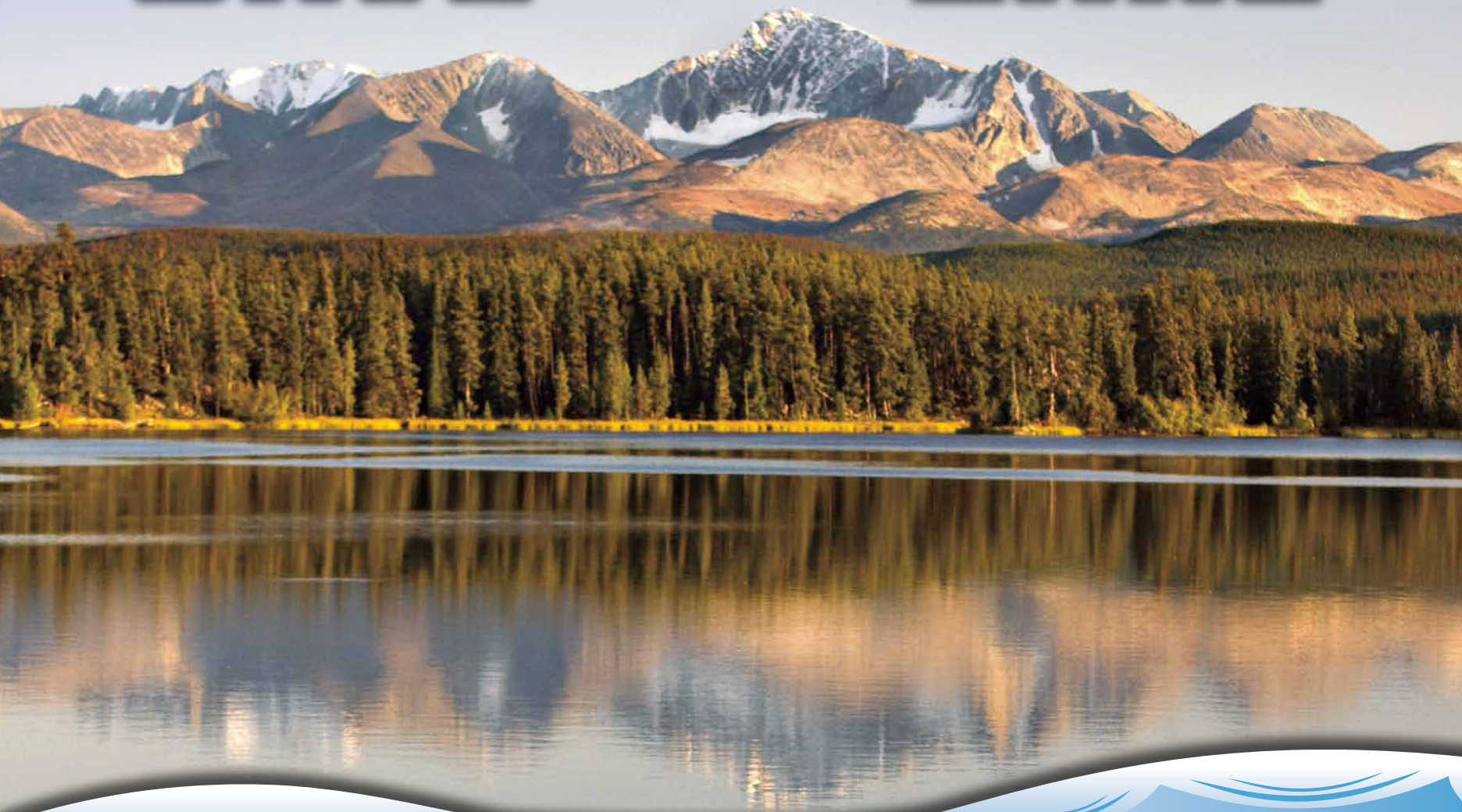




SAVE FISH LAKE



SAVE FISH LAKE...AGAIN



Joe Foy
National Campaign
Director,
Wilderness Committee

The lands of the Tsilhqot'in Nation are rich in history, natural beauty and abundance. Situated on the Chilcotin Plateau west of the town of Williams Lake, BC, the Tsilhqot'in Nation's boundaries encompass a wide range of forests, rivers, lakes and grasslands stretching from the Fraser River all the way to the soaring peaks

of the Coast Range. The Tsilhqot'in National Government represents the communities of Tl'etinqox (Anaham), Tsi Del Del (Alexis Creek), Yunesit'in (Stone), ?Esdilagh (Alexandria), Xenigwet'in (Nemiah) and the Tl'esqox (Toosey Band).

In early 2009, a federal environmental review panel was appointed by then Minister of the Environment, the Honourable Jim Prentice, to conduct a review of a proposal by Vancouver-based Taseko Mines Limited to construct a massive open pit gold and copper mine in the heart of Tsilhqot'in territory.

The proposed mine was to be situated right next to Fish Lake ("Teztan Biny" in the Tsilhqot'in language), and the company planned to drain the trout-filled lake in order to create a place to dump its rock waste from the mining operation. Taseko had named the proposal the **Prosperity Mine**.

At that point the Tsilhqot'in had already been resisting the Prosperity Mine proposal for twenty years, and now that the federal review of the project



Photo: **Sockeye salmon** (Wayne Lynch).



Photo top: **Fish Lake** (Lee-Anne Stack), above: **Northern Saw-whet owl** (Gordon Court).

had finally started, they reached out to potential friends and allies for help and support. Taseko's proposal to drain Fish Lake began to cause a backlash of opposition. As people from all over the country heard about the mining company's plan—and the Tsilhqot'in Nation's determination to protect their territory—a groundswell of public support spread across Canada. People from all walks of life respected and agreed with the Tsilhqot'in's principled stand.

Thankfully, the proposed Prosperity Mine was turned down in late 2010 by Minister Prentice, who said at the time that, "[The environmental review report] was scathing in its comments about the impact on the environment. It was, I would say, probably the most

condemning report that I've seen."

But in a shocking turn of events, within three months of being turned down Taseko Mines Limited came back with a modified mine proposal, which they called the **New Prosperity Mine**. Then in November 2011, the new federal Environment Minister, the Honourable Peter Kent, allowed for a second federal environmental review of the failed and reworked mine proposal.

Now the fight is on to save Fish Lake—this time from the proposed New Prosperity Mine.

This is a fight we need to win. Read on to learn how you can join in and help out!

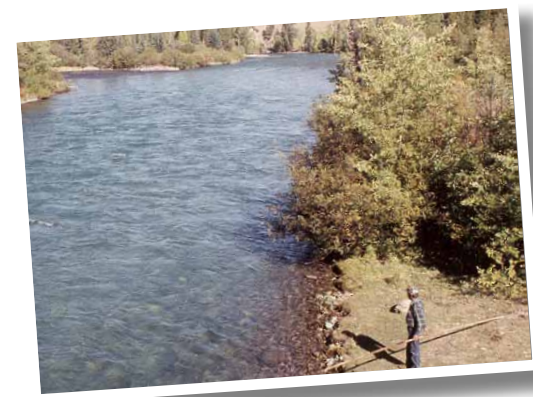


Photo: **Fishing for salmon in Tsilhqot'in territory. Fish Lake, and the streams and wetlands surrounding it, flow into Fish Creek, then into the salmon rivers of Taseko, Chilko, Chilcotin and then into the mightiest salmon river of them all – the Fraser. The Tsilhqot'in have deep concerns that toxic effects that seep from the proposed mine site could damage the salmon fishery** (Gary Fiegehen).

THE NEW PROSPERITY OF TASEKO MINES LIMITED

The so-called New Prosperity proposed mine project is just as destructive to the Fish Lake region as the rejected Prosperity mine project. In fact, some say the new plan is even worse than the old one.

It is true that the new plan does not aim to drain Fish Lake and fill it with waste rock in the way that the old plan did. But the new plan appears destined to harm Fish Lake one way or another. Taseko's New Prosperity mine proposal now aims to excavate an open pit mine, which would be up to 1.6 kilometres across and over half a kilometre deep, just downstream from the outflow of Fish Lake. According to the federal review panel on the first proposal, "If expansion of the open pit were to occur in the future to maximize the extraction of the resource, the open pit would encroach on and eliminate Teztan Biny (Fish Lake) even if attempts were made to preserve it."²

The new proposal claims the infrastructure wouldn't be expanded in

the future, but given the position of the ore, it's easy to see why the Tsilhqot'in would be concerned. For a couple of decades at least, Fish Lake would continue to exist. Tailings and potentially acid-producing rock would be stored underwater in a tailings pond four kilometres long, constructed just two kilometres upstream from Fish Lake.

The tailings pond would require long-term maintenance. A huge deposit of waste rock, tailings and impounded water would cover much of Fish Lake's upstream catchment area, including Little Fish Lake and surrounding feeder streams and wetlands. This catchment area now supplies much of the water that flows into Fish Lake and a great deal of the trout spawning habitat that provides the watershed with fish.

Because so much of its headwaters would be cut off by the tailings pond, Fish Lake would need pumps to recycle its outflow water, much like a backyard goldfish pond.



Photo left: Chief Marilyn Baptiste speaks at a Vancouver rally against Taseko's original Prosperity Mine proposal (Joe Foy), top right: Mule deer fawn (Wayne Lynch), right: Wildflowers (Michael Wheatley).

SOMETHING FISHY ABOUT TASEKO'S NEW PROSPERITY MINE

Beautiful Fish Lake (Teztan Biny) currently holds about 85,000 rainbow trout, making it one of BC's most outstanding fishing lakes.³

Here's what Taseko's project description has to say about the loss of spawning habitat that will occur if the New Prosperity Mine is built:

*"Currently a spawning population of approximately 15,000 fish use an available 12,000 square metres of spawning habitat. It would be reasonable to expect that the 2,240 square metres of available spawning habitat retained by the project design will be sufficient for a spawning population of approximately 1,400 spawning pairs. A spawning population of 1,400 pairs is expected to exceed the minimum requirements needed to maintain a Minimum Viable Population or a population capable of sustaining itself."*⁴

One of the things that makes Fish Lake special is its abundance of fish. With such a dramatic loss

of habitat, it's hard to believe that the lake would be anything but a shadow of its former self. The New Prosperity Mine project—with its pipes, pumps and tailings pond—would turn Fish Lake into a lake on life support.

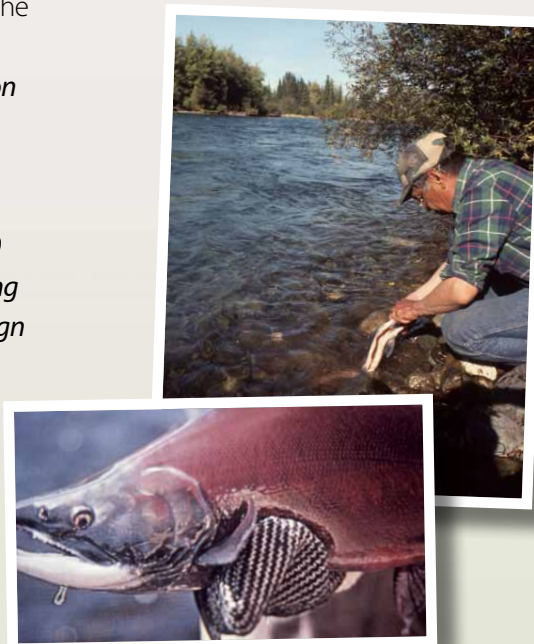


Photo top: Cleaning fresh caught salmon, Tsilhqot'in territory (Gary Fiegehen), above: Super salmon! The Chilko population of sockeye salmon must travel more than 650 kilometres upstream and gain one kilometre of elevation to get to Chilko Lake in Tsilhqot'in territory, where they spawn (Gary Fiegehen).

ACID MINE DRAINAGE: A NIGHTMARE WAITING TO HAPPEN

Open-pit mining involves the excavation of large amounts of waste rock in order to extract the desired mineral ore. The ore is then crushed into finely ground tailings for processing, using various chemicals and separating processes to extract the final product.

After being removed, the waste rock—which often contains acid-generating sulphides, heavy metals, and other contaminants—is usually stored above ground in large, free-draining piles. This waste rock, and the exposed bedrock walls from which it is excavated, is the source of most of the heavy metals pollution caused by mining in British Columbia.

If improperly secured, contaminants in mine waste can leach out into surface and groundwater causing serious pollution that can last for many generations.

The first and best line of defence against acid mine drainage is to prevent the potentially acid-generating material from mixing with open air. With existing technology, acid mine

drainage is virtually impossible to stop, once the reactions begin. Affected communities are then faced with the long-term, high cost of treating mine drainage water, effluent discharge, and the disposal of treatment sludge—all of it deadly to fish.⁵

The most reliable strategy for preventing acid mine drainage is to submerge the waste rock or tailings under water to prevent exposure to oxygen. While this is an effective strategy that has been shown to work in the recent past, its success depends on keeping the water cover and dam structures intact... forever.

Forever is a long time to keep a nightmare bottled up.



Photo: Fish preparation camp, Tsilhqot'in territory (Gary Fiegehen).

CHRONOLOGY

1793 – Alexander Mackenzie leads an expedition that spans the Tsilhqot'in Nation's country, achieving the first recorded crossing of North America. This is the first time the Tsilhqot'in have ever seen people from Canada in their country. While a guest of the Tsilhqot'in, Mackenzie and his crew are fed a dinner of fish.

1864 – The relationship between the Tsilhqot'in and the newcomers changes considerably. Gold had been discovered to the east and a smallpox epidemic brought on by the newcomers had swept the land, killing many Tsilhqot'in people. War breaks out when a road crew attempts to force a passage to the gold fields in Barkerville, causing road plans to be permanently abandoned.

1960s – A gold and copper ore body is discovered at Fish Lake, in the heart of Tsilhqot'in territory.

1993 – Intense evaluation of the ore body begins.

1998 – The Tsilhqot'in issue a Declaration of Sovereignty which states in part: "From the Fraser River to the Coastal Mountains and from the territory of the St'at'imx Nation to the territory of the Carrier Nations is Tsilhqot'in N'en (Chilcotin country). The heart of our country is the Tsilhqox (the Chilcotin River) and its tributary lakes and streams. This has been the territory of the Tsilhqot'in Nation for longer than any man can say and it will always be our country..."⁶

2007 – An application for mine development is submitted by Taseko Mines Limited. The proposed mine, "Prosperity Mine", would completely destroy Fish Lake. This lake sustains an estimated 85,000 rainbow trout.

2009 – Both the governments of BC and Canada commence environmental assessments of the proposed mine project.

2010 – The Tsilhqot'in National Government opposes the proposed Prosperity Mine, citing the excessive damage it would do to their territory. The government of BC eventually gives the project their go-ahead, but the government of Canada rejects it noting that the federal review panel's report was one of the most "scathing" ever written. Soon after being turned down, Taseko presents a revised mine plan to the federal government.

2011 – Shockingly, the company is granted another federal environmental assessment on its revised mine plan.

2012 – The federal government appoints a panel to oversee the project's environmental assessment process. Several Tsilhqot'in Chiefs travel to Geneva to present a report to the United Nations about violations of their Indigenous rights.

"The Tsilhqot'in will continue to call on both the BC and federal governments to uphold their fiduciary duties to protect our rights and title, which means protecting Teztan Biny and [Little Fish Lake] from this dangerous proposal. We are also calling on the reform of BC's outdated mining laws to be compliant with the standards found in the United Nations Declaration on the Rights of Indigenous Peoples, and which result in bad projects being forced upon us without our consent."

—Marilyn Baptiste, Chief, Xenii Gwet'in

"The Tsilhqot'in are prepared to go to the international level to protect our Nation's rights and title. In the case of the rebid Prosperity Mine proposal, we feel that we've nearly exhausted every possible avenue to resolve this at the local level, though we will continue to take our fight to the new federal Panel review."

—Chief Joe Alphonse, Chair of the Tsilhqot'in National Government

Statements on the report to the UN Committee on the Elimination of Racial Discrimination (CERD) 80th Session, Feb. 2012

THEY SAY - WE SAY

Taseko says: "From an environmental perspective, New Prosperity is a better plan... Fish Lake will now be preserved rather than eliminated as would have been the case under the old plan."¹¹

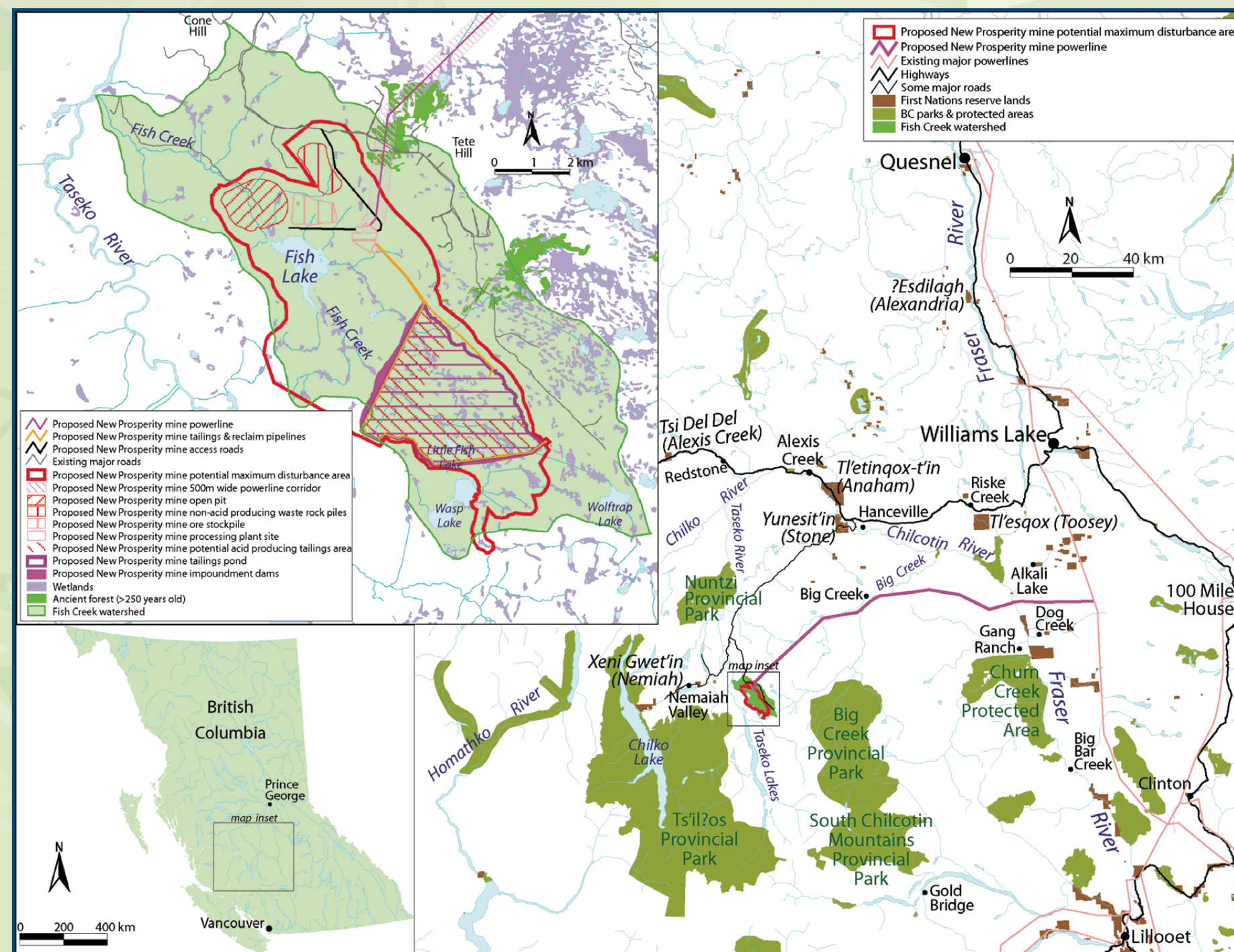
We say: Taseko's own words during the original Prosperity hearings say it best.

"Developing Prosperity means draining Fish Lake. We wish it were otherwise. We searched hard for a different way. A way to retain the lake and have the mine. But there is no viable alternative. The lake and the deposit sit side by side. It is not possible to have one without the loss of the other."

—Brian Battison, V.P. Corporate Affairs, Taseko Mines Ltd.
CEAA Review Panel Hearings, Mar. 22, 2010

"What happens to the water quality in Fish Lake, if you try and preserve that body of water with the tailings facility right up against it, is that over time the water quality in Fish Lake will become equivalent to the water quality in the pore water of the tailings facility, particularly when it's close."

—Scott Jones, V.P. Engineering, Taseko Mines Ltd.
Panel Hearing Transcript, CEAA Reg. Doc#2253 v.29 p. 5450



COPPER MINE POLLUTION - THE GIFT THAT KEEPS ON GIVING

The Tsoolum River on Vancouver Island historically provided abundant runs of coho, pink and chum salmon, as well as cutthroat trout and big steelhead. Eventually, decades of logging and gravel mining began to take their toll. The river was already suffering when in 1964, the Mt. Washington Copper Company set up in the upper Tsoolum watershed. The company began a small open-pit copper mine near the Tsoolum River, which they ran for just three years. They pulled out completely in 1966. By 1985, the Tsoolum River was pretty much dead. The fisheries had declined by 90 per cent.⁷ The cause? Acid mine drainage from the long-gone company's abandoned mine. Taxpayers have now pumped \$4.5 million dollars into the Tsoolum in a desperate fight to bring it back to life.⁸ The fish have finally started to return, but hundreds of years from now citizens will still be wrestling with the mine's toxic legacy.

NOTHING SACRED ANY MORE?

In November 2011, the president and CEO of Taseko Mines asked the federal Ministry of the Environment not to give Aboriginal interests special consideration at the upcoming federal environmental review panel for the company's New Prosperity Mine project.

In a letter, Taseko's Russell Hallbauer made several suggestions, including:

- *Not appointing an Aboriginal member to the Canadian Environmental Assessment Agency review panel.*
- *Not starting hearings with drumming or Aboriginal prayer ceremonies, something Taseko says is inappropriate.*
- *Not considering spirituality of a place as an Aboriginal right.⁹*

We disagree. The spiritual importance of the area to the Tsilhqot'in cannot be ignored.



SOME THINGS CAN'T BE FIXED

Here's what the federal Environmental Review Panel had to say about Taseko Mines Limited's original Prosperity Mine proposal:

"The Panel concludes that the Project would result in significant adverse environmental effects on fish and fish habitat, on navigation, on the current use of lands and resources for traditional purposes by First Nations and on cultural heritage, and on certain potential or established Aboriginal rights or title. The Panel also concludes that the Project, in combination with past, present and

reasonably foreseeable future projects would result in a significant adverse cumulative effect on grizzly bears in the South Chilcotin region and on fish and fish habitat."

The panel provided recommendations in order to mitigate potential environmental effects. However, their recommendations came with a warning:

"The Panel believes that these recommendations would not eliminate or accommodate the significant loss First Nations would experience as a result of the Project."¹⁰

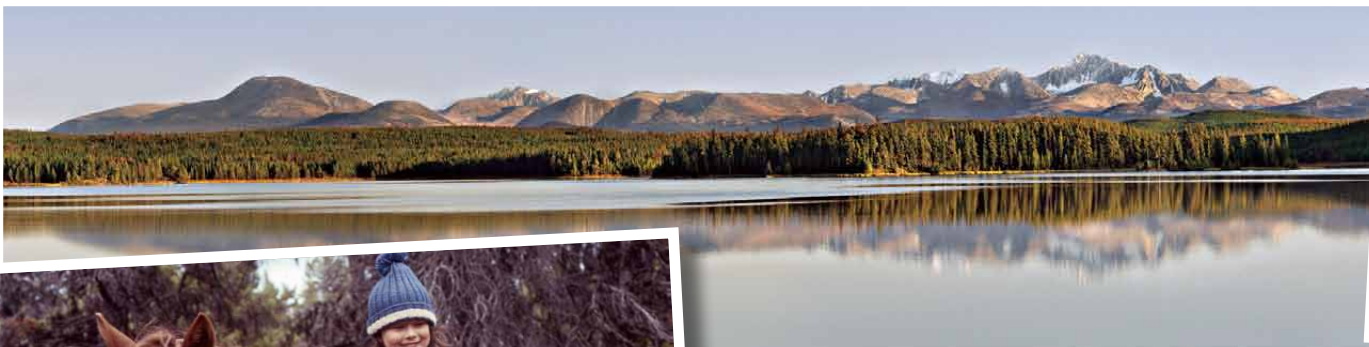


Photo top left: **Drying fish** (Gary Fiegehen), top: **Fish Lake** (Lee-Anne Stack), above: **Grand Chief Stewart Phillip, Union of BC Indian Chiefs in Williams Lake protest march against Taseko's New Prosperity Mine** (Andy Miller), left: **Grizzly** (John E Marriotti), far left: **Horseback riding in Tsilhqot'in country** (Gary Fiegehen).

STAY UP-TO-DATE ON THE CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY'S NEW PROSPERITY MINE REVIEW PROCESS. GO TO: www.ceaa-acee.gc.ca (Ref. # 11-05-63928)

TAKE ACTION

This is your chance to help protect Fish Lake and the surrounding creeks and lakes in Tsilhqot'in Nation territory from Taseko's proposed New Prosperity Mine. Our leaders need to honour the wishes of the Tsilhqot'in people and thousands of Canadians from coast to coast who want this potential environmental and human rights disaster to be halted.

WRITE NOW and ask Canada's Environment Minister to **put an end to the New Prosperity Mine proposal, once and for all.**

Contact information:

The Honourable Peter Kent, Minister of the Environment
401 Confederation Building
House of Commons
Ottawa, Ontario, K1A 0A6

☎ 613-992-0253
✉ 613-992-0887
@ kentp@parl.gc.ca

STANDING UP FOR FISH LAKE

Tsilhqot'in National Government - tsilhqotin.ca/abouttng.htm

Friends of the Nemaiah Valley - fonv.ca

Protect Fish Lake - Teztan Biny - protectfishlake.ca

R.A.V.E.N. Trust - raventrust.com

MiningWatch Canada - miningwatch.ca

Council of Canadians - canadians.org/water/issues/TIAs/teztan-biny.html

Sierra Club Canada - sierraclub.ca

Union of BC Indian Chiefs - ubcic.bc.ca

CITATIONS

- 1 www.reuters.com/article/2010/11/02/taseko-idAFN0215397320101102
- 2 www.ceaa.gc.ca/050/documents/46911/46911E.pdf (p. 49-50)
- 3 www.protectfishlake.ca/media/fishlake-fact-sheet.pdf
- 4 www.newprosperityproject.ca/wp-content/themes/prosperity/images/project-description.pdf
- 5 http://dwb4.unl.edu/Chem/CHEM869R/CHEM869RLinks/emcbc.miningwatch.org/emcbc/library/amd_water.htm
- 6 www.tsilhqotin.ca/pdfs/Administration/98DeclarationSovereignty.pdf
- 7 www.cec.org/Storage/84/7960_98-4-SUB-E.pdf
- 8 www.tsolumriver.org
- 9 <http://bit.ly/1UnVaQ>
- 10 www.fonv.ca/media/pdfs/CEAA_Summary.pdf
- 11 newprosperityproject.ca/is-new-prosperity-better-for-the-environment-than-the-original-prosperity-plan

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