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**PROSPERITY GOLD-COPPER MINE PROJECT**  
**CANADIAN ENVIRONMENTAL ASSESSMENT REGISTRY #09-05-44811**

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**FEDERAL REVIEW PANEL PUBLIC HEARING**

**PURSUANT TO:**

**SECTION 34 OF THE *CANADIAN ENVIRONMENTAL ASSESSMENT ACT***

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**PROCEEDINGS AT HEARING**

**CLOSING REMARKS**

**May 1, 2010**

**Volume 34**

**Pages 7088 to 7228**

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Held at:

Pioneer Complex  
Room 119  
351 Hodgson Road  
Williams Lake, British Columbia

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**APPEARANCES**

**FEDERAL PANEL:**

Mr. Robert (Bob) Connelly, Panel Chair  
Mr. Bill Klassen, Panel Member  
Ms. Nalaine Morin, Panel Member

**CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY (CEAA) :**

Ms. Colette Spagnuolo  
Mr. Joseph Ronzio  
Mr. Jaron Dyble  
Mr. Livain Michaud  
Ms. Carolyn Dunn  
Ms. Lucille Jamault  
Ms. Patricia McKeage

**APPLICANT**

Keith Clark, Esq. (Counsel) ) For Taseko Mines Limited  
Mr. Brian Battison )  
Mr. Rod Bell-Irving )

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**INTERESTED PARTIES AND PRESENTERS:**  
(In order of appearance on the record):

**CLOSING REMARKS BY:**

Esketemc First Nation  
MiningWatch Canada  
Friends of the Nemaiah Valley  
Share the Cariboo-Chilcotin Resources Society  
Barbara Hooper  
Sage Birchwater  
Herb Nakada  
Stuart Kohut  
Federico Osorio

**COURT REPORTING:**

Mainland Reporting Services, Inc.  
Nancy Nielsen, RPR, RCR, CSR(A)  
Stephen Gill, CCR, CSR(A)

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11	RECONVENE ON MONDAY, MAY 3, 2010, AT	
12	9:00 A.M., AT BIG MAMA'S STEAKHOUSE,	
13	WILLIAMS LAKE)	
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**OPENING COMMENTS BY THE CHAIRMAN:**

1  
2 THE CHAIRMAN: Good morning, Ladies and  
3 Gentlemen, I would like to open the hearings again  
4 this morning.

5 We will start shortly with a drumming  
6 ceremony, but I would just like to welcome the  
7 citizens of Williams Lake and the Cariboo-Chilcotin  
8 region, Ladies and Gentlemen, Chiefs, Elders that may  
9 be here, Members of the Tsilhqot'in First Nation, and  
10 the Secwepemc First Nation within whose traditional  
11 territory we're holding these hearings, Members of  
12 Secretariat, and Taseko Mines Limited, we would like  
13 to welcome you to the hearings this morning. This is  
14 our final stage of the hearing process.

15 And we will open them with a drumming  
16 ceremony and we will close this final stage with a  
17 drumming ceremony at the end of the day Monday.

18 So, with that, we'll turn to the First  
19 Nations to welcome us with a drumming ceremony  
20 reminding us that we're holding these hearings within  
21 their traditional territory.

22 **(DRUMMING CEREMONY)**

23 **(PRAYER)**

24 THE CHAIRMAN: Good morning once again. I  
25 would like to thank the Members of the First Nations

1 who assisted us with the opening ceremony and also the  
2 prayer before we begin our final round of hearings on  
3 the proposed Project.

4 As you know, we have held general sessions.  
5 We have held community sessions. We have held, ending  
6 yesterday, sessions dealing with specific topics, and  
7 this is the fourth and final stage of the review which  
8 deals with closing remarks.

9 I have a few administrative matters that I'll  
10 deal with in a moment.

11 But first of all, in case there are some new  
12 people here, I'll introduce the Panel.

13 My name is Bob Connelly, I'm Chair of the  
14 Panel. On my right, Nalaine Morin, and on my left,  
15 Bill Klassen.

16 And I'll ask Taseko Mines to introduce  
17 themselves as well before we begin.

18 **INTRODUCTION BY TASEKO MINES LIMITED:**

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

20 My name is Brian Battison, I'm Vice-President  
21 of Corporate Affairs for Taseko Mines Limited.

22 On my right is Mr. Rod Bell-Irving. Rod is  
23 responsible for the Prosperity Environmental  
24 Assessment Impact.

25 **ADMINISTRATIVE MATTERS SPOKEN TO BY THE CHAIRMAN:**

1 THE CHAIRMAN: Thank you, Mr. Battison. I  
2 have, again, just a few administrative matters before  
3 we get on to the closing remarks.

4 There were some exhibits filed yesterday and  
5 I will just read them out for the record.

6 Exhibit 128 from Taseko, that was the  
7 PowerPoint Presentation on the terrestrial environment  
8 topic-specific session.

9 Exhibit 129 from Environment Canada, their  
10 PowerPoint Presentation on Terrestrial Environment.

11 And Exhibit 130 from Wayne McCrory, a  
12 PowerPoint Presentation again on the subject of the  
13 terrestrial environment.

14 Exhibit 131 from Federico Osorio, maps and  
15 supporting information.

16 Exhibit 132 from Taseko, this was the  
17 PowerPoint Presentation on the socio-economic  
18 topic-specific session.

19 Exhibit 133 from Patt Larcombe, her  
20 presentation during the socio-economic session.

21 Exhibit 134 from MiningWatch Canada, a  
22 PowerPoint Presentation on the socio-economic session.

23 Exhibit 135 the presentation by the Nemiah  
24 Valley and specifically Dr. Shaffer, his presentation.

25 Exhibit 136 was the PowerPoint Presentation



1 from Transport Canada.

2 Exhibit 137 was the movie from the Williams  
3 Lake and District Chamber of Commerce.

4 And finally, Exhibit 138, the PowerPoint  
5 Presentation from Titi Kunkel.

6 At the end of the day -- that completes,  
7 then, the exhibits that have been submitted to the  
8 Panel. At the end of the day, the record is closed in  
9 terms of submission of new information.

10 As I indicated yesterday, we will be making  
11 our conclusions and recommendations based on all of  
12 the evidence that has been submitted up to the end of  
13 the day. And, of course, we'll be looking closely at  
14 the summary presentations that come during the closing  
15 sessions, both today and on Monday.

16 These sessions on closing remarks are an  
17 opportunity for individuals and representatives of  
18 organizations that have previously appeared before the  
19 Panel to summarize their positions on the Project's  
20 impact and to provide reasons why they feel that way.

21 No new information is to be included in the  
22 closing remarks and, as I indicated, we'll not accept  
23 any further written submissions.

24 And the reason for this is to ensure that all  
25 of the evidence we receive is transparent, everybody

1 can see it, everybody's had an opportunity to comment  
2 on it.

3 As I mentioned, the closing remarks are  
4 reserved for those parties who have previously  
5 appeared before the Panel, and in order to ensure that  
6 the remarks can be accommodated within the time period  
7 we have, we have set some specific time limits for  
8 various individuals and organizations.

9 So we've indicated that Federal departments  
10 as well as First Nations and other organizations that  
11 received participant funding from the Canadian  
12 Environmental Assessment Agency will be given a longer  
13 period of time to make closing remarks, and that's in  
14 recognition that they have had a greater role in these  
15 hearings.

16 Individuals not represented by any of those  
17 groups will be given 10 minutes.

18 So those are the Procedures, very simply.

19 And in terms of this morning's presenters,  
20 the first presentation is from the Esketemc First  
21 Nation, and we have allotted 90 minutes for that.

22 Next would be MiningWatch Canada, Ramsey  
23 Hart.

24 Friends of Nemaiah Valley, David Williams.

25 And Share the Cariboo-Chilcotin Resources

1 Society, Bill Carruthers.

2 And for the latter three, we've allocated 30  
3 minutes for their presentation.

4 So those are the Procedures. That's the  
5 agenda for this morning.

6 And we'll call the Esketemc First Nation  
7 forward to be the first of the organizations that are  
8 here to present an overview, their final conclusions  
9 and remarks regarding the proposed Project.

10 So I'll call, is it Chief Robbins that will  
11 be, I'm not sure who is doing the presentation, but I  
12 will have you come forward in any case.

13 I might also add that during closing remarks,  
14 we do not have opportunities for questions from the  
15 audience.

16 The Panel may ask some questions of  
17 clarification, but that would be just to make sure we  
18 fully understood your final closing remarks on the  
19 review.

20 So, thank you, I will then begin with the  
21 Esketemc First Nation.

22 **CLOSING REMARKS BY THE ESKETEMC FIRST NATION:**

23 **PANEL: BY MS. BETH BEDARD**

24 **CHIEF FRED ROBBINS**

25 **MS. ELIZABETH HUNT**

1 **CLOSING REMARKS BY ESKETEMC FIRST NATION, BY**

2 **MS. BEDARD:**

3 Ms. Bedard: Thank you for this  
4 opportunity to summarize.

5 And thank you to all of the Chiefs and  
6 Elders, Panel Members, the Secretariat, and all of the  
7 community members from Williams Lake, First Nations.

8 It is difficult to adequately come up with a  
9 strategy to summarize what has been said and hope that  
10 in these words that the community's concerns are  
11 addressed adequately.

12 What I would like to request is that you, as  
13 you listen to these closing comments, that you think  
14 of the community members, you think of the young  
15 people, you think of the generations to come, and you  
16 think of the Elders within the Esketemc community.  
17 During the presentations there were many tears, there  
18 was a great deal of emotion. This Project will be  
19 affecting the Esketemc future. We ask that you  
20 consider that carefully. That there's no financial  
21 compensation that can replace a culture and future  
22 generations.

23 We ask that you consider Esketemc right to  
24 survival.

25 We ask that you consider what that survival

1 is based on: The land, the resources, the sacred  
2 areas, the memories, the culture, the 5,000 years of  
3 occupation, as seen through the archaeological sites,  
4 as seen through the place names.

5 We ask that you remember the community.

6 Thank you.

7 THE CHAIRMAN: Thank you, Ms. Bedard.

8 Chief Robbins.

9 **CLOSING REMARKS BY ESKETEMC FIRST NATION, BY CHIEF FRED**

10 **ROBBINS:**

11 CHIEF ROBBINS: (Aboriginal Language Spoken).

12 Thank you, Mr. Chair. My English name is  
13 Fred Robbins. My Residential School number was 35.  
14 My status number is 7110029801. I am under the wing  
15 of the Federal Government.

16 And I would hope that the Provincial  
17 Government would be here to -- sorry -- to be here to  
18 present to the First Nations groups. However, they  
19 have made their recommendations on the environmental  
20 assessment without Esketemc knowledge. And we've not  
21 seen those recommendations until halfway through the  
22 process.

23 So was that consultation? H'mm.

24 Taseko Mines says they have been around for  
25 17 years. They've spent \$180 million. Wow! It

1           wasn't until January 19th, I believe, of this year  
2           that they sold 25 percent of Gibraltar to get that  
3           \$180 million. So I'm wondering how did they spend it  
4           over the past 17 years.

5                     Just a comment, not a question.

6                     One of the things that when you think about  
7           how the municipal governments work versus First  
8           Nations Chief and Council, versus the Federal  
9           Government, versus legislation, versus mandates,  
10          versus -- I could go on and on about how leaders hold  
11          themselves. And with First Nations, it's always  
12          community driven, community first.

13                    One of the things that one of my Elders asked  
14          me the other day was, "If they put this transmission  
15          line, what is Esketemc going to get out of it?" I  
16          told him, "A lot less deer, a lot less moose, a lot  
17          less of our medicines, a lot less of this, a lot less  
18          of that." And then she just sat back and she's  
19          like ... "I remember when I was a kid, I never had to  
20          buy water. Now I have to buy water."

21                    There was only 18 people on Esketemc when she  
22          was a child. The rest had moved off-Reserve and lost  
23          their status.

24                    Now, as Bill C3 coming into effect sometime  
25          this year, there's going to be an influx of over

1 45,000 First Nations to all communities in B.C.

2 You know, I sat back and I started to think  
3 about all the people that will be coming back to  
4 Esketemc because they lost their status, they were  
5 discriminated against, the women married off-Reserve  
6 in the probably early '50s and they lost their status.

7 And I'm kind of curious as to how many people  
8 we're going to have coming back to Esketemc by the  
9 simple fact that we're already 850 plus. If we get  
10 another 200 more, we're looking at over 1,000-plus  
11 First Nations on a Federal Reserve that is not even  
12 the size of this mine.

13 So that concerns me. It concerns me very  
14 much so. Because the simple fact that all our  
15 watersheds are drying up. And we won't have anywhere  
16 to go get water. I mean, they want us to build, DIA  
17 and INAC wants us to build, but their request is you  
18 have to make subdivisions, it has to be at least six  
19 homes. Well, we don't have a watershed big enough to  
20 put water into these six homes.

21 So, you know, I'm concerned. I'm very  
22 concerned about how DIA and INAC are handling our case  
23 as being living in poverty for the past 150 years.

24 There's been misconceptions. I've actually  
25 heard some at the very first week of hearings here in

1 Williams Lake. One of the gentlemen from Williams  
2 Lake, a business owner, I asked him why was he  
3 bringing the economy into this, into this session.  
4 And he said, "Well, we pay taxes." And I told him,  
5 "Well, what, First Nations don't?"

6 You know, there is misconception out there.  
7 I mean, I pay taxes. I go and I buy, if I buy  
8 anything in Williams Lake, I pay taxes. We have a  
9 Community Forest. We pay taxes on that Community  
10 Forest.

11 And I'm just getting tired of all of the  
12 misconceptions that's out there. They say, "Oh, you  
13 get your education paid for." Well, we pay, two,  
14 three times as much as non-First Nations in the School  
15 District here in Williams Lake. So who is educating  
16 who?

17 There's so many things that the Province and  
18 DIA and INAC should be at this table also to  
19 understand that this impact is going to affect our  
20 livelihood. And it's their duty to protect that  
21 livelihood.

22 This process, as I stated before, it dilutes  
23 all of our court cases that we've won. And, to me,  
24 it's a constant battle, like, our Elders say we've won  
25 in court, why are we doing it again, why do we have to



1 keep doing it over and over and over? Well, my simple  
2 statement was, you got to -- it's just like the  
3 Residential School, if you want -- if they wanted you  
4 to learn English, they beat it into you, literally  
5 beat it into you. So we have to keep beating on them  
6 so that some day they'll hear us.

7 Through this process, there's been a lot of  
8 discussion on First Nations, a lot of passion, and,  
9 you know, it sends a message to me that should this go  
10 as planned, the discrimination here in Williams Lake  
11 is going to grow 10-fold. Big business has always  
12 been huge, played a huge role when it comes to  
13 Provincial and Federal programs. Well, big business  
14 is going to destroy a community. Not just one, it's  
15 going to destroy its own community because of  
16 discrimination. And I felt that. I kid you not. I  
17 felt that here in Williams Lake. And I have a lot of  
18 people that I respect, you know, but as soon as the  
19 "P" word is mentioned, all of a sudden this wall gets  
20 put up.

21 A lot of people don't understand that First  
22 Nations are in poverty. We have our health paid for,  
23 to an extent, 20 percent. We have our education paid  
24 for. Yeah, only in the School Districts. We also  
25 have free housing. Now that's a laugh. If people are

1 saying that, they should come out to a Reserve and  
2 take a look at where we're living. I mean, CMHC,  
3 every year, Esketemc has to make ends meet by covering  
4 costs of the low-budget families in our communities.

5 And I was a Chief two years ago, and I  
6 believe that that cost was \$282,000 that we paid to  
7 CMHC for the homes that they built. And in this day  
8 and age, DIA and INAC, they support CMHC housing.  
9 They say, oh, it's low budget. Yeah, it's low budget,  
10 but \$80,000 to build a house, you're paying that house  
11 for 25 years at \$500 a month. You know, I would be a  
12 bit worried because I'd be paying almost twice what  
13 that house was built with.

14 So the living standards with First Nations  
15 groups isn't what everybody says it is.

16 If Joe Blow here in Williams Lake would  
17 actually come out to the community and take a look,  
18 see what we have, see what we provide for this  
19 community, and then take a look at what this community  
20 provides for itself.

21 I hunt. I hunt for my mom, my dad and my  
22 brothers and sisters. And I provide food for those  
23 tables. And I still have a freezer that's half full  
24 of moose meat and deer meat. And I provide that to  
25 anybody that needs it. I've had community members

1           come to my house, ask for meat, and I send them off  
2           with about 25 pounds.

3                   Every opportunity I have, I give to this  
4           community. Because I know where I came from. I know  
5           where my forefathers are from. I know where I belong.

6                   And it's a difficult situation when you look  
7           at the Elders that have been here for over 60, 70  
8           years, and the changes that they have seen.

9                   I used to get up with my grandmother and  
10          grandfather in the morning, and they'd be up telling  
11          stories at 5 o'clock in the morning. After they'd  
12          eat, they'd come and bang on the floor, because I was  
13          in the basement and they'd wake me up and say, "You  
14          better come up here and eat." So I went up and I'd  
15          listen to some of their stories.

16                   Their stories weren't about persecution. It  
17          wasn't about getting the short end of the stick. It  
18          wasn't about discrimination. It wasn't about all of  
19          this crap that's going to be happening should this go  
20          through.

21                   It wasn't about that. Even today, you go,  
22          and if anyone, anyone here were to actually go and sit  
23          down with an Elder, just sit there, and tell them,  
24          "So, what do you know about this hill?" Well, they'll  
25          tell you.

1 I used to run around up there when I was a  
2 kid. Yeah, we used to go up there and hunt squirrels,  
3 bring it home, and then we'd eat those squirrels. We  
4 used to hunt rabbits down there, yeah, and over here  
5 we used to hunt grouse. And we used to actually have  
6 pheasants here and we used to hunt those.

7 So the simple fact that belonging is more  
8 important than big business coming in and just  
9 destroying a livelihood, that is something that I will  
10 not stand for.

11 I look at First Nations history, and I think  
12 to myself, my God, we're survivors, just the same as  
13 the Jews. And I would hate to see that just  
14 disappear.

15 Esketemc is rich in culture and traditions.  
16 And with those culture and traditions, they are proud  
17 of that, they are very proud of that.

18 And over the years we've had other cultures,  
19 other traditions come into our community. And some of  
20 the community members have picked that up. Others  
21 have not. Others have seeked the Secwepemc way. And  
22 with one of those cultures, we have the Sun Dance that  
23 came from the States.

24 Well, I committed to the Sun Dancing and I  
25 was released from that commitment after two years.

1 And I'm a Sun Dance warrior. That may not mean  
2 anything to anybody here, but to me, it's my job to  
3 protect that spirituality.

4 And fasting for four days without water and  
5 food, and then having a medicine man, who I stated  
6 earlier, I talked about earlier, and he pulled me  
7 aside and he told me, "I'm releasing you from your  
8 commitment. This is the last year Sun Dance is going  
9 to be here, so I'm releasing you." I still had two  
10 years to go.

11 But my father-in-law prepared me for that,  
12 and when he did that, he took me out to the land. He  
13 didn't leave me here in Alkali. Like, it wasn't in  
14 Alkali. He took me to the land where our forefathers  
15 were. And he taught me a lot.

16 When a spiritual person speaks, a lot of  
17 people can't hear what's being said, because they  
18 don't beat around the bush, they tell it like it is.  
19 And it's a lot like you have to listen really hard and  
20 then kind of read between the lines. Because they  
21 forget about how to get from point A to point B,  
22 because they have been there, they have done that, and  
23 it's a spiritual thing that you have to go through.

24 So that's how we were taught. Spirituality.  
25 You sit down and you listen. Just shut up and listen.

1 And it worked for me.

2 There's been just so much that I could  
3 reiterate here and bring back. But I look at all of  
4 my notes that I've taken. And this whole book is  
5 Prosperity. You know. And I think to myself, what  
6 did we ever do to deserve this?

7 I mean, Mexico, United States, they are  
8 getting huge impact over the next few days because of  
9 this oil rig that toppled and burned and now this, you  
10 know, that, I look at that and I think to myself, you  
11 know, that's not just Mexico's impact, that's our  
12 impact, too, because that's where our fish go down,  
13 and they come back after four years. And I think to  
14 myself, wait a minute, if they are being impacted,  
15 that community's being impacted. I wonder how many  
16 First Nations down there are also being impacted that  
17 are living off the land, that are foraging for food,  
18 foraging for their medicines.

19 And I couldn't help but think, you know, I  
20 got to pray for these guys. All these people. All of  
21 this wildlife that's just literally being destroyed.

22 I've had a lot of teachers in my life. A  
23 lot. And one of them was Andy Chelsea. And what he  
24 taught me was it wasn't so much being radical. It was  
25 knowing what you want and just telling them.

1 Literally just telling them.

2 Well, I know what I want. And I know what  
3 this community wants. We don't want this mine. Plain  
4 and simple. We don't want a transmission line coming  
5 through our backyard. We already have one. We don't  
6 want it.

7 And the community knows this.

8 My biggest, one of my biggest fears is  
9 Ts'peten all over again. Or Kahnawake.

10 You know, these First Nations fought for  
11 their forefathers. And I respect them for that. And  
12 at what cost? I mean, I believe that community is  
13 still divided, First Nations and non-First Nations.  
14 All I can see that doing -- that happening to Williams  
15 Lake.

16 And should that happen, I'm sure the First  
17 Nations will find a way to work together.

18 I have to thank Mr. Bell-Irving because,  
19 without his help, the First Nations would still be  
20 divided. Today there are no lines drawn in the sand.  
21 Today we all stand up for the same purpose. And  
22 that's to protect our Mother. Protect everything that  
23 she provides. Because nobody's speaking for her.

24 So that's our job that was given to us by  
25 Chief Coyote. That's our job that was given to us by

1 Tgetl Kukwpi7 and Sisi C7re. And that's what we're  
2 going to do; protect what can't speak for itself. For  
3 our own survival.

4 We're not, we're not a community that has  
5 this huge economy right next door. We're, like,  
6 probably 80 percent of all the other First Nations  
7 communities in the rural areas, what we have next door  
8 is a rancher that literally stole our lands.

9 Well, it's been sold time and time and time  
10 again with no actual interest from them to look at the  
11 history. Maybe Esketemc could make better use of  
12 this. Maybe Xenl Gwet'in could make better use of  
13 this. Maybe Xat'sull could make better use of this,  
14 but it's never given. It's never given. And it's  
15 frustrating that we continue, continually send letters  
16 to DIA and INAC, providing information, and not  
17 getting a response.

18 Frustration over, I say 200 years, but a lot  
19 of people would say 100 years, some people would say  
20 150 years. But I say 200 years because the simple  
21 fact, when first contact had happened, First Nations  
22 were destroyed. Literally destroyed. There were  
23 seven Secwepemc bands that are, were from west of the  
24 river, Fraser River. There were four Secwepemc bands  
25 that were east of the Bowren Lakes that were destroyed



1 by first contact.

2 And Irvine Johnson made a comment out at  
3 Alkali when we were out there, out at Esket. And he  
4 was thinking about this story that his Elders told  
5 him. And it was my great-great-grandfather that did  
6 send them off to Barkerville.

7 Well, Williams Lake's saying that this place  
8 is going to become a ghost town if this mine doesn't  
9 go through. And I kind of understand the fact that it  
10 is a quick fix to the economy here in Williams Lake.  
11 But I look at Barkerville. You know, okay, they took  
12 all, well, not all of it, but most of the gold out of  
13 that location and now it's a ghost town. And I think  
14 to myself, okay, 33 years from now or 20 years, and is  
15 that going to be Williams Lake after 33 years? You  
16 know, I look at Barkerville and I think, okay, that  
17 could be Williams Lake in 20 to 33 years after the  
18 mine's come and taken the resources and left. Because  
19 that's what they do. We'll still be here. I'll still  
20 be here. And my kids will still be here. And they  
21 can come and go as they please.

22 Prior to 1960, First Nations weren't even  
23 considered Canadian. We weren't even allowed to vote.

24 1969 there was a prophesy that the Shuswap  
25 had and it was the day an eagle lands on the moon is

1 the day that Indians in the States are going to get  
2 their land back. And they said this prophesy came  
3 full-fold when all across the USA, on the front page  
4 of every newspaper, "The Eagle has landed".

5 And then I think about what my aunt told me  
6 about my grandfather, saying that there's going to be  
7 a war. And it's going to, it's going to rely on the  
8 First Nations. And he kind of looked at my aunt and  
9 said, you know, I'm glad I'm not going to be here.

10 He'd fought in World War II and survived.  
11 Filled with empty promises from the Federal  
12 Government. Oh, we'll give you 10 acres, free and  
13 clear. Well, because he's First Nations, they took  
14 that away. They said, oh, you're living on Federal  
15 Reserves, you don't need 10 acres.

16 Well, you know, and I -- I thank he survived.

17 Residential Schools, discrimination to First  
18 Nations, I mean, it's all right there in the history  
19 books. Our history books.

20 When I was going to school at the Residential  
21 School, I was out at 150, I think it was in 1975 or  
22 '76, and we were talking socials. We were going into  
23 history. I was always ashamed to be in First Nations  
24 because all my friends, you know, they had money, they  
25 had more than one set of clothes to wear to school

1 every day. So all of a sudden we started learning  
2 some history of first contact. And all my, well, they  
3 weren't my friends back then, but they became my  
4 friends after a week of socials learning about First  
5 Nations and what had happened to them and how they  
6 literally gave the Europeans a chance to survive.  
7 Literally, we'll show you how to the live off the  
8 land. They literally did that.

9 And I sit before you today saying, "Give it  
10 back. Give us the opportunity to live off the land  
11 again."

12 Because there's got to be some way we can  
13 right the wrongs that happened in the past. And it  
14 can't be money. It can't be. Because if we start  
15 talking money, with the Residential School  
16 settlements, you look at, you look at the healing that  
17 had happened. In almost every First Nations  
18 community, there was at least one, maybe two or three  
19 suicides.

20 And maybe 40, 50 percent were -- became,  
21 became chronic alcoholics because they -- we'd never  
22 seen -- I've never seen a cheque that big.

23 I was there for six years and all of a sudden  
24 I get this cheque in the mail, I'm like, "Oh, it's  
25 just my GST, \$62." So I go to the bank and I open it

1 up and here it is. And like, "Holy shit, what am I  
2 going to do with \$16,000?"

3 Can you imagine some of the Elders have, in  
4 our community, have never seen over \$1,000 and here  
5 you're handing them \$16,000. I mean, what are they  
6 going to do?

7 There's repercussions to money. There's  
8 always repercussions. And there's always  
9 repercussions to what you do with it. But there's  
10 never repercussions for survival. No. You survive,  
11 then, by God, you have something to be proud of.

12 And I speak with some of our Elders from time  
13 to time. I go and I sit around the fire with them  
14 because they don't like sitting in a house watching TV  
15 all day. They have nothing better to do, they'll go  
16 light a fire outside and sit around and chat.

17 So whenever I see these fires I'll go and sit  
18 down and talk to them. And their stories, you know,  
19 it's always about the good times, about surviving the  
20 bad times, and laughing about the harsh times.  
21 Because it's in the past. And then they look to the  
22 future and then they get scared. They literally get  
23 scared for the next generation.

24 And that is because we haven't done anything  
25 to protect the next generations.

1                   And as First Nations go, that's something  
2                   that we have to think about, that we have to protect.  
3                   And the next seven generations, I'm a seventh  
4                   generation from first contact, and our prophesy is,  
5                   it's going to be the seventh generation that's going  
6                   to turn things around for the First Nations. That's  
7                   our prophesy. So here I am. The seventh generation.

8                   I'm learning my language. I've learned the  
9                   Blackfoot. I've learned the Sun Dance. I've learned  
10                  some Secwepemc. I've learned songs. And if you were  
11                  to meet me on the street in Vancouver, Winnipeg, you  
12                  wouldn't know it to look at me how traditional I am,  
13                  how spiritual I am.

14                 So don't judge a book by its cover. We are a  
15                 poor race. Especially the rural communities. Social  
16                 services doesn't provide nowhere near enough. Federal  
17                 Government, well, we're in deficit with them, too,  
18                 because we still have to pay for our hydro, and we pay  
19                 taxes on that. We still have to pay for our homes,  
20                 and we pay taxes on that. We still have to pay for  
21                 our education and we pay taxes on the books to send  
22                 our kids to education.

23                 It's so unfair that the Federal Government,  
24                 Provincial Government, doesn't step in and rectify the  
25                 situation. They know that First Nations are living in

1 poverty. They know they don't have enough lands to  
2 live on. They know about First Nations and where they  
3 want to put them.

4 The Provincial Government, they don't even,  
5 they don't even recognize the fact that they are  
6 living on Crown land that once belonged and was  
7 reserved for First Nations.

8 All across Canada, there were treaties  
9 signed, except B.C.. And that simple fact was because  
10 of the Union Jack. There was a treaty signed off on  
11 that Union Jack, that flag.

12 As long as the waters flow, the winds blow,  
13 the grasses grow, First Nations in B.C. will have  
14 their Title and Rights.

15 That's where the Union Jack came from. It  
16 was based on that treaty.

17 My grandfather wanted to be covered with that  
18 Union Jack. And I don't think we found one. We asked  
19 the Province if they would be willing to give us one  
20 for a war veteran so that we could put him in the  
21 ground, and they said, no, we don't have one.

22 So I made a few other calls and I do believe  
23 we do have one in our office now. But, you know, the  
24 Province didn't have a Union Jack to lend a war  
25 veteran so that we could bury him underneath that

1 Union Jack. Wow. You know, it kind of boggles the  
2 mind when you think about it.

3 But there's just, you know, I could sit here  
4 probably for a week talking about Esketemc, talking  
5 about our spirituality, our culture, and what it means  
6 to our Elders to maintain that identity. I could be  
7 here for a week. I could tell you every detail about  
8 the Sun Dance. I could go on and on and on for a  
9 week. Well, I'm only scheduled for 90 minutes. And  
10 this mine is scheduled for 20 to 33 years. I have  
11 90 minutes to make an impact. H'mm. Wow. That's a  
12 tough, that's a difficult situation.

13 Because I'm thinking about the future now.  
14 33 years down the road, we're going to have a hole  
15 that's 1.2 kilometres wide, round, and 500 metres  
16 deep, we're going to have a transmission line corridor  
17 coming through my backyard, and it's going to be  
18 trampling across my forefathers that dug their own  
19 graves so that their families could bury them so they  
20 wouldn't get smallpox, and then it's going right over  
21 our fishing spot, and there's no guarantee, no  
22 100 percent guarantee that none of the seepage from  
23 this mine is going to get into Taseko River, and then  
24 it's going to affect the salmon that we depend on.

25 And just for the Panel's information, we

1 found out that there's going to be a mortality rate of  
2 80 percent for the early Stuart run. And that was a  
3 run that we used to depend on. Well, that mortality  
4 rate is -- we haven't fished that run in about eight  
5 years, because Chief Tom Alexis needs those salmon,  
6 too.

7 So we respect that. So we don't fish the  
8 early Stuart.

9 The Province, in all its wisdom, has made  
10 huge mistakes on fish counts. I believe you're aware  
11 of that over the fish and fish habitat. Well, we rely  
12 on that. I would just love to take Taseko down to our  
13 fishing rock. Because we earn every fish. We don't  
14 drive up to the river. Our hike is a good half mile  
15 of sand and gravel. And it's not an easy trip when  
16 you're packing salmon.

17 But Francis Johnson spoke to the Panel and  
18 Taseko at Alkali. Well, he was with me when we were  
19 working for fisheries. This must be about 15 years  
20 ago now. And what had happened was I was -- my  
21 grandfather was still alive and I'm telling him,  
22 "Yeah, you know, I was packing everybody's salmon last  
23 night, and holy smokes, I'm starting to feel really  
24 strong again." What does my grandmother tell me, he  
25 just literally says, "I used to run up that hill with



1 10 salmon." You know, and first I'm thinking, oh,  
2 that can't be true. There's no way you can do that.  
3 By the end of that year, Francis and I ran up that  
4 hill with 10 salmon. So I know it's possible.

5 And with that, I have to think, a lot of the  
6 stories that I do get from Elders are from doing  
7 things that are impossible and making it possible.

8 I went to a meeting with Chief Shane. And he  
9 invited you guys down there for that ceremony.

10 And I went down there, and on my way down, I  
11 couldn't help but turn off the radio and roll down the  
12 window and just listen. And it was really interesting  
13 because I had my family with me. My daughter just all  
14 the way down, just talked and talked, because she  
15 doesn't see me as much as she should anymore, because  
16 I'm the Chief of the community.

17 And then just last week, we got our first  
18 horse. And she was jumping around like a bunny, "My  
19 horse, my horse, my horse." Well, the horse isn't  
20 broken yet, it's not -- it's halter broke, but we can  
21 lead it to water.

22 And this morning, before I came in, she  
23 joined me in watering the horse, about 7:30, 7 o'clock  
24 this morning. We got down to the creek and the horse  
25 just stood there. And I told her, you ever hear the

1 phrase, "You can lead a horse to water but you can't  
2 make them drink"? She was like, "No." And I told  
3 here well, this is what we're talking about here. And  
4 she's standing there and she's waiting for the horse  
5 to go to the creek. And it wouldn't. So I said,  
6 "See. Okay, let's go feed him."

7 And the day before, she was really upset,  
8 really, really upset because the horse is timid, it's  
9 the first time around in where we have it, so it's  
10 really timid, it's kind of spooked about everything  
11 because it's unfamiliar grounds for him. And my  
12 daughter is 10, she took offence to this. She started  
13 thinking, this horse doesn't like me, I don't want  
14 this horse, it doesn't like me. But I told her, well,  
15 just come in here with me. I brought her inside the  
16 corral, we walked around, we just totally ignored the  
17 horse. I told her, "Don't even look at the horse.  
18 Just walk around, if you see a rock or something, pick  
19 it up and throw it out of the corral, don't even look  
20 at the horse." So we're walking around, must be about  
21 10, 15 minutes this morning went by, all of a sudden  
22 this horse just walks right up to us. And she's like,  
23 "He likes me". And I told her, "Yeah, it's because he  
24 knows you're not trying to hurt it".

25 A lesson was taught this morning to my

1 daughter: You can lead a horse to water but you can't  
2 make him drink.

3 You know, she's so young, she asks just so  
4 many questions. And it was a great honour to be there  
5 for that moment.

6 I'm sure you all have families that you can't  
7 wait to get home to. And it's the same thing with me.  
8 It's my wife's birthday today and here I am. The  
9 importance of this. And she understands that. And  
10 she's been a very loyal supporter for me for the past  
11 going to be 17 years this year.

12 When elections came around this year, I  
13 really wasn't going to throw my hat in and run for  
14 Chief, but she said, "I'll be there for you". She  
15 said, "I think you should and I'll be there for you".  
16 And she has. You know.

17 What Mr. Grinder was talking about this  
18 morning about honouring your women, it's true. They  
19 are the life-givers. Just like our Mother Earth is.

20 And if you were to go into probably any First  
21 Nations community that is very traditional and very  
22 cultural, and you walk into someone's home, the first  
23 thing you'd notice is the women are sitting in the  
24 best seat. The women is sitting in the armchair with  
25 the recliner. And they are the ones that are barking

1 the orders.

2 And it's a respect that they demand. I don't  
3 mean to sound judgmental. I apologize to the women  
4 here for that. But it's true.

5 THE CHAIRMAN: I'm not sure there's anything  
6 different in our culture, either.

7 CHIEF ROBBINS: Yeah, and that's just it.  
8 There is a common ground there. You know. And it's  
9 got nothing to do with the almighty dollar. It's the  
10 livelihood. That's where the common ground is.  
11 That's where the point was. And I thank you for  
12 opening that door so I could stick the knife into it.

13 But what you've heard from Esketemc over the  
14 past three days out there is, they are all opposed. I  
15 don't think there was one community member that stood  
16 up and said, what's Esketemc going to get out of this.  
17 They literally just oppose it.

18 And I have to agree.

19 And I want to agree.

20 Because that is my hunting grounds where that  
21 transmission line is going to go. We call it "Tsu7ke  
22 Mentmis". I just learned that this summer from my  
23 dad. And it means "throw 'em down gulch". I guess --  
24 I'll just leave that one there.

25 There's just so many things that the Panel,

1           you know, I'm just looking at some of my notes here  
2           and I'm, if I said all of this, my God, you guys would  
3           have a lot of work ahead of you. I mean, the water  
4           issues alone. The fish and the wildlife.  
5           Jurisdiction issues. History. Forest and range.  
6           Treaty Rights. Provincial government issues. Hunting  
7           issues. Localized. Grave sites. Hereditary sites.  
8           Land base. Land use projects. You know. And it's,  
9           it's something that I think you're going to have to  
10          really take seriously, because those are the things  
11          that I have to deal with on a daily basis as a Chief  
12          of a community.

13                   And it's very discouraging and frustrating  
14          being a Chief, because you know the importance of all  
15          of these issues. And you provide written submissions  
16          to the Federal Government, to the Provincial  
17          Government, to protect a lot of these rights. And you  
18          insert your jurisdiction on the land base with  
19          passion, pride, and then you look at protocol  
20          agreements and mandates and MoUs with neighbouring  
21          communities and Williams Lake. You know, it's, it's,  
22          it's a lot to take on.

23                   One of the things that the Panel, Robert,  
24          Nalaine, Bill, I think one of the things that you  
25          really have to remember is this is an Environmental

1 Assessment. The Environmental Assessment should be  
2 made on the First Nations' environmental concerns.  
3 Because it is their livelihood.

4 Even our young people are concerned about  
5 their future for their kids and their grand-kids. And  
6 they have stated, "We can't eat gold. We can't eat  
7 copper".

8 And that's true. I don't know if anybody's  
9 ever tried it, but it's true.

10 There are no real differences between living  
11 in the city and living in Esket. The only difference  
12 is, when you're in Esket, you're culturally,  
13 traditionally, tied to the land. When you're in the  
14 city, and I assume most of you are, when you're in a  
15 city, everybody's got a place to go, everybody's  
16 trying to get there as soon as they can.

17 I went to Vancouver for a Union of BC Indian  
18 Chiefs meeting and the meeting was over and I was  
19 going to go for a walk. As soon as I got out the  
20 door, I started walking. All of a sudden I got caught  
21 up by this crowd and I got hooked up into this crowd,  
22 and here I am, I'm not just walking anymore, I'm in a  
23 rush to get somewhere. Finally I caught myself and I  
24 stopped and I stepped off to the side and I started to  
25 think to myself, "Why am I walking so fast?"

1                   It's because in that society, everybody has a  
2                   place to go, everybody's going somewhere, everybody  
3                   wants to get there. But if you were to come out to  
4                   Esket, it's a relaxed atmosphere. You walk out the  
5                   front door, go for a walk up the hill, you don't have  
6                   anybody honking at you or saying, it's a red light,  
7                   why are you crossing the street, or anything like  
8                   that, so.

9                   But there's so many issues that the Panel's  
10                  got to look at. And it starts with the history of the  
11                  First Nations, Esketemc. Like I said, I could go on  
12                  and on about the history of Esketemc.

13                 The effects of this mine.

14                 And I think you've heard them all already.

15                 I hope you have.

16                 And I hope that you did hear them, because  
17                 listening and hearing are two different things.  
18                 That's what my mom told me. You can listen all you  
19                 want, but unless you hear me, you're not, you're not  
20                 going to go through with what I ask you to.

21                 When we were out at Alkali, I got rudely  
22                 stopped. No, just kidding. I didn't get stopped.

23                 THE CHAIRMAN:                   I know it wasn't rudely,  
24                 anyway.

25                 CHIEF ROBBINS:                   I started going into my

1 Residential School story. And there was a lesson that  
2 was learned. And it's still being learned today by  
3 the next generation. And that lesson is how to be a  
4 father. You know, growing up, it was hard for me.  
5 And probably most of the First Nations that were at  
6 these Residential Schools because their parents were  
7 either alcoholics or they were never around.

8 So I was getting into my story. I'm learning  
9 to be a parent again. I worked hard all my life. My  
10 grandmother, my grandfather, really helped me out a  
11 lot, gave me good direction.

12 One of the final things that I remember when  
13 I moved out into my own place, well, it wasn't my own  
14 place, I was moving into my wife's place with her mom  
15 and her son. My grandmother told me, you're the man  
16 of that house now, you behave like it. You know, and  
17 I was 20 years old. I'm, like, it's a lot of weight  
18 to put on my shoulders.

19 So I took that on. To this day, I still fill  
20 up that woodshed.

21 And the young man that's in that house now, I  
22 remind him from time to time that he's the man of that  
23 house now. And he's been living up to the  
24 expectations that I put in front of him.

25 But I'm learning to be a father, a parent,



1 and it's been a really difficult time, but I think  
2 I've done a good job. I've done the best that I can.  
3 And that's all that anybody can really do.

4 So I'm doing the best that I can to convince  
5 the Panel, to convince Esketemc, to convince Taseko,  
6 to convince Williams Lake, to convince my daughter, to  
7 convince and so on and so on and so on, that this is  
8 not going to work. This will not benefit Esketemc as  
9 it should. This will not be tolerated by Esketemc.

10 And I kind of look forward to sitting down  
11 with the three gentlemen from the Federal Government  
12 that have been sitting in all of these hearings. I  
13 actually met one of them, or all three of them just by  
14 saying "Who are you? I've seen you here, I've seen  
15 you there. Who are you?"

16 Because when we were in Dog Creek, they kind  
17 of stood out because, along with maybe the rancher  
18 down there, and a couple of other people, they were  
19 the three that were in the back and you kind of  
20 wondered what they were doing back that. It's like,  
21 who are these guys, what are they doing? How come  
22 they don't stand up and put in any submissions? How  
23 come they are just there?

24 Well, I think I got a pretty good idea now  
25 why they're just there.

1                   And listening to all the First Nations  
2 groups, I don't think they heard one "yea" to this  
3 mine going through.

4                   Listening to Esketemc, I'm sure they didn't  
5 have a "yea".

6                   And listening to Dog Creek, it's the same  
7 way.

8                   I think the only people that are saying "yea"  
9 to this are the millionaires that don't give, pardon  
10 my French, a rat's ass about our backyard.

11                   You know, they are in China, they are in  
12 Florida, they are in, they are all over in this world,  
13 but they aren't in my backyard.

14                   And, Panel, wow! These guys are influencing  
15 Williams Lake. They don't even know where Williams  
16 Lake is. They know where this mine is going to go.  
17 They may know how many people are in Williams Lake,  
18 but they have never actually been here.

19                   I've heard some comments, too, about what  
20 we're going to do after this session is over, what,  
21 what are, not we as in me and Elizabeth and Beth, we  
22 as in the First Nations communities. I heard some  
23 comments. And they are good comments. But the impact  
24 that's going to be felt to Williams Lake, you know,  
25 there's, it's just, I guess I can't, why can't the

1 Federal Government release information to non-First  
2 Nations instead of letting them think that we don't  
3 pay taxes, letting them think that we get our health  
4 paid for, we get all of this, that the Federal  
5 Government is paying for all of this with their tax  
6 money. Well, it's a lie. And that lie has been  
7 happening for 150 years, since Governor Douglas and  
8 his constituents started that lie.

9 But the communities around the First Nations  
10 groups, like, I, I can't -- they don't understand what  
11 it's like to be First Nations. They don't understand  
12 that we do pay taxes. I fill out income tax forms  
13 every year just so I could get GST. So that I could  
14 get a small amount for my daughter from the Federal  
15 Government Child Tax Benefit. You know, and it's --  
16 they don't -- the non-First Nations don't see that.  
17 It's a lie that all of Canada kind of have seemed to  
18 buy into; the simple fact that First Nations have  
19 everything just handed to them.

20 Well, we are also put on these small plots of  
21 land. Seems like every other year there's a huge  
22 company that wants to come in and develop in our back  
23 yards. Seems like every other year we have to  
24 scramble just to survive with the salmon that we have.  
25 Every other year we're living in poverty. Every other

1 year we need more houses. Every other year, every  
2 other year, it keeps going and going and going. And  
3 that's where the frustration starts to build. That  
4 the people don't know what First Nations have to deal  
5 with on a daily basis.

6 I've had one of my Elders come up to me here  
7 the other day and ask me, just literally ask me: "Do  
8 you have any meat that I can have, I want to have  
9 some. I don't have any meat." So I brought it up to  
10 her house and I dropped it off. And she was thankful.  
11 Because her sons have all died. They have all gone  
12 on. All alcohol-related. But I told her, I don't  
13 fight her, I told her, "If you need any meat, let me  
14 know, I'll go out and get you some".

15 And one of his sons was one of my good  
16 friends growing up.

17 So I kind of took that household under my  
18 wing. I kind of feel that I have to be the man of  
19 that household, too.

20 So I'm not the only one that's doing this in  
21 the community. In the majority of First Nations  
22 communities. I'm sure that Xeni Gwet'in has someone  
23 that's doing that for their community. And I'm sure  
24 that Anaham, the same thing. And that's pulling  
25 people together. Family always comes first with First

1 Nations.

2 And it's got nothing to do with politics.  
3 They could swear at me. Like I've had my uncle swear  
4 at me for being the Chief, for doing my job. But  
5 after I get out of the office, he calls me in, come  
6 and have a cup of coffee, let's talk about what we're  
7 going to do next week. So I go and I sit down with  
8 him, you know, it's friendly banter, maybe a few pokes  
9 here and there. But as soon as I get back into the  
10 office, the next day, he's right there again, he's the  
11 watchdog. You know, there's always a watchdog.

12 And Taseko's watchdog is MiningWatch. The  
13 Federal Government's watchdog, at least from my  
14 perspective, is the First Nations, especially in B.C.,  
15 because they hold the Crown lands in trust for First  
16 Nations.

17 And the Province, I don't know. I really  
18 don't know why they're not at this table. I sincerely  
19 don't. But there's a lot of issues that they should  
20 be part of.

21 But I'm concerned about the next generations,  
22 definitely. You know, what are they going to have? I  
23 hope it's more than what I do.

24 I look at non-First Nations and some of them  
25 I see living on the streets and they come up to me and

1           they ask me for money, and I give it to them. And  
2           then I see some First Nations that live in blue collar  
3           class, always wearing a blue collar, always got a gold  
4           credit card in their pocket that they can just go and  
5           buy whatever they wanted.

6                        And I've met some of these people. And they  
7           were asking for help. And I helped them. You know,  
8           they were just so grateful that I was there to help  
9           them. And they had no idea about my income. Like I  
10          said, you wouldn't recognize how spiritual and  
11          cultural I am if we were to pass on the street, but I  
12          had to share some of that with these people. Because  
13          they had their addictions. And this was at the Betty  
14          Ford Centre. And I was there as a counsellor. I  
15          think they call it a CIT, is what they call it, a  
16          counsellor in training.

17                       So I went down and they included me in their  
18          sessions. And I could not believe some of these  
19          people that were in there. They don't have to worry  
20          about money at all. And what are they doing with it?  
21          They are buying drugs, buying alcohol, getting  
22          addictions. And I just showed them a bit of my  
23          culture, my traditional knowledge, and they perked up.  
24          They didn't realize that there is spirituality out  
25          there. That there is Tgelt Kukwpi7 and Sisi C7re.

1           They just assumed that they could just run roughshod  
2           all over everything, but that's not the case when it  
3           comes to survival.

4                       Okay, I'm starting to ramble here. I don't  
5           know if you've got me on a clock or how is this  
6           working?

7   THE CHAIRMAN:                       Well, I am watching the  
8           clock, to be honest. It's more for, again, for  
9           fairness for others who are scheduled behind,  
10          obviously, but you have some more time, about 25  
11          minutes, if we want to stick to the clock, I guess.

12   CHIEF ROBBINS:                     Well, like I said, there's  
13          never enough time when you're fighting for your  
14          spirituality and your culture and your traditional  
15          lifestyle.

16                       And I told you a story when we were out at  
17          Alkali that Jim Johnson told me. And that was the  
18          relationship that we had with the Tsilhqot'in. We  
19          could sit around, we could bullshit all day. And by  
20          the end of the day, we would all be smiling. And  
21          realizing that it's just bullshit.

22                       And that's the way First Nations are. By the  
23          end of the day, end of the day, if we still have a day  
24          to live, it's a good day. And that's what we're  
25          fighting for is a day. A day so that my grand-kids

1 can have that day.

2 And with that, I would, again, like to say  
3 Esketemc First Nation does not approve of this mine.  
4 And I'm sure its members will do anything in its  
5 powers to not let it happen. And I'll be right there  
6 with them. Because I believe in this community, I  
7 believe in the people that are there, and I believe  
8 what they say, they will follow through with --

9 I probably will have one closing comment.  
10 And with that I'll hand it over to Elizabeth Hunt.

11 Thank you, Mr. Chair, Panel, Taseko.

12 THE CHAIRMAN: Thank you, Chief Robbins.

13 And, Ms. Hunt, please.

14 **CLOSING REMARKS BY ESKETEMC FIRST NATION, BY MS. ELIZABETH**

15 **HUNT:**

16 MS. HUNT: Thank you, Mr. Chair, other  
17 Panel Members. Thank you to the Esketemc for allowing  
18 me to be legal counsel, and thank you to the Elders  
19 and the Tsilhqot'in and the Shuswap.

20 I've been up here for a number of years and  
21 just always appreciative to be sharing their culture  
22 and communities with them. I'm starting to get to  
23 know them quite well.

24 I'm going to be reiterating some of the  
25 comments that have been said, but in the context of



1 flowing with the closing comments, I don't think  
2 there'll be too redundant.

3 Esketemc's closing comments are as follows.

4 Esketemc has Aboriginal Title and Rights to  
5 their lands and their territories. These rights are  
6 both inherent and they are protected under the  
7 ***Constitutional Act*** of Canada.

8 Esketemc has the right to self-determination  
9 and the right to govern themselves and to choose their  
10 own preferred way of life.

11 Since the engagement of this process, the  
12 Esketemc Government, and each and every Esketemc  
13 Elder, youth, and other community members as well, as  
14 all of the documentation submitted by Esketemc,  
15 including the interim reports, the comments during the  
16 public hearings, stated clearly that Esketemc is  
17 opposed to the development of the Prosperity Gold and  
18 Copper Mine and to its associated transmission line by  
19 Taseko for many reasons.

20 And I want to go over some of those reasons  
21 which were discussed.

22 Aboriginal Title, which among other  
23 characteristics of Aboriginal Title, includes the  
24 right to the land itself, and it includes subsurface  
25 Rights.

1 All of the money comes from the land. And  
2 these lands are burdened. These Esketemc lands are  
3 burdened with Aboriginal Title. This land is only  
4 available as a source of revenue to the Provincial  
5 Government once Aboriginal Title and Rights are  
6 discharged, which has not been done.

7 Aboriginal Rights, which among other  
8 characteristics of Aboriginal Rights, include the  
9 right, which exists now, to a traditional diet,  
10 health, and their preferred foods.

11 Another concern for the opposition was that  
12 Esketemc is a low-income community that is heavily  
13 reliant on traditional foods for their basic needs and  
14 the present pressing issues of the access and  
15 availability of these food sources.

16 There was many people in the community that  
17 talked about, and as well as the Chief, the historical  
18 and ongoing colonial oppression and impacts.

19 There's the issues of the complete  
20 disappearance or absolute extinction of traditional  
21 resources, polluted waters, including the ongoing  
22 water advisory, even within their own small Reserve  
23 lands, a fishery that's on the verge of complete  
24 collapse.

25 I don't know whether the Panel members have

1 had an opportunity to review the letter that was  
2 submitted by the Betty Ford Institute of Palm Springs.  
3 Mr. Patrick Haggerson is a regular visitor from Betty  
4 Ford and they have a particular interest in the  
5 special nature of First Nation communities and the  
6 impacts of colonization and how that relates to drug  
7 and alcohol abuse.

8 And we would ask that the Panel members  
9 carefully review that. Great effort was made for  
10 Mr. Haggerson, who comes regularly as an ongoing, they  
11 have alumni, it's a very special thing that's  
12 happening. It's kind of a Canadian Provincial pride  
13 to have this First Nation community that has overcome  
14 the addiction issues that have occurred and Betty  
15 Ford, because of the honour of all, and the work that  
16 was done in the recovery addiction issues, they are  
17 very interested to see how a community recovers from  
18 these things. And they have had an ongoing, for over  
19 five years, relationship with Esketemc. And the  
20 president of the Betty Ford centre authorized  
21 Mr. Haggerson to write his letter to talk about the  
22 impact that this mine potentially could have on the  
23 re-traumatization and the effects of colonization on  
24 each and every community member.

25 While he's been up here on this visit, and

1           it's every five weeks, he's talked about the  
2           confidential nature of his clients, but the already  
3           existence of people crying, upset, much of what you  
4           might have saw at the Panel hearings of their grief  
5           and concern and the real issue of the  
6           re-traumatization if this mine was to proceed.

7                        We heard about the existing land use  
8           conflicts and the problems exercising rights and  
9           completely useless and unfair referral processes that  
10          don't reconcile the issues such as grazing, drift net  
11          fences, wild horses, destruction of ungulate habitat.  
12          These conflicts of uses are lengthy between the  
13          Esketemc and the Crown.

14                      You heard about the involvement in the treaty  
15          process and the borrowing of millions of dollars to  
16          deal with their basic Rights.

17                      Esketemc has tabled to the governments maps  
18          and reports of sacred areas. Seven sacred areas and  
19          nine protected areas, all of which the transmission is  
20          cutting right through the centre of many of those  
21          areas. And Esketemc tabling a traditional Land Use  
22          Plan. All of which have been ignored.

23                      The existing history of the transmission  
24          lines, and that ongoing conflict.

25                      You heard from community members about the

1 lack of trust. The lack of trust and confidence in  
2 the government and third parties. Given the Nemiah  
3 case.

4 We also have outstanding specific claims of  
5 Reserves that should have been reserved but haven't  
6 been reserved. And the ongoing long, long, many, many  
7 years of bureaucracy, all of which funding is secured  
8 but it goes outside of the communities.

9 We have to talk a little bit about Taseko.  
10 Taseko's lack of engagement to enter into impacts and  
11 benefits agreements.

12 To discuss anything with the Esketemc early  
13 in this process.

14 The lack of Taseko to at least politically  
15 acknowledge Aboriginal Title and Rights. But instead  
16 Taseko has denied the existence and shift the  
17 responsibility to the government when Taseko knew, or  
18 they should have known, given that they are a  
19 Vancouver based company and they have an existing mine  
20 in this area, Taseko ought to have known the high  
21 level of uncertainty of tenure given the outstanding  
22 issues in British Columbia.

23 Yet Taseko presented and held out to its  
24 shareholders and the public that millions have been  
25 expended on this mine to date and how they are caught

1 in the middle and blame the governments and First  
2 Nations for, "Not stepping up to the plate."

3 Considering the profit, but actually  
4 listening to MineWatch yesterday, we're wondering  
5 whether there really is any profit.

6 Or maybe considering it's the second largest  
7 low-grade ore deposit in Canada, Taseko is still  
8 pushing forward.

9 But Taseko is fostering the conflict between  
10 the Federal and Provincial Governments, between the  
11 Native and the non-Native populations instead of  
12 squarely addressing the outstanding issues and the  
13 concerns brought forward by all parties about this  
14 mine and it's impact on the Esketemc and the  
15 environment that all Cariboo people share now and into  
16 the future.

17 And after today, they will leave behind a  
18 climate of racism and mistrust and fear of the future,  
19 and blame it on the Indians, and blame it on the  
20 government.

21 But these finger-pointing tactics are not a  
22 method of business practices that Esketemc would ever  
23 support.

24 You heard that the Esketemc is not opposed to  
25 development or joint ventures where values, rights and

1 interests are incorporated. However, Esketemc  
2 strongly objects to the arbitrary imposition of this  
3 Panel and its process where Esketemc is not able, nor  
4 set up to address its fundamental basic constitutional  
5 Rights.

6 This is what Esketemc wants:

7 Esketemc wants the Panel to recommend to the  
8 Minister that this mine not proceed any further until:

9 1. The constitutional issues are firmly  
10 resolved, which include, but are not limited to,  
11 certainty and protection of Aboriginal Rights and  
12 Title.

13 Next. Treaty negotiations and the debts  
14 associated with these negotiations and the unilateral  
15 removal of these subject lands and the resources  
16 without any discussions.

17 Next. Analysis of the traditional knowledge.  
18 You heard from the Chief and the community members,  
19 there's much traditional knowledge about these lands.  
20 You heard much about the experts and people talking  
21 about how do we know these things, we know it from the  
22 literature. Are these findings based on field surveys  
23 or are they based on studies in other areas that will  
24 apply that here?

25 But there's a lot of traditional knowledge

1 within the Esketemc community. And we want that  
2 analyzed, as well as a gap analysis of the baseline  
3 information and real findings of fact of the cultural  
4 uses within the transmission line, and the mine area.

5 The deficiencies of this process and the lack  
6 of information is well documented in the letter from  
7 Chief Fred Robbins to the Minister.

8 That was set out in 25 pages of concerns  
9 regarding the cultural exercise of rights and the  
10 mine's impact on those rights.

11 Esketemc needs to know the real cumulative  
12 impacts of this Project on Esketemc's Rights and Title  
13 and how the mine is going to affect their ability to  
14 maintain their culture, language and history.

15 This mine has the potential to completely  
16 prevent Esketemc from passing on their way of living  
17 sustainably from the land and passing it on to their  
18 children. They want to be able to continue to hunt,  
19 they want to fish, trap, gather. And these practices  
20 are already threatened.

21 The migration routes of wildlife on which the  
22 Esketemc depend are being interfered with. And  
23 there's no baseline data on the existing impacts.

24 Esketemc sacred sites which define who they  
25 are and enable them to continue their way of life will



1 be destroyed by this Project.

2 Esketemc share that they have extensive  
3 experience of the approval of one transmission line  
4 that turned into two more, and its devastating impacts  
5 of the transmission line on their rights.

6 We don't want this mine to proceed any  
7 further until the last point, meaningful consultation,  
8 has occurred.

9 And we have to really look at this from a  
10 pragmatic point of view. Consultation. What is  
11 consultation?

12 You know when somebody's consulted when  
13 Esketemc can say, I feel like my constitutional rights  
14 have been consulted about. I feel like I've put  
15 forward, what Chief Fred was saying, I've put forward  
16 my concerns, they have been discussed and they have  
17 been accommodated. You're not hearing one First  
18 Nations saying, I feel like I was consulted. I was  
19 heard, my issues were discussed and accommodated.

20 Esketemc considers the Panel process to be  
21 wholly deficient as a process of consultation  
22 concerning Esketemc's 5,000 years of history of use,  
23 occupation, stewardship, governance, language, their  
24 development of intellectual property rights.

25 And I could really go on, the list could

1 really go on here.

2 We think, to approve this mine, even with  
3 recommendations, given what the Panel has heard about  
4 the Aboriginal concerns, the extensive environmental  
5 impacts, and the real facts about the social  
6 implications of mines, would result in a mockery of  
7 Esketemc's constitutional rights and the purpose of  
8 our Canadian Environmental Assessment laws.

9 The facts are not here to show us that this  
10 mine is not going to erode already pressing and  
11 difficult rights for Esketemc to practice.

12 To approve the mine, even with  
13 recommendations, would constitute an act of  
14 environmental racism by the Government of Canada.

15 In the short three days of community  
16 hearings, Esketemc has told you some of the impacts  
17 that will affect Esketemc's rights.

18 We talked about the water.

19 We talked about the hunting.

20 We talked about the fishing, the trapping,  
21 the gathering in sacred sites.

22 Of course the right to have a livelihood.  
23 And this list is not exhaustive.

24 Esketemc told you that they do not have full  
25 information on key resources relied upon, the use of

1 resources, ecological requirements for each resource,  
2 the vulnerability of resources due to climate change,  
3 the socio-economic conditions necessary for Esketemc  
4 to exercise their rights, the key issues affecting  
5 resource harvest, ecological, social, cultural,  
6 economical, key factors to affect the resources in the  
7 future, culturally acceptable management practices,  
8 the cumulative impacts affecting Esketemc's rights,  
9 and this list, of course, again, is not exhaustive.

10 Esketemc do not have the information on the  
11 amount of land, water and resources required in order  
12 to exercise Esketemc rights.

13 Esketemc came to the Panel under duress,  
14 underfunded, without being provided the necessary  
15 time, information, technical support, resources, and  
16 tools to properly assess the impact of this Project on  
17 their constitutional Rights and Title.

18 The Federal Government has stated that it  
19 will rely on the Review Panel process to discharge the  
20 duty to consult and accommodate to the extent that  
21 that is possible.

22 Esketemc considers this Panel process to be  
23 wholly deficient to satisfy the duty to consult and  
24 accommodate.

25 There has been a lack of effort put forth by

1 the Proponent to show that it has genuinely listened  
2 to and heard Esketemc's concerns.

3 Yesterday, when Mr. Bell-Irving was asked by  
4 Ms. Nalaine Morin about whether the company had  
5 changed its mind about Taseko's finding on wildlife in  
6 the EIA reports, based on what he had heard from the  
7 First Nations, he said no.

8 There has been a lack of effort put forward  
9 to show how they will try to address Esketemc's  
10 concerns in a meaningful way.

11 The Proponent has another mine in this area.  
12 And this has shown us that there is a complete  
13 interest to resolve long-standing issues which include  
14 cultural, environmental, and financial. This  
15 disengagement means that the Panel process cannot be  
16 relied on by the Crown to uphold the honour of  
17 discharging its duty to consult.

18 The purpose of these Panel hearings is not  
19 just so the Panel has information, but also so that  
20 Esketemc, the Esketemc community concerns can be  
21 addressed.

22 If there is no real and meaningful response  
23 to Esketemc's concerns, then there is no  
24 accommodation.

25 The adequacy of consultation is judged by

1 looking to see if there is a fair process, which there  
2 is not here, but also by looking to see what  
3 accommodations are put forward and whether those  
4 accommodations are reasonable.

5 During this process, parties have shared  
6 information to the Panel, but no accommodation of  
7 constitutional rights.

8 The Proponent's approach to the community  
9 hearings, and it's lack of response to Esketemc's  
10 concerns, displays the total failure and inadequacy of  
11 this process to provide a forum for meaningful  
12 consultation and accommodation.

13 Today, there is no evidence that Esketemc's  
14 concerns about the impact of this Project on their  
15 rights were heard and addressed.

16 You need real facts of the issues with real  
17 solutions that are signed off by parties all on  
18 agreement.

19 That is not what we have by this Panel  
20 process.

21 The purpose of consultation and accommodation  
22 is reconciliation and to assure that Aboriginal rights  
23 interests and ambitions are taken into consideration  
24 and included in Project design to protect the  
25 long-term sustainability of Esketemc's rights.

1           The Panel has stated that it will be relying  
2           on the information provided through the public and  
3           community hearings process to fill in the gaps for the  
4           information deficiencies previously identified.  
5           However, the Proponent has totally disengaged in  
6           relation to addressing the Esketemc community or how  
7           the Esketemc concerns will be addressed. There is no  
8           information being provided today in specific response  
9           to the Esketemc community concerns.

10           The approach of the Proponent to these  
11           hearings further shows that this hearing process did  
12           not fulfil its mandate in gathering sufficient  
13           information to adequately assess Esketemc rights.

14           Indeed, today, no one is even trying to  
15           pretend to address Esketemc's concerns.

16           The Esketemc community members were not there  
17           at the other community hearings. They didn't hear  
18           what Taseko said or what the Panel said. But Esketemc  
19           is of the opinion that they share the same concerns as  
20           their neighbouring other First Nations, which is  
21           dealing with their basic rights, their title, and the  
22           right to be consulted in a room for their culture in  
23           their own territory.

24           There are many serious fundamental flaws in  
25           this process to evaluate the impact on the environment

1 in the Esketemc culture.

2 The Esketemc know that the duty to consult  
3 and accommodate is a Crown responsibility.

4 It's not a duty to respond and provide  
5 information to the Panel. They have participated, but  
6 it's not a duty to consult some First Nations and only  
7 listen to some First Nations and not other First  
8 Nations and First Nations that aren't able to get on  
9 the speakers list.

10 Esketemc has the right to be heard, but also  
11 the right to have their concerns addressed in a  
12 substantive way.

13 In this process, Esketemc concerns about the  
14 future of Esketemc rights are minimized. There is no  
15 Crown honour that has been displayed in these  
16 proceedings. And, for the record, the position of  
17 Esketemc is that these proceedings are wholly  
18 inappropriate and totally deficient at constituting  
19 any form or any part of meaningful consultation and  
20 accommodation in which Esketemc's rights are  
21 constitutionally protected.

22 Esketemc expects that their concerns will be  
23 directly addressed by the Crown in a meaningful  
24 consultation process outside of these Panel hearings  
25 and Esketemc ask that the Panel make the

1 recommendation to the Minister today that this Project  
2 go no further until those points I made earlier  
3 concerning title, rights, treaty, et cetera, are  
4 addressed and that there's been consultation and the  
5 consultation is adequate.

6 And there's always commentary about whether  
7 there's been consultation, but when Esketemc say  
8 there's been consultation and they say, I've been  
9 consulted and accommodated, then that's when you could  
10 go to the next step.

11 When everybody else is saying they have been  
12 consulted, it's another form of oppression and  
13 victimization to say, oh, they have been consulted.

14 You heard from the Chief and the community  
15 members that when they speak, they speak the truth.

16 The hope is that the Panel will make the  
17 honourable decision to raise Esketemc's outstanding,  
18 long-standing concerns which need to be addressed to  
19 the Minister before any further decisions about this  
20 mine can be made.

21 Esketemc asks that you right the wrong that  
22 is upon us today and not permit this Project to  
23 proceed under these circumstances.

24 Esketemc ask that you honour Esketemc now.

25 Esketemc asks that you honour Esketemc



1 children who will be here long after you leave their  
2 lands and they live with your decisions.

3 Thank you, Mr. Chairman, and other Panel  
4 Members, those are my closing comments.

5 **QUESTIONS OF MS. HUNT, THE ESKETEMC NATION, BY THE**

6 **CHAIRMAN:**

7 THE CHAIRMAN: Thank you, Ms. Hunt. I do  
8 have one question. Have you read our Terms of  
9 Reference?

10 MS. HUNT: Yes.

11 THE CHAIRMAN: Because if you had, I think  
12 you would realize that it's not our responsibility or  
13 this is not the process by which the Crown will honour  
14 its duty to consult and accommodate. It's quite clear  
15 that we do not have the mandate to make any  
16 determination as to whether Canada's met its  
17 respective duty to consult and accommodate in respect  
18 to rights recognized and affirmed by Section 35 of the  
19 **Constitution Act.**

20 So I put that out for clarification because I  
21 want to make sure that the expectations that you have  
22 are, in fact, understood, or at least you understand  
23 what our mandate is relative to your expectations.

24 MS. HUNT: Yes, Mr. Chair, I completely  
25 understand that. And we expect that whatever the

1 finding of the Panel is is a finding that consultation  
2 obviously has not occurred in any way and that there's  
3 still these outstanding issues and that it would be,  
4 given the submissions of Esketemc and other First  
5 Nations, not appropriate for the mine to proceed in  
6 any further form until those issues are addressed.

7 THE CHAIRMAN: We understand your view. And  
8 that's a different issue.

9 I think this brings this presentation to a  
10 conclusion. I thank you, Ms. Hunt, Ms. Bedard, and  
11 Chief Robbins for your closing remarks today. We  
12 appreciate the opportunity to visit your community and  
13 to hold three days of hearings there to have the  
14 opportunity to understand its culture and  
15 spirituality, the attachment that your community has  
16 to land, which you have summarized in your remarks  
17 today. And also we certainly understand the views of  
18 the community with respect to the Project. We thank  
19 you for that.

20 **FURTHER CLOSING REMARKS BY ESKETEMC FIRST NATION, BY CHIEF**

21 **FRED ROBBINS:**

22 CHIEF ROBBINS: Thank you, Mr. Chair, just  
23 one more. Well, actually, a couple more things.

24 THE CHAIRMAN: Well, we are running out of  
25 time, Chief Robbins, in terms of those who are

1           scheduled next, so be very quick.

2   CHIEF ROBBINS:                    Just one minute, please.

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

7                                    Thank you, Mr. Chair.

8   THE CHAIRMAN:                    Yes, thank you,

9           Chief Robbins.

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

13                                   **(BRIEF BREAK)**

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

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

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

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

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

1           been managing things so smoothly and effortlessly.

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

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

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

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

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

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

1 We have focused largely on three issues:

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

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

12 This has been raised by the Secwepemc  
13 repeatedly.

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

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

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

1 to play out environmentally.

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

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

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

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

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

1 will require costly water treatment.

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

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

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

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

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

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

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

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

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

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

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

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



1       **Act.**

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

6                   What impacts will occur in the meantime?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 than I.

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

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

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

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

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

1 Provincial commitments to find a new relationship.

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

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

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

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

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

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

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

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

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

18 Perhaps you have and I've missed it.

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

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

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

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

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

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

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

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

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

1 with those who have first lived on this land.

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

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

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

18 Thank you very much.

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

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

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

25 **MR. WILLIAMS:**



1 MR. WILLIAMS: Good morning. Thank you,  
2 Mr. Chairman.

3 I, too, would like to acknowledge that we are  
4 on Secwepemc First Nations land and to thank the Panel  
5 and the CEAA staff.

6 And I admire your endurance. I used to be an  
7 endurance runner myself, and I don't think I could  
8 have sat through what you've sat through in the last  
9 number of weeks.

10 I want to thank Taseko, too. Because I think  
11 you have brought a lot of people together in Williams  
12 Lake who did not realize and were unprepared to speak  
13 out against your proposal.

14 We're a very small organization. We have  
15 found, though, amazingly in the last weeks that we  
16 have support for our particular stand on this mine  
17 from all over British Columbia. And from many people  
18 in Williams Lake. We didn't know they were there.  
19 They held an auction at which 125 people came and  
20 raised money, \$7,000, to help bring the experts to  
21 this event.

22 And without those, we couldn't have done  
23 this.

24 And I think they support us because our  
25 presence here is based on principle. And they

1 recognize an essential unfairness that pits private  
2 citizens against a wealthy and powerful corporate  
3 entity.

4 There's an imbalance here.

5 But we do the best we can. I'm not  
6 particularly comfortable in this position. It's not  
7 something I have done for many years. I'm happier  
8 sitting out on my porch watching the grizzly bears  
9 walk by, which they do from time to time.

10 To begin, I'd like to draw your attention to  
11 the Sustainability Assessment Framework of the Joint  
12 Review Panel considering the Kemess North Copper-Gold  
13 Mine Project and that consists of five points:

- 14 - environmental stewardship;
- 15 - economic benefits and costs;
- 16 - social and cultural benefits and costs;
- 17 - fairness and distribution of the  
18 benefits and cost; and
- 19 - the present versus future generations.

20 And I would hope you would adopt a similar  
21 framework rather than a narrow technical one when  
22 considering this Project.

23 I have a sense that you will do that.

24 A reading of your Terms of Reference  
25 certainly allows for it.

1           If you do, we believe you can come to only  
2 one conclusion: That this mine does not begin to meet  
3 the test by any one of these five standards.

4           I've listened to several days of technical  
5 submissions. We have examined in some detail most of  
6 the relevant documents and comments, including  
7 Taseko's EIS, government reports, those of independent  
8 experts, and members of the informed public. And our  
9 conclusion of failure to meet the test is based on our  
10 consideration of the following areas, somewhat akin to  
11 the Sustainability Framework, but with the  
12 distinction, the addition of a distinct legal  
13 situation.

14           And that involves the legal rights and land  
15 of the Tsilhqot'in First Nation. We do not believe  
16 that title has ever been extinguished. It clearly has  
17 not. And one simply has to go back to the Royal  
18 Proclamation that Mike Bird spoke of yesterday. I  
19 don't need to belabour that. And the Vickers  
20 decision.

21           Title was never extinguished. There's no  
22 treaty.

23           David Vickers said:

24           "Tsilhqot'in People have an  
25           Aboriginal Right to hunt and trap

1 birds and animals throughout the  
2 claim area."

3 And I would argue that you can't destroy the  
4 ability to do that with impacts on the land. If you  
5 do that, you're breaking the law.

6 There are two decisions before the Courts  
7 presently, Chief Marilyn's case, and ex-chief Rogers'  
8 appeal of the Title and Rights decision. And as those  
9 two decisions are before the Courts, we feel that any  
10 decision to impact the land in a major way, or any  
11 way, is simply premature. And I think there's legal  
12 opinion that it would be illegal.

13 And certainly a decision like that will  
14 further erode trust with First Nations. You've heard  
15 that over and over and over again.

16 I just want to move on to the five points.  
17 Environmental stewardship.

18 Of course first is the outright loss of Fish  
19 Lake, Teztan Biny, Fish Creek and Nabas. I don't need  
20 to say more than that.

21 And there's an inadequate compensation or  
22 mitigation plan through Prosperity Lake.

23 I'm just going to quote Dr. Gordon Hartman  
24 who spoke before you this week:

25 "The proposed spawning and

1 rearing channel in Prosperity Lake  
2 do not come near to making up for  
3 the loss of Fish Lake, Little Fish  
4 Lake and the outlet and two inlet  
5 streams that would be destroyed.  
6 It simply cannot work."

7 Gordon Hoglund of the Lower Bridge Creek  
8 Water Stewardship Society said:

9 "To suggest that a man-made  
10 lake can adequately replace a  
11 fully functioning natural one  
12 borders on the absurd."

13 I have to say that I agree.

14 And quoting Dr. David Levy who did a report  
15 for MiningWatch:

16 "The compensation proposal is  
17 inadequate and does not account  
18 for differences in littoral  
19 habitat between Fish and  
20 Prosperity Lake and predicted  
21 reduction in Prosperity Lake  
22 productivity over time.

23 When these factors are  
24 considered, Prosperity Lake would  
25 need to be four or five times

1 larger than proposed to meet the  
2 No Net Loss principle, the DFO  
3 Policy for the Management of Fish  
4 Habitat."

5 And Adam Silverstein, who was before you  
6 earlier this week, Regional Manager of the Habitat  
7 Management Division of Fisheries and Oceans Canada,  
8 said:

9 "There are issues DFO has in  
10 relation to the new lake that  
11 Taseko plans to create to replace  
12 Fish Lake, which will be  
13 compromised, that's the word that  
14 was used in the *Williams Lake*  
15 *Tribune*, I think that's a strange  
16 use for the word "compromised,"  
17 it's actually going to be  
18 destroyed, as part of the Project.  
19 There's a risk that First Nations  
20 will not be able to meet their  
21 food, social and ceremonial needs  
22 for fish.

23 Overall, DFO has identified a  
24 shortfall or gap between the  
25 productive capacity of the

1 existing habitat and that of the  
2 proposed Fish Habitat Compensation  
3 Plan as presently proposed."

4 I have to say that I've seen nothing since  
5 these remarks were made to convince me that there have  
6 been any substantial changes to the Compensation Plan.

7 There will be an unacceptable impact on  
8 terrestrial wildlife. And I'm referring to Wayne  
9 McCrory's report. Referring only to grizzly bears, he  
10 says:

11 "The impacts of the proposed  
12 project, serious in their own  
13 right, will be additive to the  
14 already existing layer of  
15 cumulative adverse effects to  
16 grizzly population and its  
17 habitat, and because most of the  
18 negative effects cannot be  
19 mitigated, will push the grizzly  
20 population over the extinction  
21 threshold.

22 Once the mine is developed,  
23 impacts such as roads mortalities  
24 will not be reversible or  
25 adequately mitigated."

1 I was surprised to hear Mr. Bell-Irving  
2 yesterday, who said that, or he implied, that there  
3 would seem to be enough protected areas within the  
4 larger area for grizzly bears to go to. What perhaps  
5 he's not aware of, and it surprises me, is that this  
6 is already in a protected area, the Aboriginal  
7 Wilderness Preserve area. And that is one of the  
8 areas that Mr. McCrory was referring to.

9 So this is a part of the protected habitat.

10 There's, of course, a wide array of impacts  
11 on many, many other species.

12 I was, I know a little bit about wildlife.  
13 I'm not a biologist, but I studied it for many years  
14 and I lived with it, and I was not impressed by  
15 Taseko's wildlife experts, their report or their  
16 presentation.

17 There are potential impacts on salmon runs.  
18 And I refer here to Dr. Kevin Morin, the Stratus  
19 Consulting Group statement. Stratus:

20 "Many mines with different characteristics  
21 have had water quality impacts and mines with  
22 characteristics that are similar to the Prosperity  
23 Project have had impacts that were not predicted.  
24 These impacts have resulted in adverse downstream  
25 impacts or costly unplanned water capture and



1 treatment systems that in many cases must be operated  
2 in perpetuity or both."

3 I would submit that this is too important and  
4 the risk is too great to jeopardize already severely  
5 impacted Fraser and Chilko River salmon runs.

6 And I would draw your attention again, as  
7 part of your mandate, to invoke the precautionary  
8 principle. I don't need to repeat what that is  
9 because it's within the terms of your reference.

10 I'm going to move on to economic costs and  
11 benefits.

12 I did a questionnaire which I submitted at  
13 the hearings in the valley. And many of the  
14 operators, all of them, in fact, that I was able to  
15 question, cite the loss of wilderness qualities,  
16 traffic, noise, dust, light pollution, influx of  
17 quads, 4x4s and skidoos, into the area as being  
18 inimicable (phonetic) to their operations. Many of  
19 them feel that it will shut them down permanently.  
20 And that's an economic loss, which, I said before,  
21 must be offset against any possible benefit to the  
22 local community here.

23 There are, of course, serious impacts to the  
24 Tsilhqot'in People in terms of health. And that I  
25 think was adequately presented by Shari Hughson of the

1 health services in the valley.

2 There are costs to society as a whole, and  
3 again, when I refer to Dr. Marvin Shaffer's report  
4 yesterday, and again said, using the methodological  
5 correct assessment of benefits and costs, he concluded  
6 that:

7 "There would be significant  
8 net costs for British Columbians  
9 and Canadians as a whole as well  
10 as very significant non-quantified  
11 environmental, cultural and social  
12 costs of great concern to the  
13 affected First Nations and others.

14 There would be increased  
15 opportunities within the region,  
16 but there is absolutely no  
17 evidence to suggest the Project  
18 would generate positive net  
19 benefits overall."

20 And I know that was not within the mandate of  
21 Taseko's Terms of Reference. It's not within their  
22 Terms of Reference to do that, and they did not. But  
23 it should have been. It's something that should be  
24 considered. It must be considered, in fact. If this  
25 mine is going to be so heavily subsidized that there's

1 a net cost to the rest of the people in the province  
2 and Canada, then I really can see no purpose for it  
3 going ahead, despite the fact that there will be  
4 limited short-term local benefits.

5 Cultural loss. That's a particular concern,  
6 of course, not only to First Nations People, but to  
7 us. We have great concern for certainly the People of  
8 Xenigwet'in and the rest of the First Nations  
9 communities in the area.

10 I've already said, speaking before you in the  
11 Nemiah Valley, Teztan Biny is part of their land. The  
12 alien presence of the mine and an overwhelming number  
13 of outside workers will cause cultural loss so great  
14 here as to constitute a tragedy.

15 And quoting Shari Hughson again speaking at  
16 that time, citing the 2003 Convention for the  
17 Safeguarding of Intangible Cultural Heritage:

18 "The economic gains of mining  
19 leases have been accompanied by  
20 cultural losses which in turn have  
21 produced a breakdown in social  
22 capital and increasing incidences  
23 of substance abuse and domestic  
24 violence.

25 The Xenigwet'in First Nation

1 intangible cultural heritage is  
2 threatened by the mine and needs  
3 to be protected by the Government  
4 of Canada, according to the United  
5 Nations."

6 And I submit that the government has a sacred  
7 duty to do that.

8 And again referring to social costs. And I'm  
9 going to again quote Shari:

10 "We believe, speaking for the  
11 Nemiah health team, the social  
12 impact of the mine will be  
13 increased mental health issues,  
14 addictions, violence, abuse, and  
15 crime in the community."

16 Health costs. She says:

17 "The mine will interfere with  
18 the health care plan for the  
19 community and severely disable the  
20 recovery that we have started.

21 The Fish Lake Mine will harm  
22 this community's health and social  
23 balance. I strongly urge the  
24 government representatives to  
25 protect these people and their

1 environment."

2 Fairness.

3 And this is a big one. Fairness and  
4 distribution of benefits and costs. Again quoting  
5 Dr. Shaffer:

6 "There will be some benefits  
7 within the region, especially the  
8 towns. Possibly great benefits to  
9 Taseko shareholders. But there's  
10 no evidence of benefits, of  
11 economic benefits to British  
12 Columbia or Canada.

13 There will be very great  
14 costs, cultural, social, health  
15 and economic, to local communities  
16 and certainly to First Nations and  
17 to local settlers. And by 'local'  
18 I mean within the local area of  
19 the mine, Nemiah Valley."

20 So we can only conclude that the burden is  
21 unfairly distributed. It's what you might call just  
22 another example of public pain for private gain.

23 Present versus future generations.

24 We've heard talk of "seven generations".

25 That this whole business started seven generations ago

1 with the European invasion.

2 I think we should be looking ahead seven  
3 generations from now.

4 This is a very limited short-term regional  
5 and corporate set of benefits versus the loss of a  
6 priceless resource: Water, fish, wildlife,  
7 sustainable economic wilderness tourism industry. And  
8 possibly, and quite likely, irreparably damaged  
9 relations with First Nations that will continue a  
10 legacy of distrust and discord.

11 I submit that you have the opportunity to  
12 begin to put a stop to this particular travesty right  
13 now and to begin to put an end to a Federal piece of  
14 legislation, Section 2 of the **Mining Metals Effluent**  
15 **Act**, that endangers fish bearing waters throughout the  
16 land, and those of us, especially First Nations, who  
17 rely upon such waters and the land for sustenance,  
18 recreation, spiritual connection, and for life itself.

19 In fact, we believe that the way this Project  
20 has been promoted, should it be approved, will set  
21 back relations between First Nations and the rest of  
22 the community by as much as 100 years.

23 Mr. Battison was interviewed last Tuesday on  
24 CBC Radio and he characterized this as a conflict, if  
25 you like, between First Nations and non-First Nations.

1 He's going to have to stop doing that. That is a  
2 mischaracterization of what's going on here. Many,  
3 many, many people across British Columbia and Canada  
4 are opposed to this mine. They e-mail us and write to  
5 us and call us constantly. Many of them are in this  
6 community. But they are everywhere.

7 I would say there is a ground swell of  
8 outraged public opinion out there, and I think you  
9 should hear that. As best I can, I want to convey  
10 that to you.

11 We've received donations, as I say, from  
12 concerned citizens all across the land. There's going  
13 to have to be reconciliation following this process.  
14 If the mine is approved, that will not be possible. I  
15 don't see it happening for many, many, many years  
16 should that happen.

17 There's an alternative, there are many  
18 alternatives. I don't want conflict to be one of  
19 them. We've heard some of that talk. And it disturbs  
20 me. It disturbs me more than I can say.

21 I would do anything in my power to ensure  
22 that that did not come about. But should it, I think  
23 responsibility will have to fall quite squarely upon,  
24 of course the government, but also in some ways to  
25 some extent by the way in which this mine has been

1 promoted. I found that a very, very unsettling  
2 process. Very disturbing.

3 It's essential that trust be regained between  
4 First Nations People and non-First Nations People.  
5 And there's only one way that's going to happen in the  
6 present instance as far as I can see and that's that  
7 this mine be turned down.

8 I think that concludes my remarks for Friends  
9 of Nemaiah Valley. I think I've said what I needed to  
10 say. But I just have to emphasize that I'm very, very  
11 concerned about the way this process has been managed  
12 by the local media and by Taseko.

13 And I thank you, Panel, for hearing me out.

14 Thank you.

15 THE CHAIRMAN: Thank you, Mr. Williams, for  
16 your overview of the position of the Friends of  
17 Nemaiah Valley. And, as I said yesterday, we  
18 appreciated the input that you have made to this  
19 hearing process. Thank you again.

20 MR. WILLIAMS: Thank you very much.

21 THE CHAIRMAN: We are probably catching up a  
22 little bit on time. So I think I would like to  
23 certainly hear from the Share the Cariboo-Chilcotin  
24 Resources Society, Bill Carruthers, before we break  
25 for lunch. Mr. Carruthers, please.



1 **CLOSING REMARKS BY THE SHARE THE CARIBOO-CHILCOTIN**

2 **RESOURCES SOCIETY, BY BILL CARRUTHERS:**

3 MR. CARRUTHERS: My name is Bill Carruthers  
4 and I'm the Chairperson for Share the  
5 Cariboo-Chilcotin Resources Society.

6 And I would like to open by thanking everyone  
7 who participated in the review. It is a huge  
8 demonstration in democracy.

9 I will not take too long. I've listened to a  
10 lot of compelling reasons why this Project should not  
11 proceed. Some are small issues and some are very  
12 large. We heard that we squandered the forest  
13 industry and that we will do the same for the mining.  
14 The local people did not create bogus financial  
15 instruments. We did not know that climate change  
16 would allow the mountain pine beetle to prosper. This  
17 was looked at as a sustainable industry. Now we have  
18 670 million hectares of dead or dying timber.

19 The man from MiningWatch talked about OGMAs,  
20 Old Growth Management Areas, they are not much use to  
21 you when the trees are dead in those areas.

22 We have heard about a reduction in deer and  
23 moose due to the power line and the mine. More deer  
24 and moose are killed on our highways than will ever be  
25 at risk because of the opening up of the power line

1 right-of-way or the mine site.

2 If you look on the website for the Ministry  
3 of Transportation, 4783 deer were killed in this  
4 province last year on the roads. That's nowhere near  
5 a number that will ever be impacted by what's  
6 happening, what could happen out in the Chilcotin.

7 We heard concerns about speed on the Nemiah  
8 access road. You cure this issue by putting cattle  
9 guards in without running strips. Drivers will slow  
10 down as he's apt with speed bumps. I'm just using  
11 these as commonsense examples.

12 We are advocates of an environmentally  
13 responsible Project. If it is engineered properly,  
14 has adequate environmental safeguards and determined  
15 that the prospect of catastrophic failure is of a very  
16 low probability, then we believe that the Project  
17 should be approved.

18 This is a huge economic engine, it has the  
19 prospects of benefitting the whole Chilcotin. If  
20 revenue-sharing agreements are available, then they  
21 could be leveraged to improve the conditions of the  
22 First Nations People. I'm not a social scientist, so  
23 this is personal opinion. There will have to be  
24 leaders in their communities to take the initiative.  
25 They can not and should not count on anybody else

1 doing this for them.

2 Yesterday, we heard a presentation on the  
3 demographics of the population.

4 And we have fewer young people and more older  
5 people. The future mine workers in this area could be  
6 the First Nations People.

7 I came across an employment notice in *The*  
8 *Vancouver Sun*. It was for a finance officer for an  
9 organization that is being funded by the Canadian  
10 Government to train 500 Aboriginal People in the  
11 skills required to work on pipeline and pipeline  
12 terminal projects. This is -- the office would be in  
13 Prince George. Not very far from here.  
14 Two-and-a-half-hour drive.

15 It could certainly do, if they can do this  
16 for this activity, they can certainly do it for the  
17 mining industry.

18 Somebody will have to lobby the government to  
19 get this going if it is part of the future vision of  
20 the First Nations People.

21 I can't look at this Project the same way  
22 that the First Nations People look at it and never  
23 will. We are different cultures.

24 David Williams of the Friends of Nemaiah and  
25 I have dueled in the local paper over our different

1 points of view. He was writing in regards to the  
2 impact of this Project on the Tsilhqot'in and its  
3 People. I countered with the issue of his hometown of  
4 Victoria dumping raw sewage into the Strait of Juan de  
5 Fuca. And no primary and secondary sewage treatment,  
6 only the tidal movement to get rid of this material.  
7 And I don't have to elaborate on what that material  
8 is.

9 Do the First Nations People know that the  
10 salmon fishery is impacted by these practices?

11 The City of Williams Lake, a little small  
12 town here, even has its own primary and secondary  
13 treatment.

14 Our group was involved in the  
15 Cariboo-Chilcotin Land Use Plan when it was created in  
16 the early '90s.

17 We were also members of the Cariboo-Chilcotin  
18 Beetle Action Coalition, which was created by  
19 politicians. In the small communities there were  
20 members of the First Nations involved, many of the  
21 Chiefs, people from industry, environmental people,  
22 our group was represented at it and we looked at and  
23 explored alternate employment opportunities. And we  
24 kept coming back. We looked for non-timber  
25 opportunities.

1 Everything pointed to large resource  
2 industries as our major employment opportunity.

3 The rest of the opportunities identified were  
4 very small businesses with limited employment.

5 My summary statement is that we think this  
6 Project is worthwhile to the community and will have a  
7 positive economic and social impact. There is no free  
8 lunch. We must add value to land and resources to  
9 create wealth. This wealth is redistributed in the  
10 form of taxes in and transfer payments out.

11 Thank you.

12 THE CHAIRMAN: Thank you, Mr. Carruthers,  
13 again, for your input in the Review Process, your  
14 submission and your appearance before us previously as  
15 well. Appreciate your views on the Project.

16 I think, actually, we have got right back on  
17 time. You were very short but to the point in terms  
18 of your summary. And it's now 12 o'clock.

19 I would suggest breaking for about an hour  
20 and 15 minutes so we'll start again at 1:15 with the  
21 order of presenters that we have on our schedule this  
22 afternoon.

23 Thank you.

24 **(NOON BREAK)**

25 **(PROCEEDINGS ADJOURNED AT 12:00 P.M.)**

**(PROCEEDINGS RECONVENED AT 1:15 P.M.)**

1  
2 THE CHAIRMAN: Good afternoon, Ladies and  
3 Gentlemen, I would like to reconvene the hearing,  
4 please.

5 Welcome back to the afternoon session of our  
6 closing remarks. Just to go over the procedures. As  
7 I mentioned this morning, for those who weren't here,  
8 closing remarks, this particular session today and  
9 Monday are to provide an opportunity for individuals  
10 and representatives of organizations that have  
11 previously appeared before the Panel to briefly  
12 summarize their position and to provide a rationale  
13 for that position.

14 This is not a place where we receive new  
15 information. At this point, in fact, the record has  
16 closed as of the end of the day yesterday in that  
17 respect.

18 Obviously if somebody wants to support a  
19 document that, in fact, includes their closing  
20 remarks, that's fine, obviously, but no new  
21 submissions are being received.

22 We have set up an amount of time for certain  
23 groups and organizations and for those who are  
24 individuals who are not represented by any group or  
25 organizations, we've allocated a period of time for

1 10 minutes for those groups. And, in fact, this  
2 afternoon, as it turns out, we have five speakers who  
3 have been allocated 10 minutes each.

4 The two government departments, Federal  
5 departments, National Resources Canada and Environment  
6 Canada have chosen not to make closing remarks.

7 So the order we have this afternoon will be,  
8 I'll just go through them all just so you're aware of  
9 who's speaking this afternoon.

10 It's Barbara Hooper, Sage Birchwater, Herb  
11 Nakada, Stuart Kohut, and Federico Osorio. These are  
12 all people who have appeared before us earlier in the  
13 proceedings and therefore have the opportunity, if  
14 they so wish, to make closing remarks.

15 So with that introduction, I think you know  
16 who we are, I will call on Barbara Hooper to make her  
17 closing remarks. And, if I recall, you spoke to us in  
18 100 Mile House, if I remember.

19 **CLOSING REMARKS BY MS. BARBARA HOOPER:**

20 MS. HOOPER: Yes, my name is Barbara Hooper.

21 Thank you for the opportunity to speak.

22 Madam Morin, Mr. Connelly, and Mr. Klassen.

23 I was a little nervous before I came up here  
24 today and my husband said, "Well, just try not to be  
25 too blonde." So actually, I just want you to know,

1           this is not blonde hair, this is white hair.

2   THE CHAIRMAN:                   Well, actually you might be  
3           insulting me because at one point I was fairly blonde.

4   MS. HOOPER:                    Were you a blonde?

5           I am here, if I may be so presumptuous to  
6           assume, to represent the children of the Chilcotin and  
7           Cariboo. I've been a teacher for many years. I'm a  
8           retired teacher at the moment. I have taught at Canim  
9           Lake Reserve for a number of years. The children that  
10          I taught are now parents. And when I meet with their  
11          children and my ex-students in town, there's still a  
12          very warm connection there because of the number of  
13          years of proven respect and care.

14          And I feel that trust is very important when  
15          we relate to children. It should be: Do what I do,  
16          not just do what I say.

17          I feel that, as we've often heard, it takes a  
18          community to raise a child. I've always loved that  
19          saying. And this, of course, is very much the view of  
20          the Tsilhqot'in People, that their community is partly  
21          there to provide a surround, a loving and protective  
22          surround for young people to grow up in to respect  
23          themselves and their culture.

24          Self-esteem, as we all know, is extremely  
25          important in the development of young children. I



1 have a friend, Dr. Bob Oberheide, who lives at the  
2 108 Mile House, who is a retired psychologist. And he  
3 wrote a book about self-esteem. And he asked me to  
4 express the concern that if the Prosperity Mine goes  
5 through, it will be quite devastating to the  
6 self-esteem of many of the Tsilhqot'in People and,  
7 perhaps even more so, the children.

8 I wonder about the message we are giving  
9 First Nations children in this area when we do not  
10 take into deep regard their culture, their land. What  
11 are we saying to them?

12 So often, adults say one thing and do  
13 another. Children these days are extremely well  
14 informed about the environment. It used to be in  
15 university we would learn critical thinking skills.  
16 Then in high school. Now it's at elementary level.

17 Children in daycare and pre-school recycle  
18 and learn about pollution, learn about how valuable  
19 our water is.

20 There is an elementary school principal in  
21 100 Mile and she said to me that a major component of  
22 the science curriculum is about environmental issues.  
23 It's highly significant to elementary students.

24 The last time I spoke to you, I read from a  
25 number of, I guess you could call them textbooks, that

1 children read at the elementary level. And the quotes  
2 are so beautiful, if you don't mind, I would like to  
3 read some of them again.

4 The first one is from *Fun with Nature*.

5 "A pond or lake is a natural  
6 gathering place.

7 Some animals live in the  
8 water.

9 Others visit the pond or lake  
10 to drink the water and eat the  
11 pond plants and animals."

12 Another one, from *Wonders of the Fields and*  
13 *Ponds at Night*.

14 "Here waterfowl come to  
15 breed, muskrats move in and build  
16 their homes, and mink and raccoon  
17 visit to fish for trout, while at  
18 night the deer come to drink and  
19 the frogs make their own special  
20 music."

21 My understanding is that there, and please  
22 correct me if I'm wrong, that there will not be a  
23 fence around Fish Lake when it becomes a tailing pond.  
24 I am wondering what will we do? Put up a sign to the  
25 animals and say, "Do not drink this water"?

1                   What about the birds that fly over?

2                   It will take a while before the water becomes  
3                   so toxic that they will know not to drink from the  
4                   water.

5                   A quote from *Looking at the Environment* by  
6                   David Suzuki:

7                                 "When habitats are destroyed,  
8                                 most creatures who live there  
9                                 can't just move to a new location,  
10                                instead they simply die out.

11                               Turn on a tap and take a  
12                               drink of water. Did you know that  
13                               some of the water was once part of  
14                               the clouds from the sky? Some of  
15                               it was inside forest trees. Some  
16                               was deep underground. And some  
17                               was in rivers and streams. Water  
18                               recycles endlessly.

19                               If a big industry pours a lot  
20                               of chemicals on the ground or  
21                               buries them, some of them will  
22                               sink into the water below.  
23                               Groundwater doesn't change much.  
24                               It sits where it is for thousands  
25                               of years. If we poison the water,

1                   the poison is there for thousands  
2                   of years, too, and we have no way  
3                   to clean it out."

4                   Human beings are inflicted with arrogance.  
5                   We claim to have understanding that we rarely have.  
6                   We have forgotten the wonder of being part of  
7                   something much larger than yourselves. We think our  
8                   needs should always take precedence over the needs of  
9                   the whole.

10                  Mother Earth is very forgiving, but there is  
11                  a limit to the destruction we can inflict upon our  
12                  environment.

13                  We are the only animals that soil our own  
14                  nest. Some of us in the nest won't put up with it  
15                  anymore. It's getting stinky.

16                  The word "ecology" comes from Greek words  
17                  meaning the study of a household or home. Children of  
18                  today see our Earth as our home. They use words such  
19                  as "sustainability", a word that was not often used  
20                  even 10 years ago and now it is a part of our  
21                  elementary schools children's vocabulary.

22                  We all know we should show our young people a  
23                  good example.

24                  I ask you today to be that good example.

25                  Choose not to destroy Fish Lake.

1 Find a way to create sustainable industry.

2 I know in 100 Mile we have done two  
3 Feasibility Studies to look into sustainable industry,  
4 both in the beef industry and in the food service  
5 industry and we are carrying forward with that.

6 So, just to close, I would ask you to ask any  
7 child that you know, perhaps your son or daughter,  
8 perhaps a grandchild: What would you do? Would you  
9 destroy this lake? Show them pictures of the lake.  
10 Tell them about the animals and the fish. Ask them,  
11 what decision should I make? Should we destroy this  
12 lake?

13 There might be jobs for mom and dad, but  
14 those jobs, will they feed your soul? They may feed  
15 your body, but will they feed your soul? Will they  
16 feed your trust, your trust that human beings, that  
17 adults, will make the right decision? Because we do  
18 not inherit this Earth from our ancestors, we borrow  
19 it from our children.

20 Thank you.

21 THE CHAIRMAN: Thank you, Mrs. Hooper.

22 Thank you for presentation, your summary remarks, I  
23 mean.

24 And the next person is Mr. Sage Birchwater,  
25 please.

**CLOSING REMARKS BY MR. SAGE BIRCHWATER:**

MR. BIRCHWATER: Thank you, Panel Members.

I've had the opportunity and the privilege of speaking to the Panel three or four times during this hearing. And I thank you for the opportunity.

My message has been consistent if not somewhat repetitive.

I've basically stated that this mining development should not go ahead without the agreement and consent of the Aboriginal People who live there.

I'm also saying that there are alternatives to destroying Fish Lake, Teztan Biny.

According to Taseko Mine's own Supplemental Study, 20 years of mining could safely occur without encroaching on Fish Lake.

In order for this to happen, Taseko Mines would have to shift from its inflexible position of needing to mine all the known reserves and maybe be satisfied with taking only part of it.

What's wrong with that compromise?

Over the course of the hearings, I've heard Brian Battison state several times that the Aboriginal People opposing the current mining development are inflexible in their position to preserve Fish Lake, Teztan Biny. It seems Taseko Mines is inflexible in

1 its plan to destroy the lake.

2 Reading Taseko's Supplemental Alternative  
3 Mining Plan Report prepared for the Panel in  
4 August 2009, it is quite obvious why the plan to  
5 destroy Teztan Biny is the only acceptable option for  
6 the company.

7 This is the plan that would allow the company  
8 to maximize its profits by allowing it to extract all  
9 of the known reserves that have been identified so  
10 far.

11 The question then is: Should maximizing  
12 profits be the only value to be considered here.

13 I guess if I were a shareholder of the  
14 company, I would want the most bang for my buck. But,  
15 at what cost? As a shareholder, would I want, "dirty  
16 money", that is derived by stomping on the rights of  
17 Indigenous People and threatening to destroy the  
18 environment needlessly.

19 More and more shareholders are making moral  
20 choices when investing their money.

21 When shareholders and companies can't be  
22 counted on to make the correct moral choice, then it's  
23 up to government to set the guidelines to protect  
24 other valuable interests. That's what this hearing is  
25 all about.

1 I've also heard Brian Battison state publicly  
2 that: "Some Aboriginal People oppose Taseko's mining  
3 plan to destroy Teztan Biny." Specifically I heard  
4 him state this at the hearing in 100 Mile House and  
5 twice on CBC Radio.

6 Minimalizing the Aboriginal opposition to the  
7 current mining plan is not honest.

8 The legally and democratically elected  
9 leaders of the Tsilhqot'in and Secwepemc Nations have  
10 unanimously and emphatically stated their position  
11 that the plan that would destroy Fish Lake, Teztan  
12 Biny, is not acceptable.

13 For instance, when George Bush invaded Iraq  
14 in 2003, Canadian Prime Minister Jean Chretien stated  
15 clearly that Canada did not support an unprovoked  
16 invasion of that country. No doubt there are some  
17 Canadians who agreed with Bush that the invasion  
18 should occur, but the official Canadian position was  
19 against the invasion and no troops or military support  
20 for this war effort were provided. How would Brian  
21 Battison and Taseko Mines have felt if George Bush  
22 made the statement that, "Some Canadians oppose the  
23 Iraq invasion", wouldn't they have interpreted such  
24 remarks as an attack on Canadian sovereignty?

25 Williams Lake Mayor Kerry Cook said in her



1 presentation to the Panel that she was ashamed of the  
2 historic treatment of First Nations in Canada.

3 Maybe now is the time to change the way we  
4 conduct our business with First Nations so our  
5 children and grandchildren no longer have to be  
6 ashamed. We need to show respect.

7 Gauging by the feedback I've received, many  
8 people of different persuasions share my perspective:  
9 Pensioners, environmentalists, workers, business  
10 owners, people who want jobs, people of many ethnic  
11 and socio-economic backgrounds agree with me that the  
12 Aboriginal People need to be onside with this  
13 development before it goes ahead.

14 I've been around this country long enough to  
15 have witnessed the demise of the Ooligan fishery in  
16 Bella Coola. For 25 years I saw this fishery in its  
17 abundance before a resource management decision by DFO  
18 allowed the shrimp trawling of Queen Charlotte Sound  
19 where 90 tonnes of Ooligan were the reported bi-catch.  
20 The next year, the Ooligans failed to show up in the  
21 Bella Coola River and the ancient practice of  
22 rendering Ooligan grease by the Nuxalk People came to  
23 an end. An important cultural tradition was lost  
24 because of an errant resource management decision.

25 We don't want the same thing to occur here.

1 The Chilko sockeye run is one of the Fraser River  
2 system's strongest remaining sockeye runs for several  
3 reasons. One reason is the purity of the water in the  
4 Chilcotin River system. Another is the preponderance  
5 of glaciers feeding Chilko Lake and Taseko Rivers.

6 Other famous sockeye runs, like the Horsefly  
7 and Adams River runs are suffering because of the  
8 water temperatures are too warm because the glaciers  
9 and snow packs are diminishing in their headwaters.  
10 So the Chilcotin River sockeye is becoming more and  
11 more significant for many people beyond this region  
12 and we need to manage these resources carefully.

13 Best Practices Resource Management means we  
14 need to involve First Nations people in these big  
15 decisions, not attempt to side step them or pay them  
16 out after the fact. We need their innate wisdom and  
17 knowledge to minimize the risk of destroying the  
18 greater good that we all cherish.

19 Despite huge unanswered political questions  
20 around Aboriginal title to this land and ownership of  
21 the resources associated with it, we need to move  
22 forward on a Project of this magnitude together as a  
23 whole community, not as fragments of special interests  
24 seeking to exploit a resource.

25 Offering token appeasements like a financial

1 share in the resource revenue after the fact just  
2 doesn't cut it.

3 You don't have to be a scientist to notice  
4 that the world is changing in ways it has not done  
5 before and that humanity is pushing the natural  
6 ecosystems beyond the tipping point.

7 This proposed Taseko Mines Project is a  
8 classic example of how we are pushing the complexity  
9 of a delicate ecosystem to the limit and threatening  
10 its life-sustaining possibilities.

11 We are reaching into the furthest reaches of  
12 Supernatural British Columbia with a chequebook in our  
13 hand. Putting economic considerations first is  
14 threatening the last vestiges of what we consider  
15 sacred. At risk is some spectacular unbridled  
16 wilderness where people caught up in the confusion of  
17 our human activity can get away and nurture their  
18 souls.

19 At the hearing in 100 Mile House I asked  
20 Taseko Mines if they would consider doing a joint  
21 project mining venture with the Xeni Gwet'in and  
22 Tsilhqot'in People. They responded by saying they  
23 would love to work with the Native People, but the  
24 concept of joint venture partnership seemed like a  
25 foreign concept to the mine representatives. They

1 just don't seem to get the concept of working together  
2 as co-developers and co-managers or else they just  
3 don't want to get it.

4 At the topic-specific hearings in Williams  
5 Lake on April 26th, I asked Taseko which of the  
6 alternative mining plans that the Tsilhqot'in People  
7 favoured. Taseko representatives responded they  
8 didn't know, but stated that the Tsilhqot'ins were  
9 unanimous in their opposition to destroying Fish Lake,  
10 Teztan Biny.

11 Taseko Mines is saying that unless they can  
12 take all of the known copper and gold reserves that  
13 have been identified next to Teztan Biny, then the  
14 mine isn't economically feasible. With Taseko Mines,  
15 it is all or nothing.

16 The Tsilhqot'in People have not said no to  
17 mining, they have said no to destroying Fish Lake,  
18 Teztan Biny. So who is the inflexible party here?

19 So my question to the Panel is, what's wrong  
20 with taking just part of the mineral resource  
21 identified at Teztan Biny?

22 The Panel Chair even asked Taseko why the  
23 adamant position of the Aboriginal People to preserve  
24 Teztan Biny wasn't a fatal flaw in choosing their Mine  
25 Development Plan.

1 I think this inflexibility by the mining  
2 company is the real fatal flaw in this proposal.

3 Yes, in corporate boardrooms maximizing  
4 profits is the holy mantra, but this Panel hearing  
5 isn't a corporate boardroom. It is more than that.

6 There are social, human, and environmental  
7 considerations that must be factored in as well.

8 So in conclusion, I would like to thank the  
9 Panel for considering what I've had to say and for  
10 giving me the opportunity to speak.

11 Sechanalyagh.

12 THE CHAIRMAN: Thank you, Mr. Birchwater,  
13 for your closing remarks.

14 **CLOSING REMARKS BY MR. HERB NAKADA:**

15 MR. NAKADA: We falsely believe our  
16 business as usual model allows us to flourish, to  
17 prosper. Our false economy is false if it is leading  
18 us to the disintegration of our human civilization.  
19 Civilization is at risk. Its fatal flaw is our  
20 dysfunctional codependent relationship with a  
21 non-sustainable economic growth model.

22 We heard well and clear the testimony of both  
23 those who are desperate, betrayed and angered, with  
24 and without this false promise.

25 Thank you for allowing my voice to be heard.

1 Thank you for this opportunity to recap my views. I  
2 am grateful for your time.

3 Thank you again for the people of the rivers,  
4 lakes and earth. Thank you again for you and this  
5 Panel.

6 Thank you for your difficult and challenging  
7 work to be the guardians of our being, gatekeepers of  
8 our environmental laws, intended to secure our common  
9 existence.

10 This was an amazing process. I'm glad to  
11 have witnessed what I did here witness. To  
12 participate was good. I did not like being cut off at  
13 Alkali. I hope you don't mind me saying that.

14 THE CHAIRMAN: I've heard a lot worse, so.

15 MR. NAKADA: It is a better answer to our  
16 common problems in perfecting democracy. This Panel  
17 hearing I think is one answer. Clearly, we need to be  
18 heard fully with understanding.

19 My purpose here was to persuade you that  
20 civilization is at high risk. This is relevant to all  
21 of us. Life is worth all we can possibly do to  
22 preserve our life and our environment wherever we  
23 happen to be.

24 At Alkali, I said truly, now more than ever,  
25 environmental protection is critical for our common

1 survival.

2 We are here at the end game.

3 We have had 250 years of economic growth  
4 models and business practices that have contributed to  
5 global warming, species depletion, environmental  
6 degradation, and human degradation.

7 This is dysfunctional.

8 Our codependent reliance on growth models is  
9 dysfunctional.

10 And we are now at the tipping point for human  
11 civilization.

12 Robert Hanson said that, at 450 parts per  
13 million of carbon dioxide in our atmosphere guarantees  
14 disaster for us. Polar icecaps, Greenland ice sheet,  
15 all the mountain glaciers globally, will inevitably  
16 melt at that level.

17 Alex Rogers said that corals and shellfish  
18 will start to die off at 450 parts per million. And  
19 that at 650 parts per million, plankton will start to  
20 die off impacting the entire, adversely impacting the  
21 entire marine food chain.

22 And I asked at Alkali, can our salmon survive  
23 this. And I asked if we could.

24 I said that we were on a projected path to  
25 reach 900 parts per million of carbon dioxide by the

1 end of this century and unless we make drastic changes  
2 now, it's going to be two times the disaster that  
3 Robert Hanson was talking about. If that's possible.

4 The more we delay, the greater the drastic  
5 changes and the more difficult the corrections. We  
6 need to envision well this century and take urgent  
7 effective action now. Preserving this biosphere must  
8 be our primary concern.

9 If the permit is given to Prosperity Mine, I  
10 had -- maybe I said it too strongly, but I had  
11 recommended that this Panel make it conditional that  
12 an 80 percent decrease in their carbon dioxide  
13 greenhouse emissions by 2020, I had suggested that, to  
14 help us, all of us try not to pass 400 parts per  
15 million globally. We're at 387 now.

16 Prosperity must do its share to become carbon  
17 neutral. This will be a challenge. It is easy to  
18 excuse and ignore by describing Prosperity's  
19 greenhouse emissions as miniscule.

20 I'm here to say that we have a narrow range  
21 for our existence. In this human community, the  
22 leaders in a position to make a significant difference  
23 now need one common cause: To secure our common  
24 living.

25 We cannot be healthy unless our environment



1 is healthy. I believe it is still possible to do this  
2 here sustainably. Consider carbon neutrality for this  
3 Project for its duration if you grant its permit, if  
4 you recommend its permit.

5 Think and feel civilization at high risk.  
6 There's a very high risk that human civilization can  
7 fail very soon unless we commit ourselves to urgent  
8 action to save our civilization. If we fail, who will  
9 remain to maintain the mitigations which permit all of  
10 the human environmental degradations now we're talking  
11 about into perpetuity?

12 I said, what we do here now is just not about  
13 Taseko Mines, Williams Lake, British Columbia or  
14 Canada. I gave numbered examples of 7, 20 and 50  
15 generations. With 50 generations, I said, I believe  
16 we can still sustain 300 billion people still to come  
17 over the next thousand years if we do things right  
18 now.

19 We can do that with common decency if we make  
20 the necessary changes for our sustainability soon.

21 Think and feel for them. Imagine what kind  
22 of environmental protections must be in place for them  
23 and begin making it happen now.

24 Think and feel for civilization at high risk  
25 and make it part of each of your decisions that you're

1 going to make in the next couple of months.

2 I trust that three of the most conscious  
3 (sic) and responsible human minds in Canada were  
4 selected for this Panel Review with an unwavering  
5 commitment for preserving our biosphere. Three human  
6 minds and three human hearts who, understanding the  
7 greater issue for humanity, that human beings, given  
8 the proper conditions, can preserve our vital needs  
9 commonly, can meet our environmental, enormous  
10 environmental challenges, can preserve our common  
11 biosphere with common decency.

12 Help provide us with the proper conditions.

13 Aim at allowing the miracle that is each of  
14 us to share civilly with common decency the wonder of  
15 our miraculous lives in this finite space in this  
16 universe.

17 We need to distinguish clearly between  
18 healthy functional models and practices from the ones  
19 that are truly dysfunctional.

20 We need urgent effective action to do this  
21 now.

22 Many questions have been deferred and now  
23 buried in the transcripts here, back there, and not  
24 being answered could be a fatal flaw in this process.

25 We need healthy, fully functioning,

1 actualizing human beings who can see not only what we  
2 humans are, but also who can imagine what humans can  
3 become in 1,000 future years if we make it possible  
4 for them.

5 My hope is that there are some here who can  
6 hear this and take it into their hearts for our common  
7 survival.

8 We need firm, unfailing civil respect for  
9 this natural order.

10 We need uncompromised strict external  
11 regulation that works for preserving this  
12 life-sustaining environment.

13 And this Panel, with others, guarding a  
14 balanced life-sustaining environment truly is work we  
15 cannot do without.

16 You can cut me off any time if I'm over.

17 THE CHAIRMAN: You're pretty close, so  
18 perhaps wrap it up.

19 MR. NAKADA: We are all at a gala ball and  
20 the fire of runaway global warming has started. Exits  
21 for a lot of us is death. There's nowhere to escape  
22 on a finite planet. We need to put the fire out in  
23 time to save all of us.

24 And I think we can still do this.

25 In summary, clearly and simply said, with

1 civilization at risk, critical for the meaning and  
2 purpose of our lives, we need to address our common  
3 threat of climate change. Far-reaching climate change  
4 adversely impacts and threatens all that we find  
5 valuable in our lives.

6 We need our climate stabilized soon.

7 I'm almost done.

8 If you recommend the permit for Prosperity  
9 Mine, help stabilize our climate with the condition of  
10 the regulated cut of 80 percent of Prosperity's carbon  
11 dioxide emissions by 2020.

12 Why must Prosperity Mine be the first and  
13 only mine? Is that fair? This can be applied  
14 generally to all mining activities anywhere in Canada.

15 Our margin of error is very small given what  
16 we are risking. This may keep us away from runaway  
17 global warming. Delay change past 2012 may be too  
18 late.

19 We need to attain genuine sustainable  
20 economic development governed by principles of peace,  
21 social justice, sustainability, and love for all.

22 That's not usually in our economic models,  
23 love.

24 No longer to be trumped by selfish profits in  
25 the marketplace.

1 We need low carbon prosperity.

2 We need to eradicate global poverty.

3 We need to achieve zero growth. That's  
4 difficult to discuss in places like this.

5 Five points to finish:

6 1. Prosperity Mine claims that it is  
7 environmentally-friendly.

8 2. Will this Panel verify this claim?

9 3. Will this Panel standard be carbon  
10 neutrality as one part of being an environmentally  
11 friendly project for our sustainability beyond 2030?

12 4. Will you require carbon neutrality as one  
13 condition for your recommendation for a permit?

14 5. Will this Panel be recommending  
15 Prosperity Mine as one world leader in sustainability  
16 in its work to fulfil its claim to be  
17 environmentally-friendly?

18 If you recommend against this mine,  
19 destroying a vital lake, and putting a vital watershed  
20 at risk, I have faith in Taseko Mine that it can  
21 profitably find a way for Prosperity Mine to work  
22 without destroying Teztan Biny, otherwise know as Fish  
23 Lake.

24 This, I'm going to sneak this one in. This  
25 Panel might consider recommending the People of the

1 rivers, lakes and earth to have authority over their  
2 sports fishing, licensing and sports hunting licensing  
3 in their territory to help protect their subsistence  
4 ways of living in their territory.

5 If that was inappropriate, you can delete  
6 that.

7 Thank you for your work and good luck with  
8 your decisions.

9 Thank you.

10 THE CHAIRMAN: Thank you, Mr. Nakada.

11 And our next speaker is Stuart Kohut, please.

12 **CLOSING REMARKS BY MR. STUART KOHUT:**

13 MR. KOHUT: I can begin?

14 THE CHAIRMAN: Yes, please proceed.

15 MR. S. KOHUT: I'm going to read today.

16 Hello everybody, Panel Members, Taseko  
17 employees, First Nations friends, and all others  
18 present.

19 My name's Stuart Kohut. I've submitted to  
20 this Panel in writing and presented in person in Dog  
21 Creek.

22 What I want to leave you with today has to do  
23 with respect and acknowledgment of some things.

24 Acknowledgment, first of all, that we are a  
25 community, a community of human beings on this earth,

1 and if we forget that, we would do well to remind  
2 ourselves here in struggles like this, adversarial and  
3 opposition to each other, just as an ecosystem, and  
4 just as we are part of an ecosystem, everything is  
5 connected and works together or does not work.

6 This includes the relationships we have with  
7 one another. This is also part of our ecosystem.

8 Taseko Mines has the ability to hire  
9 scientists of all kinds, but it seems to me that they  
10 have forgotten that they are a part of the very  
11 ecosystem that sustains them.

12 Taseko Mines Limited is not outside of,  
13 above, or beyond our ecosystem within which we live.

14 As I see it, Taseko Mines is forever in a  
15 legally protective mode with legal counsel watching  
16 over with one goal: Money.

17 This is not communication, nor relating to  
18 those around you. It's a legal game.

19 But this is the system within which we  
20 operate.

21 Corporations do not have a legal  
22 responsibility to relate well to the rest of the  
23 world. Respect, again.

24 I myself can't imagine not being allowed to  
25 be an individual and to relate to others as

1 individuals and to relate to my environment, to just  
2 feel the magic of Mother Earth and enjoy being a part  
3 of her.

4 I wonder if the employees at the Taseko table  
5 would be here of their own accord, unpaid, to stand up  
6 for the interests of this corporation with no strings  
7 attached the way that so many others bring themselves  
8 here.

9 We should also acknowledge that as a  
10 community of human beings, we are reaching a defining  
11 moment in our very existence.

12 These hearings, as I see them, and as complex  
13 and intellectually heavy a process as they are, are,  
14 in fact, a representation of our world and all the  
15 problems within it, as well as a representation of our  
16 gifts and strengths being played out right here in our  
17 small corner of the Earth.

18 The decisions made about this mine will  
19 reverberate throughout the rest of the world.

20 Make no mistake, the way business is done on  
21 this Earth will have to change. Developments like  
22 this cannot be sustained into perpetuity by our Earth.

23 It's also really about supply and demand.  
24 People will demand better and the supply will have to  
25 improve. The very people that support it, the common



1 people who buy the resulting products from resources  
2 like this are becoming increasingly aware of this  
3 fact, slowly but surely.

4 More than 60 percent of the gold produced in  
5 the world belongs to the demand of jewelry. This  
6 figure is sourced from the World Gold Council website.

7 Are we to assume, then, that over 60 percent  
8 of the gold that would come out of the ground beneath  
9 Fish Lake will be for people to wear shiny things? Is  
10 60 percent of all the time, money and energy put into  
11 these hearings for us to wear jewelry?

12 Personally, it makes me think twice about  
13 buying a gold engagement ring, but maybe that's just  
14 me.

15 Everything that is produced in this world  
16 trickles down to use by the common man. It is our  
17 behaviour and our choices we make as consumers that  
18 are a key force in the way things operate in this  
19 world.

20 People are starting to learn about where the  
21 things in their lives come from and making consumer  
22 choices based on their values in relation to that.

23 Consciousness is changing, ever-evolving, and  
24 eventually, if we are lucky to last long enough, this  
25 change will reverberate from the bottom to the top.

1                   Now, that is democracy.

2                   You are not above the rest of the world,  
3 Taseko. We need each other. This must be  
4 acknowledged.

5                   I'm not going to suggest a group hug or  
6 anything. But we need you. We need you, Taseko Mine  
7 employees. We need your gifts, knowledge, and  
8 abilities to help this world, not to help us get rich  
9 and take us further from our connection to our own  
10 ecosystem, but to contribute to the Garden of Eden,  
11 helping it to last for all of us to be taken care of  
12 by it.

13                   We need you to help us find a better way to  
14 make it. And that will take care of your future  
15 generations, too, not the money that you will leave  
16 behind for them.

17                   Money can't buy clean water if there's none  
18 left.

19                   No modern mitigation measures can handle the  
20 imbalance brought to light when Mother Nature shows  
21 her force. Just as we have seen recently in only a  
22 mere two incidents: With Iceland's volcano virtually  
23 shutting down Europe last week; and now the sinking of  
24 an oil rig in the Gulf of Mexico threatening to  
25 destroy the Louisiana coastline just this week.

1                   Perhaps it could be said that the most  
2                   fragile system on Earth is actually our man-made  
3                   economic system. It is fragile, we should know how  
4                   easily it can collapse.

5                   In hundreds of years, perhaps our current era  
6                   of economic domination will be thought of as very  
7                   foolish, like a giant social experiment accumulating  
8                   material wealth in the extreme, hellbent on destroying  
9                   the very hand that fed it.

10                  Pages and pages of technical scientific  
11                  description and terminology aren't required for some  
12                  things to be understood.

13                  I also want to leave the Panel with  
14                  acknowledgment of your task at hand in making a  
15                  recommendation dealing with these issues to the  
16                  governing body of this land.

17                  This is not only about a lake. The issues  
18                  with our world that I'm referring to are intrinsic  
19                  within every issue that has been presented here.

20                  Within your Terms of Reference, however  
21                  precise or vague, and with whatever language used and  
22                  meant to be interpreted, you will see these things  
23                  speaking.

24                  If you look, you will also see the great  
25                  spirit that lives in all things. The spirit that you

1 see in the eyes of your loved ones, and the eyes of  
2 everyone present in this room, in the food and water  
3 that will nourish you this evening, and in the pain  
4 and struggle that is also part of life.

5 If you look, you will also see this spirit  
6 that lives in all things, in the job you have ahead of  
7 you, in all of the evidence and papers in front of  
8 you.

9 You also carry this spirit within yourselves,  
10 and who you are as individuals and in all the power  
11 you have to do your job.

12 You, as the individuals who make up this  
13 Panel, have a monumental task of somehow bringing it  
14 all together within your Terms of Reference in a good  
15 way. In the best interests of our environment, our  
16 economy, our country, and ourselves, recognize the  
17 imbalance and destructive nature of this proposed mine  
18 and acknowledge that this issue is representative of a  
19 greater problem in our world. Please use your  
20 responsibility wisely in respect of this.

21 Acknowledgment, it could also be said, goes  
22 hand-in-hand with truth and reconciliation, a  
23 commitment made by our government to our First  
24 Peoples.

25 Recognize that one essential step in bringing

1 the balance we need in this world is to respect First  
2 Nations People and what they have to share with our  
3 world.

4 Our government's commitment to truth and  
5 reconciliation cannot coincide with this Project.

6 Lastly, I would suggest that everyone that  
7 this development concerns would do themselves and  
8 their work a service by taking time to yourself, maybe  
9 out on the land somewhere quiet, where you can be at  
10 peace and connect with the reality that you are a part  
11 of everything and that everything that exists, and  
12 that everything is a part of you.

13 Ask yourself for perspective. Meditate on  
14 where to move from here.

15 I'll leave with this. And for the Panel  
16 members carrying the weight of your task at hand, know  
17 that you and the job ahead of you are acknowledged and  
18 respected.

19 Thank you again for your time.

20 THE CHAIRMAN: Thank you, Mr. Kohut, for  
21 your summary remarks.

22 And I guess the next person, I think I just  
23 saw him leave the room, I'm sure he'll be back in a  
24 moment, is Federico Osorio. I'll just wait for him to  
25 return. Okay, just in time.

1 Mr. Osorio.

2 **CLOSING REMARKS BY MR. FEDERICO OSORIO:**

3 MR. OSORIO: Again, I don't have a watch,  
4 so if somebody could signal me when I'm getting to the  
5 10 minutes, please.

6 So thanks to Taseko, to the Panel, to the  
7 Panel Secretariat, and to the public in general.

8 It's been an honour to be part of such an  
9 extraordinary example of democracy and practice and I  
10 really want to thank the Panel and the powers that be  
11 that allow for such a process to take place.

12 A political system of this calibre is rare in  
13 this world. And it's something to be really proud of.

14 Whether in your recommendations you have an  
15 opportunity to uphold the integrity of this process  
16 and to keep a functional political system from  
17 succumbing to economic forces that threaten our  
18 democratic system and the common good.

19 Such a fine political system is unique in  
20 this world. Just like in the Nabas area and the  
21 history of the Tsilhqot'in People.

22 We have an opportunity here to right past  
23 wrongs and to present the world an example of an  
24 effective reconciliation in a new and just  
25 relationship with Aboriginal People.

1                   What's at stake here is not only Canada's  
2                   reputation as stewards of the environment, approval of  
3                   this mine would undermine our credibility and social  
4                   justice.

5                   The only logical explanation I can come up  
6                   with as to why we're even talking about this Project  
7                   is that it could --

8                   THE CHAIRMAN:                   Maybe talking a little bit  
9                   too fast for our recording so just slow down, please.

10                  MR. OSORIO:                   The only logical reason I  
11                  have as to why we've been talking about this EIS and  
12                  the Project is that it could provide a significant  
13                  economic stimulus to the provincial and the Canadian  
14                  economy.

15                  And in most of the world, these are very  
16                  challenging economic times. But for us in Canada,  
17                  it's not so much. We can look around and we have it  
18                  pretty good here.

19                  Our financial institutions are solid. And  
20                  our standard of living for the most remains  
21                  unaffected. This is evident in our daily lives.

22                  But this also might not always be the case.  
23                  There could be a time in the next 10, 20, 30, 100  
24                  years in which we really experience severe economic  
25                  conditions and we might then need an economic stimulus

1 of this, of these proportions. If we let Taseko take  
2 our gold and our copper now, we won't be able to  
3 access it when we truly might need it.

4 I urge you to consider the cost of the loss  
5 of the potential future economic benefit of this  
6 gold-copper deposit.

7 Right now, the deposit is proven, it's safe.  
8 It's protected at no cost by the Tsilhqot'in on behalf  
9 of all Canadians.

10 For as long as they are here, that deposit is  
11 safe.

12 Are we so desperate right now? Are we so  
13 hurting that we're willing to let Taseko take our  
14 gold, our copper, our water, our environmental  
15 reputation for so cheap?

16 We should wait. Let's just take it easy for  
17 a bit and take your time. Gather some real credible  
18 data. Come up with an Environmental Impact Statement  
19 that adequately does justice to what's at stake here.

20 I urge you to go beyond the attitude of  
21 keeping to standards and doing the bare minimum. This  
22 Project is by no means a standard Project. It's huge.  
23 It's unheard of. Doing the bare minimum is completely  
24 unacceptable for a Project of this size.

25 I encourage you to give peace and



1 reconciliation a chance.

2 We are proud of our Beautiful British  
3 Columbia, of Supernatural British Columbia. This was  
4 evidenced during the Olympics. All the images that  
5 were shown were with regards to the natural beauty of  
6 this land, not with regards to open pit mines.

7 It's one of the most sought-after places to  
8 live in the world. And the source of our pride is our  
9 beauty, not our cruelty.

10 And, as it stands, this is cruelty.

11 In regards to our economic system, I would  
12 like to draw the analogy with driving a car. Just  
13 because you put 300,000 kilometres on your car,  
14 doesn't mean that it's going to run as good for the  
15 next hundred thousand kilometres.

16 So far the economic model based on infinite  
17 growth, that's based on finite resources, has gone  
18 through those first 300,000 kilometres. It's time to  
19 get a new car. It's time to move on from this rape  
20 and pillage system that Taseko's proposing to  
21 resurface.

22 We all need water to live. Nobody needs gold  
23 and copper to survive. That's simply how things are.  
24 Gold and copper are luxuries.

25 And this next little bit, don't take my word

1 for it, if I had access to better sources, I would  
2 have researched it more, but I believe in your powers  
3 as a Federal Authority, you might be able to access  
4 this information.

5 And what I'm talking about is the use of gold  
6 and copper in the military industrial complexes.

7 It's my understanding that copper primarily  
8 is a key part of jacketed bullets, for example, and a  
9 lot of ammunition. Gold is highly sought after for  
10 high conductivity and it's used in missiles and  
11 whatnot. Anyway, like I said, you should probably  
12 check that for yourselves.

13 But this find, if it goes to the Canadian  
14 military, what if our gold and copper is going to go  
15 to the U.S. military to kill innocent civilians in  
16 Iraq. If it's going to be used to launch another  
17 illegal war in Iran or North Korea. If it's going to  
18 supply the Chinese military industrial complex, I  
19 think there's a serious issue.

20 If somehow this Project got approved, I would  
21 strongly urge that a strict chain of custody is  
22 implemented to make sure that our gold and copper is  
23 not being used for illegal purposes.

24 We need the Minister, the Prime Minister, and  
25 the Privy Council, to hear our voices loud and clear.

1                   This Project should not go ahead now. Not at  
2 such a high cost. And never when it involves  
3 foregoing our humanity.

4                   We need a moratorium on any such development  
5 until social and environmental atmospheres improve.

6                   Canada's environmental reputation has  
7 suffered tremendous blows; the Copenhagen summits and  
8 past summits in which we've been shamed over and over  
9 again.

10                  Our reputation as stewards of the environment  
11 is standing on the edge of a huge open pit. If you  
12 approve this Project, it will be a step forward.

13                  And lastly, in the closing remarks in  
14 Williams Lake, Taseko said that, and I paraphrase,  
15 "Ultimately Tsilhqot'in approval is not legally  
16 required."

17                  And we'll see about that.

18                  Thank you.

19 THE CHAIRMAN:                   Thank you, Mr. Osorio, for  
20 your closing remarks.

21                  I'll just check, but I had removed from the  
22 list of presenters Natural Resources Canada and  
23 Environment Canada. I think I'd been informed that  
24 they chose not to make closing remarks.

25                  So that does complete our list of closing

1           remark presenters for the day.

2                       And our next and final day of closing remarks  
3 will be Monday. And we'll be meeting at 9 o'clock.  
4 We have to change our venue, though. This room was no  
5 longer available and so we'll be meeting at 9 o'clock  
6 Monday morning upstairs I believe in Big Mama's  
7 Steakhouse. Not in the restaurant, I understand, but  
8 maybe a fitting place to bring closure to these  
9 hearings. I don't know, it remains to be seen.

10                      So with that, I thank everybody for their  
11 closing remarks today and wish you a good remaining  
12 weekend and we will reconvene on Monday morning at  
13 9 o'clock.

14                      Thank you for coming.

15                      **(PROCEEDINGS ADJOURNED AT 2:15 P.M.)**

16                      **(CLOSING REMARKS PROCEEDINGS TO RECONVENE**  
17 **ON MONDAY, MAY 3, 2010, AT 9:00 A.M., AT BIG**  
18 **MAMA'S STEAKHOUSE, WILLIAMS LAKE)**

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**REPORTER'S CERTIFICATION**

I, Nancy Nielsen, RCR, RPR, CSR(A), Official  
Realtime Reporter in the Provinces of British Columbia  
and Alberta, Canada, do hereby certify:

That the proceedings were taken down by me in  
shorthand at the time and place herein set forth and  
thereafter transcribed, and the same is a true and  
correct and complete transcript of said proceedings to  
the best of my skill and ability.

IN WITNESS WHEREOF, I have hereunto subscribed my  
name this 1st day of May, 2010.

---

**Nancy Nielsen, RCR, RPR, CSR(A)**  
**Official Realtime Reporter**

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