fish in a dip net at once. His grandmother had three packhorses, which she used to pack fish home. Salmon are caught mainly using dip nets, and are dried at fishing camps along the rivers. Materials for drying salmon are gathered every year around fishing camps. People are busy gathering aspen wood, alder, cottonwood, or water birch, and rotted trees, and even fish guts may be used to keep the fires smoldering, and to cure the fish and repel flies. Fish skewers are made from water birch or willow shoots to insert into the flesh to support the spread fish for drying. Helena's grandmother told her that long, ago, people used to dry fish guts to provide food during lean times, when they were boiled to provide nourishing broths. Salmon eggs were dried, and later eaten with baked potatoes, or boiled with kinnikinnick berries, and soak for use as fishing lures. Salmon heads are boiled for hours for their oil, and used later to oil moose and deer hides.

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Rainbow Trout, Težtan, 2009

One old Yunešit'in woman lived at Težtan and it is said that the one food the woman thoroughly enjoyed was rainbow trout. No one remembers her name. Any knowledge about her has vanished with the Elders who might have known. The only detail that was shared during an interview was that her husband gave her an offering of dried rainbow trout which he placed with her before her burial (Cecelia Quilt, Yunešit'in Elder). Maybe this woman had five sisters who were also buried there. It is said that six sisters are buried in Težtan (Joseph Case, Tsi Del Del, 2010). Maybe, her whole family or village were buried at Težtan. Did she visit the medicine woman on the island? Catharine Haller shared her knowledge about the woman on the island in a previous submission and orally presented this at the Yunesit'in CEAA Panel Hearings:

The island on Teztan Biny has a sacred traditional pit house where a healer lived. The elder rancher talked to me and told me the healer was a (2631) woman (2632). Three days later I went on the island, just me and Jimmy. He told me how to offer tobacco. He taught me before we left the shore on the other side of the sacred island. We went across to the island. Jimmy told me to brush off with juniper because we hit the sacred grounds. I could feel the spirit. He told me to brush with juniper in a traditional way so we didn't get hit and that was true because I could feel it. I felt the woman's, the healer's spiritual spirit power. He said he could see it. I couldn't, but I could feel it (2634).

There are people that live there, our ancestors, where we live, where they live, and what they taught is what makes us Tsilhqot'in. Our grandmothers brought this back. That's the reason our land and our teachings guide us back to where we belong (2639).

The powers up there, that (2641) woman is up there, that woman that has that pit house. It's not just a pit house. She left some stuff there and she appears there. If you are a healer, if you understand being a Tsilhqot'in, if you

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understand any healing that has to happen, you will see her. You will see her in the sweat houses. You will see her in the healing ceremonies. You will see her if you call for her (2642).

I pray when I step out on the earth. I always pray in the water. I always pray to the earth. These are my traditional healing resources that I really believe in through my heart and my mind. It's all because of Teztan Biny. It's just like we're respecting an Elder that's sitting over there. That's how I feel about (2642) it. That Teztan Biny is just like an Elder sitting there. And just like the traditional woman that is still seated on that south island. People go to Teztan Biny to do ceremonies, prayers, all night long, sweat lodges, and medicine baths. It's a traditional way of doing things. We have our own songs and our own rituals and we do these every year. People do these things when they go to Teztan Biny for their traditional fishing and hunting. It's how we prepare (2643).

Lakes are known to be favourite fish camp sites, and in ancient times, Tsilhqot'in had a preference for fish-bearing lakes for winter residences. The term "qiyex" (fish camp) exists in many places in Tsilhqot'in territory and the term is always attached to a Tsilhqot'in person's name. Qiyex does not make sense when literally translated, but it likely meant "village" and presently it means "fish camp".

Without further archaeological work, we can only wonder what prehistoric life must have been like at Težtan. The social and physical structure of the homes; material possessions; the food they ate, where they gathered, preserved and stored their food; what plants they used to flavour food in the roasting pits; and what tools they made.

Since 1993, several Prosperity Gold-Copper Project of Taseko Mines Limited's archaeology crews have found cultural remains in 79 sites at Težtan. Tsilhqot'in are left to wonder what the discovered tools look like and whether these were crafted, recycled tools, or acquired by trade. There are few photographs of the artifacts in the EIS and no suggestions of further studies to answer such questions.

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Based on the dates of the artifacts mentioned, ancient people from the following periods⁶ are represented:

Late Period

- Kamloops Horizon (200-1200 BP)
- Plateau Horizon (1200-2400 BP)
- Shuswap Horizon (2400-3800 BP)

Middle Period

- Lochnore Phase (3800-5000 BP)
- Lehman Phase (4500-6000 BP)
- Early Nesikep Tradition (5500-7200 BP)

Early Period

- Old Cordilleran Tradition-type point (>7500 BP)

What climates and geographic changes did these cultures adapt to and navigate during these periods? There are no excerpts or mention of textual studies on prehistoric landform development or climate (geological, paleoecological) in regards to the Tsilhqot'in landscape, including Nabañ and Big Creek where the mine footprint is proposing to alter landscapes. What is known about First Nations culture from these periods?

Other Landscape Features of Importance to Tsilhqot'in

There is no mention of shoreline or underwater investigations for cultural remains. Fishing gear may have gone unnoticed, sunken in shorelines and possibly underwater. Any sweat lodge along the shore likely left no physical evidence except for a hearth and volcanic rocks. With the amount of spruce coverage in Fish Lake, there are likely many natural springs, streams, and subsurface water which will be impacted by the proposed mine, and these aquatic features significant to future Tsilhqot'in subsistence, are not mentioned. Aquatic areas (lakes, a creek, a river) are only briefly mentioned as part of the *Local Study Area (2-1)* and only included as part of *2.4 Resource Inventory (2-8, 2-9)*.

There has been no recording of evidence of set-ups for traps and snares. There are likely physical evidences on the landscapes left by former trappers, for example, trapping devices in the forest. Evidence of trapping could take the form of simple structures – a pole leaning against a tree or a slightly propped up log could be mistaken as natural occurrences in the forest to the untrained eye. A small rock pile could indicate previous snares fitted for catching elht̄lh (prairie grouse or sharp-tailed grouse).

⁶ <http://www2.sfu.ca/archaeology-old/dept/fac_bio/nicholas/fieldschool11.html> (12 Apr 2009)

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Areas representing panoramic views are ideal locations for prehistoric habitation sites. In the case that future significant archaeological sites are found in the periphery of the mine site after the mine activities have contaminated the surrounding landscapes, will human health be at risk if they carry out archaeological studies in those areas?

The Prosperity Gold-Copper Project of Taseko Mines Limited's EIS

Cultural Depressions

The EIS equates *archaeological features* with cultural depressions, lithic components, and faunal remains; and associates *historical/heritage resources* with grave sites, cairns, culturally modified trees, cabins, and corrals (2-18 and 2-19) and those which are post-1846 are not protected.

The following table illustrates some inconsistencies between the documented sites described in the Terra Archaeology (2008) report (Appendix 7-2-D, Section 5-Resource Inventory) from those described in the main body of Volume 7 (pages 1-3 and 2-9):

Table 2: 2008 and 2009 Archaeological Resource Inventory

Terra Archaeology (2008)	Prosperity EIS (2009)
79 (pre-1846) archaeology sites	79 protected (pre-1846) archaeology sites
44 cultural depressions	21 subsistence or habitation features
1 grave site	1 potential human burial
1 possible cairn	*
34 Post-1846 CMTs	34 post-1846 CMTs
73 lithic components	73 lithic components
1 stone pipe bowl	1 stone pipe bowl
10 sites with faunal remains	10 sites with faunal remains
9 historic cabins	9 cabins
4 historic corrals	4 corrals
1 historic fence	1 fence

As indicated in the table above, the EIS only identifies 21 “subsistence or habitation features” whereas the Terra Archaeology study identifies 44 “cultural depressions.” Similarly, the EIS identifies “1 potential human burial” and the Terra Archaeology study identifies “1 grave site.” However in another section of the EIS, the number of house pits is correct:

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In total, 44 cultural depressions were identified within the proposed mine footprint, 41 of which are believed to be associated with subsistence activities such as food processing (roasting pits) or storage (cache pits), and one which may represent a house foundation (house pit). (2-17).

A previous study by Tyhurst (1995: 16-22) actually excavated three cultural depressions at one significant site and he described them at length but the EIS incorrectly states:

The one possible house depression observed.... This depression is relatively large and rectangular compared to the subsistence features and is presumed to represent one of the depressions interpreted by Robert Tyhurst to be (2-17) associated with a ‘gabled lodge of the type known in the Chilcotin language as niyequn’ (Tyhurst 1995:17) (2-18).

The archaeological study carried out in Težtan did not include 30 cm x 30 cm subsurface excavations and there were 40 archaeological sites rated as having moderate and high scientific significance. There is the possibility that there were more house pits than the actually recorded 44. If Tsilhqot'in were meaningfully consulted and accommodated, maybe archaeologists with experience in Athapaskan archaeology would have made more sense of the 79 sites. Maybe, the majority of cultural depressions were in fact house pits. Tsilhqot'in house pits tend to be smaller in size than their Salish neighbours.

Other Opinions on Pithouse Sizes

There are five archaeology sites documented by Terra Archaeology (2008) on the island (Map, p. 15). One of these archaeology sites contains a cultural depression, while Tsilhqot'in consider two or more depressions to be house pits. One cultural depression was likely not documented as containing a cultural depression because of the large size and Tsilhqot'in who have seen this site believe this to be a large dwelling place.

The 44 cultural depressions in Fish Lake whose specifications are unknown due to their small sizes require further investigation. House depressions and a hearth found in previous prehistoric Tsilhqot'in sites are described in *Tsilhqot'in v. British Columbia* (2007: 233-234) as follows:

Archaeological studies of the Tsilhqox corridor have identified a series of sites with a substantial number of large, round cultural depressions (frequently referred to as house pits or pit house remains), as well as a number of **sites with fewer, smaller cultural depressions in either round or rectangular form**. Tsilhqot'in witnesses call the dwellings which left round cultural depressions lhiz qwen yex and the rectangular lodges niyah qungh. As already noted, **the latter structures are generally regarded as typically Athapaskan**, whereas the former – the round house pits,

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particularly the larger of these – are seen as non-Tsilhqot'in and more likely Plateau Pithouse Tradition [PPT] (Salish) in origin (Emphasis Added).

The archaeologists who studied these depressions theorized that it is likely that some of the larger pit house sites of non-Tsilhqot'in origin were partly reoccupied by Tsilhqot'in communities in this time period.

"Athapaskan people traditionally built rectangular winter lodges consisting of a single ridgepole and combined roofs and walls to form an "A" shaped cross section. Athapaskan people also traditionally used a distinctive boat shaped hearth. They are also known to have built isolated pit house dwellings, smaller than those built by people of the PPT."

There is a possibility that some of these cultural depressions at Fish Lake are pit houses (various sizes depending on culture), cache pits, roasting pits, dug-out hearths, or sub-surface sweat lodges. If each site is considered unique (in relation to dates, subsistence data), and some contain multiple assemblages, and the excavated pit houses represent more than one cultural group, then, **each cultural depression must be excavated**" (Emphasis Added).

Roasting Pits

Contrary to the proponent's claim in the EIS, the construction of roasting pits is not well-known.⁷

A number of roasting pits and cache pits have been test excavated in the Potato Mountain and Eagle Lake area and the collection of samples from these features will be used to compare and contrast the results from this earlier work (Alexander and Matson 1985). The roasting pits excavated during this previous work revealed various amounts of firebroken rock and ash. No artifacts or faunal or botanical remains were recovered. In contrast, a number of roasting pits in the Fish Lake study area revealed artifacts and faunal remains and these features should be more fully explored. It is unclear if this difference relates to excavation methods or a substantive difference in site use. Soil samples were not collected during the AIA work or the program at Potato Mountain. **The construction method and function of roasting pits and cache pits are well known, so complete or sample excavation is not recommended for every cultural depression.** Testing of site types and features such as cache pits and roasting pits can provide information on regional settlements and land use patterns. Although many such features are known in the region and even throughout the province, information for other

⁷ Dr. Sandy Peacock did a study of roasting pits in Kamloops which is accessible, and important to this study (Nancy Turner. 2009. Personal Communication).

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areas cannot be directly transposed. **It is possible that Fish Lake was a marginal area only occasionally and recently used. It may have been the focus of various activities during several extended periods or it may have been regularly but not intensively used for many centuries.** The features cannot answer any of these questions without further testing and analysis. Certainly the patterns reflected at Fish Lake could later be used to better understand regional settlement (2-33. Emphasis Added).

The proponent's suggested one to three days is not enough time to take carbon samples and cross-trench six roasting pits. This limitation of time does not take into account that undiscovered sites may be also found and more time is required to examine those.

Graves and a Cremation Site

Tsilhqot'in ancestors cremated their dead prior to contact and one of the sites at Težtan was known to be such a site and was pointed out by Alex Lulua (Xeni Gwet'in) as such when employed as a field assistant. It is written in the EIS that (2-19) "It should be noted that the Xeni Gwet'in First Nation asserts the presence of a cremation site" and "No faunal or human remains or evidence of cremation activity were identified during the surface examination or subsurface testing of this knoll" indicating that this cremation site was disturbed even though archaeologists were told by their Tsilhqot'in field assistant that the site was a cremation site. The appropriate procedure in such a case was to call Tsilhqot'in communities and the Archaeology Branch.

The archaeological work done on graves and cremation sites at Težtan did not address all the requirements under the BC AIA Guidelines and the HCA. Information about graves and a cremation site is not correctly described:

In 1993, Tyhurst identified two human grave sites within the proposed mine footprint. One is located within the boundaries of aforementioned archaeological site closest to the proposed mining pit. The grave is currently marked by a historic wooden cross. Based on personal communication between the Xeni Gwet'in First Nation and Tyhurst's field crew, the grave is identified as that of a "Chilcotin person who had been buried there about 1860" (Tyhurst 1995:22) (2-19).

A second grave site identified by Tyhurst was recorded as consisting of a partially decayed, rectangular log structure.... Intensive pedestrian survey of the location recorded by Tyhurst and the surrounding terrain did not result in the relocation of this site. (2-19).

Fish Lake is also identified (in Appendix 2 of the overview of Witness Testimony) as Teztaun [sic], identified as an important fishing and hunting

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camp in the 20th century. It is also the burial place for “an old Tsili lady” (Wilson. 2008: 3, **Emphasis Added**).

It should be noted that the Xeni Gwet’in First Nation asserts the presence of a cremation site situated on a small knoll at the southeastern tip of Fish Lake. A low-density lithic scatter site was recorded on this knoll by Terra Archaeology during the 2007 field season. … According to Alex Lulua of the Xeni Gwet’in First Nation, the…[site] is known to the community as a cremation site. No faunal or human remains or evidence of cremation activity were identified during the surface examination or subsurface testing of this knoll, however, it is unlikely that such activities would leave physical evidence (2-19).

Although HCA and Archaeological guidelines list post-1846 graves as protected sites, these are not included in this EIS as such. The research on this spiritually significant area is inadequate as the Tsilhqot’in are aware of more than two dozen graves in the mine footprint.

Tsilhqot’in Elders know of additional graves within the proposed mine and more graves within the proposed corridor which will be affected by the proposed project at Fish Lake. A number of graves will be destroyed by the proposed mine as they are located in Težtan; six on the island, one on a hilltop, and one along the creek below (Agnes Haller, John P Quilt Yunešit’in members). There are a number of cremation and burial sites in other areas around Težtan as well which were missed by archaeologists (Personal Communication, Inez Setah, Xeni Gwet’in, April 27, 2010). Three other graves were mentioned at the panel hearings and these are located in the area of the campground (Orrie Hance, Tl’etinqox, Page 2651)) and in the area which will be covered by the proposed tailings pond. One of the grave belongs to someone from Tl’etinqox, and one is Tsilhqot’in, but the names of the individuals are unknown (Alice William, Norman William, Xeni Gwet’in). During the panel hearing at Redstone, Joseph Case indicated that his grandfather (deceased 1918) is buried in Težtan but indicated that he did not know the location of his grave (Pages 3869-3889). It can be assumed that Tyhurst (1995) did locate this grave but his finds are not considered in this EIS and the final assumption is that there is only one “possible” grave in Težtan.

There are a number of unlisted cremation and burial sites in the access corridor which may be directly or indirectly affected by this development. For example, Cecelia Quilt’s six relatives are buried below Nabiš (also Nabaš; Anvil Mountain) (Christine Cooper, Tl’etinqox; Joanna Haines, Yunešit’in), specifically near Fire Creek (Agnes Haller, Yunešit’in) and it has not been determined whether these sites are situated within the proposed mine or not. Atažl-Hedash (where Atažl lives) is a place where there are six Yunešit’in graves. Other graves which may be under or near the proposed corridor are situated in the area of Churn Creek where Yunešit’in people are buried on deeded land owned by Agnes Haller’s paternal aunt (Agnes Haller). Mulis Beqiyex (Mulis’ Fish Camp) and Etsi Beqiyex (Grandfather’s Fish Camp) are places which have Yunešit’in

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graves. Hungry Valley has one grave surrounded by a log structure (documented in “Gang Ranch” by Judy Elsiker [sp.?]). Historically and more recently, trips have been taken by Tsilhqot’in members to Graveyard Valley to meet with the Shuswap and the Lillooet and this significant landmark also contains grave sites. Tsilhqot’in customs dictate that historic human remains be untouched and undisturbed.

The Family Homesteads



Nabas, Photo by Alice William

I was able to see my cabin in Nabas last year. My cabin is situated in the area of the proposed tailings pond. I don’t understand why anyone needs to destroy our homes and our land (Mabel Solomon, Xeni Gwet’in, Page 2423).

Besides the loss of Težtan and Fish Lake Creek, the proposed Tailings Pond and the Fish Compensation Plan will be established on top of Yanah Biny (Little Fish Lake) which is the site of historic Tsilhqot’in family homesteads. These homesteads built by Seymour, Johnny Hance, Jimmie William, Jean Baptiste, and the Solomon family are not deemed as protected sites. No heritage or spiritual significance is given to the cabins, or to their future value as historic, habitation, or heritage buildings. Evidence of human activity seems to be restricted to archaeological resources. Heritage resources within the Nabaš area including historic and traditional land use; cultural and spiritual significance; present land use; and culturally important plants are not adequately documented. There are plans made by the William families of Xeni to resume a full agricultural operation and begin an ecotourism business at Nabaš by this year.

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The tailings pond will be too close in proximity to the many watersheds, Wasp Lake, and wetlands. There are valuable lakes, streams, and hay meadows within the area often referred to as Nabaâš and this area has been used from prehistoric time to the present by Tsilhqot'in. The area has undergone extensive use, including traditional subsistence⁸ resource gathering; historic and present livestock grazing, hay-cutting; and contemporary subsistence resource gathering, and tourism. Within close proximity of future potential contaminant discharge are Biny Gunchagh (Wasp Lake; Big Lake), Jididžay (Big Onion Lake) and Dasiqox (Taseko River). There are also Culturally Modified Trees 100 to 120 years old, altered 44 to 65 years ago in the area are not protected. This is important evidence that Tsilhqot'in have occupied and used Nabaâš comprehensively and continuously to the present, but the treatment of historic sites

The essential elements of Tsilhqot'in culture will be destroyed by the proposed changes of Nabaâš and its destruction. Intense and widespread harvesting of resources like clear-cutting and mining, with serious land alterations, take away not only cultural and historical evidence, but also deny Tsilhqot'in the right to use and plan future uses for these areas and structures, for example, the historic cabins such as those used by Seymour, George Myers, or Jimmie William may in the future be turned into Heritage Houses. There are prehistoric and historic trails in and around the area which connect to other landscapes far and near which may serve as hiking trails for future generations.

It is not unusual that Yanah Biny appears “unused” and “lacking” in historic and traditional value. The Tsilhqot'in philosophy and lifestyle which initially helped towards the preservation of their lands, their traditions, and their many generations has been good in the traditional sense, but has been limiting in proving aboriginal rights and title. This conservative position has left scarce evidence, as evidence is measured in the European sense, of Yunešit'in occupation and use of Yunešit'in lands. But irrefutable evidence of early Tsilhqot'in occupation is real as offered in the oral and tangible evidence for the occupation and the use of lands in the selected areas and some of this information has been stated in this EIS:

The wide range of dates obtained through cross-dating of diagnostic artifacts, the presence of historic resources including CMTs and cabins, as well as information provided by First Nations communities, suggest the continual use of the Fish Lake locality from approximately 5500 BP to present. The artifact and feature assemblage identified indicates that the area was used for a range of activities including, hunting, fishing, plant gathering and processing. (1-3).

It is reasonable to assume from archaeological evidence that First Nations occupation at Fish Lake is extensive and continuous dating back to at least 7500 BP (Tyhurst, 1995).

⁸ The term “subsistence” in this document includes hunting, fishing, trapping, plant (and berry) gathering for food, clothing, household, and medicinal use.

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The Area for the Ultimate Low Grade Ore Stockpile Pad

The severe and irreversible impacts to the historic and heritage sites on the island in Fish Lake have not been mentioned. The proposed placement of the Ultimate Low Grade Ore Stockpile Pad is over the middle of Fish Lake including the island, physically covering over at least twenty-five or more archaeological sites with extensive mine traffic and the possible extension of mine life. This will destroy a spiritual and ceremonial site which likely covers the entire island and ritual bathing sites along the lake shore. There have been many Tsilhqot'in who have stated during the panel hearings that there are grave sites on this island and pit house sites, and several have mentioned a large depression which was used as a dwelling. The Stockpile Pad covers five Archaeological Survey Units.

The Thirty-four Post-1846 CMTs

In total, 34 post-1846 CMTs were identified. Four of these are historic components that fall within protected archaeological sites (2-18).



Helena Myers (Yunesit'in) harvesting cambium from a lodgepole pine

A CMT as defined in Culturally Modified Trees of British Columbia (1997) is: “a tree that has been altered by native people as part of their traditional use of the forest”. In north-eastern British Columbia CMTs are usually divided into three main categories: 1)

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bark-stripped trees, 2) aboriginally-logged trees, and 3) other modified trees (including blazed trees). CMTs that were used before 1846 are protected under the Heritage Conservation Act in British Columbia" (Spady 2008. Appendix 7-2-E: 5). The lack of protection for CMTs post-dating 1846 is confirmed in the British Columbia Archaeological Site Inventory Form Guide (2006: 27).⁹ What happens to the 30 CMTs which do not fall within protected archaeological sites?

Evidence of historic use of land is important to the younger generations of Tsilhqot'in who know little about their ancestors and their culture. This evidence is also useful to proving Aboriginal rights and title. Many Tsilhqot'in may wish to see these CMTs in their natural settings in their cultural and historical research of the area. This physical evidence of historical resource use is useful to note not just for documentation, but also for the connection it will establish between present Tsilhqot'in and their ancestors.

There is a "Checklist of Criteria for Post-Contact Site Evaluation" (Appendix E. Archaeological Impact Assessment Guidelines. 1998) which has not been adequately represented in this EIS. The criteria list includes "scientific, historic, public, ethnic, economic, integrity and condition, and other". Although there is likely some flexibility within the requirements for including some or all these for site evaluations and site significance ratings, the ultimate choice was made to omit "historic economic, integrity and condition, and other". Below are the details for measuring site significance for the post-contact sites excluded from this EIS:

⁹ Province of British Columbia Ministry of Tourism, Sport and the Arts Archaeological Inventory Section

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Omitted Significance Rankings

1. Historic Significance
 - a. Is the site associated with the early exploration, settlement, land use, or other aspect of British Columbia's cultural development?
 - b. Is the site associated with the life or activities of a particular historic figure, group, organization, or institution that has made a significant contribution to, or impact on, the community, province or nation?
 - c. Is the site associated with a particular historic event whether cultural, economic, military, religious, social or political that has made a significant contribution to, or impact on, the community, province or nation?
 - d. Is the site associated with a traditional recurring event in the history of the community, province, or nation, such as an annual celebration?
2. Economic
3. Integrity and condition
4. Other
 - a. Is the site a commonly acknowledged landmark?
 - b. Does, or could, the site contribute to a sense of continuity or identity either alone or in conjunction with similar sites in the vicinity?
 - c. Is the site a good typical example of an early structure or device commonly used for a specific purpose throughout an area or period of time?
 - d. Is the site representative of a particular architectural style or pattern?

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The B.C. Archaeological Site Inventory Form Guide 10 (2006, Appendix A: Classes; types; subtypes and descriptors: 28) is provided for recording archaeological sites.

Table 3: Site Inventory Form for Cultural Traditions

Class	Type	Subtype	Descriptor
Traditional use	Ceremonial/ Religious		Sweat lodge; marker tree
		Monumental art	Crest pole; Memorial pole; Mortuary pole; Pole
Cultural Landform			Marker site
Domestic			
Food Harvesting			Berry gathering; corral; pit; snare; fence; butchering site; blind; trap; deadfall; bitterroot gathering; berry drying
Material Harvesting			
Renewable Resource Activity			
Supernatural/ Mythological			Wishing rock
Traditional History	Legendary		Transformer site
Transportation	Trail		

Class	Type	Subtype	Descriptor
Postcontact	Building		
	Cultural Depression		
	Cultural Material		
	Landmark		
	Other		
	Other Structure		
	Rock Art		
	Transportation		

¹⁰ Province of British Columbia Ministry of Tourism, Sports and the Arts Archaeological Inventory Section <srmwww.gov.bc.ca/arch> (Accessed 10 May 2009)

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First Nations are uncovering the wealth of information about traditional knowledge in their fight for land and resources, but this alone will not recover the encyclopediac knowledge carried by their Elders. The Tsilhqot'in traditions are at risk of becoming useless if there are no places to practice them.

Heritage Resources not addressed or inadequate in the proponent's EIS:

1. mythology, legends, laws, language
2. traditional land use, spiritual activities
3. non-human activities
4. knowledge about species
5. subsistence, food preservation and cooking
6. historic land use activities
7. biographies of those who have cabins in the area
8. previous impacts to culture and language
9. accounts of places of social gathering, war,
10. land, place names
11. transportation, trade, trail networks (trails, waterways, portages)
12. cultural materials (subsistence items, shelter, food, crafts)
13. puberty ceremonies and vision quests on the island

Previous Recommendations Ignored

The proponent failed to adopt the suggested recommendations made by Tyhurst (1995), Ehrhart-English (1994), and Terra Archaeology (2008). Their practical recommendations do not show up in the EIS. Research by Tyhurst (1995) indicates that “extensive and careful study of the sites are warranted,” and Terra Archaeology (2008) recommended in their AIA report under Section 9, Impact Management Recommendations that “due to the significance of the sites identified and the permanent nature of the alteration that will occur if this project is developed it is recommended that Taseko Mines discuss both the findings of this assessment and possible next steps with both the affected First Nations and the Archaeology Branch” (32).

Previous suggestions were made for each site by Robert Tyhurst (1995) and these recommendations were omitted by the proponent in this EIS. The following are the site descriptions with their recommendations for archaeological sites taken from Tyhurst (1995:15, 25, 27) and Alexander (1995:104; in Tyhurst's Appendix 4):

1. *one faunal remain, 6 small basalt flakes with a recommendation for more shovel tests*
2. *lithic scatter and 1 tool with a recommendation for more shovel tests*
3. *lithic scatter and 1 diagnostic tool (a basalt Kamloops Horizon point 1200-200 BP found on the surface) with a recommendation for subsurface testing*
4. *lithic scatter with a recommendation for more shovel tests*

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5. *One grave with rectangular log structure 2m X 1m in a state of advanced decay - similar to a grave site at Tuzcha Lake, 20 km to the south of Fish Lake (Henry Solomon) with a recommendation for Taseko to consult with Xeni*
6. *lithic scatter with a recommendation for more shovel tests*

It is understandable that lithic scatter sites cannot be accurately reassessed since the previously discovered sites were not recorded with the use of GPS technology. But, it is incredible that a recommendation could be made for removal of sites which a previous archaeologist rated as medium to high scientific significance.

There were First Nations members from Xeni (Nemiah) who worked with Robert Tyhurst (1995) on these sites who could have assisted Terra Archaeology (2008) in finding these sites, but no attempt was made by the proponent to contact these two assistants.

Appendix 7-2-A and Appendix 7-2-D are archaeological reports both containing site studies and site recommendations.

Citations from Ehrhart-English (1994:77) do not exist in this EIS and she recommended further ethnobotanical studies for the proposed corridor and access road but the proponent disregarded this.

None of the archaeological site descriptions or site recommendations were cited from Appendix 7-2-A and the recommendations from Appendix 7-2-D were replaced with Wilson's recommendations.

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Other Uncertain Finds

1 Possible Cairn - Further investigation needed

Fish traps



Jeffan Smith and fish weir made by Christine Lulu, Jididžay 2009

The one site near fish traps was mentioned once but their historic and heritage significance is ignored. The existence of recent fish traps are useful evidence of continuity of traditions and this evidence is useful to proving Aboriginal Rights and Title. The possibility of finding the remains of ancient fishing devices buried along the shores of the lake which could give evidence through carbon dating has not been carried out.

One other fish trap was seen in 2008 by fishermen in another Survey Unit which also contains an archaeological site but no reference has been made to it in this EIS.

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Transmission Line Archaeological Impact Assessment Permit Application

Based on previous studies, 31 archaeological sites and 6 CMTs are mentioned for the corridor (Spady, Ryan. 2008. Appendix 7-2-E: 6).

The proponent lists only six cultural depressions for further archaeological studies. It is impossible to establish how many other sites and archaeological material may have been missed.

In regards to water crossings within the Yunešit'in Caretaking area which will be affected by the proposed power line, the Chairman (4167 Dog Creek), in his question, indicated that there were “125 stream crossings and 34 water licences.” In their Draft Terrain Assessment March 29, 1999, Talisman Land Resource Consultants Inc. (Appendix 5-4-B 10) listed the many streams which the proposed transmission will cross. There are three lakes within the proposed corridor which are surrounded by numerous traditional use sites and are favourite fishing camps. The traditional use of these lakes and surrounding areas must be documented. These sites must be protected. These lakes, including the area of Big Creek, were originally used by ancestors of the Tsilhqot'in, and are continually being used by Tsilhqot'in people. As indicated by Tyhurst (1995), there were archaeological remains at two of these lakes. At this time, without the time given for Tsilhqot'in or the capacity to do cultural and historical research in this area, it should be noted that there are three segments of the transmission line which will severely impact important lake fishing sites.

“Segment 2 (km 27 to 78): West of the Fraser River to Big Creek” lists “35 crossings: Word Creek, Farwell Creek, Vedan Creek, Mons Creek, and 31 unnamed creeks and ponds.” There is a traditional Tsilhqot'in qiyex (fish camp) along the shores of Echish (Mons Lake) which is located south of Big Creek Road and is accessible by logging road.

“Segment 3 (km 78 to 103): west of Big Creek to Kloakut Lake” has “13 crossings: Big Creek, Bambrick Creek, Willan Creek, and ten unnamed creeks.” Here, there is also traditional Tsilhqot'in fish camp(s) at a place called Yelts'ig (Kloakut Lake) and this is the only fish-bearing lake which bears fish now in the Big Creek area. Fish have disappeared from the other lakes after clear-cut logging. Yelts'ig also has one archaeology site at its south end. Tyhurst (1995: 32, 33, 35) documented “lithic scatter on site T27/EjRu at the tip of an esker near the southeast shore of Kloakut Lake. Three basalt flakes were found” (35). Kloakut Lake is accessible by logging road south of Big Creek Road.

“Segment 4 (km 103 to 125): south of Kloakut Lake to Fish Lake” has 15 crossings: Tete Angela Creek and 14 unnamed creeks or ponds.” There is a traditional Tsilhqot'in qiyex (fish camp) at Esqi Siliz (Willan Lake). Tyhurst (1995: 32, 33, 34) documented “seventeen basalt flakes on site T22/EjRt which is located at the eastern end of Willan Lake, where Bambrick Creek exits the lake” (34). Willan Lake is along Big Creek Road; so can likely be seen from the road (if not at the edge of the road, then it is immediately

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to the north of the road). There are Tsilhqot'in fish camps, hay-cutting, and range areas within this segment, including a sacred area and other historic sites, but no search has been done as to the exact location of these sites. For example, Tish-t'an-Gulin-Xadalgwenlh (Vedan Mountain) is sacred ground (Agnes Haller), and there is a gathering and ceremonial place at Ch'iyilgwan (Empire Valley).

New and improved roads and the availability of power within the mine footprint will attract more people to the area and the impacts of this to Tsilhqot'in people and their land has not been discussed by the proponent, but this has been brought up during the panel hearings. These areas were used extensively for fishing, trapping, hunting, and plant gathering and such activities will be indirectly and directly impacted by the mine project. The corridor and access road will encourage new homesteads, which will lead to further damage to ancient and historic Tsilhqot'in trails, and obliterate surface and subsurface cultural sites and eliminate significant Tsilhqot'in watersheds, subsistence networks, and evidence of interactions with others. Many of these sites could very well become future tourist attractions, however, the areas will be quickly populated as a result of the increased access. These impacts will have a detrimental effect on Tsilhqot'in heritage, history, traditional and contemporary land use, traditional resources, culture and language, and in general, the residual impacts will affect Tsilhqot'in health.

Human health risks in general have not been thoroughly assessed and the effects to health which could be caused by the power corridor are not mentioned. More studies are required for assessing human health risks resulting from the consumption and use of traditional foods and medicines including species of fish, mammal, bird, and plant species whose habitats are within and around the mine footprint.

Environmental Impacts

...In summary, you have an intact ecosystem that includes grizzly bears, wolves, cougars, wild salmon, wild horses, where people still survive on the land. And it's a unique people and cultural landscape found nowhere else in North America (Wayne McCrory, Page 2358).

There is a migration route for deer, moose, and mountain sheep which goes through Nabaš, and grizzly bears travel through this area and this is enough to assume that this area is good habitat for these mammals. (Duane Hink, Yunešit'in, Pages 2581-2582) voiced to the CEAA panel that the area is the last intact moose habitat within the Yunešit'in caretaking area:

...Moose habitat has been pushed from Churn Creek and Gaspard area all the way up because of the logging. The logging goes right to the -- our -- coastal mountain range that comes up to Black Dome. And they have been pushed so far up. And that area is where the moose raise their young because there's abundance of willow and other brush that they feed on. And now that -- even

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the dust is turning from the logging that's happened, so much clearcuts. And those moose just keep moving and moving. And now that they are kind of settled in that area, now they want to put a mine there. Now the mine wants to come in. Now where are the moose going to go? That's, like, their last stand. That's the last stand for those animals. And we're here to speak for them.

[Under the proposed tailings pond] the grizzly bears used the creek between Fish Lake and Little Fish Lake. It is their trail. They also get fish from the creeks in the spring. This is an old sled trail that dad used and there are grizzly bear claw marks all over (Norman William, Xeni Gwet'in, Page 2283).

This land of pristine wilderness will be gone. There are red-listed, blue-listed falcons at risk in the area. There are blue-listed great blue herons and fishers that call all the waterways in this country home. Where are they going to go? The European countries are running out of pristine wilderness and coming to our country to see this area. It is inconceivable to them that we Canadians would destroy what nature we have left. H₂O, water, is the number one ingredient in the universe that keeps all the living cells alive. Without it, the world is at an end (Alice William, Xeni Gwet'in, Page 2295).

There sitting calmly observing my son was a lynx. Not afraid of us, curious I guess, he stayed in this spot for several minutes watching as we watched him. And I tell you this story because it represents a wilderness experience. One that will last a lifetime for three people. And how do you put a price on that? It represents a wilderness value that is not compatible, I don't believe, with the economic values in support of the Prosperity Mine Proposal (Dave Diether, 100 Mile House, Page 1380).

Any drilling in any lands, any water, any soil, is not a good thing. Even up to four feet, it will damage so many things. There is so many animals, so many insects, so many things in that ground at four feet. It may look [Page 3395] like it's nothing. It may look like it's dry, rock, whatever, but there are millions of species that are there. If you start drilling that ground, you're going to be killing a lot of things that's there. Our brothers and sisters as a spiritual being, as a spiritual connection. We are losing by damaging that soil and drilling (William Billyboy, Tl'etinqox, Page 3396).

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Literary Resource Guidelines

The EIS Guidelines (vii) and Section 3.4.2 of the AIA Guidelines (1998) encourage investigators to search out existing literary sources and consult knowledgeable people. This public document available online which contains relevant excerpts of Tsilhqot'in archaeological and heritage studies (*Tsilhqot'in v. British Columbia*) was not adequately cited in the EIS and this information would have established important cultural relevance of the area to Tsilhqot'in. Some studies were identified but were not referenced properly or simply not used and no explanation as to why they were not used. There was ample archaeological and heritage data for the proponent to draw from in preparing this EIS. The Proponent has chosen to downplay the overall historical, spiritual, and cultural significance of the Fish Lake site.

Table 4: Volume 7 Appendices- Archaeological and Heritage Resources

Appendix 7-2-A	Tyhurst, Robert. 1995. Fish Lake Heritage Resource Study: Report on the 1993 Archaeological Survey of the Fish Lake Mine Project and Access Corridor in South-central British Columbia. Ministry of Tourism, Culture and the Arts, Victoria, B.C.
	Appendices: An Overview of the Heritage Significance of the Proposed Power and Transportation Corridors Servicing the Fish Lake Project (Cindy Ehrhart-English, Harmony Human and Environmental Studies Ltd.: 44-82) Analysis of Lithic Assemblage (Diana Alexander, Millennia Research: 87-143) Faunal Analysis Report (Susan Crockford Pacific Identifications: 144-158)
Appendix 7-2-B	Wilson, Ian. 2006. Prosperity Mine-Taseko Mines Ltd. Archaeological Review. Letter report, Project Files, AXYS Environmental Consulting, Sidney, B.C.
Appendix 7-2-C	Ehrhart-English, Cindy L. 1994. The Heritage Significance of the Fish Lake Study Area: Ethnography. Harmony Human and Environmental Studies Ltd. Document on File, Taseko Mines, Vancouver, B.C.
Appendix 7-2-D	Terra Archaeology. 2008. Archaeological Survey Unit (ASU) Report.
Appendix 7-2-E	Spady, Ryan. 2008. Transmission Line Archaeological Impact Assessment Permit Application

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It appears from this submission that EIS Guidelines, both the Heritage Conservation Act and the British Columbia Archaeological Impact Assessment Guidelines (1998) have not been strictly followed.

Site descriptions from the known documents, studies on the proposed corridor and access road, are not presented in this EIS.

The Tsilhqot'in who were to benefit from prehistoric studies such as this, and whose territory in which this study took place were not consulted in regards to their knowledge nor were they informed about the findings of this study. There has been no mention of requests for review or comments by Tsilhqot'in on impact management recommendations for both the 1993 and 2006 archaeological studies. There are no details for each archaeological site regarding potential disturbances from mining activities. There are no detailed management plans. Being that the archaeological sites are within Tsilhqot'in territory, it would seem appropriate for Tsilhqot'in themselves to establish final mitigation requirements. Simply avoiding archaeological sites is not satisfactory for high impact disturbances like mining.

The proponent does not rely on its own archaeological and heritage studies except for the Terra Archaeology report (2008). The EIS does not mention studies on ethnographic, and lithic and artifact assemblage analyses within their 2006 HCA Permit Application. Tyhurst (2005) documented "Locations and Types of Sites within the Proposed Corridor, listing nine sites, with recommendations for other archaeologically significant areas. These previous descriptions are not listed adequately and are not described in the EIS, and only appear in Spady's (2008) permit application .

The archaeological and ethnographic reports are far from sufficient. There is scant documentation of Tsilhqot'in in general, and a thorough study should have been able to amass at least a thousand pages consisting of merely an overview of Tsilhqot'in prehistory, history, and culture.

The proponent indicates knowing about studies which contained previously recorded archaeological sites. A number of significant archaeology sites within the proposed transmission corridor are not described, although the proponent had easy access to their own reports for the area, and those done by the Chilcotin Forest District (2-5) (i.e. IR Wilson. 1998. Northern Secwepemc Traditional Territory and Millennia. 1998. The Williams Lake Forest District). The transmission line, access road and ancillary developments are captured within portions of AOAs conducted for the Chilcotin Forest District. Additional studies arranged by the proponent are mentioned, but are not listed under the appendices for this volume (2-5):

The second archaeological field study was conducted in 1998 on behalf of Taseko by a team lead by Michael Klassen (Klassen 1998). The survey was conducted in advance of the excavation of proposed test pit sites and geotechnical drill hole sites. This study was designed to examine small,

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localized test sites and determine the archaeological potential of their location.

The overview was conducted the following year (in 1999). Relying heavily on previous Archaeology Branch reviews of the previous work, the Archaeology Branch and the Environmental Assessment Office (EAO) identified gaps in the work completed to date, and devised a plan for further work (Alexander et al. 1999).

The proponent's Section 2.2.4 *Cultural Background*, suggests that readers of the EIS should find the heritage data in one of the appendices for this volume:

At the request of Taseko, a report detailing the ethnographic and ethnohistoric significance of the Fish Lake area was produced in 1994 by Harmony Human and Environmental Studies Ltd. (Appendix 7-2-C). Detailed information pertaining to the ethnohistory can be found in this study (2-5).

Conclusion

I just wanted to clarify in regards to your mention of the Archaeological Impact Assessment. You said that was in cooperation with the Xeni Gwet'in. Correction. That was in cooperation with the Tsilhqot'in Nation. And the Nation did not agree with the report you submitted on this Application (Chief Baptiste, April 7, 2010, Volume 15, Page 2498 at Yunesit'in Community).

As it is now for five of the Tsilhqot'in communities, the Tsilhqot'in youth of today from these communities will never see their land as it once was. They will only know the stories and see the remains of a once beautiful land, and they will come to realize a physical history lost forever. The past destruction of places through logging has heartbreaking for me. I want to see the areas I have not yet seen, not as clearcuts, but as intact systems and this opportunity has been taken from me. What will it feel like to lose one Tsilhqot'in cultural keystone species? To give readers a sense of what is experienced when anticipating the harvest of traditional food, the following description written by a Haida woman is quoted in full:¹¹

I want to touch now on another very important area in my life as a food gatherer. It is my job, my purpose, to ensure that I gather certain food for my husband and my children, and I want to share one part. It's called gknow. That's herring roe on kelp. In the spring the herring come and they spawn on kelp. For many years now I have been harvesting that and putting it away for

¹¹ Gwaganad (Diane Brown). Speaking the Haida Way . Pp. 50-51, in Home! A Bioregional Reader, edited by Van Andruss, Christopher Plant, Judith Plant and Eleanor Wright. New Society Publishers, Gabriola Island , B.C. [Electronic Document, 24 Jan 2001]

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the winter. But so far I haven't heard what It's a spiritual thing that happens. It doesn't just happen every year. You can't take that for granted because everything in the environment has to be perfect. The climate has to be perfect, the water temperature, the kep [sic] have to be ready and the herring have to want to spawn.

But I want to share what goes on in my spiritual self, in my body, come February. And I feel it's an important point. That's what makes me as a Haida different from you, Kilsli. My body feels that it's time to spawn. It gets ready in February. I get a longing to be on the sea. I constantly watch the ocean surrounding the island where the ehrring [sic] spawn. My body is kind of on edge in anticipation.

Finally the day comes when it [sic] spawn. The water gets all milky around it. I know I am supposed to speak for myself, but I share this experience with all the friends, the lady friends, that we pick together this wonderful feeling on the day that it happens, the excitement, the relief that the herring did indeed come this year. And you don't quite feel complete until you are right out on the ocean with your hands in the water harvesting the kelp, the roe on kelp, and then your body feels right. The cycle is complete.

And it's not quite perfect until you eat your first batch of herring roe on kelp. I don't know how to say it well, but your body almost rejoices in that first feed. It feels right. If you listen to your body it tells you a lot of things. If you put something wrong in it, your body feels it. If you put something right in it, your body feels it. Your spiritual self feels it. In order to make me complete I need the right food from the land. I also need to prepare it myself. I have to harvest it myself. The same thing goes for fish, the fish that we gather for the winter. But I wanted to elaborate on the harvesting of kelp to give you an idea of how it feels as Haida to harvest food.

So I want to stress that it's the land tht [sic] helps us maintain our culture. It is an important, important part of our culture. Without that land, I fear very much for the future of the Haida nation."

Tsilhqot'in have spoken, to protect and preserve the heritage for those who cannot speak for themselves - the future generations, the earth and its animals, the birds, the trees, and the plants. It is difficult to know whether they have been heard and understood.

We did -- we had hopes that you heard us. I don't – in your closing remarks, I don't feel that. And I just want to say with the time factor and this whole process, the Federal Environmental Assessment Process, as well as the B.C. process, this is not adequate. We have several more speakers that we have to be heard and we were not given that opportunity here. We are supposed to be here until 6:00 p.m. tonight and we are cut short at 1 o'clock. And our People

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here, as we sit these four days, before these four days and beyond these four days, are impacted. Our health is being impacted. Our Elders were here for these four days from start to finish. That is a very heavy, heavy matter in our hearts, our minds, and our souls Chief Baptiste (Xeni Gwet'in, Page 2448).

I sat in this room since Monday hearing our children cry for the land, water, fish, deer, moose, and every living thing. Our Elders have spoken. And our People have voiced their concerns. What I see is that we are not heard and taken seriously (Agnes William, Xeni Gwet'in, Page 2214).

The EIS does not describe how the mine activities will affect Tsilhqot'in traditions, and Tsilhqot'in rights and title. The Prosperity Mines has not engaged in respectful and meaningful discussions with the Tsilhqot'in. There are protocols mentioned which facilitate discussions between individuals and parties:

Duane Hink, from the Yunesit'in community asked: Have you ever in this process ever thought of having maybe a sweat, like a sweat (2502) bath with any of the Elders or anything? Like, it's a good way to know when you're being honest to somebody, you bring them to a ceremony and you have those Rituals done. It's just a, like, I don't think you guys have done that or considered it (Pages 2502-2503).

Bell-Irving replied: Well, speaking for my two colleagues on my right, I can say that in the 17 years that I've been involved on this Project, I've not been invited nor have I participated in such a ceremony (Page 2503).

In Dog Creek and Alkali Lake, it is part of community protocol prior to meetings that speakers attend a ceremony, either a pipe ceremony or a sweat ceremony or both, in order to develop trust between individuals, and the invitation to the panel and to Taseko was expressed during the panel hearing to undertake these ceremonies, but no answer was given to the speaker, Fred Johnson (Alkali Lake).

Artifacts are generally stored in a museum either in Victoria (12 hours by car) or in Vancouver (7 hours by car) where they are inaccessible to Tsilhqot'in. It is almost impossible to document any cultural finds at these locations because it is difficult for elders to that distance. One also is required to make an appointment at least a month in advance to see artifacts which are in storage.

And archaeology, anthropology, I believe it would be safe for our Tsilhqot'in People to hire our own archaeologist and anthropologist because we cannot say what we want recorded for further research, and to have access to these materials later on. If the government hired anthropologists, archaeologists, they determine what they want researched and only benefits the government in court cases. The anthropologists and archaeologists only go by guidelines and policies made by the government (Marion William 2236-2237 Xeni).

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Like, if we had policies made in our way, we could describe our artefacts or bones, our rituals in our own way. And, like, you know, a lot of this information would be available to our People. Like, we have a lot of academics doing a lot of these theories and we can't get access of them (Marion William 2241).

I would think that Tsilhqot'in would be given the approval to keep the stone pipe because of its spiritual nature. Tsilhqot'in believe that cultural objects retain the human spirit of their previous owners and believe that a distant and an institutional environment is not the appropriate place for their cultural objects. The cold, gloomy museum cases are in a sense like caskets, in that they encase our spirits which were long believed to be dead. For, just as the days cannot be separated from the months and years, these objects connect us to the ancestors and at the same time merge with us into the future.

Tsilhqot'in do not like answering "No" to anyone, and some do today, and others would express negative answers indirectly. The fact that there has been general silence in regards to the fish compensation plan does not mean acceptance for its creation. Silence on this means "No" and there is likely the perception that the lake will be contaminated therefore the fish which are transplanted will also be contaminated.

In the face of worldwide ecological collapse, it is unwise to start a project that has, at its centre, the potential destruction of a freshwater ecosystem. To suggest that a man-made lake can adequately replace a fully functioning natural one, borders on the absurd (Gordon Hoglund, Lower Bridge Creek Water Stewardship Society, 100 Mile House, Page 1317).

It is not a Tsilhqot'in approach to be negative. It was shared that the language and communication style is gentle and this is true for the customs as well. For generations, Tsilhqot'in have walked gently upon the earth. The tradition has been, for thousands of years, to be exceptional stewards of the land and to leave pristine lands to future occupants. The same duty to look after land is also expressed in *Tsilhqot'in v. British Columbia* (2007: 7):

Xeni Gwet'in people (people of the Nemiah Valley) are charged with the sacred duty to protect the nen (land) of Tachelach'ed and the surrounding nen on behalf of all Tsilhqot'in people.

If land use planning and forestry activities have unjustifiably infringed Tsilhqot'in Aboriginal title and Tsilhqot'in Aboriginal rights, then the effects of mining will likely surpass these previous violations.

I respect the fact that the Indigenous culture everywhere understands these intricacies better than all of the geologists and environmental scientists hired by Taseko Mines. Beyond the terrible and irreversible injury that the mining

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activity will cause, I see with a sad heart that the Tsilhqot'in People in the Nemiah Valley and their culture will suffer. (Dave Diether, 100 Mile House, Page 1377).

This report perhaps seems long to the panel. Perhaps it is; my heart is heavy with the inadequacy of my words. But let me say by way of conclusion that this paper scarcely begins to introduce who we are, what we treasure, our spiritual angst at the thought of this insane proposal by Prosperity Mine. I have done here what Tsilhqot'in rarely do: bared our soul to the outside world. The matter is now in the hands of this panel, and we have prayed for the wisdom of our ancestors to guide you as you make your decision. If Teztan Biny is destroyed, we Tsilhqot'in as a distinct race and culture are destroyed. We stand in the midst of a long line of ancestors from whom we have inherited our land, and of our yet unborn descendants to whom we must pass our heritage. I speak for those to come who cannot speak for themselves. It is over. No more will we sit quietly and watch the raping of the sacred earth, the desecration of our ceremonial sites, the graves of our ancestors, our water being poisoned. No more will we be told who we are or who others think we are supposed to be.

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Appendix 1: Our Responsibility to the Seventh Generation

Clarkson, Linda, Vern Morissette and Gabriel Regallat. 1992. Our Responsibility to the Seventh Generation. Indigenous Peoples and Sustainable Development. International Institute of Sustainable Development. Canada.

1. We cannot simply think of our survival; each new generation is responsible to ensure the survival of the seventh generation
2. We are placed on the earth (our Mother) to be the caretakers of all that is here
3. Exploiting the land to extinction would ultimately mean your own extinction
4. Everything that we do has consequences for something else. This circular pattern of thinking is a constant reminder to us that we are all intimately connected to Creation.
5. The prophecy tells us that what we do today will affect the seventh generation and we must bear in mind our responsibility to them today and always.
6. Indigenous Peoples have been destroyed by development.
7. Resource use must not be destructive and must ensure the viability of the land and resources for seven generations into the future.
8. The only avenue to sustaining our culture and our role as the caretakers of this planet is not through adopting the non-indigenous systems, but through the creation of our own mechanisms of change based upon the values, beliefs and systems of our original teachings.

Appendix 2: Significant Documents for Research

The following works contain relevant material and are not included in the Taseko EIS nor are they in the reference sections of the archaeological and heritage studies completed by the proponent. Consideration of these available documents would have improved the proponent's initial understanding of the connection to land and the cultural significance of the area.

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