



## TSILHQOT'IN NATIONAL GOVERNMENT

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July 26, 2010

An Open Letter to Prime Minister Stephen Harper  
From: Tsilhqot'in National Government Chiefs

### **Overcoming Taseko's Glass House Projections for Prosperity**

In the weeks since the federally appointed CEAA Panel issued its report on the Prosperity Mine, we are buoyed by the surge of support from other First Nations, environmental groups and concerned citizens. Sadly we are disheartened by the nature of dialogue that continues to perpetuate falsehoods and inflammatory headlines. This leads us to believe that yet some important messages need to reach the ears of our federal leaders.

Based on the overwhelming evidence brought forward during public hearings, the independent Panel concluded that the mine would have “cumulative high and irreversible impacts” in a number of areas (which includes impacts to our people and our culture), that the man-made “Prosperity Lake” could not begin to meet DFO's requirements for “no net loss”, that the impacts on blue-listed (endangered) grizzly bears would also be cumulative and irreversible, and that navigation under the Navigable Waters Protection Act would be impossible. On top of all this, the economic benefit of this mine is doubtful. We know the Conservative government has the final decision.

An independent Panel has confirmed that the proposed Project would have significant adverse impacts on proven and asserted Tsilhqot'in Aboriginal rights, and that there are no mitigation measures in place to accommodate or justify these infringements; in fact, the Panel could not even *recommend* measures to accommodate these substantial losses. Approval of the Project in the face of these conclusions would constitute a flagrant and unlawful violation of the constitutional rights of the Tsilhqot'in people under s. 35 of the *Constitution Act*.

This is a watershed moment for First Nations' cultures and environmental protection in Canada. The independent Panel concluded that this Project will result in devastating impacts on productive fisheries and threatened grizzly bear populations, and the permanent loss of an “important cultural and spiritual area” and a “place of spiritual power and healing” for our people. Federal Cabinet needs to know that other First Nations across Canada stand behind us and we have joined together to set a line that cannot be crossed.

We view this decision as a defining moment of our relationship with the Federal Government. How can we be any clearer than the independent Panel's findings that this project will create the permanent destruction of a critical cultural and spiritual site, with high magnitude and permanent impacts on Tsilhqot'in people and culture? The impacts to our people are an *international human rights issue*. Protection of Aboriginal culture and identity is mandatory under the Canadian constitution. We ask each and every Canadian to open your minds and hearts to hear our fight for survival of our people.

As Assembly of First Nation's (AFN) National Chief Shawn Atleo wrote in his letter of support, "In many ways, this decision speaks to the future of reconciliation for First Nations in Canada. It can move us forward or set us back." At the 31<sup>st</sup> Annual AFN General Assembly held July 22, 2010 there was a strongly worded resolution passed by the Chiefs in Assembly in support of the Tsilhqot'in urging the government to reject the mine. First Nations across the country are watching intently to see how the federal government weighs our cultural survival against the *alleged* 20 years of profit for a private mining company.

We feel the integrity of environmental assessments (EA) is at stake. Approving this project would render EAs meaningless and set an unacceptable precedent. The panel members were respectful however the process itself was foreign to our people and at times demeaning to Elders. In the 20 years that the *Canadian Environmental Assessment Act* (CEAA) has been in force, only two previous review panels have found that the project they were assessing had unmitigatable "significant adverse environmental effects." (This is the key test under the CEAA.) The federal government has never used the power it has under section 37(1) of CEAA to over-ride an independent review panel's findings and we feel it would be merciless to do so.

From a sophisticated economic perspective, the mine is a detriment to the people of B.C. An economic analysis carried out by the distinguished economist Dr. Marvin Shaffer of Simon Fraser University demonstrates that there will be:

- no net benefits to the province, but in fact have costs of at least \$20 million per year due in part to massive BC Hydro subsidies to Taseko for the project,
- very significant highway maintenance costs that will be borne by the province, and
- greenhouse gas offsets that will be required.

BC Hydro's recent statement is not correct in terms of economic benefits and costs. BC Hydro rates reflect the historically low cost of power in BC and Taseko will pay that – roughly \$40 per megawatt hour (mwh). But to run the mine, BC Hydro will need to buy new power. And it is the cost of that new power (\$120/mwh) relative to what Taseko is paying (\$40/mwh) that determines the net cost for BC Hydro and its existing customers. Rolling the cost in to what we all pay, as BC Hydro suggests, just means it becomes a hidden subsidy. But it is a subsidy nonetheless.

People in the area have placed unreasonable faith in this mining company to provide them with jobs and have been falsely led to believe that the mine will generate benefits for the region. Numbers show there may be some increased employment for a couple of years during start-up construction, but most of the mine jobs will go to skilled workers who leave other jobs (meaning they will generally not be from the area), and no actual net jobs will be created. As for stimulating the regional economy, there are many initiatives that could grow to provide much needed jobs like tourism, ranching, renewable energy and timber fibre products, but they would disappear with the arrival of the mine. Existing businesses would become dependent on supplying the mine without developing a diversified economy that can exist away from mining and forestry.

This mine has vast consequences on the environment, on habitat and on our First Nations' rights. We are not saying "no" to mining but we are saying no to mining at such a high cost. We are saying no because the approach that Taseko Mine Ltd. took to mining in our traditional territory that we have a sacred duty to protect is disrespectful.

So my message to Stephen Harper and his ministers comes to this: Federal approval of this mine will cause unprecedented huge impacts on the environment and on our culture. Approval of the mine will destroy all confidence in environmental assessment and fuel frustration and unrest with first nations across Canada.

The Panel confirmed what we have said all along – nothing less is at stake for the Tsilhqot'in people than the survival of our traditional way of life, the permanent loss of a cultural hub that has sustained our people and culture for generations, and the long-term mental and physical health of our communities. Fully one hundred percent of our community members opposed this mine at the Panel hearings. You will understand that in the face of such a dire threat, we have no option but to defend our communities and our way of life. You would do the same. Approval for this project in the face of such clear warnings from an independent Panel can only set us down a path of protracted and bitter conflict that we have made every effort to avoid. We urge you to make the right decision.

Without Prejudice,

Chiefs of the Tsilhqot'in National Government

Joe Alphonse, Chief – Tl'etinqox-t'in & Tribal Chairman

Marilyn Baptiste, Chief – Xenigwet'in

Bernie Elkins, Chief - ?Esdilagh

Ivor D. Myers, Chief – Yunesit'in

Percy Guichon, Chief – Tsi Deldel

Frances Lacey, Chief – Tl'esqox