

NEW PROSPERITY GOLD COPPER MINE PROJECT

FEDERAL REVIEW PANEL

CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY

AGENCE CANADIENNE D'ÉVALUATION ENVIRONNEMENTALE

HEARING HELD AT

CARIBOO MEMORIAL RECREATION COMPLEX

GIBRALTAR ROOM,

525 Proctor Street

Williams Lake, British Columbia

Monday, July 22, 2013

Volume 1

FEDERAL REVIEW PANEL

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1 Williams Lake, British Columbia

2 --- Upon commencing at 1:05 p.m.

3 OPENING REMARKS BY PANEL CHAIR

4 CHAIRPERSON ROSS: Good

5 afternoon, everyone. Welcome to first day of the

6 public hearing regarding the proposal from Taseko

7 Mines to develop the New Prosperity Gold-Copper

8 Mine.

9 I would like to thank the town

10 of Williams Lake and members of the Tsilhqot'in

11 First Nation, within whose traditional territory

12 we are holding this hearing today.

13 The panel would also like to

14 thank the chiefs of the Tsilhqot'in National

15 Government for the drumming ceremony.

16 We will have a welcoming

17 statement from the mayor of Williams Lake -- and I

18 was going to say as well as the singing of

19 O'Canada, but that has been done, so we'll move

20 past that -- welcoming statement from the mayor at

21 the end of my opening remarks.

22 I would first like to take a

23 moment to introduce ourselves. My name is Bill

24 Ross. This is Ron Smyth and George Kupfer. The

25 Secretariat, who are over here, generally

1 speaking, include Livain Michaud, who is our panel
2 manager, Cindy Parker, Jason Boisvert, Jason
3 Patchell, and Joanne Smith and Marylène Cormier.

4 Those staff people will be able
5 to assist you with any logistical or
6 process-related questions that you might have. We
7 also have Lucille Jamault, who is our media
8 relations person who is over there, and at my
9 right is our court reporter Sandra, and her
10 colleague, Courtney, who will switch back and
11 forth throughout the hearing.

12 Our legal counsel is David
13 Bursey, and he has a colleague with him somewhere
14 in the room.

15 The first I would like to do a
16 little housekeeping.

17 The general hearing session
18 will be held here in the Gibraltar room of the
19 Cariboo Memorial Recreation Complex from today
20 through Thursday, July 22 through 25. The back
21 parking out here has been reserved for people
22 attending the hearing. The south entrance will
23 serve as the only access point to the hearing and
24 will be open one hour prior to the start of
25 sessions. Signage has been posted to identify the

1 access point.

2 The other doors over this way
3 are for use only -- I've lost my thought here --
4 the other doors are for emergencies and for access
5 to the washrooms which are through that door.

6 The public, of course, can come
7 and go from the room as they please during the
8 course of the hearing sessions, with some respect
9 for the process. So don't make too much noise.
10 Remember, use of the other doors is limited to
11 emergencies and washroom access.

12 All doorways are to remain
13 clear for purposes of compliance with fire code
14 regulations. That might suggest that at some
15 point those of you who are near the door should
16 try to make some room.

17 In the event of an emergency,
18 an alarm will sound or I will make an announcement
19 and we should act accordingly. There are
20 emergency exits obviously both ways.

21 In the event of a fire then
22 there are alarms, both stations around they should
23 be triggered.

24 In the event of a medical
25 emergency let our Secretariat know. There are

1 Secretariat members on both sides, and the Cariboo
2 Memorial Recreation Complex. The first aid
3 supplies and attendants are available from the
4 CRNC, as I'm sure you people are aware call it.

5 The purpose of the hearing is
6 to provide an opportunity for the panel to receive
7 information from participants on the potential
8 environmental effects of the proposal by Taseko
9 Mines to construct, operate and de-commission an
10 open pit copper-gold mine in the vicinity of Fish
11 Lake 125 kilometres southwest of here. It is also
12 to hear people's views with respect to that
13 proposal.

14 The hearing is also designed to
15 provide opportunities for Taseko, to explain the
16 project and to respond to concerns and questions
17 raised by other participants.

18 Our terms of reference. We are
19 an independent panel. We are not part of the
20 Government of Canada. We are an independent panel
21 appointed by the Federal Minister of the
22 Environment to conduct an assessment of the
23 environmental effects of the proposed project
24 under the Canadian Environmental Assessment Act
25 2012.

1 We have been given very
2 specific terms of reference by the Minister for --
3 and I would like to highlight some of the key
4 features.

5 As set out in our mandate, the
6 panel has reviewed the information, submissions
7 and general information provided as part of the
8 2009/2010 environmental assessment for the
9 proposed Prosperity mine, including the
10 environmental impact statement about the previous
11 panel's report.

12 We are mandated to provide
13 conclusions on the significance of adverse
14 environmental effects. We are also mandated to
15 provide any recommended mitigation measures and
16 follow-up programs for the management of
17 environmental effects associated with the project,
18 should the project proceed. And if taking into
19 account the implementation of any mitigation of
20 measures the project is likely to cause
21 significant adverse environmental effects, we may
22 include in our report a summary of information
23 received at this hearing that may be relevant to a
24 determination by the Government of Canada with
25 respect to the justifiability of the project

1 within these facts.

2 With respect to First Nations.

3 The panel will accept as part of its record and
4 review -- sorry -- try that again.

5 With respect to First Nations,
6 the panel will accept as part of its record and
7 review, consider and assess information from
8 aboriginal groups related to the nature and scope
9 of potential or established aboriginal rights or
10 title within the project area, as well as
11 information on the potential adverse impacts or
12 potential infringement of -- that the project may
13 cause on potential or established aboriginal
14 rights and title.

15 We may recommend measures to
16 mitigate any adverse environmental effects of the
17 project that could adversely impact or infringe on
18 those potential or established aboriginal rights
19 or title that were identified.

20 In our assessment of
21 environmental effects, the panel does not -- and I
22 repeat -- does not have a mandate to make any
23 determination on the validity of rights or title
24 claims asserted, or the strength of those claims.
25 We do not have the right to determine the scope of

1 the crowns to be -- consult First Nations, and we
2 do not have a right to determine whether Canada
3 has met its duty to consult and accommodate in
4 accordance with Section 35 of the Constitution Act
5 1982.

6 Following the completion of our
7 assessment, we will prepare our report for the
8 Minister of Environment. This report will be
9 submitted within 70 days of the close of the
10 hearing and we will -- and it will be made
11 available to the public by the Minister of
12 Environment.

13 I think this is an especially
14 important point about participation. Your
15 participation and your involvement is very
16 important to us. We will rely, in part, on
17 information received through the hearing, and we
18 also believe it will be helpful to Taseko and to
19 other participants in the hearing.

20 We recognize that the
21 conclusions and recommendations that we will
22 provide to the Federal government on this matter
23 will have an effect on the participants here today
24 and of those who live in Williams Lake and the
25 surrounding communities.

1 We want to that assure you that
2 we take the responsibility given to us to assess
3 the potential environmental effects of this
4 project very seriously, and we ask that everyone
5 here do the same.

6 We ask that you conduct
7 yourself in a manner that is respectful of the
8 important responsibility that we have been given.

9 Now, I have a slight deviation
10 from my prepared comments here. Our hearing
11 procedures are clear that there must, out of
12 respect, be no placards in the hearing room. So I
13 would ask those of you who have placards in the
14 room, either to take them out of the room or, at a
15 minimum for today, to make them invisible and
16 let's try not to bring them back again, okay. So,
17 please, no placards in the hearing room. That's a
18 part of our hearing procedures. I will enforce
19 it. The people responsible for the ones at the
20 back, please turn them away. Similarly, the one
21 over there. Thank you very much. I appreciate
22 that.

23 Indeed, my very next point is
24 people in the hearings should be courteous and
25 respectful when asking questions or making

1 comments. The use of the demeaning language is
2 not appropriate in this forum. Any participants
3 who are disrespectful or rude in questioning or in
4 remarks to the panel will not be allowed to ask
5 any further questions or make further comments.

6 Respect for other people is
7 very important. The panel is holding four
8 different types of hearing sessions. The general
9 session begins today and will end on Thursday
10 around 5 o'clock, as I recall. Then starting
11 Thursday night the panel will begin the
12 topic-specific sessions starting in the evening of
13 July 25th and continuing to August the 1st.

14 The community sessions will
15 then be held in various First Nation communities
16 from August 6th to August the 21st.

17 Finally, the panel will return
18 to Williams Lake for a closing remarks session
19 scheduled to be held on August the 23rd.

20 All participants will be
21 notified of any last minute changes to the hearing
22 schedule.

23 Our role as the panel during
24 the public hearing is to remain independent and
25 neutral, and this is independent and neutral with

1 respect to all participants who are before us.
2 And as a result, we will not engage in private
3 discussion on these matters with anyone involved
4 in these proceedings, except for ourselves and our
5 Secretariat.

6 We ask that you not attempt to
7 discuss the project or any of the hearing matters
8 with us outside of the public forum, outside of
9 the hearing.

10 We do apologize if we appear
11 detached or unapproachable. Frankly, we think
12 this is a nice part of Canada and there are nice
13 people here and we would like to chat, but we must
14 not. We just need to ensure that our behavior
15 does not give anyone any reason to be concerned
16 regarding our impartiality.

17 Our conclusions will be in the
18 report that will be issued after the close of the
19 hearing.

20 Procedures. I would like to
21 highlight a few of the important procedures just
22 to reassure you. After today my opening remarks
23 will be much shorter. Trust me.

24 I would like to outline some of
25 the important procedures that will be followed

1 during the public hearing. These are outlined in
2 the public hearing procedures. Copies of the
3 procedures are available at the door if you need
4 them.

5 To start, the public hearing is
6 not a quasi-judicial hearing. Participants
7 presenting before the panel are not required to
8 give evidence under oath or affirmation, but
9 everyone is expected to speak honestly and give us
10 good information.

11 All documents filed in this
12 proceeding must be placed on the public record
13 unless it is ordered by the panel as a result of a
14 request for confidentiality. Copies of written
15 submissions received by the panel for the general
16 hearing sessions are currently available on the
17 project's public registry Internet site.

18 Participants should also note
19 that transcripts are being kept through the
20 service our court reporter, Sandra. It is
21 essential that participant use the microphones
22 when speaking so that we can make the transcripts
23 reflect what was said.

24 Microphones are presented at
25 the presenter's table, for those giving

1 presentations, and at the front of the room for
2 people to ask questions.

3 There are also microphones at
4 Taseko's table for the company's use when
5 presenting or responding to questions. The court
6 reporter, the panel, and everyone present needs to
7 be able to hear things clearly. So you must come
8 forward when you are speaking and use the
9 microphone.

10 When you do come forward to
11 speak, we ask that you identify yourself so that
12 your name is on the record and spell your last
13 name for the court reporter.

14 This will allow us to make sure
15 that the record accurately reflects who was
16 speaking. We also ask that you identify whether
17 you are speaking on your own behalf or if you
18 represent a group or an association.

19 You are reminded to direct
20 questions or comments to me as the panel chair. I
21 will then direct them to the appropriate person or
22 group for a response. We will be using live
23 transcription during the general hearing sessions,
24 so everything being said will appear before us on
25 our computers. These computers have no video

1 games, honest. They include the transcripts. So
2 if we fiddle with them, it's for the purpose of
3 looking at what was said.

4 My own computer is here for
5 records should we need to have access to them. So
6 if at times it appears we're not paying attention
7 it's quite the opposite. We are merely following
8 the presenters' comments on our screen.

9 The transcripts for each day of
10 the public hearing will be made available on the
11 project's public registry Internet site as soon as
12 possible. You are also reminded, as you have been
13 for the last several decades, to turn off the
14 ringer on your cell phone or pager in the hearing.

15 You are also reminded that
16 filming and photography are not allowed unless you
17 have received prior approval from me. Anyone with
18 questions regarding filming or photography should
19 see Lucille Jamault, who is around here somewhere.
20 There she is. With my glasses off she's a little
21 blurry.

22 Presentations. A number of
23 interested parties have registered to present to
24 the panel during the hearing, the general hearing
25 session. A daily agenda will be made available

1 each day outlining the order in which speakers
2 will appear before the panel. The agenda is
3 available to be picked up at the entrance to the
4 hearing room over here on your left.

5 The daily agenda may change
6 depending on the length of time it takes for
7 questioning of the various presenters. We ask the
8 presenters to be flexible and to be prepared to
9 present pretty much on the time on the day. We
10 will try on accommodate people if we can.

11 Presenters who intend to
12 support their presentation with additional
13 material, for example, PowerPoint, should provide
14 one electronic and four hard copy versions of the
15 presentation, or additional documentation, to a
16 Secretariat member located at the registration
17 desk in advance of the presentation.

18 Anyone who would like to make a
19 presentation to the panel and who has not
20 registered in advance should see a Secretariat
21 member at the registration desk and he or she will
22 register you and let you know if and when we will
23 be able to address the panel. We will try to
24 accommodate those wishing to present, but I
25 understand that our schedule is quite full.

1 So I will be reminding you to
2 try to be expeditious, to try to be succinct, try
3 to be brief.

4 Remember that an alternative --
5 if you cannot present to us, an alternative is to
6 submit written material which will be read and
7 considered by the panel and will become part of
8 the public record. It will also be posted on the
9 internet site on the registry.

10 With respect to scheduling. We
11 plan to sit until approximately 5 p.m., 17 hours,
12 as we now call it, with one 15-minute break this
13 afternoon. The hearing session will resume at 7
14 p.m. sharp and we will finish for the day at
15 approximately 9 p.m.

16 At the end of each hearing day
17 we will discuss the scheduling for the following
18 day. That concludes my opening remarks.

19 To begin with, we will have the
20 mayor of Williams Lake, Mayor Kerry Cook. She
21 will open with some welcoming remarks. And I'll
22 skip the part about the national anthem.

23 MS. COOK: This is on? That's
24 great.

25 OPENING REMARKS BY MAYOR KERRY COOK:

1 Good afternoon. I would like
2 to start by acknowledging that we are in
3 traditional (Native word) territory. On behalf of
4 the City, mayor and council, I would like to
5 welcome the panel, Chair Bill Ross, George Kupfer
6 and Ronald Smyth and the panel staff to Williams
7 Lake.

8 I would also like to welcome
9 the grand chiefs, Stuart Philip, our First Nation
10 chief, leaders, elders, as well as welcome
11 representatives of Taseko Mines. Welcome to all
12 of the participants and observers here today as
13 well.

14 The City supports the
15 environmental assessment review and we look
16 forward to a respectful and informative process.
17 We trust the panel will hear a wide variety of
18 information and opinions during the hearings and
19 make an informed recommendation to the Federal
20 government.

21 I believe that there has been a
22 lot that has changed in the last three years.
23 I've never been so proud of our city and our
24 region as I was a few months ago when we walked
25 through the St. Joseph's Mission and Admiration

1 Project (ph) and reconciliation hearings together.

2 As difficult and painful as the
3 hearings were, it was powerful. It was powerful
4 because it demonstrated what is possible when we
5 are able to come together as neighbours, to
6 listen, acknowledge and honour each other's
7 people.

8 I will never forget the courage
9 it took for people to share their experiences and,
10 for some, it was their first time to really hear
11 the truth of what has happened.

12 We have a lot of work to do
13 together to move forward, to undue the wrongs of
14 the past, and that step is long overdue. But as a
15 city, a region, we have started that process of
16 healing and reconciliation. The leadership
17 demonstrated by our First Nation people was an
18 example for us all. We have done good work
19 together and I am personally committed to see that
20 that great work continue outside of and after this
21 panel hearing process.

22 We are here today because as
23 local governments, we have a duty to seriously
24 consider all economic opportunities that are put
25 for us.

1 The Prosperity Project is the
2 largest undeveloped copper-gold deposits in Canada
3 and a set of undeveloped -- the largest
4 undeveloped deposit of its kind in the world.

5 The Prosperity Project presents
6 opportunities in training and careers. It
7 presents an opportunity to diversify and
8 strengthen the economic base of the region and
9 Williams Lake, and I look forward to expanding on
10 this theme during the City's presentation on
11 Wednesday.

12 In closing, we have a choice in
13 how we walk through this process respectfully. We
14 have a choice with how we shape our future. And I
15 am confident that we will, once again, demonstrate
16 our ability to work together as neighbours. Thank
17 you.

18 CHAIRPERSON ROSS: Thank you
19 very much, Mayor Cook. We do understand you'll
20 you back later in the week and we welcome you and,
21 therefore, your submission.

22 I erred in not saying we will
23 also be welcomed by Councillor Willie Sellars,
24 which I understand is the acting chief of the
25 Williams Lake band (Native word), I believe.

1 OPENING REMARKS BY CHIEF SELLARS:

2 CHIEF SELLARS: Thanks for that
3 introduction. It makes it a lot easier when I
4 have my back to the crowd and to you folks up
5 here. Thank you for that.

6 I also wanted to thank Cecil
7 Grandeur and Tsilhqot'in chief for blessing this
8 gathering before we got started with the songs and
9 prayers. Thank you.

10 My name is Willie Sellars. I'm
11 a councillor for the (Native word). The elders --
12 chief judgment on the way we pronounce our
13 traditional name -- I know I give you a hard time
14 about it.

15 On behalf of council it gives
16 me great honour to welcome you to the territory.
17 The fight to save Fish Lake campaign, the New
18 Prosperity proposal, these have become very touchy
19 subjects in our region, the country. You can see
20 by the publicity we are getting for this event:
21 TV cameras, sharp dress, grand chief in the room.

22 As you all know, the Williams
23 Lake band is a participation agreement with Taseko
24 regarding the Gibraltar mine. This agreement
25 allows us, our community, to have involvement in

1 activities of the mine to ensure that we have
2 input on decisions that could affect our members.
3 They are also employing in other economic benefits
4 that flow to Williams Lake Indian band as a result
5 of our agreement with Taseko. This means a lot to
6 counsel and to our membership. We would like to
7 say we are not against mining, but, rather, for
8 safe, sustainable mining.

9 We do make it clear, though,
10 that stewardship is at the core of everything we
11 do. WLIB has and will support the right of First
12 Nations to vigorously protect their traditional.

13 I was actually just at a
14 fundraiser last week for the preservation of Fish
15 Lake and I noticed there were just as many
16 non-First Nations as First Nations people. This
17 suggests there were many individuals and groups,
18 First Nations, and non-First Nations alike, that
19 were critically concerned about the impact of the
20 New Prosperity proposal could have on this area.

21 If nothing else, this proposal
22 has created solidarity amongst those who realize
23 that money or jobs can never be accepted as a
24 reasonable offset to irreparable environmental
25 damage.

1 I intended for my introduction
2 to be brief, so I will leave with you these
3 closing comments.

4 Takat'ko (ph) is our
5 traditional name at WLIB. Translation means
6 taking off or swimming up the creek or up the
7 river. If you look around here, around Canada,
8 you can see that this is exactly what our First
9 Nations people are doing. We're taking off, we're
10 excelling. Our population is growing, our
11 economic strength is increasing. Our language is
12 in traditional practice, re-invigorating.

13 But the heart of our people is
14 still the land. We hope and pray that the Panel
15 act wisely and work carefully. We ask that you
16 consider not only economics and the science of the
17 proposal before you, but also the stories of the
18 people who have inhabited this area since time
19 immemorial. We hope and pray that the outcome of
20 your deliberations will be fair and just, and that
21 will be the decision that offers the best outcome
22 for all of our people and for the land, has
23 blessed us with the opportunity to live, work and
24 raise our families. (Native words spoken).

25 CHAIRPERSON ROSS: Thank you

1 very much, Councillor Sellars.

2 I think I may have stopped a
3 little soon, so I'm going to -- I have a couple
4 more paragraphs that I should deal with here.

5 The next presenter will, of
6 course, be Taseko and we have asked Taseko to give
7 a presentation regarding its project, a summary of
8 its findings and its assessment of the potential
9 environmental effects.

10 Taseko will then be available
11 for questioning by interested parties, the panel
12 and other participants, if there is time.

13 Following Taseko we will
14 proceed to the other interested parties, and after
15 each presentation presenters may be asked
16 questions by the Proponent, other interested
17 parties, the panel and perhaps others, time
18 permitting.

19 Once we've heard from all of
20 the presenters we will, at the end of the general
21 session, turn to Taseko to respond to any of the
22 information presented, if it wishes to do so.

23 And my notes tell me that those
24 microphones may have a button that you can turn on
25 and off, so if you are using them please do that.

1 And just to give you a heads up
2 about what will happen subsequent to Taseko, the
3 list I have has Taseko, Tsilhqot'in National
4 Government Chiefs, opening statement Grand Chief
5 Phillip, President of the Union of British
6 Columbia Indian Chiefs, Philip Hochstein,
7 Independent Contractors and Businesses Association
8 of British Columbia, David Jerome, Association for
9 Mineral Exploration, British Columbia, Lorne
10 Doerkson; Patricia Spencer, Fish Lake; and Irvin
11 Charleyboy we're trying to fit in around 4
12 o'clock.

13 So I think at this point I will
14 turn it over to Taseko, and the floor is yours.

15 PRESENTATION BY TASEKO:

16 MR. GUSTAFSON: Thank you,
17 Mr. Chair.

18 Good afternoon to the panel and
19 to all in attendance today, and our thanks to all
20 of those who have participated in the welcoming us
21 here this afternoon.

22 My name is Karl Gufstafson,
23 spelled G-U-F-S-T-A-F-S-O-N, Karl, K-A-R-L. I'm a
24 partner with the law firm of McMillian LLP and I
25 appear here today as legal counsel for Taseko

1 Mines Limited.

2 Taseko is proposing to develop
3 and operate a new gold and copper mine known as
4 New Prosperity, and it is the assessment of the
5 environmental effects of that project that is the
6 matter before you today.

7 Taseko is a BC-based company
8 with a proven track record over many years as a
9 responsible and successful mine operator in this
10 province. Prior to Gibraltar mine, Williams Lake
11 in 1999 and re-started those operations in 2004.

12 Under the leadership of the
13 technical and operating team at Taseko, Gibraltar
14 is now Canada's second largest copper and
15 molybdenum mine.

16 Taseko acquired 100 percent of
17 the Prosperity Project from Cominco in the early
18 1990s, and the project has been the subject of
19 active assessment and development for the last 17
20 years. Over the past several years much has been
21 written about the project and the rhetoric has
22 escalated.

23 So on behalf of Taseko, I want
24 to say how pleased we are to be here today and to
25 have the opportunity we hope this hearing will

1 present to have a full, factual and objective
2 examination of the potential environmental effects
3 of this project.

4 The panel has outlined a
5 hearing procedure that will encompass distinct
6 general community and topic-specific sections. At
7 each of these sessions, Taseko will present
8 witnesses to make presentations and to answer
9 questions relevant to the panel's terms of
10 reference.

11 In a moment I will introduce
12 John McManus who will give Taseko's presentation
13 today. Mr. McManus will also make a presentation
14 at each of the community hearings, giving a
15 somewhat shorter version of what he will say here
16 this afternoon. We hope that that information
17 will be helpful to members of those communities.

18 In a moment I will -- sorry.

19 Before introducing Mr. McManus,
20 however, I want to make a brief comment regarding
21 Taseko's approach to this hearing.

22 As the panel knows, Taseko went
23 through an environmental assessment during
24 previously regarding its earlier and different
25 proposal to develop the Prosperity deposit.

1 That proposal was approved by
2 the provincial government on the basis of the
3 benefits of that project outweighed any
4 significant environmental effects.

5 The Federal government reached
6 a different conclusion, deciding that the
7 significant adverse effect found in the original
8 review panel, by the original review panel, were
9 not justified in the circumstances.

10 However, in making that
11 decision the Government of Canada made it clear it
12 was not opposed to the mining of the Prosperity or
13 body, and that Taseko could submit a new project
14 proposal that addressed the factors that gave rise
15 to the finding of significant adverse effects.

16 That is exactly what Taseko has
17 done. The company has developed a new proposal
18 that substantially addresses or accommodates the
19 environmental and aboriginal concerns identified
20 by the previous panel.

21 The new proposal involves a
22 significant redesign of the mine plan with
23 incremental costs of approximately \$300 million.
24 It's also important to note that the environmental
25 approvals and permits required for this project

1 cannot be issued without the Crown satisfying its
2 legal obligation with respect to First Nations.

3 The process of consulting with
4 First Nations regarding the development of this
5 deposit started over 17 years ago. As the panel
6 will hear, Taseko engaged in significant
7 consultations with First Nations and has provided
8 over a million dollars in funding to date to aid
9 in that developing endeavour.

10 Further, the significant and
11 expensive redesign the project represents, in
12 Taseko's submission, one of the most profound
13 accommodations of aboriginal interests ever
14 undertaken through the regulatory process. Taseko
15 intends to continue to work with the Crown and
16 First Nations to ensure that the Crown's
17 obligations are satisfied.

18 This hearing is an important
19 component of the consultation process, but it is
20 not the end of that process. Taseko intends to
21 help the panel fulfil the responsibilities that
22 the Crown has given to it in its term of reference
23 to support the Crown consultation while, at the
24 same time, respecting the limits of the Panel's
25 role in that regard as spelled out in the terms of

1 reference and as the chairman has identified in
2 his opening remarks.

3 In the hearing that considered
4 the prior version of the project, a number of
5 challenges and problems rose in the hearing
6 process which Taseko believes compromised the
7 fairness and objectivity of the project and
8 ultimately panel support.

9 We, therefore, ask that this
10 panel be vigilant in ensuring that this hearing
11 remains objective and fair to all parties,
12 including Taseko. Mr. Chairman, we take some
13 comfort in your opening remarks.

14 We know the many submissions
15 made by various parties over the past several
16 months indicates that this panel is likely to be
17 pushed by some to expand its mandate and to
18 consider issues outside your terms of reference
19 and to preempt permitting and consultation
20 processes.

21 We hope that all parties will
22 respect the limits panel's mandate under the Act
23 and terms of reference, and that you will not be
24 pressured that stray from the proscribed scope and
25 purpose of this hearing. But if it does happen we

1 are confident that the panel will manage those
2 matters firmly and fairly, and we, of course, will
3 do our part to support that.

4 As the chairman has noted, this
5 panel derives this mandate under the Canadian
6 Environmental Assessment Act 2012 and its terms of
7 reference issued subject to that Act.

8 This is the Panel's hearing and
9 the Panel's process which are aimed at gathering
10 cogent, probative and factual information relevant
11 to its mandate. While we hope it will not be
12 necessary to engage in legal arguments regarding
13 jurisdiction or mandate, we are prepared to do so
14 if necessary, and have prepared a brief outline of
15 our views on those matters that will hopefully
16 avoid of expedite any debate we might have on
17 those matter.

18 A copy of that outline has been
19 delivered to the Secretariat and I trust it will
20 be posted on-line and available to all parties.

21 Finally, I want to extend our
22 commitment to cooperate with the panel and to the
23 other parties in the hearing process itself.
24 Above all else, we look forward to this process
25 and to the chance to share factual information, to

1 address legitimate concerns, and to dispel myths.

2 The New Prosperity Mine project
3 offers enormous benefits to the local communities,
4 the Tsilhqot'in region and, more broadly, to all
5 of British Columbia. There are literally thousand
6 of individuals -- aboriginal, non-aboriginal,
7 women, men, young and old who stand to benefit
8 from the project, and we look forward to
9 presenting them to you.

10 With that, I will now introduce
11 John McManus on my left. He will give Taseko's
12 presentation today. Mr. McManus is the senior
13 vice president operations of Taseko. He's a
14 professional engineer with many years of
15 experience in open pit mining in British Columbia.
16 Mr. McManus will introduce the other members of
17 the Taseko team who are available and are here to
18 assist and to answer questions as needed.

19 This group has a wealth of
20 practical experience in the operation of mines in
21 British Columbia, much of it working in local
22 communities. Summaries of their biographical
23 information has also been submitted to the panel
24 and, I expect, will be made available to all
25 concerned.

1 Several members of the Taseko
2 team couldn't help but notice are professional
3 engineers. And it's worth noting professional
4 years are governed by professional conduct. There
5 is a code of professional conduct of the
6 Professional Engineers and Geoscientists Of
7 British Columbia. Under their code of ethics,
8 professional engineers are required to act at all
9 times with fairness, courtesy and good faith and
10 with fidelity to the public needs. To quote:

11 "We shall uphold the values of truth,
12 honesty and trustworthiness and safeguard
13 human life and welfare and the
14 environment."

15 I certainly won't review all
16 the specific requirements of the code. The very
17 first one is worth noting.

18 I Quote:

19 "Hold paramount the safety, health and
20 welfare of the public, the protection of
21 the environment and promote health and
22 safety within the workplace."

23 Mr. Chairman, the code
24 expressly states that all other duties to clients,
25 employers and others are subordinate to the duty

1 to protect the public safety, the environment and
2 others that stand for public interest.

3 Taseko's professional engineers
4 are required to comply with these requirements in
5 the design of the project and presenting
6 information before this panel. I ask that the
7 panel bear that in mind throughout that process.

8 With that, I'll turn the
9 microphone over to Mr. McManus.

10 MR. MCMANUS: Thank you. How I
11 do advance the slides? Anybody know?

12 I would like to thank everyone
13 for coming here today. We really are -- do you
14 want me up there? Okay.

15 Thank you all for coming here
16 today. I really believe that we are pleased to
17 have this opportunity to present what I believe is
18 a great opportunity to be developed in an
19 environmentally responsible manner.

20 I specifically would like to
21 thank the panel for their presence here today;
22 Mayor Kerry Cook of Williams Lake; Councillor
23 Willie Sellars of -- I'm going to try it --
24 (Native being spoken). Is that okay? Close, he
25 says. And the TNG chiefs for their opening

1 ceremony this morning -- this afternoon. It was
2 terrific. Thank you.

3 This is a general session.
4 I've tried make my opening remarks about the
5 project clear in a general sense. And then, as
6 you mentioned, we expect to go to the
7 topic-specific -- this is a general presentation.

8 It's a big topic so I thought I
9 would start with -- to frame what the opportunity
10 is in a world since.

11 So what you are looking at here
12 is a ranking of the known and undeveloped copper
13 and gold deposits in the world. The orange band
14 here is New Prosperity. It ranks 10th in the
15 world at the moment. It's second in Canada to --
16 Yukon is slightly larger. So this is how much
17 gold is in resource.

18 As known, the white dot is the
19 grade of the gold that is measured off -- New
20 Prosperity prints is 1.4.

21 It's not just the value of the
22 gold or anything. We got to look at the rest of
23 the locations. You got Baimskaya and Russia,
24 (muffled) Pakistan, Frida River is in Papa New
25 Guinea, Tampakan is Phillippines, Delmoor (ph) is

1 Dominican Republic, Panama.

2 This deposit located in British
3 Columbia is a tremendous opportunity that
4 shouldn't be ignored.

5 It's major metal mine
6 opportunity in British Columbia. Being located in
7 B.C., the project really presents a great
8 opportunity of the region. BC's political stable,
9 works with a strict set of regulatory guidelines.
10 Health and safety of workers -- environment,
11 public best interest and uncorrupted distribution
12 of the wealth generated by an industry such as
13 mining. Are performed to the highest standards in
14 the world protected by rule of law in British
15 Columbia.

16 That supreme court -- that
17 makes BC a desirable place to invest. Metal
18 mining in BC is a major part of the potential
19 economy, has been for a long time.

20 On this slide the blue dots are
21 major metal mines in British Columbia which have
22 operated in the past and are currently shut down
23 mostly because they have been depleted of
24 reserves. The orange dots -- sorry, orange dots
25 -- Huckleberry, Gibraltar, Mount Polly, Bralone,

1 Highland Valley, Copper Mountain, New Alton --
2 those are currently operating major metal mines in
3 the province, and there is two under construction
4 right now, Milligan, or McKenzie, and Red Chris up
5 by Beece Lake, are being built at the moment.

6 Metal mining in British
7 Columbia is not something new. This is something
8 that the province is used to, something the
9 expertise of the industry is used to.

10 The size and the value of the
11 New Prosperity deposit is there, but what it is we
12 propose to do is not unusual. It's an engineering
13 exercise, not a science experiment.

14 I would like to introduce the
15 Taseko executive team. But first the people that
16 are at the table here, John -- vice president
17 engineering, Karl Gustafson, whom you heard from,
18 Katherine Gizikoff. This end, Greg Gallagher,
19 chief engineer and Christy Smith, who has stepped
20 out.

21 The Taseko executive team is
22 Russell Hallbauer, mining engineer and a
23 registered professional engineer with us in the
24 room today. He's the president and CEO and
25 director. He's got about 35 years operating.

1 Myself, I'm a mining engineer,
2 professional engineer. I've got about 30 years
3 operating mostly in British Columbia. Dave
4 Rouleau is a mining engineer, vice president
5 operations. Rob Rotzinger is a mechanical
6 engineer, registered professional engineer. Scott
7 Jones, mining engineer, registered professional
8 engineer. And Brian Battison who has been
9 involved in mining through mining association and
10 been with Taseko for 20 or more years.

11 So between this group of six
12 people there is 170 years of combined experience
13 in mining. And four out of the six are born in
14 British Columbia. I think that's important to
15 know.

16 Senior management team of
17 Taseko: Katherine Gizikoff, registered
18 professional (muffled); Greg Yelland, registered
19 professional engineer; Keith Merriam, process
20 engineering manager, registered professional
21 engineer; Tom Brody, mining engineer; Kim Bittman,
22 Bachelor of Science. She's got 25 years in
23 environmental....

24 Christy Smith, who came to us
25 from Thompson Creek just this year. Bachelor of

1 science and Masters in business administration.
2 This is another 155 years of experience, and four
3 out of these six also born in British Columbia.

4 This is the Williams Lake
5 office team. They look after community affairs,
6 environment and recruiting force. All of these
7 folks have been involved in the New Prosperity
8 development. They all live about work in Williams
9 Lake.

10 As has been mentioned, we
11 operate the Gibraltar mine just 45 minutes from
12 Williams Lake here. We currently have 700
13 employees there. When Taseko acquired Gibraltar
14 in 1999 there were 10 employees. Almost all of
15 our employees have been recruited and hired
16 locally since -- 2004. This isn't 700 people,
17 versus one crew.

18 I just checked this morning to
19 see how much active resumes we have at Gibraltar.
20 It's over 1400 that have been received in the last
21 six months, so we've heard how there is not a need
22 for employment. Just doesn't reflect in the
23 facts.

24 The experience and expertise
25 which are developed at Gibraltar, we transfer

1 directly to the New Prosperity mine.

2 When we're working on something
3 where we don't have the in-house expertise,
4 requirement for a specific task, we go to experts
5 and advisers, they are world leaders in their
6 particular fields.

7 This list gives a list some of
8 our main advisers who utilize in developing New
9 Prosperity project. There are many more and they
10 are identified in the environmental impact
11 statement.

12 I have to put this slide in to
13 illustrate the density and quality of the data
14 which has been gathered over the years at the New
15 Prosperity site.

16 What this shows -- the white
17 stripes there are drill holes, diamond drill
18 wholes, percussion holes. 400 holes drilled in in
19 the site, 150,000 meters of drilling. The green,
20 which you can't see, is ground surface. The
21 purple, which you can't see, is the pit, which is
22 designed. You can see these exploratory holes go
23 past the pit limits -- this is really (muffled)
24 investigated.

25 So these holes are used to

1 gather geological, geotechnical, hydrogeological,
2 metallurgical, and other information used in the
3 development of the project. It's also an
4 extensive use of geophysical and geochemical
5 techniques in the project area, and surrounding
6 area.

7 As well, there's been an
8 astounding volume of surface investigation such as
9 stream soil sampling, (inaudible) sampling and
10 monitoring and perhaps the most intensive
11 archaeological assessment of any project of this
12 type ever anywhere.

13 This is a cross-section of the
14 deposit which is these colourful lines here.
15 Those represent different values based on the
16 copper and gold involved in the ore.

17 This blue line is the ultimate
18 pit. That's the final pit configuration of the
19 plan we have in front of you. And these yellow
20 lines represent intermediate pit walls.

21 So just for people to
22 understand how a mine like this operates, we start
23 starter pit in the middle of the deposit -- by the
24 way, Fish Lake would be about here.

25 Start with this -- mine in here

1 for a couple years, get ourselves established well
2 into the ore body. Then we move equipment up into
3 this area and start stripping back material here
4 while we're still mining here. This is called a
5 push back.

6 Once this is well-established
7 into ore, that first -- will go up and down then
8 we begin pushing back up here.

9 As far as Fish Lake goes, we
10 actually won't end up at our ultimate pit until
11 after about 10 years of mining -- eight to 10
12 years is where we hit this point here.

13 So the material which is in our
14 plant is this, is 480 million tons -- been put
15 forward. We have also outlined some of this as
16 reserve, based on 2009 on the 43(101), which is a
17 definition of reserve in Canada. This qualifies
18 as reserve, but this is not in our plan this, is
19 not in our application. It's just the definition
20 of it. That material is there no matter what we
21 call it, then there's more to go.

22 The deposit doesn't have a flat
23 bottom. That's where they stop drilling.

24 This is the Gibraltar ownership
25 and production profile. What I have here is based

1 on -- the Gibraltar started-- opened up in 1972,
2 and we've got a plan all passed 2027. Ran for --
3 until 1995 I believe under -- built it, ran about
4 50 to 75 million tons of copper per year. Went
5 down -- copper prices and high costs. Several
6 other companies tried to run it. Went down here.
7 Taseko bought the Gibraltar mine at about this
8 point in 1999.

9 Started it back up in 2004.
10 Between 2003 and 2010 Taseko invested \$350 million
11 into the Gibraltar mine in order to get the
12 operating costs down so we wouldn't suffer this
13 type of a down, if copper prices came back down.

14 When we got the decision by the
15 Federal government delivered by Jim Parentice,
16 minister, that Prosperity wouldn't go ahead as
17 designed, we had raised financing to build
18 Prosperity mine, and we looked at what was the
19 best thing to do with that resource and we decided
20 the best place for the -- to invest in Gibraltar.
21 We built a new mill and we bought another bunch of
22 mining equipment. So another \$350 million
23 invested here, and that mill came up on time, on
24 budget, and mining equipment that we purchased
25 also arrived on time on budget.

1 So 250 -- went from 10
2 employees to about 450 to now 700 employees. So
3 when you hear "committed to the cariboo," this is
4 what we mean by committed to the cariboo. We live
5 here. We like it here. We are heavily invested
6 here. We are very good at what we do. We are a
7 mining company.

8 Effect on the area. This slide
9 is based on operating expenditures in 2012, that
10 Gibraltar does not include capital cost. The
11 total spent at Gibraltar and operating was \$332
12 million in 2012. That was before we completed our
13 expansion.

14 22 percent of that is on
15 salaries, wages and benefits, and that is almost
16 entirely in the local area. That's \$75 million in
17 one year and salaries and wages. The BC interior
18 and cariboo, another 25 percent, 80 million, so a
19 total 158 million from Gibraltar in the area.

20 These are based on where the
21 invoices are, so some of it looks a little funny.
22 Eastern Canada. We don't actually do much work in
23 Eastern Canada, but the railroad, for instance,
24 invoices is from Montreal. So it shows it was
25 Eastern Canada, although the work is here.

1 So what about New Prosperity?

2 Well, it's almost the same size based on today's
3 costs of what Gibraltar would be spending in 2012,
4 and so we look at the same distribution of
5 operating expenditures. Again, this does not
6 include capital.

7 This is an average over the
8 first 10 years of operation. So it's like --
9 approximate annual spend of \$335 million, with \$74
10 million in salaries, 155 million would be direct
11 to goods and services interior in the area.
12 Another 25 percent in B.C. every year.

13 The jobs which would be
14 generated by -- employment by the New Prosperity
15 mine, people say well, what those jobs would be?
16 Well, these are what the jobs would be. This is
17 by professional supervisory administrative or
18 staff, trades or -- trades and operations people.

19 So in the profession,
20 supervisory and administrative -- again, we would
21 be recruiting most likely globally, the same way
22 we do at Gibraltar. We intend -- our shift
23 schedule would be a four-on-four-off shift. It is
24 going to be a camp job. So people would travel to
25 the camp. It's just a little too far to commute

1 on a daily basis, so you bus to camp four days in,
2 four days out, to encourage people locally. We
3 have the same shift at Gibraltar.

4 Day shift folks would be on a
5 four days on, three days off. There would be no
6 private vehicles at the site. Buses would come
7 from Williams Lake with a pick up in Hanceville.
8 We would likely have a bus to Nemiah, the only
9 community which is beyond where the New Prosperity
10 site is. We haven't had a chance to discuss this
11 with (Indian word spoken) yet.

12 Professional and technical
13 staff with co-op student programs, IT programs and
14 local training.

15 Trades. We have trades
16 training and, apprenticeship programs at
17 Gibraltar, same at New Prosperity, and operations
18 folks would be trained on site with the same
19 equipment that we have at Gibraltar. Nothing new.

20 This list does not include
21 camp, catering, transportation, supply services,
22 et cetera. These are just the direct employees.
23 That's about 500 people.

24 First Nations consultation,
25 engagement. I've been with the company for eight

1 years and I've worked quite hard with myself and
2 the staff to consult, engage in First Nations.
3 This is a list of the things we do, work to
4 consult and engage with. I'm not going to even
5 attempt the pronunciations.

6 But our most concentrated
7 effort has been with the First Nations, which are
8 closest to the project, specifically the other
9 five, Tsilhqot'in nation bands here and Anaham,
10 (Native being spoken). We haven't been successful
11 in engagement with the TNG group recently, but
12 when I first arrived at the company I worked with
13 Chief Roger William.

14 What we put together a letter
15 of intent provide agreement whereby we provided
16 capacity funding for the TNG to participate in
17 what was the Prosperity environmental assessment,
18 and that was going along fairly well. It broke
19 down in 2008. There were a number of different
20 events that happened. I won't go into detail, but
21 both Taseko and the TNG objected to a joint panel
22 review process that was going to be forward, so BC
23 withdrew from the process.

24 The Vicors (ph) decision on
25 rights and title came down, which we've been

1 waiting for before we converted our claims to
2 lease, we needed in order to do financing. And a
3 number of other things. And the letter of intent
4 agreement came -- broke down and then we've had a
5 very difficult time engaging -- we did -- however,
6 in 2012 we did have a competing injunction process
7 that we met with the TNG and were able to resolve
8 that mutually. We're still committed to -- TNG
9 and we move forward.

10 There's opportunities in New
11 Prosperity for First Nations. We know that the BC
12 government was working on a revenue-sharing
13 program directly from what is generated by the New
14 Prosperity project.

15 There's training, employment
16 opportunities, Taseko is a big supporter of the BC
17 Aboriginal Mine Training Association. It will be
18 contracting opportunities and the ability to build
19 capacity, to have contracting abilities above and
20 beyond what happens in New Prosperity.

21 Provision of self-reliance,
22 work close to home rather than having to travel to
23 non-aboriginal communities, community enhancements
24 and the opportunity to build long term....

25 Taseko is working with many

1 First Nations communities. Councillor Willie
2 mentioned the Williams Lake Indian Band
3 participation agreement which was signed on April
4 10th, 2013. This is our president, Mr. Hallbauer,
5 and the chief and Louis (ph) at that ceremony.

6 This is Williams Lake Indian
7 Band participation -- this is the Williams Lake
8 implementation committee of that agreement. And
9 that agreement allows communication protocol and
10 input into the activities of Gibraltar supports
11 capacity, training, contracting opportunities and
12 community initiatives.

13 We've got working band with the
14 Hassel -- or working group with the Hassel band,
15 which does similar work as the implementation
16 committee from Williams Lake band, but we don't
17 have an actual agreement in place -- working group
18 also.

19 This is a picture of a youth
20 opportunity fair which was held earlier this year
21 and this fair was held specifically for First
22 Nations youth so they could see the opportunities
23 which would be available to them for mining, not
24 just at Gibraltar and New Prosperity, but all
25 mining operating nearby also.

1 This is (Native being spoken)
2 band. Came up to Gibraltar earlier this year to
3 see what sort of opportunities there might be if
4 the New Prosperity project goes ahead. These are
5 an elders group.

6 This is an Hassel (ph) work
7 group, building capacity. This picture they are
8 working a reclamation at Gibraltar. We've also
9 had them do a major cleanup for us after
10 construction project. Anybody that has had a
11 construction project knows that that is quite a
12 challenge cleaning up afterwards.

13 This is (Native being spoken)
14 elders on the site visit last year at all (Native
15 being spoken) project near McKenzie, British
16 Columbia. We've got participation agreement with
17 them on an exploration project, and we're working
18 with them on a construction and operating project.

19 So this is the Prosperity
20 submission layout. This was the -- this is the
21 mine pit. This is where Fish Lake was in that
22 submission. As you'll know, lake was drained in
23 that proposal. A dam built right where the lake
24 was. James Pond (ph) behind it, and fishing for
25 (muffled) new lake and enhanced spawning habitat

1 to the south.

2 That went through the 2010
3 panel and the findings from that were that there
4 were no significant adverse environmental effects
5 on air quality. Drain and soil, surface to
6 groundwater quality. No effects on moose and mule
7 deer and their habitat. No significant adverse
8 environmental effects on vegetation, including
9 forest and grass land on archeological resources,
10 no significant adverse effects on fishing Taseko
11 River, water quality....

12 The panel did find that there
13 was significant adverse environmental effects on
14 fish and fish habitat due to the loss of Fish Lake
15 and the spawning habitat there, and the British
16 Columbia environmental assessment also found
17 significant adverse environmental effects on fish
18 and fish habitat. The panel found in effect on
19 navigation, on the current use of land (muffled)
20 -- traditional purposes of First Nations, of
21 cultural heritage, certain potential or
22 established aboriginal rights and title, and on
23 the cumulative effects....(muffled).

24 In January there were two
25 decisions on the first proposal, one by the

1 province in January 2010. The impact on fish and
2 fish habitat was justified because it's a
3 significant economic benefit the project would
4 bring to local communities, and on November 2nd by
5 the Federal minister declined approval but invited
6 Taseko to submit a project proposal that includes
7 addressing the factors considered by the panel.

8 So we, as a company, went back
9 and said, okay, what can we do? Well, we have a
10 number of alternatives that we examined. One of
11 them was to place the tailings down two kilometres
12 further back up the valley than we had in the
13 original proposal. This gave us the room to put
14 in water management seems, to maintain a spawning
15 channel for Fish Lake and essentially maintain the
16 Fish Lake as a fish-bearing lake, which wasn't
17 available....

18 So once we saw we had
19 technically feasible, and we agreed it was worth
20 looking further into -- and can't see this. But
21 this is -- there's two different types of copper
22 pricing, gold price. There's one you can get
23 right now and one you can get later on.

24 In order to make a decision on
25 whether or not you built something like the mining

1 project, you have to take a look at what the
2 likely price is going to -- not on what the price
3 is going to be today or tomorrow.

4 So what this is is a listing of
5 different banks and analysts and analyzing firms
6 take a look at all of the different factors which
7 affect copper prices and predict what they will be
8 in the near term. This is done in October 2010.
9 So those numbers there go out to 2015, in the long
10 term what they feel the world supports.

11 In this one copper price is
12 2.25 in the long term in October 2010. There's
13 two different prices. There's the immediate
14 price. This is the price back in January 2005 per
15 pound of copper. Range from a dollar fifty, the
16 and four dollar range, fell off in prices to 2008,
17 back up almost to four fifty and it's now kind of
18 fallen off. Today I believe it's \$3.18 a pound.

19 But what we look at for
20 investment is not the immediate pricing, the
21 long-term price. These are all based on an
22 analysis consensus price like I just showed you.

23 When we put in the 2000
24 technical report, which was the basis of the
25 Prosperity EIS, copper is a dollar fifty a pound.

1 By the time the Prosperity project was turned down
2 by the Federal Government, the long term price was
3 2.25 a pound.

4 Currently the long term price
5 is very near to the current price of just near to
6 three dollars a pound. These are based on supply
7 and demand of materials and also the cost of the
8 production of copper in the world. Copper has
9 pretty good demand chart right now.

10 Gold, similarly -- you also
11 can't see is the gold consensus pricing from
12 October 2010. The immediate price is \$904 an
13 ounce, long-term projection 2010.

14 This is how the prices have
15 gone over the last nine years from just under \$500
16 an ounce up to \$1700 an ounce, drop back to \$1300
17 a ounce.

18 Prosperity project was \$500 an
19 ounce, long-term price. When we decided to
20 proceed with the New Prosperity project, the
21 environmental assessment we used \$900 an ounce
22 which was the long-term price at that time.

23 The other thing which is been
24 questioned is why we used the exchange rates that
25 we use. Foreign exchange -- Canada is a resource

1 based on economy, has been for a long time. Same
2 things which affect copper price affect the
3 Canadian dollar. So if you have a weak copper
4 price usually -- you have weak oil, coal, lumber
5 prices and the Canadian dollar weakens.

6 So this is something we
7 developed internally to try to predict that.
8 Would look back to World War II and the line holds
9 very, very well. At a dollar fifty, which we used
10 in 2007, foreign exchange was about .8. 2.25 for
11 exchange is about .88. Currently it's getting
12 close to par, that actually should be higher.
13 It's a relationship between copper and U.S.
14 exchange rate.

15 This slide, I wanted to just
16 show the very quick mineral economics simple form.
17 2007, 480 million tonnes of ore (muffled). Two
18 billion recoverable pounds of copper. 4.6 million
19 ounces of gold. Long-term copper price dollar
20 fifty. Long term gold price \$500. Foreign
21 exchange .8.

22 Long term -- operating costs
23 this includes offsite cost of transportation,
24 shipping, smelting charges, \$8.43 per ton mill.
25 Capital costs \$2.19 per ton mill. Revenue based

1 on these up here was \$13.80 per tonne mil. So
2 minus the 10.62 (muffled) margin simple on
3 discounted margin \$3.18 per tonne mil on the
4 original Prosperity project.

5 In 2010 we updated all of their
6 models before we proceeded to resubmit the
7 environmental assessment on the New Prosperity
8 configuration. Same tons mil, same ratio, same
9 recoverable copper and gold.

10 Copper price from dollar fifty
11 to 2.25, gold from 500 to 900, foreign exchange to
12 .88. Mine operating costs rose from 8.43 to 12.71
13 per tonne mil. Capital costs 2.19 to 2.33 per
14 tonne mil. But the revenue of 20.45 minus the
15 cost left with a margin of \$4.41 per tonne mil.
16 Sorry, I'm kind of galloping, but I'm aware of the
17 time.

18 With all of that, and the
19 economics worked, the -- technically it works.
20 How did that affect the Federal factors if we
21 proceeded with the Environmental assessment of New
22 Prosperity.

23 We were able to preserve Fish
24 Lake and all the (muffled) spawning habitat. We
25 provided other fish medication. We preserved the

1 navigation on Fish Lake. We have preserved the
2 archeological and other (muffled) undisturbed
3 where they were.

4 This is an accommodation of
5 aboriginal rights, to hunt, fish and trap in that
6 area as it is. An opportunity to develop other
7 community-specific accommodation, and we provided
8 grizzly bear mitigation plan, which the province
9 is -- from what I've read, they like it.

10 So just some examples of fish
11 habit compensation. This is a stream enhancement
12 of an existing stream, which is for a fish
13 (muffled) for beaver. You go in, they clean these
14 up. This is the type of thing Taseko would put
15 that resources available to make this happen.

16 Water management. This is a
17 picture of seepage pond below the -- this is the
18 Gibraltar tailings dam. This is the seepage pond,
19 this is the pump house which we say circulates
20 water from that pond back up into the....

21 We're already doing this at
22 Gibraltar. We've been dealing with water
23 management at Gibraltar for 40 years. That site
24 has been a zero discharge up until a few years
25 ago. Very specific discharge group. Sending this

1 water untreated to the Fraser River because it
2 meets the dry docks.

3 We provided a very detailed
4 adaptive management plan, more detailed than you
5 would expect in the EIS, or environmental
6 assessment. We -- precautionary principle which
7 says that don't expect all of your plans to work
8 exactly as you expect them to and prepare yourself
9 to deal with what might not work which means
10 monitoring and adapting to what actually happens
11 as opposed to what the plan is.

12 Precautionary principle doesn't
13 mean don't do anything until you actually approve,
14 everything is where you think it might be. That's
15 not it.

16 So this is just an example of
17 water sampling at Gibraltar. These were the
18 analyses which happened right there at the time,
19 and we have water sampling stations all around the
20 property.

21 This is a fellow preparing an
22 air sampling station at Gibraltar (muffled) -- we
23 already do it. There's air quality. This is the
24 base of the tailings damage Gibraltar where last
25 year we re-sold -- brought in overburden or chelp

1 (ph) and planted, and this fellow up there is
2 checking the health of what has been planted. So
3 that keeps the dust down.

4 We run the water trucks at
5 Gibraltar to keep dust down. This was taken just
6 a few days ago. That is 220-tonne truck. So
7 keeping water in one pass, especially days like
8 today.

9 Noise. This is a picture of a
10 community on Quson Lake (ph). There are pictures
11 with telephoto lens, but the picture is taken from
12 the Gibraltar waste dumps about two kilometres
13 away from where this community is. The noise from
14 mining is real and it exists, but it doesn't carry
15 very far and these people are not apparently
16 disserved by it. No complaints.

17 Use of existing disturbances
18 used in the New Prosperity EIS. This is the main
19 power line to Gibraltar. The power line to New
20 Prosperity would be similar, a bit higher voltage
21 and power, so actually two-pole structures. But
22 this is the type of line we would expect to see
23 for the power line to New Prosperity, and this is
24 where the deposit is.

25 This is looking back east

1 towards the Fraser River where the power line is
2 coming in. You can see the clear cuts, past
3 logging, logging roads. We use (muffled)
4 disturbance wherever we possibly can. So that's a
5 mitigation, a disturbance of power line. Just an
6 example of what we've got in EIS.

7 We developed environmental
8 management systems at Gibraltar. We've introduced
9 that into the environment impact statement for New
10 Prosperity.

11 This is the environmental
12 management team, committee, at Gibraltar.
13 Environmental management is all about people.
14 These guys are our eyes and ears. They are in
15 charge of monitoring. We've also got the site
16 general foreman on the committee so if something
17 does need to be done we've got the resources to do
18 something right away. They have to fix or stop if
19 there is something wrong.

20 Permitting and regulation. I
21 just want to make the point: The environmental
22 assessment is not permitting. Once the
23 environmental assessment is complete and the
24 environmental assessment certificate is granted,
25 that gives the permitting authorities the ability

1 to go ahead and begin to write permits, develop
2 permits.

3 Most of the mining activities
4 of New Prosperity will be regulated under the
5 Ministry of (muffled) permit in which an operating
6 system is developed under the Health And Safety
7 Code. A reclamation and closer plan is developed
8 at the beginning of the permit. You have to do
9 that and start from the beginning with the closer
10 plan, and reclamation bond is developed with the
11 Ministry Of Mines. At Gibraltar we've got over
12 \$40 million in bond at the moment with the
13 Ministry Of Mines.

14 Also, BC environmental
15 assessment certificate needs to be amended after
16 the -- said they are going to see what the report
17 from this Panel is before they do that.

18 Ministry of Environment
19 Management permit. (Muffled) is the DFO harmful
20 alteration of fish habitat. Environment Canada's
21 metal mines regulations....Still got to go through
22 all of that once we finish the environmental
23 assessment.

24 So in conclusion, open pit
25 mining is a modern industry. Got a strong track

1 record of success in British Columbia.

2 The New Prosperity project is
3 low risk/high reward proposal in the best interest
4 of the region, province and the company. Taseko
5 is a responsible company. We've heard what we've
6 been told and we've built that into our new
7 project. We're committed to providing the right
8 resources and highly experienced personnel in
9 order to accomplish the project as planned. We've
10 done what we were asked to do.

11 Thank you. That concludes my
12 presentation.

13 CHAIRPERSON ROSS: Thank you
14 very much, Mr. McManus.

15 I think what we'll do now is
16 we'll try to move into some questioning for Taseko
17 and I will open up the floor to questions. Anyone
18 who has questions?

19 MR. NELSON: Would it be better
20 if I moved back to the table?

21 CHAIRPERSON ROSS: Yes. I
22 think that will be fine. If you are going to pose
23 a question, use the microphone and identify
24 yourself and then go ahead.

25 Could you identify yourself and

1 go ahead?

2 QUESTIONS FROM PUBLIC

3 MR. NELSON: Thank you. Good
4 morning.

5 My name is Jay Nelson. I'm the
6 legal counsel for the Tsilhqot'in National
7 Government. I do have some questions for Taseko
8 but I feel a bit out of step speaking before the
9 Tsilhqot'in chiefs, who haven't had an opportunity
10 to speak. So I was wondering, with the Panel's
11 permission, after others have had a chance to ask
12 their questions, if the chiefs could speak at
13 scheduled events. I am prepared to reserve my
14 questions before they have had a chance to express
15 their views.

16 CHAIRPERSON ROSS: I think that
17 will be okay. It's not a big change in the scheme
18 of things. Thank you, Mr. Nelson.

19 Do we have any other questions
20 for Taseko? Would you come forward, ma'am?
21 Again, identify yourself and go ahead.

22 MS. NOBLE: My name is Jane
23 Noble, N-O-B-L-E.

24 My present concerns comparing
25 the current project to previous proposal. I

1 attended the introductory meetings that happened
2 when the first proposal was being made and several
3 options have been considered, and one of them was
4 option two which was described as being
5 environmentally much worse than the one that was
6 put forward eventually.

7 I would like to know how the
8 current proposal differs from that one, differ
9 from option 2?

10 CHAIRPERSON ROSS: Go ahead,
11 please, Mr. McManus.

12 MR. MCMANUS: Thank you for the
13 question. The project as presented is actually
14 very similar to option 2 that was in the original.
15 It was not ever said that it was much more
16 environmentally damaging or anything of the sort.
17 Said it was a higher environmental risk, which is
18 a technical term.

19 In the original proposal Fish
20 Lake was drained and removed so there was no risk
21 in a technical sense. By maintaining the lake and
22 trying to preserve it or doing what we are doing
23 now, there is a risk to Fish Lake which didn't
24 exist before. That is the difference between the
25 two.

1 CHAIRPERSON ROSS: Thank you
2 very much. Do we have any other questions?

3 Thank you. Come down and use
4 the microphone.

5 MS. MCGRATH: Good afternoon,
6 Mr. Chairman. Donna McGrath from the (Native
7 word) band.

8 One of the questions -- and I
9 guess this is more a of point of inclusion in your
10 report. Currently coming from a First Nations
11 environmental working around (muffled) -- one of
12 the indications we've seen first hand is the
13 resources within our community have also been
14 extracted and there's been no succession planning
15 for the community members or in a state where we
16 cannot compete competitively with an economic
17 front (muffled) limited resources.

18 So it's something that I think
19 we really need to take into consideration because
20 when we're down -- and our resources been
21 extracted, our workload still stays the same. So
22 our capacity is getting undermined within our own
23 communities. I think we really need to be aware
24 of that and cognizant in these plans. Thank you.

25 CHAIRPERSON ROSS: Miss

1 McGrath, just so we get it right, could you spell
2 your last name?

3 PUBLIC SPEAKER: M-C-G-R-A-T-H.

4 CHAIRPERSON ROSS: Thank you
5 very much. Mr. McManus?

6 MR. MCMANUS: Yes, we have
7 encountered the same scenario with the other First
8 Nations groups that we work with, and being aware
9 of that when we forwarded gives you the
10 opportunity do things like have the training in
11 place before the opportunity comes up to build the
12 capacity within the community so that they can
13 take advantage of it when it occurs. It's not
14 perfect, but it is something that we need to work
15 to and it is a limitation that we're aware of....

16 CHAIRPERSON ROSS: Thank you.
17 I'm looking for any other questions. Going once?
18 There we are. Ma'am, would you come down and use
19 the microphone.

20 MS. CADDY: My name is Sharon
21 Caddy, C-A-D-D-Y. I'm just a concerned citizen.
22 I've lived in this community for a long, long time
23 and I would like to ask you what specific
24 mitigation plans have you got for grizzly bears?
25 That wasn't addressed at all. Could I have an

1 answer to that?

2 CHAIRPERSON ROSS: I think that
3 will probably be covered a bit more when we get to
4 the topic-specific section on wildlife. But I
5 think it would be a fair question to pose.

6 Do you have someone who would
7 provide at least a highlight summary of that?

8 MR. MCMANUS: Sorry, I missed
9 your name.

10 MS. CADDY: Sharon Caddy.

11 MR. MCMANUS: Thank you. Yes,
12 you are correct. We do go into that in detail in
13 the environmental impact statement and also in the
14 topic specific. But perhaps, Katherine, would you
15 give a highlight?

16 MS. GIZIKOFF: Thank you. My
17 name is Katherine Gizikoff.

18 The New Prosperity project
19 contains the same mitigation measures that were
20 present in the previous project and, further,
21 three new mitigation measures specifically to
22 address the impact to the cumulative effect on the
23 grizzly bear in the grizzly bear population unit.

24 The three grizzly bear
25 mitigation measures that are new will be a

1 benefit, we believe, to the population in the
2 whole unit, not just in the immediate vicinity of
3 the project, and they are all involved working
4 with local people, government and landowners to
5 help develop these measures. They include an
6 education and training program working with
7 Ministry of Environment in particular, and the
8 (muffled) Ministry of Forest and Natural Resources
9 to bring the awareness to the region as a whole as
10 to what the mortality risk is to bears from a
11 bunch of new roads in the -- across the plateau
12 from logging, and to try to educate ATV users and
13 recreation users and hunters as to what the risk
14 is.

15 The second one is for Taseko to
16 support Ministry of Environment's population
17 monitoring for grizzly bears. The lack of data
18 has been an issue. That would assist them to
19 better plan for other mitigation measures that
20 they might have in place.

21 The third one is for access
22 management planning. The mortality to grizzly
23 bears was always a risk and identified last time
24 because of the road incidents, and with access
25 planning specifically for the transmission line,

1 Taseko is committed to working with local people
2 to identify how we could de-commission some roads
3 while we're constructing the transmission line to
4 improve the core habitat for grizzly bears in the
5 area.

6 MS. CADDY: Thank you.

7 CHAIRPERSON ROSS: Thank you,
8 Ms. Caddy. Go ahead.

9 MR. BIRCHWATER: My name is
10 (muffled) Birchwater, B-I-R-C-H-W-A-T-E-R.

11 MR. McManus, you mentioned that
12 the demise of the joint panel review that TNG, or
13 the (Native word) or the Tsilhqot'in people,
14 wanted to end that joint panel review. Is that
15 what I heard you say?

16 MR. MCMANUS: Yes, that is
17 correct. Both the company and the TNG objected to
18 the process that was proposed as a joint panel
19 review. The province then withdrew from the joint
20 panel review and the Tsilhqot'in National
21 Government would not participate in the provincial
22 environmental assessment.

23 MR. BIRCHWATER: I worked as a
24 newspaper reporter at that time, and I seem to
25 recall interviewing the chiefs right after that

1 announcement was made by the Prosperity mine,
2 Taseko mines, and they were quite surprised that
3 the joint panel review had ended and they were
4 quite distraught about it, from my understanding,
5 because they were counting on that as a way of
6 working together with the mine to come up with a
7 common plan that the community could buy into,
8 possibly. So I just wondered how that jived with
9 what you said.

10 CHAIRPERSON ROSS: That may be
11 a question that you can pose to the Tsilhqot'in
12 chiefs who will be the next speakers, and then if
13 there is any difference, we could go from there.

14 MR. BIRCHWATER: Okay. Thank
15 you very much.

16 CHAIRPERSON ROSS: Go ahead
17 please, sir.

18 MR. DOWNEY: Alan Downey,
19 D-O-W-N-E-Y. (Muffled) has been quoted as saying
20 New Prosperity and Fish Lake cannot address
21 together, and I would like to know how that has
22 changed.

23 MR. MCMANUS: Thank you, Mr.
24 Downey.

25 What Mr. Battison said was it

1 was not viable to build a mine in the previous
2 environmental assessment with the configuration
3 that was there. Viable also means it was not
4 economically feasible. So as I explained,
5 long-term forecasts for the commodity price has
6 changed during that period. It became feasible
7 economically. It was not economically feasible in
8 2009 based on price forecast.

9 CHAIRPERSON ROSS: Thank you,
10 Mr. McManus.

11 I think we're getting through
12 the questions -- sorry. Go ahead, sir.

13 MR. MACKENZIE: My name is
14 Stewart MacKenzie, S-T-E-W-A-R-T, M-A-C capital K.

15 My question would be that the
16 lake involved, as far as I know, is named Tahltan
17 B and at least that's the Tsilhqot'in name and I
18 wonder why I've never heard that from a Prosperity
19 spokesperson.

20 MR. MCMANUS: We call it Fish
21 Lake. It's also called Tahltan B.

22 CHAIRPERSON ROSS: Thank you.
23 Ma'am, go right ahead.

24 MS. BOYD: My name is Dorothy
25 Boyd, and my Indian name is (Native word) and my

1 question is: In the first panel hearing and the
2 second panel hearing I do not see the concern of
3 what I would call how it's going to affect the
4 people, what is going to happen. It's on that
5 mind is the eye of -- I'm thinking it in my Indian
6 name, I'm thinking about it in the place called --
7 how I'm going to explain it is --

8 It has to do with -- my
9 question to you is: Why are you trying to open
10 the eye of a volcano? We've done research. I
11 don't have to have a time to do research. Why are
12 you opening a volcano's eye? Why? To get rid of
13 me? That's my question.

14 CHAIRPERSON ROSS: Would you
15 care to respond? I should point out that as I
16 mentioned in my opening remarks, we will be going
17 into the communities and we will spend I think a
18 great deal more time on the effects on the
19 aboriginal peoples, on the First Nations in the
20 communities, subsequently. But I think your
21 question -- it's a fair one to raise and I guess
22 if anyone from Taseko wishes to provide a response
23 here that would be welcome.

24 MR. MCMANUS: Ms. Boyd, is it?

25 MS. BOYD: Yes.

1 MR. MCMANUS: I thank you for
2 the question. We are sensitive to the cultural
3 values of the Tsilhqot'in and the other First
4 Nations people.

5 My opening remarks, as I said,
6 were general in nature because it is a general
7 session and -- which community would be at the
8 community hearing I prefer to deal with that
9 question because it's not of a technical nature.

10 CHAIRPERSON ROSS: Again, I do
11 thank you, Ms. Boyd, for the question. It's one
12 we will spend a good deal more time on later on.

13 Do you have a question?
14 Please.

15 MS. PRIMEAU: Hello, everyone.
16 My question is this: Listening to your
17 presentation about no significant adverse effects.
18 Significant to who? Significant to you, or to my
19 people?

20 I'm a harvester of traditional
21 foods and medicines, and that knowledge has been
22 passed down to my family for many generations.
23 How is this plan a seven-generation plan, if there
24 is what you say, no significant effects? To me
25 this plan affects my people, it affects seven

1 generations after me is what I was taught. We
2 make sure it's still there for seven generations
3 after I'm gone.

4 My family has six generations
5 that are alive, so seven generations is not that
6 hard to achieve. And I wonder who you talked to
7 among our people to ascertain that there is no
8 significant affects. This affects us all. Not
9 just my people, but everyone tremendously. Thank
10 you.

11 CHAIRPERSON ROSS: Ma'am, just
12 before you leave, could we get your name and
13 spelling?

14 MS. PRIMEAU: Sharon
15 P-R-I-M-E-A-U.

16 CHAIRPERSON ROSS: Thank you
17 very much. Any response? And, again, we will be
18 spending much more time on these topics later, but
19 I think -- if you wish, Mr. McManus?

20 MR. MCMANUS: Thank you, Ms.
21 Primeau.

22 We are here to present our
23 process and to hear the views of those people who
24 hear our presentation. I respect your question
25 and we will continue to work to answer that

1 question at the community hearings. I don't have
2 a specific answer for that right now.

3 CHAIRPERSON ROSS: Mr. McManus,
4 I think I'm going to stop the questioning from the
5 audience at this point. I do have a question,
6 then I'll check with my colleagues and then we'll
7 have a short break.

8 The question that I have
9 relates to your reference to providing training
10 on-site. I think you indicated that you do that
11 at Gibraltar and plan to do that at the New
12 Prosperity mine as well. Is that something -- I
13 I'm not quite sure I know how that works. Is that
14 something you would do for your employees or is
15 that something you would do to prepare people to
16 become your employees?

17 MR. MCMANUS: That is something
18 we do at the site for employees. When we hire
19 tradesmen, who's already got his journeyman
20 certificate, for instance, a heavy-duty mechanic,
21 he will come to the site. We have specific
22 equipment which he may not be familiar with, so we
23 train that person on the specific equipment.

24 We also do, though, support
25 through programs like PC AMPTA (ph) training for

1 people who are not employees. We support that in
2 a general sense. They may not become employees
3 but they then have a pre-certification that they
4 may be able to use at another site if....

5 CHAIRPERSON ROSS: My second
6 question is quite different. It relates to the
7 fish compensation program. You indicated that
8 Taseko would make funds available to make this
9 happen and illustrating a particular measure. Is
10 that how the fish compensation plan works
11 generally? And, again, keeping in mind we will
12 get back to this later on. It was the funding
13 side of things that I was a little bit confused
14 about from the material.

15 MR. MCMANUS: Yeah. The way we
16 see it is there's two things that happened. We go
17 out and specific things in a specific spot, and
18 that happens in a short time. Then you need to
19 maintain and do other -- the example that I showed
20 is clearing a beaver dam. Well, as soon as you
21 clear a beaver dam they come back. That is the
22 type of research (muffled) to maintain fish....

23 CHAIRPERSON ROSS: Thank you.

24 MR. KUPFER: You mentioned that
25 you -- environmental assessment and you applied

1 and said -- would be more requirements later on in
2 the permitting stage for many agencies.

3 I wondered, is there a general
4 guide that you use, or your company uses, to
5 differentiate between or to distinguish between or
6 make a difference between the environmental
7 assessment requirements and the permitting
8 requirements, sort of, a guideline for that, so
9 you know when you have completed one and are ready
10 to move into the next one?

11 MR. MCMANUS: I understand your
12 question. Thank you.

13 Is there a specific level that
14 we reach of confidence which then says you've
15 reached that for the environmental assessment?

16 No, there is nothing like that.
17 But you put a certain amount of effort into
18 gathering information. Also, when we're doing
19 things -- for instance, the geotechnical
20 information gathering, the foundation of the
21 tailings facility. What was one of the portions
22 of the meeting that we had with the Tsilhqot'in
23 National Government over -- I can't go too far
24 because there is confidentiality around there.
25 But it was made very, very clear to us that there

1 was a minimum amount of disturbance that
2 Tsilhqot'in wanted to see in that area prior to
3 there being an environmental assessment
4 certificate.

5 So we, through our consultants,
6 determined that we had enough information to
7 provide proof of concept which says that this can
8 be done but the details of exactly how it's to be
9 done was taken (muffled) fairly more disturbance
10 and we would do that after the environmental
11 assessment.

12 CHAIRPERSON ROSS: Thank you
13 then. What we'll do is we've have a 15-minute
14 break. We'll return, by that clock, at 3:25.

15 -- Recessed at 3:12 p.m.

16 -- Resumed at 3:35 p.m.

17 CHAIRPERSON ROSS: If we could
18 get started again. If I could have your
19 attention, we'll get going.

20 The next presenters we have are
21 the Tsilhqot'in National Government chiefs, and
22 I'm not sure which order but if we could have the
23 first presenter come to the table here. And
24 you'll forgive me, I haven't met the chiefs so if
25 you'll introduce yourself I would appreciate that.

1 Thank you very much.

2 PRESENTATION BY TSILHQOT'IN NATIONAL
3 GOVERNMENT CHIEFS:

4 CHIEF MACK: Chief Bernie Mack,
5 vice chair Tsilhqot'in nation, M-A-C-K.

6 I welcome everybody here today,
7 it's a great day to be stuck indoors. Beautiful
8 BC.

9 I would like to start on a
10 cautionary note. Our last experience with the
11 environmental assessment the community was
12 polarized. A lot of statements were made. A lot
13 of our kids experienced this fallout. I'm hoping
14 as adults we will keep that in check, and I just
15 want to thank those other nations that are also
16 here in support of what we're -- our view of
17 protecting our fisheries and our resources.

18 I'm a chief of a local band,
19 the closest one to the Gibraltar mine. It's a
20 rock throwaway from the mine, literally. We have,
21 as noted, working group negotiations with the
22 Taseko. Those have spelled out. Basically a very
23 low offer. I would beg to differ on some of the
24 zero discharge opinions.

25 I'm not against development.

1 I'm actually wanting to do, as a chief, a big
2 development. I went out and found partnerships,
3 environmental groups, engineers, companies that
4 can build mines. I expect to be taken seriously.
5 And I expect as Tsilhqot'in nations, we're the
6 only nation in Canada that has proven aboriginal
7 rights that we fought to get in court, millions of
8 dollars to get to court, and we're treated
9 business as usual when it comes to our rights, our
10 proven rights. We also have some inserted rights.

11 So that's what I come to this
12 table for. As a vice chair, I'm speaking on
13 behalf of -- our tribal chair, Chief Joe Alphonse,
14 wasn't able to make it.

15 As a vice chair, I'm in charge
16 of the duty to protect our resources but also to
17 create jobs. And Prosperity touches close to
18 home, specifically the salmon spawning grounds.
19 If things aren't done properly, if the proper
20 investments aren't made, it could be not great and
21 we're hoping that the precautionary approach that
22 we don't wait -- I think we need to make strategic
23 investments.

24 What way it's pitched, I don't
25 buy it. We've -- get into details as opening

1 remarks, we're getting into more details on
2 that -- the water quality, groundwater and so on
3 -- and each of our communities will do that.

4 I just want to point out as a
5 Federal government it's supposed to protect our
6 proven rights that we've hard fought in court and
7 want to see it in the mitigation, and I haven't
8 seen it -- I haven't seen in the last round DFO
9 and the salmon at Estelau (ph). We relied on the
10 coho (ph) run because we can't fish at the Fraser
11 where Gibraltar is now discharging. They are
12 discharging tailings now, and when they put up a
13 map often Estelau and our reserve at Gibraltar
14 mine is not on that map. That kind of speaks to
15 our relationship.

16 I wish -- I've been at this for
17 about four years trying to get a relationship, and
18 then recently got what I call a low ball offer.
19 So I didn't take it. I've been trying to work
20 with them. Maybe if they come up with a better
21 offer maybe I would be interested in meeting the
22 management again. But I can say for sure there
23 are impacts to the local reserve from that mine.

24 So it's concerning . So I just
25 want everybody to be open. I know the Panel has a

1 tough job ahead of it. It will then go to the
2 Federal minister, Environment Canada, and they
3 will make their decision. We are fortunate that
4 we have a federal environmental assessment that we
5 can give you our remarks, our concerns.

6 Some communities, especially
7 along the Fraser who rely on the salmon, won't
8 have that opportunity to have a Federal Panel or
9 even a provincial assessment. This mine has never
10 had an environmental assessment that I'm aware of.

11 So I hope the Panel will listen
12 well and give us your advice, thank you.

13 CHAIRPERSON ROSS: Thank you
14 very much, Vice Chair Mack.

15 I think what we'll do is we'll
16 step through the various chiefs and then we'll
17 open for questions subsequently, if that's okay.
18 Who would be the next -- go ahead.

19 PRESENTATION BY CHIEF WILLIAM:

20 CHIEF WILLIAM: Good afternoon.
21 My name is Roger William. (Native being spoken)
22 First Nations Government chief, also CRD director.

23 I have been involved in this at
24 least 20 years, and I was at the last Panel
25 hearing process. (Native being spoken) through

1 our process we have met with companies,
2 governments, and always this issue with
3 consultation.

4 Definition of "consultation" is
5 a big issue. Companies, government in terms of
6 consultation and what we see as consultation
7 always comes down to big issue. We have been
8 involved in consultation as (Native being spoken)
9 for long time. We talk about 1864, six (Native
10 being spoken) war, the gold rush, the history,
11 issues around that consultation again.

12 In terms of trying to work
13 together. It's always one-sided. You can look at
14 the Xeni Gwet-in/Tsilhqot'in William trials --
15 case, which was filed in 1998. 2002 to 2005
16 evidence upon evidence of consultation issue.
17 When a decision came down it showed that is a big
18 issue. (Native word) prove hundred percent rights
19 to hunt, to trap, to trade, and also to catch and
20 use wild horses.

21 Tsilhqot'in met the test in
22 terms of proven title to almost 50 percent and
23 since then in 2008 we've tried negotiating. I can
24 tell you stories of many meetings and trying to
25 work together in terms of the Taseko Mines Limited

1 when they found a large deposit, Xeni Gwet-in
2 Tsilhqot'in was involved at the beginning. We had
3 our people was involved through training, job
4 opportunities. We also wanted to be involved in
5 terms how you going to get this large deposit.
6 Hire experts and looking at how that deposit is
7 going to be removed. That didn't happen.

8 In the late nineties that
9 Tsilhqot'in nation approve Xeni Gwet-in to be
10 involved in the environmental assessment which
11 didn't go. And then in the early 2000s during the
12 Tidy (ph) case more communication with Taseko
13 Mines Limited, and that's earlier said by Taseko,
14 that in 2006 to 2008 through letter of agreement,
15 work together. And even that process it was
16 rocky, it was understanding in terms of
17 consultation, communications, always a big issue.

18 We were working together with
19 the company to look at environmental assessment, a
20 joint panel hearing, with the Federal government
21 and provincial.

22 During that process you
23 probably heard of the Camis (ph) Mines North Joint
24 Panel Hearing. And what happened there the
25 decision came down, gave a lot of concerns to the

1 company, Taseko Mines Limited. They wanted to
2 make changes to our process, which we didn't
3 agree. BC then chose to pull out. Again that was
4 consultation, we weren't consulted. A letter came
5 forth, we were surprised, and we thought that
6 would be a back and forth to see if we can work
7 together in a joint panel hearing. So, therefore,
8 forced to go a difficult process.

9 And now when the 2010 panel
10 hearings come down, and to see changes as we move
11 forward, one is that do another round in the Panel
12 hearing. Those are lot of frustrations our people
13 at home are dealing with.

14 And moving forward Federal
15 government, different companies, First Nations
16 across BC and Canada, we could tell you stories of
17 that whole problem of consultation. And, again,
18 they are making changes federally in terms of the
19 environmental assessment. I believe this process
20 here is going to be last of its kind in Canada.
21 So those are what we are dealing with as First
22 Nations.

23 We have grave concerns. We
24 have questions and issues to us that hasn't been
25 addressed in the 2010 Panel hearing, and now the

1 process which got us to this point.

2 We, as Xeni Gwet-in
3 Tsilhqot'in, many of our elders who don't
4 understand English testified in the trial, in the
5 Tidy case in their language, in some cases at
6 night because of our policies, our issues, and how
7 those stories are being told.

8 And to BC and Canada, you have
9 a Fishburn Lake. I can tell you, and you probably
10 can read in the 2010 -- you can read in the trial
11 that I do have family in Tahltan B. There are
12 families from (Native word) Anaham (Native
13 words), Nemaiah, that are descendents that have
14 still memories of Tahltan B. Our people still use
15 that land today, and it's very important to us to
16 keep doing that. We're talking about economics.
17 We got young people in our community that still
18 hunt and fish, pick berries, medicine gather, in
19 that area.

20 We still range cattle. Our
21 people, through the Nemaiah Valley Stockman's
22 Association as of 1991 stop paying Ministry of
23 Forest and have since handled and managed our own
24 range, and in that management includes Tahltan B.

25 So with that, I would like to

1 thank you all. (Native being spoken).

2 CHAIRPERSON ROSS: Thank very
3 much, Chief William.

4 PRESENTATION BY CHIEF PERCY:

5 CHIEF PERCY: Good afternoon,
6 everyone. My name is Percy Guichon (ph), the
7 elected chief of, (Native being spoken), also
8 known as the Alexis Creek First Nations. Some
9 people call it Red Stone.

10 Just appreciate having us here
11 to make a presentation to the Panel.

12 I want to also welcome or
13 acknowledge all our supporters that have also come
14 to the opening of the Panel hearings and helped us
15 do an opening ceremony this morning. We are very
16 grateful and honoured for that support.

17 I just want to say right at the
18 start that we unequivocally reject the New
19 Prosperity mine proposal. We say no to the mine
20 because of a lot of reasons, and I will quickly
21 touch on those.

22 We cannot accept this mine in
23 our territory because of the devastating long-term
24 impacts that it will have on our culture and our
25 ability to practice our traditions in that sacred

1 area. We have had a spiritual connection to this
2 site for many generations.

3 Just to quickly touch on that,
4 this area, Tahltan B, was a place of refuge where
5 Tsilhqot'in people, leaders, could go in times of
6 uncertainty like war, and it was a place where
7 Tsilhqot'in people could gather, meet, and it was
8 a safe location to make major decisions about the
9 welfare of the people. So that's why this place
10 is so special to us. It's sacred. There are
11 burial sites in that area. There are burial sites
12 on one of the islands, I'm glad they have some
13 pictures up here.

14 Taseko mentioned earlier that
15 this area -- they spent a lot of money in terms of
16 archeological assessments that were done in this
17 area. There's a good reason for that. We have
18 lived in this area for thousands of years. We
19 still use this area. People of (Native word) and
20 other Tsilhqot'in members still fish, as you can
21 see in these pictures.

22 So our connection to that land
23 is so important for the generations that will be
24 following us.

25 I think it's hard for industry

1 or governments to understand that, that this place
2 has cultural significance, spiritual significance.
3 It's our tie to the land, and that is why we are
4 so united with the support of other First Nations
5 across the country, other non-First Nation groups,
6 other non-First Nation people in this area are
7 against this project.

8 Other reasons that we do not
9 agree with this mine, there are many. The New
10 Prosperity project is not new at all. This option
11 in the last Panel hearing was thought to be even
12 worse than the initial proposal. Nothing in this
13 New Prosperity plan changes these negative impacts
14 to not only our culture and ability to practice
15 our traditions in the area, but to the river, the
16 Taseko River, to Tahltan B, where there are
17 thousands of trout, negative impacts to the
18 grizzly bear, the habitat. And, of course, as
19 Chief Roger mentioned, this project will impact
20 our aboriginal rights and title that we have
21 proven in court as one of the few areas in Canada
22 in which there is land that has been proven in
23 court. Our rights and title to that land.

24 I just also want to quickly
25 follow-up on what Chief Roger had mentioned about

1 consultation. The company has -- since I've been
2 here, has never engaged in meaningful consultation
3 with us. Instead, especially my community, the
4 company has used the divide and conquer tactics.

5 Big industry likes to come in
6 where their majority of First Nations oppose a
7 project. They like to find members from within
8 the communities who have a big voice and put them
9 on their payroll to be in support of the mine to
10 garner other support in communities, and this is a
11 tactic that has been long used all over the world,
12 and I've experienced it first hand in my
13 community. It's divisive and it's really impacted
14 relationships in the community, all for a company
15 wanting to make the almighty dollar.

16 The company has already, in my
17 view, demonstrated disdain for our culture and
18 spirituality by asking the Federal environmental
19 minister to ban our ceremonies and prayers from
20 these proceedings. The request was immediately
21 turned down, but the fact that it was made speaks
22 volumes on the relationship with Taseko and the
23 First Nations -- Tsilhqot'in First Nation.

24 On the environmental side of
25 things, there are serious deficiencies in the

1 company's proposal.

2 The environmental impact
3 statement that was handed in was deficient which
4 resulted in over 40 pages of information requests
5 from the independent Panel, and, in fact, in the
6 end the Panel decided to proceed to hearings after
7 the Proponent, Taseko, refused to answer question,
8 and that's really concerning for us. Some of
9 these specific requests were related to
10 information on the seepage of the tailings that
11 could potentially -- that will, over the years,
12 seep into Taseko River which is below the proposed
13 mine site and downhill, I might add. It's not a
14 question of if it will happen. It's when will it
15 happen.

16 And Tsilhqot'in nation, being
17 the people of the river, we depend on the salmon
18 supply year after year and if the seepage were to
19 go into the Taseko which runs into the Choko (ph)
20 River it would be devastating, not only for the
21 Tsilhqot'in nation but all the other nations down
22 river along the Fraser right into the Pacific
23 ocean. We can't take that chance. We've lived on
24 fish. It has sustained us since time immemorial.
25 They are promise of jobs. They are a promise of

1 money for the cariboo region. Money for the
2 provincial government.

3 But I haven't really heard how
4 it's going to benefit the Tsilhqot'in people.
5 Just like anyone else in this room, we all want to
6 have jobs. We all want a better life for our
7 kids. But we're not going to sacrifice our
8 culture in order to have a job. We cannot cross
9 that line. We have a lot of concerns about
10 Taseko's claims to all these economic benefits.

11 They had some graphs up there
12 earlier, what the copper prices, gold prices are
13 going to be down the road. Well, right now a lot
14 of the big companies around the world, they are
15 scaling back. They are afraid where the prices
16 are going. So there is a big risk that if
17 economic conditions drop where is the company
18 going to get money to mitigate some of these
19 environmental concerns? That is a big risk.

20 I guess just to finish off, the
21 proposed mine is so low grade that, like I
22 mentioned earlier, even major mining companies are
23 suffering extreme setbacks that it creates serious
24 doubt that the company can actually deliver
25 extremely elaborate environmental mitigations

1 being proposed. It's like putting Tahltan B on
2 life support and using unproven and expensive
3 water treatment for long term, perhaps forever.

4 If the mine were approved and
5 built, many of these long-term liabilities would
6 have to be borne by future governments, taxpayers
7 and, of course, the Tsilhqot'in nation who live in
8 proximity, still use this area, still fish the
9 lake. We would be the most impacted.

10 Just to closing off, I just
11 want to say that it's a resounding no to
12 Tsilhqot'in -- or to the Taseko mining project.
13 We will continue to denounce the project
14 throughout the Panel hearings in our communities
15 for some of these reasons that I just stated. Not
16 only are the Tsilhqot'in people against this
17 project, but there are many other First Nations
18 across the country, many other non-First Nations
19 that are not in agreement with these project also.

20 And I hope the Panel will
21 again, like the previous Panel, reject this
22 proposal once and for all. Thank you.

23 CHAIRPERSON ROSS: Thank you.
24 I have a question for you and your colleagues.
25 Should I call you Chief Percy or Chief Gichaud.

1 CHIEF PERCY: Chief Percy.

2 CHAIRPERSON ROSS: Thank you,
3 Chief Percy. Again, we'll come back to questions
4 later. Who is next on the list, sir?

5 PRESENTATION BY CHIEF RUSSELL:

6 CHIEF RUSSELL: Thank you. I
7 just want to acknowledge the Tsilhqot'in nation,
8 their territory that we stand upon. Also, I want
9 to thank all the family, Tsilhqot'in members,
10 nation delegates that have come up. I guess we
11 require a lot of people and we've been lucky to
12 build a lot of friendships along the way with this
13 struggle.

14 I would also like to
15 acknowledge you guys, the Panel members, although
16 I take offence to the process at large because
17 it's a unilateral endeavour. I'm thankful that
18 the Panel members demonstrated a professionalism
19 in the last round of hearings, and obviously
20 having accepted the challenge consider the
21 pressure it bears. I wish you best in listening
22 and maintaining a similar integrity as to the last
23 Panel members.

24 By way of introduction, my name
25 is Russell Myers Ross. I'm the elected leader of

1 the Yunesit'in government. It is also known a
2 stone, or Stoney. And place name is called
3 (Native being spoken).

4 My mother group up in Stone,
5 raised by a matriarch, the late Helena Myers. My
6 grandmother raised 16 children, most who spent
7 time in the Naboss (ph) region. Although my
8 grandmother is from Ha-ni'in (ph) and also (Native
9 word) is a shared caretaker of the region with
10 (Native word).

11 So my community's populated by
12 about five major families and was originally a
13 village site for some of our ancestors. Stone is
14 also a reserve and artificial creation set up by
15 Federal government. Many of the families that
16 reside in Stone are from elsewhere and many that
17 came -- many that came to Stone a long time ago
18 were actually from the Nuboss region. This
19 includes stories that I've heard where some of the
20 people that were originally from Nuboss tried to
21 create a reserve and were denied by some of the
22 Federal agents at the time.

23 So what I've known from
24 stories, my grandmother is from the William family
25 from Ha-ni'in. My grandfather's parents, the

1 Myers and Quilts were from (Native word) and
2 Nuboss respectively.

3 The point I want to emphasize
4 here is that generationally our community
5 stretches in all bounds, all areas, and we're
6 never frozen in time.

7 So today I just want to address
8 or focus on one key argument, and in the last
9 environmental assessment process the Panel
10 reported -- or the Panel report issued in July
11 2nd, 2010, concluded that the proposed project
12 would result in significant adverse environmental
13 -- to fish habitat, navigation, current use of the
14 land and resources for traditional purposes and
15 cultural heritage, and I just want to stress --
16 potential and established aboriginal rights
17 entitled.

18 It also included significant
19 adverse effects, cumulative effects to grizzly
20 bear population, and on fish and fish habitat.

21 I want to emphasize what Chief
22 Percy said and just to say that we're not in
23 favour of this proposal and that when we look at
24 the adverse effects, they haven't changed much to
25 satisfy the core interests of our nation.

1 For today, all I want to
2 address is the potential infringement on
3 aboriginal title and rights and to make it clear:
4 I intend to argue that the previous Panel made a
5 reasonable argument by acknowledging the impending
6 William case for the south Tsilhqot'in nation,
7 first British Columbia. Something that Chief
8 Roger highlighted here, which is still under the
9 appeal to the Supreme Court of Canada this fall.

10 The Panel outlined that the
11 potential of Tsilhqot'in title would be
12 jeopardized by substantially reducing the
13 landscape and, subsequently, its use by
14 Tsilhqot'in for traditional purposes.

15 Beyond any discussion about
16 environmental effects, or social or economic for
17 that matter, even though I know it's the mandate
18 of the Panel, it is important that any political
19 and legal advice confidently conclude who owns the
20 land and the just negotiations to result in
21 compensation.

22 Of course, there's a
23 distinction between de jure and de facto
24 sovereignty, and the Crown -- place a role of
25 domination in this respect. But I want to -- what

1 I want to suggest is that moving forward that we
2 seek consent and that this land has never been
3 legitimately ceded to the Canadian government.

4 But I think it is important to
5 answer this question with confidence because in
6 terms of before proceeding, although this is
7 difficult because this is under way, but I believe
8 that the proper de jure jurisdiction of who owns
9 the land should also be the decision maker. So to
10 me, it's very difficult when we're saying
11 confidently that we own a hundred percent of this
12 land, or we belong to this place and we're not the
13 key decision makers.

14 So the Panel report from 2010
15 also indicated that no treaties have been signed
16 in the project area. To me, a treaty is an
17 international instrument that it mutually
18 recognizes each other's sovereignty.

19 And Canada has a history of
20 recognizing other indigenous nations. However,
21 it's debatable whether or not they review
22 honourable intentions or whether this is a quick
23 and dirty -- requiring -- legitimacy.

24 So I think in terms of the
25 court proceedings that have gone under way with a

1 lot of trial and common law set under Canadian
2 system, and through the Royal Commission of
3 Aboriginal Peoples, I think there is a lot of
4 academic discourse that is trying to get to a
5 point where we have an ethical space where we can
6 see each other as equal sovereign, nation to
7 nation. And I think there is a lot of energy put
8 into this and....

9 But I feel that -- like this
10 whether it's a process here or whether it's the
11 way that we have been positioned in this, is that
12 it's very asymmetrical and also has racial
13 overtones of power imbalances.

14 So what I want to leave you
15 with today is just, you know, we're still waiting
16 for justice. We're still waiting for the answer
17 on the issue of, like, who owns jurisdiction over
18 the land as it really entails, like, who the true
19 decision makers are here.

20 So just to conclude, I believe
21 that going forward -- just to emphasize this key
22 point is that the potential infringement of
23 aboriginal title and rights is apparent. It was
24 outlined in the last report, and I believe in this
25 report I don't think you can shy away from adding

1 that again, that this is another significant
2 adverse effect of moving forward. Clearly it
3 hasn't been addressed by the Federal government
4 between 2010 and now, and I think it has to be
5 added to the report.

6 Just to echo what is already
7 said by the chiefs, and I think our main concern
8 is the loss of access to land. The more loss that
9 we have, the less culture we have to practice. I
10 think one of my uncles stated when we were
11 preparing originally for when the Panel was going
12 to come out, one of my uncles said that with all
13 the logging that happened -- and this happened
14 behind -- lot of the logging that happened, he
15 respected as a special place to be. But once that
16 logging happened, he never wanted to go back. And
17 this is the effect that I feel that even in --
18 logging is going to regenerate but mining, mining
19 there is no way of recreating what you had there.

20 So that's going to be the
21 impact for other people, is that we're going to
22 have a lots of land and nobody will want to go
23 back, so it's going to reduce our ability to
24 regenerate a culture.

25 In saying that I think in this

1 -- I think the proposal has also increased our
2 ability to try to regenerate our culture in this
3 area and I think it's -- it's brought a lot of
4 things back and I think it's important that we try
5 to retain this and continue this struggle to
6 regenerate this place for future generations.
7 Thank you.

8 CHAIRPERSON ROSS: Thank you,
9 Chief Russell.

10 PRESENTATION BY CHIEF LACEESE:

11 CHIEF LACEESE: Hello. Chief
12 Laceese from the Toosey Indian band.

13 CHAIRPERSON ROSS: Spell that
14 for us, please?

15 CHIEF LACEESE: Last name?

16 CHAIRPERSON ROSS: Yes.

17 CHIEF LACEESE: L-A-C-E-E-S-E.

18 Chief Roger here I've been
19 dealing with some of these issues for a very long
20 time. And I'm a bit leery about this going
21 another round here. I understand what your
22 position you guys have been put into, but I think
23 we've already went through this whole process
24 already and there was a decision made.

25 So like the chiefs here, I've

1 been saying that you are going to be hearing
2 opposition from all of us here, from all of our
3 communities, and for various reasons some of the
4 reasons you heard here today. But I'm going to
5 speak you to a little bit about the company.

6 They do own an existing mine
7 that we know. Gibraltar mine, that's in our
8 nation's territory also.

9 They have problems up there
10 that I know of. They are leaking -- some of their
11 dams are leaking up there. I've known this
12 because we're engaged because they are planning to
13 expand that existing mine and there's a very large
14 radius around that mine that you can't pick
15 berries or hunt in that area because of the
16 contamination that's -- when the wind blows it
17 contaminates a very large area.

18 If this mine was to go ahead,
19 up in the Taseko region, that's a mountainous,
20 very high elevation, very windy area.

21 So with Gibraltar area it's --
22 the water, the pumping, they're discharge water
23 pumping into the Fraser River. I don't think
24 that's -- that's poison, poison that's going to be
25 into that river. That's going to a poison our

1 salmon. I don't think there is enough study being
2 done to the salmon stocks, to the sturgeon that
3 are in the Fraser River.

4 But every year when you see the
5 fish coming back there is always some of them they
6 -- they are not fit for human consumption.

7 I would like to bring you back
8 to our history of our peoples. Back in the 1800s,
9 the government, they did chemical warfare on our
10 people. They intentionally spread smallpox
11 amongst our peoples, and that's recorded in the
12 archives. The reason why they were doing that was
13 they were after our land. They were in the way of
14 their so-called -- the land and the resources.
15 That was their plan back then to exterminate us.
16 So I see that as genocide, what they did.

17 So today I don't see not much
18 difference with governments and the industry
19 that's trying to come in. We're in the way of the
20 economy. As a result, our nation -- we went to
21 war with so-called people that were coming into
22 our territories, and I think they say still --
23 some of our people today they are willing to deal
24 with, willing to do anything to protect that land.

25 If that means having to go back

1 to war again, we'll have to do that. That land is
2 important to us, always has been. The land is who
3 we are. Without that land we couldn't exist.

4 So you don't see much mining
5 activity in our territory. There is a reason for
6 that. Because our people are very protective of
7 the water and their environment, very concerned
8 about this project. It's right at the head waters
9 of our rivers, our lakes, and our people are very
10 concerned about our territory.

11 But at the same time because of
12 the court case exposure, the title case the
13 Supreme Court of Canada, we are exposed to other
14 nations. It's not going to only affect us. It's
15 going to affect everyone right across Canada, and
16 it's even international. It's at that level.

17 So we have to uphold who we are
18 as a nation, as a people. We have an honour and a
19 duty to uphold to our people to our lands and our
20 waters for our future generations.

21 You'll be listening to some of
22 those young people when you come up to our
23 communities, probably some of the elders also
24 because English is our second language, my second
25 language.

1 The other concern I have is
2 after this is all over and done with, you three
3 have to make a recommendation to the minister, and
4 I'm not too comfortable with just one person to
5 make that final decision on whether this so-called
6 mine should go ahead or not. Not comfortable with
7 that.

8 Thank you.

9 CHAIRPERSON ROSS: Thank you.
10 My notes say there should be six of you and there
11 seems to be five. Is someone else coming or?

12 PUBLIC SPEAKER: Your mic is
13 not on.

14 CHAIRPERSON ROSS: I'm sorry, I
15 was rambling.

16 It's my understanding that the
17 presentations from the Tsilhqot'in National
18 Government chiefs have now finished, so we'll move
19 on to questioning, if that seems all right.

20 My first offer would be Taseko.
21 Do you have any questions at this time for the
22 Tsilhqot'in chiefs?

23 MR. GUSTAFSON: Yes,
24 Mr. Chairman. Thank you.

25 Thank you, Chiefs, for a very

1 articulate presentation.

2 I do have about four or five
3 questions, if you don't mind.

4 The first one is whether any of
5 you or all of you have been approached by Taseko
6 to meet with them and to give input on the New
7 Prosperity proposal since 2008?

8 CHIEF BERNIE: This is Chief
9 Bernie Mack, vice chair. Regrets that Chief Joe
10 Alphonse, tribal chair, couldn't make it today.

11 Yes, we've been approached by
12 Taseko and we have even met with their board I
13 believe on one occasion that I can remember. And
14 what we had said at the time was: To talk about
15 Prosperity, we first need to finish the
16 environmental assessment before we could talk
17 about Prosperity.

18 MR. GUSTAFSON: Thank you.
19 Chief Bernie, actually I was interested in our
20 comment in your remarks that your band was -- I
21 think you said literally a stone throw from the
22 proposed mine site.

23 I've got a pretty good arm, but
24 I don't know that I could toss a stone that far.
25 Could you tell me exactly how far away you are?

1 CHIEF BERNIE: Yes. The
2 existing road just before you go up the last hill
3 to Gibraltar mine, we have a reserve located right
4 there right adjacent to the power line that
5 services the mine and the water discharge line
6 that goes into the Fraser. Our reserve butts up
7 against that right-of-way.

8 MR. GUSTAFSON: I wanted to
9 address a couple of questions with respect to the
10 William case and the court's decision.

11 That decision is certainly a
12 landmark decision, as you correctly point out. It
13 does establish proven aboriginal rights for
14 trapping, fishing, et cetera, and it also
15 significantly approves or pronounces title with
16 respect to a specific area, and so in that respect
17 it's a remarkable decision and unique.

18 I just would like you to
19 confirm that the area in which the court did find
20 that title had been proved is not within the
21 bounds of the proposed mine site.

22 CHIEF WILLIAMS: Yes, you are
23 correct.

24 MR. GUSTAFSON: Chief Bernie,
25 perhaps you can help a little bit with this

1 question too. You mentioned that you had received
2 I think you characterized it as a low ball offer,
3 and if I understood the thrust of your
4 presentation correctly, you're interested in
5 pursuing discussions and the possible development
6 of the mine, but the right terms have not yet been
7 proposed. Did I understand the thrust of that
8 correctly?

9 CHIEF BERNIE: Yes. I just
10 came back from Whitehorse and a local silver mine
11 just closed its doors, and now the government is
12 responsible for what's there. And that is
13 something we've always worried about, so we wanted
14 to establish a relationship with Taseko for the
15 long term and I've been attempting and working
16 with some of the staff.

17 I've met with the board and the
18 CEO on a few occasions, and it's a shame to say
19 that I have a better relationship with their
20 Japanese investors than the company that actually
21 own and operates Gibraltar mine. I'm looking --
22 the door is open if something better is there. I
23 believe -- I believe a mine can be built properly
24 and monitored well.

25 But just so you know how I got

1 into this whole business is I picked up a report
2 about a dozen years ago called the Hatfield report
3 on the discharge into the Fraser River, and I read
4 it. I'm not an engineer, or anything like that,
5 but I can read. And there's discrepancies in
6 there. So that's how I got involved with
7 Gibraltar, and that's about a dozen years ago.

8 And I'm still -- I still see
9 some reports today and I have questions but I
10 would like to -- the relationship needs to be
11 improved, that's for sure.

12 MR. GUSTAFSON: I wondered
13 then -- I am confused because I think I did
14 understand your presentation correctly but then I
15 guess it was Chief Francis, and I apologize if
16 I've got it -- attributed this to him incorrectly.

17 His remarks -- I understood him
18 to say this area is sacred, it's spiritual, it's
19 not to be disturbed. So I'm having trouble
20 reconciling the two positions that, on the one
21 hand, yes, there are terms and conditions that can
22 be negotiated to allow this development to
23 proceed, and on the other hand it's sacred and
24 inviolate. So I'm trying to reconcile those in my
25 mind.

1 CHIEF BERNIE: So I think for
2 the Tsilhqot'in nation we've been pretty clear in
3 our submissions about the groundwater issues,
4 fractures in the rock, the original -- when the
5 Fish Lake, the first option was the lake and then
6 -- now there's a new option two kilometres
7 upstream.

8 We still feel that the seepage
9 issue is an issue. We also know that the pit wall
10 is close to Fish Lake and the technical reviews
11 that we've heard is the hydrologists are saying
12 how are you going to control the groundwater? How
13 is that wall going to be stable? So we still have
14 a lot of serious issues which we'll hear over the
15 next while.

16 And when I was talking about --
17 in my case, I'm thinking about around Gibraltar
18 and around where there is already existing
19 infrastructure why would you build a 125-kilometre
20 power line way out -- in today's market when we
21 have a Gibraltar mine and we probably have
22 minerals around closer. That's what I was talking
23 about. So there are two different things here.

24 MR. GUSTAFSON: Chief Roger?

25 CHIEF ROGER: I guess -- just

1 to also my understanding and what our chiefs are
2 saying here is that there are companies and
3 governments that's been dealt with throughout, and
4 what Chief Bernie is saying, he just corrected, in
5 case of Tahltan B it's different.

6 We talked about the
7 concentration and talked about the sacred of the
8 lake and the land, so it could be that the Panel
9 is confused on what the information is come
10 forward. But to make it clear, there was
11 discussions of Gibraltar and discussions of
12 Prosperity, so those are two different types and
13 that's what -- we're talking about them in terms
14 of sacred and in terms of the process.

15 MR. GUFSTAFSON: Mr. Chairman,
16 there are a number of other items that we would
17 like to respond to based on the TNG presentation,
18 but I think it's probably more efficient to do
19 that in the topic-specific presentations and
20 perhaps, to some degree, in our closing comments.
21 So, thank you, Chiefs.

22 CHAIRPERSON ROSS: Thank you
23 very much.

24 Are there others who would have
25 questions to the Tsilhqot'in chiefs? Sir?

1 MR. NELSON: I would just like
2 to make a point of clarification on that last
3 issue that arose, because I think it's important
4 and it should be crystal clear for everybody.
5 Again, my name is Jay Nelson, TNG's legal counsel.

6 I understood Chief Bernie --
7 and he'll correct me if I'm wrong -- to be saying
8 he received low ball offer in relation to
9 Gibraltar mine which is a stone's throw from
10 Estelau's Reserves, and he's been trying to
11 develop a relationship with the company that
12 hasn't gone anywhere. I think that's perhaps the
13 confusion.

14 He wasn't talking about the
15 potential for an agreement with the company on
16 Fish Lake, on the Prosperity project. So I think
17 there might be some confusion with these projects
18 and I think it's important that Chief Bernie any
19 have an opportunity -- what he answered in
20 response to the company's question.

21 CHAIRPERSON ROSS: Would you
22 like to clarify?

23 MR. GUFSTAFSON: Yes, that's
24 correct. I was referring to the Gibraltar offer.
25 And, again, we would expect an environmental

1 assessment decision to be made before we would get
2 into those kind of talks with Taseko.

3 CHAIRPERSON ROSS: Thank you.

4 MR. GUFSTAFSON: On Prosperity.

5 CHAIRPERSON ROSS: That helps a
6 good deal.

7 Are there other questions for
8 the Tsilhqot'in Chiefs? Chief Percy?

9 CHIEF PERCY: Yes. I wasn't
10 sure if it was okay to ask a question earlier
11 before I made a presentation. But I did have a
12 question for Taseko, if that's okay. Sure.

13 CHAIRPERSON ROSS: Sure, go
14 ahead.

15 CHIEF PERCY: A recent report
16 that was submitted by Natural Resource Canada
17 estimated that contaminated seepage from the
18 tailing storage facility would be 11 times the
19 value estimated by Taseko was 18 percent of this
20 seepage going to the deep groundwater system where
21 it could not be intercepted or captured at all.
22 I'm just wondering if that is true?

23 CHAIRPERSON ROSS: I think it
24 will be fair to say we will spend a lot of time on
25 that, that and related topics at the

1 topic-specific sessions later on. But if Taseko
2 would like to provide a succinct response, that
3 would be helpful.

4 MR. MCMANUS: The statements in
5 this NRCan document is true. That is what the
6 author stated in the document. We've since had a
7 chance to review that statement. We believe that
8 our analysis is not very far different than his.
9 And as you say, Mr. Chairman, we'll go into this
10 in great detail in the topic-specific session.
11 Thank you for the question.

12 CHAIRPERSON ROSS: Chief Percy?

13 CHIEF PERCY: Yeah. You talked
14 about involving the First Nations up in the
15 Gibraltar mine site employing First Nations
16 people. I have some friends there that worked
17 there, and everybody has to make a living. I'm
18 just wondering if you have any numbers in terms of
19 how many First Nations are employed out of the 700
20 people that work there?

21 MR. MCMANUS: I'll ask Christy
22 Smith. That's what we do.

23 MS. SMITH: Just to clarify,
24 too, that in Gibraltar we don't have a quota or an
25 objective, I guess a target, in our employment for

1 a set amount of positions. But we did do a
2 self-disclosure form. Just recently HR has gone
3 throughout the mine site. It's something that has
4 not been done with Gibraltar. And out of the
5 self-disclosure forms there was a lot of 'did not
6 want to disclose', but we are sitting at about a
7 four percentage of First Nations that are working
8 there. And with respect to Taseko, as the Taseko
9 body, not the Gibraltar, we're sitting at 13
10 percent.

11 CHAIRPERSON ROSS: Thank you,
12 Ms. Smith.

13 I know we're getting late in
14 the day, so I'm not seeing other questions. I'm
15 going to move to the Panel. Sorry, Mr. Nelson?

16 MR. NELSON: Sorry, I didn't
17 mean to interrupt you.

18 CHAIRPERSON ROSS: No, I know
19 where you're going, I think.

20 MR. NELSON: I was just
21 wondering if this was the appropriate time to ask
22 questions of the company. But you answered my
23 question if you have questions for the chiefs.

24 CHAIRPERSON ROSS: Yes. I
25 think this is a fine time. Go ahead.

1 MR. SMYTH: May I interrupt a
2 moment? I think there was a lady with a question.

3 PUBLIC SPEAKER: I do have one
4 question for the chiefs.

5 CHAIRPERSON ROSS: Go ahead,
6 ma'am. Take a microphone and introduce yourself.

7 MS. HOOPER: I have to say,
8 dear chiefs, I have never spoken to five chiefs at
9 one time. This is quite -- my legs are shaking.
10 Quite an honour. Thank you for this opportunity.

11 Chief Mack --

12 CHAIRPERSON ROSS: Your name?

13 MS. HOOPER: Barbara Hooper. I
14 will be speaking on Thursday.

15 This question has to do with my
16 -- what I was speaking about.

17 Chief Mack, you mentioned that
18 during the last environmental review there was
19 quite a polarization during the community and some
20 of your young people experienced backlash from
21 that. I was -- I have a deep concern about the
22 effect of this whole experience on your children,
23 on your young people.

24 I've taught many First Nations
25 children and I feel that's why I'm here is,

1 because I watch out for the children. I wondered
2 if any of you would like to speak to any of the
3 effects that you have seen on your young people as
4 their parents have gone through this environmental
5 review twice now and -- yeah, that's my question.
6 Would anyone like to speak to that, please?

7 CHAIRPERSON ROSS: Chief
8 Bernie, would you care to respond?

9 CHIEF BERNIE: I'll start it
10 off.

11 Thank you for the question.
12 Again, like I said, I'm not opposed to mining.
13 I'm a young chief and I believe a lot of our young
14 people need good paying jobs, and as a chief I
15 would like to see a big project in my backyard.

16 With the last Panel, I've had
17 parents come to me saying that other kids in their
18 classes were bullying them or picking on them
19 because their parents were working at the mine.
20 And, you know, their being First Nations children,
21 were targeted.

22 It's just not a very good thing
23 for young children. So I'm hoping this time
24 around we will, as parents, let children be
25 children and certain things are allowed in school

1 and in playgrounds or on the streets here and
2 there's some things that aren't. We face this a
3 lot in history and -- I'm thinking this is a new
4 age, and I just want to encourage that.

5 CHAIRPERSON ROSS: Thank you,
6 Chief Bernie. Thank you, Miss Hooper, and we'll
7 hear from you later.

8 Mr. Nelson? Sure. Okay. If
9 we could make them succinct. We're running out of
10 time.

11 MR. CHRETIEN: Leon Chretien,
12 C-H-R-E-T-I-E-N. Just for the chiefs.

13 There is lots of mention made
14 of tradition and history and culture. Just very
15 simple question. There was also mention made of
16 cattle raising and right to catch wild horses.

17 I just wondered how that fits
18 into the long-term cultural traditions of the
19 tribe, the cattle raising and horses and that? If
20 that's from way way back or is this something
21 that's been a cultural change, that's been adapted
22 and accepted and is the way things are now?

23 CHAIRPERSON ROSS: Thank you,
24 Mr. Chretien.

25 CHIEF ROGER: Chief Roger. We

1 say (Native being spoken) in our language. That
2 means horses. Horses have complemented our ways,
3 our culture, and ranching is another one that
4 complements our ways, and for me it is a
5 tradition, it is a culture and it's very important
6 to us.

7 CHAIRPERSON ROSS: Go ahead.

8 CHIEF BERNIE: I would just
9 like to add that -- you know, Taseko has rights to
10 minerals and we are -- when you say (Native being
11 spoken), we are the river people and we have
12 rights -- that's spiritual, cultural, the salmon
13 especially. So proposed Prosperity at the head
14 waters, that is key, that's where they spawn, so
15 they come back home to.

16 So I know we have to respect
17 each other's rights, and in some cases -- you're
18 the Panel, you have to balance all sides and when
19 you give your recommendation to the Federal
20 Environmental Canada minister, I know that you are
21 going to balance all sides and make a good
22 presentation. Thank you.

23 CHAIRPERSON ROSS: Thank you,
24 Chief Bernie. Chief Roger?

25 CHIEF ROGER: I wanted to add

1 too. Technically, from (Native being spoken)
2 decision of December 11, 1997. 1846 is the date
3 that's used in terms of aboriginal rights and
4 title. Simon Fraser in the early 1800s has seen
5 Tsilhqot'in horses along the Tsilhqot'in Fraser
6 River.

7 CHAIRPERSON ROSS: Thank you,
8 Chief Roger.

9 MR. CHRETIEN: I just wanted to
10 make sure I was clear in the question. Accepting
11 these things are: Are they signs that there is
12 cultural things that are accepted today as culture
13 but weren't culture 200 years ago but they are
14 accepted now? Would your ancestors have accepted
15 them so readily? And is it a sign we have to
16 continue to accept cultural change?

17 CHAIRPERSON ROSS: The
18 principle I must use is that you seek
19 clarification, not use the questions to make a
20 point. But let me say, I'll allow that but you
21 are right on the edge.

22 So in light of response. Sir,
23 are you looking to pose a question as well? Thank
24 you. Does anyone wish to respond to that?

25 CHIEF ROGER: Chief Roger here.

1 I think as First Nations people, as people in
2 general and the culture, as history goes, things
3 do change. If you are looking at 1846, if that's
4 a technical number that we use and other responses
5 around that. I'm just agreeing with your being on
6 edge of leading....

7 CHAIRPERSON ROSS: Thank you,
8 Mr. Chretien.

9 Sir, would you identify
10 yourself and pose a question?

11 MR. GREWAL: My name is Harjap
12 Grewal and I work with Council of Canadian
13 (inaudible).

14 CHAIRPERSON ROSS: Spell that,
15 please?

16 PUBLIC SPEAKER: First name is
17 H-A-R-J-A-P, and last name is G-R-E-W-A-L. I work
18 for the Council of Canadians, and have been
19 working with the Tsilhqot'in community for several
20 years now to protect the watershed and the site
21 there.

22 I just wanted to pose a
23 question, and I'm hoping it's okay, both to the
24 chief and company. I didn't know we were going to
25 have this opportunity to do this, and I have to

1 leave today as well.

2 What I'm curious about is that
3 we really have a situation where we've been
4 dealing with directly affected people and people
5 that may benefit from different ways from these
6 projects. And in terms of myself, a resident BC,
7 Williams Lake, there's many different ways people
8 can benefit, whether you are using the lake site
9 and using the territories and drinking fresh
10 water. I'll be very quick.

11 CHAIRPERSON ROSS: We'll get to
12 the question too.

13 MR. GREWAL: Jobs. So after
14 hearing the chief speak about them really wanting
15 to protect the watershed, sacred territories, and
16 being the most impacted people, as the people that
17 most use that land, I also wanted to find out from
18 the company -- because we saw a financial figures
19 -- but the most impacted people -- people that
20 would most benefit from this project, and I see
21 that the CEO is also here in the audience. I'm
22 curious about what the profits of this project
23 will be and what the salaries of the executives
24 are.

25 CHAIRPERSON ROSS: I'm going to

1 assume that the chiefs are not going to provide a
2 response to that question. I'm not sure that the
3 Panel would request it, but if Taseko wishes to
4 provide a response I will afford you the
5 opportunity.

6 MR. MCMANUS: I think a proper
7 answer to that question would be very long. This
8 is a business in Canada run under the rules of
9 business in Canada. Our salaries are actually
10 published for anybody who wants to look at them.

11 CHAIRPERSON ROSS: Former Chief
12 Charleyboy. Go ahead.

13 CHIEF CHARLEYBOY: I got a
14 question for Bernie Mack that made that statement
15 and experience backlash.

16 My name is Irvin Charleyboy.
17 I've been a -- C-H-A-R-L-E-Y-B-O-Y -- chief for 20
18 years, and also a tribal chief for 18 of those
19 years.

20 When you experience backlash --
21 I mean, when I retired as a chief in 2010 I
22 started supporting Taseko Mines, and I experienced
23 that backlash from my chiefs. I was ostracized
24 from the Tsilhqot'in nation. Why is that? That's
25 a question.

1 CHAIRPERSON ROSS: I'm still
2 trying to get you in, but I think there's little
3 hope unless you can stay till this evening. If
4 you can, pretty good chance we can do that.
5 Sorry.

6 Does anyone wish to respond to
7 that question, which is not exactly a question of
8 clarification but....

9 BERNIE MACK: Thank you, Irvin.
10 We've known each other. I remember being young
11 out at Pouncy and we went on a wagon ride and --
12 Chief Irvin has a lot of history with myself.

13 I guess ostracized, yes. I've
14 experienced the same thing by going out as one of
15 the only chiefs that went to the every Tsilhqot'in
16 community and said, maybe we should look at
17 Prosperity, you know. As a leader, you sometimes
18 have to tell people what they need to hear, not
19 what they want to hear.

20 And when you look at these
21 options that Taseko is bringing forward on
22 Prosperity, the chiefs couldn't accept the Fish
23 Lake option and then when the new proposal has
24 come in, we're still skeptical of those options.
25 And I know that was a position you'd taken, that

1 it's better this time around. But our technical
2 reviews say otherwise. As chiefs, that's -- we
3 look to people as well to give us advice as
4 chiefs.

5 CHAIRPERSON ROSS: Chief Roger?

6 CHIEF ROGER: Irvin, I know
7 I've been chief with Irvin for a long time and
8 together with him I've been on the side of the
9 table that we dealt with a lot of aboriginal
10 rights and title companies. And I guess for me,
11 when we were Tsilhqot'in tribal council and move
12 to Tsilhqot'in National Government and the unity
13 processed them, as First Nations people,
14 Tsilhqot'in language group, there is no loss or
15 protection to keep us together.

16 Tsilhqot'in nation is together
17 because they want to be. If Xenigwet-in wanted
18 to pull out of Tsilhqot'in National Government,
19 there's nothing in the communities in Tsilhqot'in
20 can do. You can't go to provincial, you can't go
21 to Federal.

22 And that being the case, I
23 know, Irvin, you probably remember this, that
24 there was logging industry coming in to
25 Tsilhqot'in. Xenigwet-in put together a

1 declaration of August 1989 because elder,
2 relations with other Tsilhqot'in communities had
3 communications and some of the issues that came up
4 from that. Therefore, we had -- at Bracewell's
5 lodge we had a retreat. We sat down for a week
6 and talked about this, and we agreed to go from
7 Tsilhqot'in tribal council to Tsilhqot'in National
8 Government in unity and discuss and talk about
9 getting away from using "band". And part of that
10 is disagreeing to each community on how they want
11 to move forward.

12 I guess your question to me,
13 Irvin, is also a question back, because from
14 Tsilhqot'in tribal council to Tsilhqot'in National
15 Government we agreed to accept the position of the
16 community.

17 And moving forward, Irvin, you
18 decided to support the Prosperity project without
19 consulting us, without communicating. You're a
20 man of high honour who was our tribal chair for 18
21 years, and for me to be chief with you all those
22 years, I was surprised and shocked that you chose
23 this -- that you chose to take this direction.

24 I, as a Xeni Gwet-in,
25 Tsilhqot'in, when we move from Tsilhqot'in tribal

1 council to Tsilhqot'in National Government, was
2 never a question where that was going to go. Down
3 through generations, through genocide, have took
4 steps and directions from their people to make
5 decision on their land. And I guess I was -- to
6 me I guess frustrated, hurt, that a tribal chair,
7 a chief of long time would say or would change
8 direction that would go against Xeni Gwet-in, that
9 would go against your relatives in Xeni Gwet-in,
10 go against your elders in Xeni Gwet-in, that would
11 go against our youth in Xeni Gwet-in.

12 So that's my question for you,
13 Irvin? You remember that? Do you remember early
14 '90s working together moving forward?

15 CHAIRPERSON ROSS: Former Chief
16 Irvin, will you be able to be here this evening?
17 So you'll have a presentation. Let's deal with
18 that then.

19 I apologize, I'm going to
20 arbitrarily say we have one more question,
21 Mr. Nelson, and then we're going to have to break
22 for dinner. All right, two, and then --

23 (Overlapping/indiscernable
24 comments from public)

25 CHAIRPERSON ROSS: Order,

1 please.

2 Ma'am, would you introduce
3 yourself, please?

4 MS. WHATEY-HUNIN: My name is
5 Bernice Whatey-Hunin, from the Tsilhqot'in nation
6 indian band. W-H-A-T-E-Y hyphen H-U-N-I-N.

7 I know we have a really tough
8 battle ahead of us and there were a few things
9 that were running through my mind concerning
10 Taseko Mines.

11 CHAIRPERSON ROSS: Excuse me,
12 this must be a question about the presentation.

13 MS. WHATEY-HUNIN: Can you be
14 patient, please.

15 The question I had for the
16 chiefs is: I wanted to find out if you -- and
17 just recently if you have sat down with Taseko to
18 discuss if there is going to be any compensation
19 given to us if any of our sacred land is
20 disturbed, like the burial place or gathering
21 places? Whether or not our cattle or our horses
22 are going to disappear because of the chemicals
23 that is going to be exposed to the land and the
24 water and on land?

25 And I wanted to find out if you

1 asked Taseko who is going to pay the taxes once
2 Taseko, the mine, is done with after 30 years, of
3 mining? Who is going to do the cleanup? Did you
4 guys sit down with Taseko to ask that? I wanted
5 to find out. And these are the questions I had.

6 CHAIRPERSON ROSS: Thank you,
7 very much. Anyone care to respond? Chief Roger?

8 CHIEF ROGER: Just to answer
9 that question around compensation. Our first and
10 foremost is looking at the environmental
11 assessment, our cultural concern, and that is our
12 process, the hearings in 2010 and 2013. So we, as
13 a nation, feel that's the most important process
14 to deal with first.

15 CHAIRPERSON ROSS: Chief
16 Bernie?

17 CHIEF BERNIE: Yes. In dealing
18 with compensation, this is where myself and the
19 Gibraltar situation, we want studies done. So we
20 expect something similar in the Prosperity
21 situation, to have it in black and white with
22 studies and research whether it does impact our
23 berries, the deer we hunt, plants that we pick for
24 medicine, those kinds of things, and we would look
25 at that.

1 In terms of the compensation on
2 a larger scale, we haven't gotten into that until
3 we've heard about whether the environmental
4 assessment is going to be a go or not. However,
5 if there was to be one I would expect something
6 that's a standard across Canada, similar
7 agreements.

8 CHIEF PERCY: In my time as
9 chief I never -- we've never sat down with Taseko
10 to discuss any types of compensation because the
11 chiefs, as a whole, TNG, have always opposed the
12 mine. So we haven't even gone there yet. We're
13 at the panel hearings, again, to reject the
14 proposal and there has been no other discussions
15 beyond that.

16 CHAIRPERSON ROSS: Thank you.
17 Quick question. Introduce yourself and pose a
18 question.

19 MS. COOPER: Joyce Cooper, a
20 Charleyboy as well. This is to the chiefs as well
21 as Gibraltar or Prosperity.

22 Has there been, or how has the
23 effect of the divide and conquer affected the
24 nation. And for the Prosperity Panel, this is a
25 history repeating itself and trying to understand

1 this divide and conquer game that's being played
2 right now.

3 I am from (Native word). The
4 person that you heard speak that had been a leader
5 for many years is my uncle. So I want to make
6 sure that clear that this has happened in our
7 family for many generations. So this is a
8 question to the chiefs on how that has affected
9 our nation and how that decision is going to be
10 played out.

11 CHAIRPERSON ROSS: Thank you,
12 Ms. Cooper. Any response?

13 CHIEF BERNIE: I would say by
14 putting it out on the table, it's making us
15 stronger. It's not being shovelled under the
16 carpet, and being a nation is not always easy.
17 Not everybody always agrees, just like the
18 provinces in Canada don't always agree. But it
19 makes us realize what we're going to stand up for.

20 CHAIRPERSON ROSS: Chief Percy,
21 go ahead.

22 CHIEF PERCY: This is exactly
23 what I was talking about in my opening comments
24 today, and it's been played out right here in
25 front of Taseko, who will probably have the last

1 laugh, but they probably won't. I think they are
2 going to have the last laugh, but they won't.

3 It's unfortunate that we're
4 having this discussion about how opinions have
5 divided a community, one person's opinion, and who
6 was a long time leader, a respected leader in our
7 community. And it is very unfortunate that we are
8 discussing this openly.

9 I have no problems with people
10 having the opinion that they are in favour of a
11 mine, but that is their choice.

12 But in terms of how it's
13 impacted my community -- it has impacted my
14 community in a negative way. We're trying to move
15 beyond that. My door is always open, Irvin, so we
16 hope to possibly resolve this issue privately.
17 Thanks.

18 CHAIRPERSON ROSS: Thank you.
19 I'm sorry, sir, we --

20 CHIEF ARCHIE: I'm chief of our
21 community and I wanted to respond to the horse and
22 ranching question that was brought up earlier.

23 CHAIRPERSON ROSS: Okay.
24 Succinctly, please.

25 CHIEF ARCHIE: My name is David

1 Archie. I'm the chief of Stswecem'c Xgat'tem, and
2 I will be speaking here on Wednesday. The Panel
3 will be in our community next week. I wanted to
4 speak about the question that was posed about the
5 horses and the ranching.

6 In my language, horse we say
7 (Native word), which means -- translated is big
8 dog. We were a hunting/gathering people.
9 Previous to us getting horses and trade with
10 tribes that are now -- who have their traditional
11 territory in what is now the United States, that's
12 where we traded to get our horses from, from what
13 I've been told from my elders.

14 And the ranching, it
15 complements our people. It's something that
16 allows us to use the land. And the ranching --
17 no, a something that is new to us. It was forced
18 upon our people to keep us from being out on the
19 land.

20 So even though ranching has
21 been something that has been forced upon us and
22 the reserve system is something that's been forced
23 upon us, we have people and my community who love
24 to ranch, who love the cowboy. I'm not a cowboy.
25 I used to ride horses as a kid, but now I have

1 another big dog and that's a Dodge, and that's
2 something that is not, for your information,
3 cultural to my people. It's something that I've,
4 like many of my other community members, taken on.
5 We never had trucks traditionally in (Native word)
6 country as far as I know. I don't think we
7 invented the wheel or the truck, but we use it.

8 For those of you who -- you
9 know, we have a lot of what we might call
10 opposition; that we are actually not opponents;
11 that we are facing each other in the same circle;
12 that we are all in the circle together, and though
13 some of you might think we are opposing each
14 other, we're actually not.

15 CHAIRPERSON ROSS: Thank you,
16 Chief David. Forgive me for trying to move on.

17 CHIEF DAVID: No worries.
18 We'll see you again.

19 CHAIRPERSON ROSS: Yes. It's
20 now well after 5 o'clock. Here is my plan.

21 Mr. Nelson, I'm afraid I'm
22 going to put you on hold until the evening
23 session. Because I'm not certain the chiefs will
24 all be here, I'm going the turn to my colleagues
25 and see if we have Panel questions. We'll do

1 those and then we'll break for dinner and we'll
2 return with the president of the Union of British
3 Columbia Indian Chiefs, Chief Phillip Stewart,
4 first thing this evening, if that works.

5 MR. KUPFER: No questions, but
6 I do want to thank you for your presentations and
7 I know we'll see you in your communities and
8 perhaps I'll have more questions at that time.

9 MR. SMYTH: Likewise, I would
10 like to thank you very much for your
11 presentations. I enjoyed the perspectives,
12 explaining your culture, your attachment to the
13 land. Beautifully presented. Thank you.

14 I have a clarification for
15 Chief Bernie. You mentioned the mine hadn't gone
16 through an EA. I just assumed that was the
17 Gibraltar mine you were referring to?

18 CHIEF BERNIE: Yes.

19 CHAIRPERSON ROSS: In that
20 case, I'll thank you, and I'll thank all of you
21 for a very helpful first session. We'll break for
22 dinner and return here at 7 o'clock.

23 --- Recessed at 5:21 p.m.

24 --- Upon resuming at 7:00 p.m.

25 CHAIRPERSON ROSS: Good

1 evening. The plan, just so people are aware of
2 this, is Mr. Nelson, I believe, has a few short
3 questions to pose, and then we will move on to the
4 presentation by Chief Stewart Phillip, and after
5 that there are a couple of speakers who really
6 need to present this evening, and we may shuffle
7 the order a little bit. With any luck we'll be
8 able to get through the scheduled session for
9 today.

10 Let's jump right in and get
11 started, Mr. Nelson, go right ahead.

12 MR. NELSON: Thank you, Mr.
13 Chair. I did catch the emphasis on "short", so I
14 will jump into my questions for Taseko. When the
15 presentation was given there was a lot of emphasis
16 on the economics of the mine and not a lot of
17 discussion of the impacts of the mining on the
18 traditional use of the Tsilhqot'in people.

19 I expect at the community
20 hearings you'll hear a lot about (muffled) on Fish
21 Lake and whether the proposal addresses those
22 concerns, and you've heard a bit from the Chief's.
23 I thought I would ask a question about maybe a
24 less controversial aspect in terms of the results
25 and that is, just to be absolutely clear, the new

1 proposal for New Prosperity it still involves, as
2 I understand it, the destruction of Little Fish
3 Lake, known as (Native being spoken) to the
4 Tsilhqot'in and the area around the historic
5 cabins and the settlements and where people were
6 born and call home; is that correct, that
7 understanding?

8 MR. MCMANUS: Yes.

9 MR. NELSON: And a follow up to
10 that question, I guess I want to ask: Is it not
11 the case that the only report on cultural heritage
12 and use of that area prepared for Taseko appended
13 to your original environmental impact statement
14 was authored by Ms. Ehrhart English, and describes
15 the significant spiritual attachment of the
16 Tsilhqot'in people to Little Fish Lake and to the
17 area around Little Fish Lake, and I'm sure the
18 panel is familiar with that report, but what I
19 wanted to highlight was maybe some of the more
20 prominent --

21 CHAIRPERSON ROSS: Questions of
22 clarification, please.

23 MR. NELSON: Ms. Earhart
24 English concluded that Little Fish Lake is the
25 area in which most of the activities and

1 concentrations of people have occurred in the mine
2 development area, and that loss of this area will
3 significantly impact on this family and on the
4 Nemiah band in general. Those are her words.

5 She also said the William
6 family and other people that heavily use Fish Lake
7 mine development area have a strong spiritual
8 attachment to specific locations. The most
9 significant area of spiritual attachment is the
10 Little Fish Lake area where a series of cabins
11 provided a home base for the cultural and economic
12 lifestyle that has flourished in the study area
13 for approximately 130 recorded years.

14 My question is: In light of
15 those findings by the company's own consultant, is
16 it not the case that there are significant - or
17 serious - concerns raised by the Tsilhqot'in
18 people that are not addressed by this new
19 proposal, given it still involves the destruction
20 of Little Fish Lake and the area of strong
21 spiritual and cultural attachment around.

22 MR. MCMANUS: We're aware of
23 all of this attachment and that's why we want so
24 much to be able to get a chance to speak with the
25 Tsilhqot'in about this, get their input on how to

1 deal with that, and we haven't been able to for 4
2 or 5 years. We put the report in so I know what
3 it says.

4 MR. NELSON: This report was
5 omitted from your new EIS, as were all of the
6 sections in the previous EIS that confirmed what
7 Ms. English stated in her report about the
8 spiritual and cultural --

9 CHAIRPERSON ROSS: Questions of
10 clarification, please.

11 MR. NELSON: Is there a reason
12 why this was excluded?

13 MR. MCMANUS: It's not
14 excluded. It's included as part of the 2008 - or
15 whatever the date was - EIS. That's what we were
16 asked to do and we hope to rely on that as much as
17 possible.

18 MR. NELSON: Has the company
19 had any new information that would cast doubt on
20 the findings of Ms. English, or the testimony that
21 was given by the Tsilhqot'in that also supports
22 those views?

23 MR. MCMANUS: No.

24 MR. NELSON: I need
25 clarification on what it is the company needs to

1 speak about when you have a proposal that involves
2 the destruction of that area and have arrived at
3 the conclusion there's no significant impact?

4 MR. MCMANUS: We would like to
5 work with the Tsilhqot'in in an inclusive manner
6 and see what we can do about that. Consultation
7 and accommodation.

8 MR. NELSON: Is it not also the
9 case that the previous Panel, when it conducted
10 it's review, said out of all the mine development
11 options, including the one that's the basis for
12 New Prosperity, none would meet with approval from
13 First Nations?

14 MR. MCMANUS: Yes.

15 MR. NELSON: Regardless of what
16 option was chosen the intrinsic value of that area
17 to the Tsilhqot'in would be destroyed?

18 MR. MCMANUS: These are
19 quotations which are within a large set of
20 documents and I don't -- what do you want me to
21 do, dispute whether this document we submitted
22 says what it says, or that a Panel report says
23 what it says? I can't. It is what it is.

24 MR. NELSON: My question is
25 this: Part of the frustration for the Tsilhqot'in

1 is not just that they're here again in this
2 process, but a number of the concerns they've
3 raised and issues raised tend to be minimized or
4 ignored or underplayed by the company.

5 My question is: Given that the
6 previous Panel found that this mine development
7 option, the one you propose, would still destroy
8 the value of Fish Lake or the Tsilhqot'in people,
9 how could you describe this proposal now as one
10 that substantially addresses the concerns raised
11 by First Nations, or one that represents a
12 profound accommodation of First Nations?

13 MR. MCMANUS: Because we saved
14 the area around Fish Lake and the island in Fish
15 Lake and it's current situation and we heard in
16 the last hearings how important that was. So this
17 plan preserves that area. I can't preserve
18 everything.

19 MR. NELSON: In the interests
20 of moving along, I'll end my questions there.
21 We'll have further questions later.

22 CHAIRPERSON ROSS: Thank you
23 very much, Mr. Nelson. I believe we are now ready
24 to move on to the opening statement by Grand Chief
25 Stewart Phillip, President of the Union of British

1 Columbia Indian Chiefs. Chief Phillip.

2 To repeat what I said, the next
3 presenter is Grand Chief Stewart Phillip,
4 President of the Union of British Columbia Indian
5 Chiefs. And I do promise to speak much more
6 clearly into the microphone. Thank you for that.
7 Proceed.

8 PRESENTATION BY GRANC CHIEF PHILLIP:

9 GRAND CHIEF PHILLIP: (Native
10 being spoken). I'm speaking in the Tsilhqot'in
11 language. I'm a member of the (Native word)
12 people, commonly referred to as the "Okanagan
13 Nation".

14 I am the Chair of the Okanagan
15 Nation Alliance which is a Tribal Council that is
16 comprised of seven First Nations, and I want to
17 make the point to inform the panel two of those
18 First Nations are the West Bank First Nations and
19 the Osoyoos Indian Band and these are communities
20 that know and understand the value of economic and
21 business development and embrace opportunities as
22 they arise, but at the same time they support the
23 Tsilhqot'in and the Northern Secwepemc in
24 opposition to this particular proposal. I'm also
25 the President of the Union of B.C. Indian Chief's.

1 It's a position I've held for the last pretty much
2 15 years, and the Union of B.C. Indian Chief's, is
3 myself as President, Chief Bob Chamberlin from
4 Gilford Island and North Vancouver Island area,
5 and counsellor Marilyn Baptiste from the Xeni
6 Gwet'in community.

7 The Union of B.C. Indian
8 Chief's is part of an umbrella group that is known
9 as the "B.C. First Nations Leadership Council."
10 Our council is comprised of the Union of B.C.
11 Indian Chief's, the First Nations Summit and the
12 B.C. Assembly of First Nations.

13 Earlier today Grand Chief Ed
14 John, who is one of the executive members of the
15 Summit, was present at the opening at the rally in
16 the park, and our Regional Chief expresses her
17 regrets not being able to be here.

18 The significance of the Council
19 is it represents all 203 First Nations in the
20 province of British Columbia, including the
21 Tsilhqot'in, and we meet regularly with the
22 Premier and members of the Cabinet. And, similar
23 to other presenters at the hearing, this issue is
24 of significant interest to the First Nations of
25 British Columbia and our organizations. I was

1 here during the first round, the previous Joint
2 Review Panel, and our organization made two
3 presentations, formal presentations, one at the
4 opening and one at the end, and that, like this,
5 was a very intense dialogue and discussion and
6 debate with all of the parties. As we all know,
7 at the end of the day, the report and the findings
8 that were released by the Joint Review Panel were
9 described as a scathing rejection of the
10 Prosperity Mine's proposal on behalf of Taseko,
11 and I was in this hearing room, figuratively
12 speaking, when the question was posed about option
13 2 in that original proposal, and I clearly recall
14 Taseko Mine officials saying it would be more
15 destructive than the proposal they were advancing
16 at that time. I just want to support the
17 statements made by other presenters to that
18 effect. This issue that is before us, in our
19 view, hasn't greatly changed. All of the issues
20 and all of the concerns are very much as they
21 were, and I'm sure the Panel's going to hear a
22 rewind, a re-run, of the presentations and
23 submissions that were made during the first Panel
24 hearing and we believe, and are convinced, that
25 there hasn't been any significant or material

1 change in the presentation currently being
2 advanced by Taseko Mines Ltd.

3 Like everybody else I watched
4 the Power Point presentation with a great deal of
5 interest and I remember the words of the Joint
6 Review Panel at the outset of this session here
7 today, and it's my understanding that the terms of
8 reference and the scope of the responsibility lies
9 within determining whether this second proposal is
10 going to be detrimental to the riparian areas, the
11 marine areas and all of the issues brought forward
12 during the first Joint Review Panel hearings.

13 It's also my sense this is not
14 about the mining industry, not about projections
15 and trends in terms of commodity prices and so on
16 and so forth, speculation. It's about whether
17 this project will, in fact, pose the same threat
18 that the original project posed to Tahltan B. So
19 I'm looking forward to that very, very rigorous
20 and detailed debate that will ebb and flow around
21 those environmental issues as opposed to the
22 notion of jobs and benefits and those kinds of
23 things, because I don't think that's what we're
24 here for, to have that sense of promoting the
25 economics of this proposal, much the same as the

1 Panel made it very clear at the beginning we
2 weren't going to be debating the strength of the
3 claim and proper title holder and so on and so
4 forth.

5 So what I'm speaking to here is
6 the need for a balance, that it needs to focus
7 solely on the environmental impacts and all of
8 the, the bells and whistles about jobs I don't
9 think should be a serious consideration.

10 I think it's clear from being
11 here the last time that our concerns are very much
12 tied to the land itself and the effects and
13 impacts this proposal will have on those values
14 and those issues. I ask questions privately
15 during our breaks and I discovered there wasn't a
16 huge number of First Nations people working at
17 Gibraltar, and I looked at that list of positions
18 featured as part of Taseko Mines Ltd.'s proposal
19 for opportunities and I sat there and I thought to
20 myself, I didn't see Grand Chief on there. I say
21 that rather facetiously because the mining
22 industry with all of the technology and
23 advancement is very specialized and you can't just
24 walk in off the street and go work in a mine, and
25 in many ways that precludes the involvement of

1 First Nations people on a very large scale. I
2 think that the mining industry continues to drop
3 the ball on training to their own detriment.

4 In terms of getting back to the
5 economics and so on, I wanted to make the point
6 about the First Nations communities not being
7 opposed to development, that is a complete public
8 misconception.

9 What is at issue here is this
10 particular proposal in the particular location
11 it's being proposed to be developed, and the
12 impacts that will have on the environment. The
13 perspective of indigenous people's is equally
14 important to understand, and for us it's not about
15 gold. It's about water. It's not about copper.
16 It's about fish. It's not about jobs. It's about
17 maintaining the integrity of the marine ecosystem
18 and the riparian areas and the natural
19 environment, not to mention the cultural values
20 associated with Tahltan B.

21 So I want to impress upon you
22 that the organizations that I referenced that are
23 part of our B.C. First Nations Leadership Council
24 are on record on many occasions providing formal
25 resolutions and letters that clearly support the

1 Tsilhqot'in national government, as well as the
2 Northern Secwepemc, on all aspects of the concerns
3 that have been brought forward.

4 The Assembly of First Nations,
5 which is the national organization, has also
6 passed formal resolutions on a number of occasions
7 supporting Tsilhqot'in people. Chief Roger and
8 Chief Burney were recently in Whitehorse, as I was
9 and my wife; as a matter of fact, we've made it
10 this far from driving back from Whitehorse
11 attending the Annual General Assembly of the First
12 Nations, and once again the Chiefs expressed
13 support for the Tsilhqot'in people in terms of all
14 of the concerns that they have brought forward.

15 I want to register another
16 dimension that I have not heard any reference
17 being made whatsoever, and that is although the
18 previous Joint Review Panel process was fraught
19 with a great deal of tensions and divisiveness and
20 so on, as is this one, I think we need to realize
21 that we have not yet felt the full impact of Bill
22 C-38 and Bill C-45, which is serving to completely
23 do away with regulatory environmental oversight
24 and review processes that allows the general
25 public and allows the Proponent and First Nations

1 to come together and have this kind of a
2 discussion. We will know in a year or so what
3 that looks like, and I can suggest to you that
4 it's going to be far worse than what we're dealing
5 with right here today and in the days to come. I
6 am absolutely convinced that we are going to move
7 to a far more litigious environment because we'll
8 be denied the opportunity to have these kinds of
9 discussions in an open public debate.

10 The reason that I raise this is
11 obvious, but unfortunately the focus is on the
12 here and now. The sun will continue to rise,
13 regardless of what transpires. It's been said
14 today that the so-called New Prosperity mine has a
15 life span somewhere in 30 years if it were to
16 happen, and there's great concerns about what will
17 happen after that.

18 The mining industry has a
19 notorious representation for being transient in
20 nature, where there is a great influx of capital
21 and employment opportunities and so on and so
22 forth, and when the value of the development is
23 depleted all of that evaporates over night and the
24 indigenous people are left with what amounts to a
25 big hole in the ground and all of the

1 contamination of the ecosystems and so on and so
2 forth.

3 Getting back to our trip coming
4 down from Whitehorse; driving every inch of the
5 way we were able to see a lot of things. We
6 stopped in at Ashlyn(ph) and we went on a
7 helicopter tour and actually landed on the air
8 strip of the (Native word) Chief's property which
9 is owned by Chief Jim (muffled). Similar to this
10 proposal it's gold, silver, copper, zinc and led,
11 I believe, and has had a long history of owners
12 going back to Cominco, and currently operated or
13 rather owned by Chieftain Metals, and when we
14 landed on the air strip and visited the few people
15 that were there we talked about mining, of course,
16 and they were telling us the reason that the camp
17 wasn't just bursting with activity is because the
18 investment simply isn't there. There is a
19 tremendous amount of concern about not only
20 commodity prices and the volatility of commodity
21 prices, but we have, as everyone knows that takes
22 an interest in this, we have that precarious
23 situation in Europe, China's economy is slowing
24 down, as is the demand for commodities, and the
25 price of gold itself isn't where it was when we

1 sat in this room the first time. It's the local
2 people that get left holding the bag when these
3 things go under. This has to be something taken
4 into consideration.

5 I want to acknowledge
6 Councillor Baptiste next to me who is part of our
7 executive who appeared before the UN Committee on
8 Elimination of Racial Discrimination in
9 Switzerland and talked about this issue we're here
10 to discuss today, and for the next month or so.
11 There's a tremendous amount of interest and
12 there's a lot of issues attached to this. It's
13 not some small, innocuous mine out in Tsilhqot'in
14 territory in a small town in Williams Lake, and
15 that's what brings me into this room.

16 I believe the most important
17 thing that we have to deal with has nothing to do
18 with the mine, it has to do with relationships and
19 how we live together, and that's why I raised the
20 spectre of not having these public review
21 processes available to us. At the end of the day,
22 we're all here to stay. Nobody's going anywhere,
23 and we'll continue to raise our children
24 side-by-side and we have to develop ways and means
25 of dealing with very, very difficult issues. I've

1 spoken to Mayor Cook about this. We have
2 firsthand experience in Penticton on how divisive
3 these issues can be, and at the end of the day
4 after a decade of blockades and barricades, we
5 finally signed a protocol agreement with the City
6 of Penticton which has held to this day which
7 facilitates how we work together on resolving
8 difficult issues.

9 I just want to close off by
10 saying that being from the outside and coming into
11 this room for a second time, which I must say I
12 harbour resentment about having to do that. I
13 thought we dealt with this the first time. I want
14 to commend the people that are here and the people
15 that were here today, because I haven't felt the
16 same tensions and animosities that I did when we
17 had round 1. It was just palpable. You could cut
18 the air with a knife, and I think we're not in the
19 exact same spot, but nonetheless it's a difficult
20 issue, and I want to commend the Tsilhqot'in
21 Chiefs for their eloquent presentation, their
22 heartfelt presentations.

23 We heard about the collective
24 aggregate experience of a number of mining
25 engineers and I would suggest that the Tsilhqot'in

1 people and their elders and knowledge-keepers have
2 been here for hundred's of thousand's of years and
3 there's not one or two of them from British
4 Columbia. They were all born here and will live
5 their lives here.

6 Like other speakers, I want to
7 wish the Panel every success in dealing with this
8 difficult issue and keeping a focus on the
9 environment and the water, because it's not about
10 gold, it's about water.

11 CHAIRPERSON ROSS: Thank you
12 very much, Grand Chief Phillip. At this point I
13 will open questions and Taseko; do you have any
14 questions? Sorry, were you going to -- I
15 apologize. Ms. Baptiste, if I understand that
16 correctly. I misunderstood. Go right ahead,
17 please.

18 MS. BAPTISTE: Good evening and
19 thank you for coming to hear us. I want to
20 recognize that we're here once again. My name is
21 Marilyn Baptiste. I am a councillor with the
22 Xeni Gwet'in, Tsilhqot'in Nation. I was Chief in
23 my community for the last five years and I've been
24 promoted to council to take a bit of a break and
25 I'm also the Secretary Treasurer of the Union of

1 B.C. Indian Chiefs, as well, one of the founding
2 members of the First Nations Women Advocating
3 Responsible Mining and I just want to recognize
4 Anna Marie Sam who is with us tonight. She is
5 also a part of the First Nations Women Leaders as
6 well. Chief Bev Sellers, who is possibly not here
7 this evening, but is a part of the group. And I
8 just also would like to recognize our elders here,
9 one of our elders here who raises her cattle up
10 there in(Native word) region, and she is, you
11 know, there all the time. Her heart is constantly
12 in pain from this threat of this company's New
13 Prosperity proposal on our people and land and way
14 of life. We went through this process as noted.
15 Why do we have to go through this again? Our
16 members, our elders, our children, can not
17 possibly imagine and understand why we're back to
18 square one as you've heard Grand Chief, as you've
19 heard our Chiefs, speak to the fact that in the
20 last process the company, the Federal Panel all
21 agreed alternative number 2 was worse than the one
22 rejected the last time, and we're going through
23 this yet again.

24 This is not a fair process to
25 go through this again, to subject our elders and

1 people to this foreign process one more time. Are
2 we going to have to face this another 5 or 10 more
3 times? Because this proposal, being worse, the
4 impacts are not any different than the last time
5 around. They say that they will not drain Fish
6 Lake. They will save Fish Lake. At the same
7 time, as you heard earlier, and you have read in
8 the proposal (Native word) the area our people
9 grew up in and continue to raise their cattle and
10 use the land will be drown under the tailings
11 facility. The damn will wipe out Upper Fish
12 Creek. The open pit, which is also the same as in
13 the last process, will wipe out Lower Fish Creek.
14 So basically wiping out approximately 80 percent
15 of the spawning ground for the wild rainbow trout
16 that has sustained themselves in that system for
17 hundred's of years that have been a sustenance to
18 our people, as well as to others, and I've even
19 been told that is has been a survival tool for
20 even the National Defence.

21 Those things are -- I mean, I
22 don't know how this is possibly a fair process to
23 have to go back to square one when we've already
24 been here. The results are going to be the same
25 but, then again, worse.

1 Our people, at this time of the
2 year, are out on the land gathering our medicines,
3 gathering our berries, out fishing and hunting.
4 I've had to leave my home yesterday. I was very
5 thankful to be home, but I had to leave and the
6 berry bushes around my home are loaded with
7 (Native word) and it pretty much angered me
8 because I have to forsake that because of this
9 process coming back around again. That's not
10 fair. That's not fair to our people. This is,
11 throughout the summer months, crucial months, as
12 you will note throughout this Panel process.

13 There was a question in regards
14 to the impact to our youth, our students, in the
15 schools, in the city. In the last go-around many
16 of our youth and students in these schools were
17 not only subjected to racism with their peers but
18 also from teachers. That's not fair. In this
19 divide-and-conquer -- of course, I have lived that
20 all of my life because my mother is non-First
21 Nations. My dad is First Nations. So I've had to
22 live it all my life in my community and then when
23 I come to Williams Lake for school. And with this
24 issue of the Prosperity project and the threats on
25 our lives and culture, it creates more of that

1 racism. And, as we have seen it here today, I was
2 calling it the "blue socks" and the thanks for the
3 hot dogs today around people's necks here in
4 support of the project. That sounds very petty,
5 but we are asked to put away the placards and yet
6 those others are allowed to continue in that way.
7 That's the same thing. It's the same feeling.
8 It's the same type of behaviour. Same remarks.
9 And that's what our people are subjected to - even
10 more now - because of this issue.

11 And for a simple example, our
12 community will be going through the 35th or 36th
13 annual rodeo and every year, as any other
14 community does, we ask for sponsorship for that
15 event and, of course, because of this issue a lot
16 of sponsorship has been declined and a lot of our
17 people feel that it's because of this issue that
18 we fight, that we face because, as indigenous
19 people's, we have a duty and a responsibility to
20 protect our lands, way of life and protect our
21 future generations. That can not change. It will
22 not change.

23 I also have to simply remark,
24 and let Ervin know that in the last five years I
25 was honoured to be able to work with him before he

1 was no longer elected Chief in his community. We
2 were there and we honoured him for his 20 years of
3 service. I was there in the Panel process the
4 entire time the last go-round. It was in Alexis
5 Creek where our elders, our people, heard and
6 witnessed Ervin speaking in solidarity, in unity
7 with our people to protect our land. They were
8 very grateful, very honoured, that he was there
9 standing with us, and after he was no longer in
10 leadership and, unfortunately, changed his views
11 the words of our people, our elders said, I heard
12 him say it, "over my dead body". What happened to
13 that? We were there. We honoured him. And I
14 just wanted to know that that's a part of an
15 answer to your question earlier, and as an
16 honoured leader who knows the history of our war
17 leaders who protected our way of life and our
18 waters and our salmon from mining back in 1864?
19 We're back to that square one again today as well
20 as we were in the last go-around.

21 As Grand Chief Stewart
22 mentioned, the UN level, the fact that the UN
23 declaration on the rights of indigenous people
24 also asks for a simple free, prior and informed
25 consent of indigenous peoples of impacts and

1 activities that will impact our way of life. That
2 hasn't been a part of this process.

3 Our people, in the last
4 go-around, have said to the Panel, to the company,
5 and I can recall the person that said it, but I
6 won't say his name, he said, We do not want your
7 money. We do not want your mine. We want our
8 land. That is our way of life. That is where our
9 people come from and where we will all be. And,
10 as Grand Chief Stewart said, we will not leave.

11 B.C. is First Nations' land.
12 We did not surrender the lands through treaties.
13 That question still hasn't been settled, which was
14 mentioned earlier, and is going to the Supreme
15 Court of Canada. Even so, our people as
16 indigenous people, Xeni Gwet'in, and many
17 throughout B.C. haven't surrendered our land, our
18 way of life or our future generations, and we do
19 not intend to.

20 I thank you once again for
21 being here and you will hear from me again in the
22 Panel process further into the process here. And
23 I just have to say that I was very reluctant to be
24 here again in this process, as many people can not
25 understand why we have to be back here again. It

1 is not fair. It has already been determined that
2 this alternative number 2 is worse than the one
3 that was rejected the last time. Thank you.

4 CHAIRPERSON ROSS: Thank you
5 very much Councillor Baptiste. Because we're
6 running a little late, he said with some
7 understatement, I think I'll turn to Taseko and
8 ask if you have any questions for these
9 presenters.

10 MR. GUSTAFSON: We have one
11 question respecting the process and trying to
12 focus on questions of clarification. Obviously
13 there are a lot of things in the presentation that
14 we will deal with in our closings, but my question
15 is for Grand Chief Phillip, and I just want to
16 clarify, from your remarks, sir, I got the
17 impression, perhaps, that you thought that Taseko
18 wasn't actively involved and didn't participate in
19 training programs along with the B.C. AAMTA to
20 provide training for persons who walk in off the
21 street and are looking for training and
22 opportunities. Are you aware of any of the
23 programs that Taseko is involved with?

24 CHIEF PHILLIP: I speak based
25 on my experience as a leader for almost 40 years

1 at the regional level, as President, as Chair of
2 our Nation. I was Chief of the Penticton Indian
3 Band for 14 years and a sitting member of council
4 for an additional 10 years.

5 The point I'm making is there
6 isn't an enormous number of First Nations people
7 involved in the mining industry because it takes
8 specialized skills to be involved in that
9 industry, and the list was, reinforces that point.

10 I did talk to Chief Burney
11 about Gibraltar and ask about the workforce there
12 and was informed there's not a large compliment of
13 First Nations workers there; that there are some,
14 but there's a lot of turn over. In his view it
15 had a lot to do with management, and so that was
16 the essence of my -- I wanted to add one other
17 thing. I have a good memory, and I remember
18 sitting, again, figuratively speaking, in this
19 room during the first Panel hearings and the issue
20 came up about the sharing of revenues, something
21 along those lines, by the Chair of the previous
22 Joint Review Panel, and I was sitting there and I
23 thought if there was ever an opportunity to Taseko
24 Mine to give public expression to a willingness to
25 participate in that type of an arrangement now is

1 the time. And I believe it was Mr. Bell Irving
2 that rose and responded to that question from the
3 Chair and I was astonished that his response was
4 something to the effect of "not one thin dime".
5 And he went on to say it was a provincial
6 responsibility. I can tell you the Province
7 itself is a reluctant partner in terms of that
8 kind of work.

9 As we move forward there's a
10 greater sense that that should be more of a
11 priority, but that's the point I was making and I
12 stand by that.

13 CHAIRPERSON ROSS: Councillor
14 Baptiste, quickly please.

15 MS. BAPTISTE: I just wanted to
16 add to that. I am aware of some of the training
17 that is happening now. In the last go-around we
18 raised those issue previous to the last go-around,
19 and, of course, then was a point where there was
20 some of these training programs starting to be set
21 up, as reflected from Grand Chief Stewart. It is
22 way late for training. If you want to have, you
23 want to give First Nations an opportunity in such
24 a project, that should have been something you did
25 20 years ago, and I think Scott is very familiar

1 with that exact kind of phrase and issue that we
2 have put many times. And, simply, that with the
3 high turnover -- with Gibraltar I know of many
4 people who were hired as a result of the last
5 go-around, but they never surpassed the three
6 month job qualification that would get them into
7 the union. They were usually laid off prior to
8 the three months, for your information.

9 CHAIRPERSON ROSS: Thank you.
10 I think, again, Grand Chief Phillip, please,
11 quickly.

12 CHIEF PHILLIP: I just want to
13 make the point, the point raised is irrelevant
14 because it's the wrong mine and the wrong place.
15 So, thank you.

16 CHAIRPERSON ROSS: We're
17 running very late and so I'm going to turn to my
18 colleagues, quickly.

19 MR. KUPFER: Thank you for your
20 comments.

21 CHAIRPERSON ROSS: The Panel
22 has no questions, and we'll move on. Next on my
23 list is Philip Hochstein with the Independent
24 Contractors and Business Association of British
25 Columbia. It's my understanding that he is not

1 available tonight and so we will move past him.
2 What I would like to do at this point is Ervin
3 Charleyboy, I know we tried to squeeze you in this
4 afternoon, but if you could succinctly make your
5 presentation, we would appreciate that.

6 PRESENTATION BY ERVIN CHARLEYBOY:

7 MR. CHARLEYBOY: Thank you, Mr.
8 Chairman. My name is Ervin Charleyboy. I'm here
9 to -- I'm representing myself. I'm not
10 representing anybody. I'm not representing the
11 Tsilhqot'in people. I'm here representing myself,
12 and I don't have anybody speaking for me. I don't
13 let lawyers speak for me. I don't let consultants
14 speak for me or environmentalists speak for me.
15 I'm here on my own because I've been a Chief of my
16 reserve for 20 years from 1990 to 2010, and 18 of
17 those years I was a Tribal Chief of the
18 Tsilhqot'in Nation. I'm here because I see my
19 people - my young people - suffering. I mean,
20 there is no jobs for them on every reserve that I
21 know of. We don't have a future for these young
22 people. That's what I'm looking at. Because our
23 younger generation, they need a future. I was
24 totally opposed to the Prosperity Mines when I was
25 a Chief. As Marilyn Baptiste stated, I made those

1 comments "over my dead body", but now this new
2 proposal came out, I see things differently. You
3 know, environmentally, I don't think it's going to
4 hurt anything because I took some elders to
5 Gibraltar mines last fall and I looked at what
6 they were doing up there. They're planting grass.
7 They're planting trees. And you couldn't even
8 tell if there's a mine there because of all the
9 re-growth going on and there's reclamation stuff.
10 My elders were quite impressed with that.

11 I hear so much about our way of
12 life, our culture, and I'm sorry to say that our
13 way of life went out the back door the day we
14 accepted welfare cheques on reserve. It just
15 saddens me to see our young people, for a single
16 young man or lady waiting from month-to-month on
17 \$185 that they get from the welfare. That saddens
18 me. I see these kind of things every day. We
19 have nothing on the reserve. We have no jobs,
20 absolutely nothing. That's what I'm looking at.

21 Like I said, I don't have
22 anybody representing me here or speaking on my
23 behalf. No lawyers, no consultants, because me
24 and lawyers don't get along. We never did get
25 along. Over the 20 years I was a Chief I don't

1 know how many lawyers I went through. I'm not
2 going to get into that, but the way I see our
3 people going -- my people rely on forestry. How
4 many years is that going to last? Five, maybe 10
5 years if we're lucky because big companies are out
6 there fighting for what little timber is out
7 there. After logging, what do our people have?
8 Nothing. We have nothing to offer our young
9 people, and it saddens me. For these Chiefs
10 saying we talked to our elders -- I'm an elder and
11 I spoke out for Prosperity Mine. People turned me
12 away. I'll be 68 August 30th and I'm an elder.
13 Nobody talks to me, maybe once in a while Chief
14 Joe comes along and talks to me, but not on
15 politics or the mine or anything. Just a visit.
16 I don't know.

17 I don't know where our nation
18 is going. We have to have that leadership to
19 steer these young people to where we want them in
20 another 20 or 30 years. For those that are not
21 yet born, that's what we have to be looking at.
22 If this mine has a life span of 30 years then,
23 sure, I mean, environmentally and economically,
24 that's what I'm looking at. Because we have -- I
25 hear so much about culture. You can't lose your

1 culture because a mine is right there. You're
2 born with your culture. No white man's going to
3 take it away from you. And, you know, I hear one
4 lady asking about what are we looking at if we
5 have impact on that, where the mine is. Why don't
6 the Chiefs sit down with the Taseko Mines or New
7 Prosperity and talk? Then we can talk about
8 impact and benefits of this mine. You can talk
9 impact, benefits, partnership. As it stands right
10 now, the Chiefs, they're talking about
11 consultation. Who is going to consult with you
12 when you don't want to talk?

13 I talk to different governments
14 that set up meetings with the Chief at the 108
15 maybe a couple years ago. So the government came
16 from Victoria to the 108 to have a meeting with
17 these Chiefs to talk about, I believe it's a mine,
18 or anything else, but none of the Chiefs show up
19 and they complain about no consultation. Sure, I
20 mean, you can complain about no consultation. Who
21 is going to consult with you when you don't want
22 to talk? That's simple. Where are the Chiefs
23 leading our people to? The leadership has to be
24 there for our young people and our elders. Like I
25 said earlier, people turned me away in 2010 when I

1 the future generations, we are not going anywhere.
2 After logging, like I said, we have nothing. What
3 do we have to offer our young people? This is
4 what the Chief should be looking at.

5 Thank you for listening.

6 CHAIRPERSON ROSS: Thank you
7 very much former Chief Ervin. At this point,
8 Taseko, any questions?

9 MR. GUSTAFSON: Just one.

10 After such an eloquent presentation and given your
11 relationship historically with lawyers it's with
12 some trepidation I will ask, but I do want to
13 clarify a little bit the comments about "sell
14 out".

15 Earlier today I had the
16 impression from some of the other speakers that
17 they were suggesting that somehow your views had
18 changed because you had received some benefit or
19 favour or inducement from Taseko, and I would like
20 to you address that, if you would. At the time
21 you changed your mind had you had any
22 communication with Taseko or received any benefit
23 or favour or inducement from Taseko in respect of
24 your decision?

25 MR. CHARLEYBOY: No, I had no

1 benefits from Taseko Mines, and when I made that
2 decision that I was going to go with Taseko Mines
3 and New Prosperity Mines, nobody told me and
4 nobody paid me.

5 So, just to clarify that, you
6 know, I didn't get paid from Taseko to make those
7 decisions. I made those decisions on my own
8 behalf and later on, I don't know how much later
9 on it was, but they hired me. I work with Taseko.
10 We worked on creek projects, like it said on some
11 of those they that presented there. And it's
12 good.

13 I mean, I look at the land and
14 what it's going to provide for my people and the
15 fish in Pouncy Creek was there. So I started
16 working with Taseko Mines because I went to fish
17 and wildlife. I don't know how many years I been
18 on this project, maybe nine years, nothing from
19 the Province. So I found out that Taseko could
20 fund these things, so I went to them and we went
21 to Fish & Wildlife in town here, met with them.
22 So they have give us the go-ahead to work on the
23 Pouncy creek project. Because I know there should
24 be a lot of fish in there and that's for my
25 people. That's what I'm looking at this Pouncy

1 creek for, is to feed the people in Redstone. And
2 now I go back up there probably every second day
3 to keep an eye on the water level in Pouncy Creek.
4 I want the water to flow from Pouncy Creek into
5 the Tsilhqot'in river so we have a free flow and
6 fish come up there.

7 I remember years ago people
8 used to fish there every year. Boy, there used to
9 be camps along that creek and people getting their
10 fish. That's what I want this Pouncy Creek to do
11 again.

12 CHAIRPERSON ROSS: Thank you.
13 Because I'm aware of the time and because there
14 are two questioners over there, we will take three
15 questions. I really want to stay at three. We
16 did have an extended discussion between the Chiefs
17 and Mr. Charleyboy earlier today. So you two can
18 decide which one of you. Your first, state your
19 name and pose your questions.

20 MS. COOPER: Joyce Cooper
21 from(muffled). I have a question for Ervin, I
22 guess, and I know this because I was on leadership
23 with him for eight years. If you're talking about
24 the youth why didn't you make a plan for them in
25 the 20 years that you served? Because in our

1 tradition we're brought up traditionally that
2 seven generations get effected, and some of us
3 have moved on from leadership to get bigger, to
4 get higher in our political -- if that was the
5 case, you didn't have to stay on the reserve.
6 Most of us moved on to bigger things, like I have.
7 I served my eight years in my community and I
8 moved on to something bigger. That's the question
9 I have to you, because when you leave an impact in
10 a community that should stay, that impact, not the
11 change, because many of us move on, our views
12 still don't change. And I guess that's the effect
13 we're feeling right now is that we've been misled,
14 as a family, as a community. And I have opened my
15 doors. I've gone to your home. I don't think
16 that any of us ignored you. We just want to know
17 what happened. I guess that's my question.

18 CHAIRPERSON ROSS: Thank you,
19 Ms. Cooper. Former Chief Ervin.

20 MR. CHARLEYBOY: Thank you,
21 Joyce. I guess when I was in as a Chief we worked
22 hard on this Pouncy Lake Wilderness Camp Society
23 that I started in the early nineties. It was a
24 kid's camp for troubled youth and there again I
25 fought with the NDP government at the time to look

1 at different ways to work with youth and because
2 our youth were getting into trouble. There were
3 car thefts in town and our young people were in
4 and out of jail and when they go to jail they
5 don't learn anything. They come back -- they come
6 out of jail worse than they were before. I had no
7 support there either. We struggled trying to keep
8 this camp going. And our funds were really low.
9 We can't afford to run a kid's camp with the money
10 we were getting with the few partnerships we had.
11 We were on skimpy funds and couldn't operate and
12 then we couldn't work with youth either. But I
13 see now that they are doing something with Pouncy
14 Lake Wilderness Camp Society. That's good. If
15 they could only ask me to work with them I could
16 -- but they kicked me right off that board too.
17 They told me I was an honorary board of that
18 wilderness camp society, and when I started
19 support Taseko Mine I got booted off because they
20 told me nobody can remove me because I was an
21 honorary board member. So that's where we stand
22 with Pouncy Lake Wilderness Camp Society. Because
23 the funds they get from the government is pretty
24 slim and you can't do much with that kind of money
25 you get from the government.

1 CHAIRPERSON ROSS: Thank you
2 for the response. The next questioner, please.

3 MS. ALPHONSE: Hi, my name is
4 Jessica Setah-Alphonse. I'd like to speak to
5 Ervin about --

6 CHAIRPERSON ROSS: Could you
7 spell your last name for the Reporter.

8 MS. ALPHONSE: Okay. It's
9 S-E-T-A-H, hyphen A-L-P-H-O-N-S-E. My question is
10 how could you think that we have nothing? I'm
11 actually quite emotional about that because that's
12 not true. We live three hours away from Williams
13 Lake. Our people -- 70 percent of the people rely
14 on this food. We're hunters. We're gatherers.
15 We rely on the lakes, on the meat, the berries.
16 We have people in (muffled), to them, that's not
17 nothing. The land is our food. I can't believe
18 you would be saying that.

19 Our people pretty much, I'm
20 going to say 90 percent of the people, 97 -- what
21 the heck, 100 percent we rely on it. Where I come
22 from we have no fridge. The only place that does
23 is the sub-division. We don't have a deep freeze.
24 We don't have a fridge. If I want food I have to
25 go out and fish for it. I have to hunt for it. I

1 have to pick my berries. I'm happy to do it.
2 That's not nothing. That means a lot. So to hear
3 you say we have nothing makes me sad, angry, you
4 know. You need to come and visit me. You need to
5 stay in my lifestyle. You need to see how I live.
6 That's not nothing to us. As far as I'm concerned
7 we're rich, you know. We have all these
8 resources, and you being the Chief for 20 years,
9 you were like a strong person, a mentor to a lot
10 of us and you said you wouldn't allow that to
11 happen over your dead body and for you to say that
12 is kind of a shock. But you are allowed to choose
13 what you want to do.

14 I want you to know that we have
15 a lot. We are three hours away. Our people don't
16 think we have nothing. We have it all there.
17 Everything's available. I'm sorry for crying.
18 Thank you.

19 CHAIRPERSON ROSS: Thank you.

20 MR. CHARLEYBOY: Thank you,
21 Jessica. That is not what I meant when I said we
22 have nothing. I mean we have no jobs. It's not
23 berry picking. I know we have an abundance of
24 those things and for myself I go out berry picking
25 with my kids just last night. It's not what I

1 meant when I said we have nothing. I just said we
2 have -- I meant to say we have no jobs to provide
3 for our young people.

4 CHAIRPERSON ROSS: Thank you
5 for that clarification Chief Percy, a brief
6 question of clarification, please.

7 CHIEF PERCY: A couple
8 clarifications and the question, Chief Ervin, you
9 mentioned that there was zero jobs, whereas you
10 know we're from the same community. How many
11 people do you estimate works in our logging
12 company, (Native word) logging company? Which has
13 been operating for 21 years coming September, one
14 of the companies that Ervin helped start,
15 including myself. How many people do you think
16 are employed with that company along with the band
17 members that work in Williams Lake in the saw mill
18 and along with jobs in the forest industry such as
19 block layout and things like that?

20 MR. CHARLEYBOY: I have no idea
21 how many are working there but I know we work two
22 shifts and it has to be over 20 and the forest
23 company, I think, is about five or six, and
24 correct me if I'm wrong, but I haven't been out to
25 visit our logging company for quite some time, but

1 I speak to a few of them all the time and then,
2 you know, if I want something to do I go in the
3 bush and maybe talk to them and see. I know we've
4 got two shifts going, and our band members and
5 non-Native people from Williams Lake and
6 surrounding areas. It's probably well over 30.

7 CHIEF PERCY: You're pretty
8 close. Upwards of 50 with all the non-First
9 Nations. We have 12 trucks that are non-First
10 Nations trucks that haul our wood. The company
11 has doubled in size pretty much in the last couple
12 years and I just wanted to correct you on that
13 point.

14 My next question is: How many
15 members in our community from our community are
16 employed at these local mills, at Gibraltar or
17 Mount Polly or any other mills?

18 MR. CHARLEYBOY: I don't have
19 any numbers on me right now. I know there's
20 people working in Mount Polly mines and Gibraltar
21 and I know there's people hired there all the
22 time. I haven't talked to the gals there for
23 quite some time now.

24 CHAIRPERSON ROSS: I think
25 we're starting to stray from the scope of the

1 hearing, and I think some of those questions were
2 actually provided answers to by Taseko earlier in
3 the day. So I think I'll call a halt to this
4 discussion and thank you very much.

5 CHIEF PERCY: I was trying to
6 make a point our communities aren't starving. We
7 have jobs.

8 CHAIRPERSON ROSS: Thank you,
9 Chief Percy. To the Panel, any questions?

10 MR. KUPFER: I just want to
11 thank you. This is a very difficult discussion
12 for you and the people to engage and in I
13 appreciate that you've done it the way you've done
14 it.

15 CHAIRPERSON ROSS: I have no
16 questions. This has been really helpful for us,
17 stretching our mandate a little, but helpful as
18 well. I think I'll thank you for your
19 presentation, Mr. Charleyboy, and we'll move on.

20 Now, in moving on -- sorry.
21 Thank you very much. Here is the next lottery.
22 We will try to get as many people in as we go, but
23 I'm going to read off five names and I suspect we
24 will get four of them covered tonight. I'm
25 looking for a volunteer to come tomorrow at 1:00.

1 The first is Philip Hochstein. The second is
2 Gavin Dirom. The third is Lorne Doerkson. The
3 fourth is Patricia Spencer. I guess I've got one
4 more than I thought. Daryl Anderson and Craig
5 Benjamin. I need I guess at least two volunteers
6 to come back tomorrow. Do we have two volunteers?
7 Okay, we just need one volunteer. We have one.
8 Tell me who it is so I know who to skip over.
9 Thank you very much.

10 All right. Let's move to the
11 next presenter who will be Gavin Dirom, who is
12 with the Association For Mineral Exploration,
13 British Columbia.

14 PRESENTATION BY GLEN WONDERS:

15 MR. WONDERS: Good evening.
16 Thank you. I am not Gavin Dirom. My name is Glen
17 Wonders. Gavin had to leave on the 6:30 flight
18 due to an aggressive travel schedule. I'm a
19 member of the Association and on his behalf I'm
20 going to read his presentation.

21 So, thank you for inviting me.
22 You didn't invite me, but thank you for inviting
23 me. And I will continue on.

24 AME is pleased to be here in
25 Williams Lake as part of the public hearing for

1 Taseko's New Prosperity Copper-Gold mine project.
2 AME stands for the Association of Mineral
3 Exploration British Columbia. There's
4 approximately 4,000 individual members and some
5 360 corporate members. They represent the mineral
6 exploration, mineral developments and prospecting
7 society's and industries across this province.

8 I would like to thank the
9 Canadian Environmental Assessment Agency for this
10 opportunity to present, and I also acknowledge the
11 respective members of the Panel. I also want to
12 acknowledge we are within (Native word) territory
13 bordering on the Tsilhqot'in territory and thank
14 you for inviting us into this beautiful region.

15 The public hearing represents
16 an opportunity for me to speak on behalf of the
17 AMEBC in regards to the New Prosperity project.
18 It's located 125 kilometres to the southwest of
19 Williams Lake. We believe New Prosperity is a
20 rare and special mineral deposit that can be
21 responsibly and successfully developed to provide
22 opportunities and net benefits to neighbouring
23 First Nations communities, to the Cariboo
24 Tsilhqot'in region, and to this province and
25 indeed to Canada.

1 Achieving this goal will
2 require listening to each other very carefully and
3 respectfully, working together to identify areas
4 of challenge and resolve those in a meaningful way
5 that brings satisfaction to everyone. I know in
6 working together in this manner we can create a
7 project that we'll all be benefitting from and one
8 that can be looked at with pride.

9 I am confident that Taseko has
10 the capacity and resolve to mitigate and manage
11 environmental impacts and has the ability to
12 deliver lasting value to the Cariboo Tsilhqot'in,
13 as they have proven in Gibraltar, some 65
14 kilometres to the north of here.

15 Gibraltar is the second largest
16 open pit mine in Canada and is the largest
17 employer within this region and, recall that not
18 too many years ago it was functionally not
19 working. In that short period of time hundreds
20 and hundreds of people have enjoyed the
21 opportunity to work at that mine, sustain this
22 region and indeed provide benefits to the Province
23 and Canada as a whole. With such a track record
24 of local investment in Gibraltar I'm assured that
25 the some \$92 million that's been spent

1 historically will continue on and become even more
2 profound as Prosperity moves forward through it's
3 development cycle.

4 On the opening slide Mr.
5 McManus provided there were a number of companies
6 benefitting and shown to be listed as working at
7 that mine site. I don't believe mine was one of
8 those, a player in that game, but it certainly was
9 one of those that is a B.C. born and owned company
10 that provides employment to people in a variety of
11 different engineering and designing and surveying
12 specialities that otherwise won't have that
13 opportunity to work in this province and region.
14 We work in a number of sectors, but the mining one
15 is very important to us.

16 AMEBC represents the mineral
17 exploration and development sector, as I
18 mentioned. We like to call this the "life blood"
19 of the mining industry. Without exploration there
20 would be no discoveries made, no mineral
21 development to pursue and no opportunity to
22 achieve overall net benefits from mining. Through
23 low impact geoscience, which includes prospecting
24 and the application of geological, geochemical and
25 geophysical tools, and high-tech exploration and

1 techniques, members of AMEBC are out there to
2 discover rare and special mineral deposits,
3 including coal and other types of specialized
4 minerals that are mined from materials that we
5 need and use on a daily basis.

6 Mineral exploration
7 expenditures in B.C. last year hit a record high
8 of some \$680 million, some 47 percent increase
9 over last year's \$463 million. This record
10 investment provides significant socio-economic
11 benefits to communities around B.C. and over the
12 next 10 years from these hundreds of projects
13 there is potential for as many as 30 mine
14 projects; however, this is unlikely, because it's
15 extremely difficult to develop a mine right to
16 it's final potential. However, there are some \$30
17 billion in capital investments at consideration
18 within the province. As an industry competing
19 internationally for investments we know the best
20 indicator of successful exploration is seeing new
21 mines open and get into production.

22 This is no easy task to be
23 achieved in managing these expectations, while
24 addressing the substantive issues it is critically
25 important throughout the whole process. The New

1 Prosperity project started way back in the 30's
2 with the initial discovery by Mr. Callup(ph) and
3 Vick who travelled on horse back into the region
4 and found some overburden that led them to where
5 the current deposit in actuality is located, about
6 a kilometre east and 500 metres north of the
7 current deposit.

8 This initial discovery and
9 prospecting through hand trenching techniques
10 evolved into the recognition of a significant
11 copper(muffled)environment and in the 1960's
12 defined the resource up to the point where we are
13 today at 1990 where Taseko has sunk some 400 holes
14 into the ground and really defined that resource
15 effectively.

16 Thankfully today through
17 diligent and dedicated efforts of so many, the
18 widely-held dreams of explorers and developers of
19 moving into a promising discovery through
20 exploration and permitting is becoming a reality
21 in B.C.

22 In 2012 New Gold re-opened the
23 Afton mine near Kamloops and the Copper Mountain
24 Mine re-opened just out of Princeton in 2011.
25 There are two other new mines, one is Mount

1 Milligan between Port St. James and McKenzie and
2 the Red Chris mine as indicated on this
3 presentation, southeast of Beece Lake. Although
4 global economic cycles are outside our control,
5 and has been accurately noted, there has been
6 somewhat of a downturn, we don't set the commodity
7 prices. It goes up and it goes down. We are
8 price takers. We are not price setters, so
9 therefore we have to adjust to what our demand is
10 for resources and demand.

11 The trend overall is positive.
12 Make no mistake about it, it is hard to find
13 copper resources and other gold, especially in
14 this day and age. All the easy copper and all the
15 easy gold in the world has been mined generations
16 ago. So these new mines that Taseko and others
17 are considering to bring on stream are extremely
18 expensive and intensive. We need to be able to
19 continue to attract people to B.C., it has a very
20 healthy mineral environment, but unless the policy
21 environment is also positive, we won't be able to
22 bring companies in to explore because if they
23 don't believe they can develop there is no sense
24 exploring for new deposits.

25 It's our belief the Prosperity

1 project is world class with some unique and
2 interesting attributes to it and it needs to be
3 carefully considered by your panel. How unique?
4 As previously indicated, the New Prosperity
5 deposit is one of the largest of the un-developed
6 gold-copper resources in the entire world. Along
7 with it's valuable copper resource there's a huge
8 gold resource. I won't go into the specifics of
9 that but it's very, very significant. At a
10 capital cost of at least a billion dollars and
11 with anticipated operating expenditures of \$200
12 million annually for at least 20 to 30 years the
13 magnitude of New Prosperity's impact is enormous.
14 It's job creation, it's business development
15 capacity can be measured on a provincial and
16 national scale. Along with producing critical and
17 fundamental commodities such as copper, the mine
18 will benefit local communities by providing
19 high-paying, stable employment for hundred's of
20 families and tax revenues that go to education,
21 health care, highways and other critical
22 infrastructure. It is estimated the government
23 revenues from New Prosperity will generate \$10
24 billion over the life of the mine. The project
25 will provide a stable economic development and

1 contribution to the province, and it's very
2 important within this region because of the
3 impacts of the mountain pine beetle and how the
4 long term wood supply is falling, as we all know.

5 We all recognize, along with
6 having so much in common and interest on this, we
7 have shared challenges. Through the honest and
8 frank sharing of these challenges and respectful
9 dialogue during these hearings I believe we can
10 strengthen mutual awareness and understanding and
11 build better plans to address some of these
12 tougher issues. It's about identifying and
13 balancing the many values and interests that are
14 on the land base.

15 Just like human society in
16 general we, as an industry, are dependent on
17 learning from past experiences and applying
18 adaptive management techniques and learning
19 through research and innovation now as well as in
20 the future.

21 There are a number of reasons
22 to continue on the pathway of consideration on
23 this because First Nations are now enjoying
24 agreement with the Province to share revenue on
25 mine developments. These have been going on

1 throughout British Columbia and the last two mines
2 that have been developed to go, or approved to go
3 into development, and these not only help in terms
4 of dialogue in terms of sharing benefits, but they
5 also help also in terms of understanding how to
6 address social conflict and build capacity in
7 local communities.

8 AMEBC certainly fully supports
9 the certainty and shared wealth that these
10 agreements bring to everyone. It's why the B.C.
11 mineral exploration and development sector works
12 to build relationships with Aboriginal
13 communities, leaders and organizations. AMEBC is
14 also a strategic partner in a number of other
15 coalitions and initiatives, such as the Extractive
16 Industry and Development Institute being developed
17 and led by SFU and UBC.

18 Just like in many parts of B.C.
19 and Canada, people living in the Cariboo
20 Tsilhqot'in region feel a strong sense of
21 community and want to work close to where they
22 live. Taseko New Prosperity Mine is expected to
23 generate 700 jobs during it's two year
24 construction phase and during production will
25 create 550 jobs directly and another 1,200

1 indirectly. These jobs and economic activities
2 represent a major socioeconomic opportunity and an
3 economic engine boost for the people living in the
4 Cariboo Tsilhqot'in. Other communities in B.C.
5 are also aggressively embracing mineral
6 exploration and development as a means to build
7 their towns, improve training, provide jobs and
8 deliver financial security, especially with
9 projects that are nearby their communities.

10 Through it's actions the
11 industry is demonstrating on a daily basis it's
12 commitment to operate safely, protect the
13 environment, respect neighbouring communities and
14 build long term social and economic social
15 prosperity.

16 There was considerable dialogue
17 about the opportunity to enhance and increase the
18 B.C. mining industry and it's participation by
19 First Nations. The B.C. Aboriginal Mine Training
20 Association is a group created in 2009 through
21 federal funding and also a partner immediately
22 came to that in the form of the Mining Association
23 of B.C. It is a successful model for skills
24 training, not just for the mineral exploration and
25 development industry, but for any resource

1 industry. BCAMTA provides training and support
2 services to Aboriginal participants through a
3 formal process of personal and professional
4 involvement, a process that leads to sustainable
5 careers in the industry. Over the past three
6 years the programs have seen some 561 Aboriginal
7 people trained in the industry and are currently
8 working in other forms of associated industries.
9 Those individuals have come from 122 First Nations
10 communities across British Columbia.

11 Taseko has partnered in
12 Williams Lake with the BCAMTA and donated office
13 space and it provides more than training and jobs.
14 It provides change, change that can provides
15 optimism and hope, not only for it's candidates
16 who successfully earn jobs, but for the whole
17 community. I believe these success stories of
18 Aboriginal community engagement and of an
19 integrated skills training can continue to expand
20 in the Tsilhqot'in region to ensure more people
21 will benefit from the development of the New
22 Prosperity project.

23 We're at a critical moment in
24 the history as a province and B.C. is on the
25 leading edge of what is sure to be a prosperous

1 future. As responsible mineral explorers and
2 developers we believe in the principle that there
3 is great value in respectfully working together on
4 important projects such as New Prosperity to build
5 more awareness, to strengthen relationships, and
6 develop practical plans and address shared
7 challenges. Achieving this goal will be
8 significant, and it will be something that we can
9 all be very proud of.

10 Based on the response shown
11 during this process and the ongoing commitment
12 being made, I am confident that Taseko has
13 demonstrated their commitment to mitigate and
14 significant adverse impacts and to generate
15 lasting benefits from the New Prosperity Mine
16 project for the net benefit of so many people
17 living and working in the Cariboo Tsilhqot'in
18 region of British Columbia.

19 I thank you for your attention
20 and have a safe day.

21 CHAIRPERSON ROSS: Thank you
22 very much. First Taseko, any questions for Mr.
23 Wonders?

24 MR. GUSTAFSON: No thank you.

25 CHAIRPERSON ROSS: Not seeing

1 any I won't look any further. I'll ask my
2 colleagues.

3 In that case, first I thank you
4 for being expeditions and secondly, as a matter of
5 fact, the full submission will be on the registry
6 and we have copies of it.

7 The next speaker we have is
8 Lorne Doerkson. Is Lorne here?

9 PRESENTATION BY LORNE DOERKSON:

10 MR. DOERKSON: Lorne Doerkson.
11 The last name is spelled D-O-E-R-K-S-O-N.

12 Over the last 19 years, Taseko
13 has invested \$120 million into the New Prosperity
14 and it's engineering and scientific analysis. All
15 of this for regulatory approval and mine
16 development. New Prosperity preserves Fish Lake
17 and vital fish habitats by moving the ore and
18 waste rock stock piles and tailings storage
19 facility now two kilometres upstream from Fish
20 Lake. This requires an additional \$300 million
21 investment. Taseko will spend \$1 billion over the
22 two years to build this mine, including an
23 additional \$300 million to move the tailings pond.
24 It is expected that B.C. mineral tax revenue
25 related to New Prosperity will total \$300 to \$400

1 million. These are revenue sharing opportunities
2 that are available for Cariboo Tsilhqot'in First
3 Nations that are willing to negotiate an
4 agreement. It has been brought up a number of
5 times today, and I'm not sure whether everybody is
6 aware that this funding is available. They should
7 know that it is.

8 Good evening, I'd like to thank
9 the Panel and the Chair for the opportunity to
10 speak as an interested party. My family I are
11 strong supporters of the mine and are in favour of
12 the Prosperity Mine getting it's approval. My
13 family has lived in Williams Lake on two
14 occasions, the first time as a young family that
15 had left the Okanagan for work. I was transferred
16 away from Williams Lake two years after coming and
17 spent my entire time away trying to figure a way
18 to get back.

19 After a number of years away
20 living in Price George and Hundred Mile House, I
21 received the opportunity to transfer back to
22 Williams Lake and jumped at the opportunity.
23 After a number of years I knew that this is where
24 we all wanted to be and couldn't wait to get back.

25 Once we got back we started

1 setting our roots, as it was clear to me we found
2 our home.

3 My family and I started
4 volunteering for different non-profit groups and
5 before long we had built many friendships and
6 settled in our home on South Lakeside. I remained
7 employed with Black Press when transferred here
8 and was a publisher of the Williams Lake Tribune,
9 and a manager of the printing press centre for
10 Northern B.C.

11 My wife and I have a small
12 delivery business together and we recently, in the
13 last two years, sold our RV magazine, gave my
14 notice at the Tribune and invested in a
15 partnership with the Garland family in the local
16 Chevrolet franchise.

17 I'm an avid outdoorsman and
18 very much enjoy fishing, canoeing and kayaking.
19 We have spent most of our free time recreating in
20 the back country in every direction from Williams
21 Lake but always had a soft spot in our heart for
22 the west. We love Fletcher Lake, Horne Lake,
23 Chilko Lake and, yes, the Chilko River.

24 I have a daughter that's
25 started first year university in environmental

1 sciences. She sees herself working in the forest
2 or mining industry in the future and if asked why
3 she chose that path for her career she would tell
4 you that it was because she was raised with a
5 strong belief that we have to be careful with what
6 we have, and that she has always enjoyed being in
7 the back country.

8 I suppose I have some
9 motivation to have industry grow also for the
10 benefit of both my daughters who will both be on
11 their own soon needing to have steady employment
12 to start their own families.

13 I tell you these things about
14 my family because I wish to convey we want the
15 back country of the Cariboo Tsilhqot'in to be our
16 playground for decades to come, and while in
17 support of the Prosperity project and Taseko Mines
18 we will demand the company act responsibly in it's
19 extraction of minerals, but we believe that Taseko
20 Mines has already proven itself to be a great
21 community partner, proven itself to be ethical,
22 reliable and environmentally responsible.

23 We believe that the deposit
24 located at Fish Lake is big enough it will be
25 mined sooner or later and we are much in favour of

1 Taseko Mines mining it for the reasons that I just
2 mentioned rather than a company we're not familiar
3 with.

4 I have lived in a number of
5 communities in B.C. and managed businesses in
6 those communities and have had firsthand
7 experience with economies, both good and bad, and
8 the effects of those economies on a business.
9 From that experience it has not been difficult to
10 notice when a town is packing lunch boxes every
11 morning and going to work life seems a little
12 easier for everyone.

13 The economic benefits of this
14 mine are massive, massive for all of us. Taseko
15 will spend \$1 billion to build this mine, \$300 to
16 \$400 million in B.C. mineral tax over the next 20
17 years, provincial revenues to be shared with First
18 Nations, consumer spending to increase by \$9
19 billion, residential investment expenditure to
20 increase \$786 million, non-residential
21 construction investment to increase by \$1.03
22 billion, investment in machinery and equipment by
23 others, others like myself, will increase by \$1.38
24 billion, government revenue from New Prosperity
25 are expected to be nearly \$10 billion. This will

1 be split between our federal government for
2 approximately 4.3 and for the B.C. government of
3 5.52. New Prosperity is projected to create
4 57,000 direct and indirect person years of
5 employment over it's construction and 20 year life
6 span.

7 Based on the experience of
8 Gibraltar mine I believe much of that will stay in
9 our local community and I'll explain why later.
10 New Prosperity will create a legacy of skilled,
11 experienced trades people and allow them to work
12 close to home, and I know very many that have gone
13 to Gibraltar or Polly with no experience at all
14 and have received gainful employment. The project
15 will help offset a significant portion of lost
16 opportunities in our forest caused by the pine
17 beetle infestation. Local businesses, including
18 First Nations enterprises, can expect to supply
19 millions of dollars in goods and services. Last
20 year Taseko Mines, through it's Gibraltar
21 operation, purchased \$92 million from local
22 suppliers, some of that was with our business but
23 it is significant to all businesses in this
24 community.

25 A few years back when most of

1 our mills closed due to a lack of demand for
2 lumber some of those mills closed forever. It was
3 immediately obvious during that time how important
4 industry jobs are for our local economy, so much
5 so that Mayor Kerry Cook actually called a few
6 open meetings in Council Chambers to brainstorm
7 ideas to get through that horrible cycle that the
8 forest industry went through.

9 During that time both of our
10 local mines were operating and kept many families
11 in Williams Lake employed. I'm sure most of the
12 people in this room remember, as it was just a few
13 short years ago. It was a trying time for our
14 community and I can't imagine what state our city
15 would have been in without those mining jobs.
16 Even with the rebound of the lumber industry we
17 still see the community shrinking. Over the past
18 number of years we have lost schools like McLeese
19 Lake, but that continues with recent closures just
20 last week of Qualine(ph) and about a month ago of
21 Glennedale Elementary Schools. If you were ever in
22 any of these schools you would have seen the
23 community and school spirit was just huge. We are
24 currently wrestling with ways to keep high schools
25 open by combining two campuses into one, and from

1 what I understand there are still funding
2 shortages in our school district. I don't believe
3 that any of this would be necessary if we could
4 get our economy growing again.

5 Taseko's commitment has been
6 unbelievable to our community and this region.
7 They have approximately 700 employees at the
8 Gibraltar Mine which makes them one of the largest
9 employers in the Cariboo. This project has
10 provided jobs for local residents to remain in our
11 community, contributed significantly to the tax
12 base and for local services. The proposed new
13 mine is expected to create 700 jobs during the two
14 year construction phase. During it's 20 years of
15 operation there will be 550 more jobs.

16 New Prosperity offers training
17 and employment opportunities for locals, including
18 First Nations and long term and good paying direct
19 and indirect jobs. I want to stress "good paying"
20 jobs. Taseko regularly gives back to this
21 community via donations, community events,
22 educating students on mining, etc. The combined
23 list of donations to charitable and community
24 support groups provided by Gibraltar Mine is now
25 \$1.338 million. A half million has been donated

1 by Taseko and it's employees over the last five
2 years to the United Way to support local community
3 initiatives. Taseko has recently partnered with
4 the B.C. Aboriginal Mine Training Association and
5 the Thompson Rivers University, whereby Taseko and
6 Gibraltar staff will educate students attending
7 the introduction to mining course in Williams Lake
8 about their role in the mine and better prepare
9 them for a career in mining, which is very
10 significant because we are also trying to get our
11 university rolling as well. It's great to see
12 that participation. And, as mentioned earlier,
13 they participate in the Pouncy Creek restoration
14 project to revitalize spawning, habitat in Pouncy
15 Creek watershed, which is about 200 kilometres
16 west of town, and that's been carried out in
17 partnership with the provincial government, Taseko
18 staff, past Tsilhqot'in Chief, Ervin Charleyboy
19 and the members of his group, First Nations Youth
20 Council.

21 I mentioned earlier about
22 Taseko's commitment and what kind of company they
23 are. A number of years ago there were problems
24 here because of a lack of jobs in the forest
25 sector and the Chamber of Commerce, and myself

1 included at that time, approached Taseko Mines
2 Ltd. to ask if they would change their shifting.
3 At that time they were shifting I think seven on,
4 seven off, as memory serves. When we approached
5 them we knew it was a huge task we were asking but
6 we thought it would help to make families remain
7 in our community, people to stay here and work
8 here. We asked them to change the shift to four
9 on and four off. They did. And after that
10 decision was made it cost them 40 percent of their
11 workforce. It was a significant decision made by
12 them, and I think I speak from certainly the
13 Chamber's point of view, but I'm here to speak
14 from my family's point of view and my family is
15 grateful for that decision.

16 I believe we can all be
17 beneficiaries of the profits this mine can bring
18 to our region. The people of B.C. stand to gain
19 billions of dollars in revenue and in this time of
20 waiting lists miles long, over-crowded hospitals,
21 over-crowded emergency rooms, lack of funding for
22 paramedics, school closures, I think it would be
23 financially irresponsible of our governments to
24 not approve this mine.

25 The economic benefits of this

1 mine are massive for the people of this region,
2 the people of this province and this nation at a
3 time when we need revenue so much.

4 If there was one message I
5 could ask you to take back to your federal
6 government it would be to approve this mine. The
7 residents want it. The people of B.C. and Canada
8 need it. Thank you.

9 CHAIRPERSON ROSS: Thank you
10 very much, Mr. Doerkson. First, Taseko, any
11 questions?

12 MR. GUSTAFSON: No thank you,
13 Mr. Chairman.

14 CHAIRPERSON ROSS: Not seeing
15 anyone the audience I'm going to assume zero.
16 Because we are desperately behind schedule, not to
17 demean the presentation in any manner.

18 MR. KUPFER: Thank you for the
19 presentation.

20 CHAIRPERSON ROSS: I've
21 forgotten your name.

22 MR. GRINDER: Cecil Grinder,
23 G-R-I-N-D-E-R. My friend, when you are talking
24 about billions of dollars, when talking millions
25 of dollars, the culture, the tradition that we

1 have, the food stock that we have, the abundance
2 of moose meat, Cariboo meat, abundance of dairy
3 meat that we have, the crossings that we have for
4 the deer that goes across there, the billions of
5 dollars you're talking about is destroying us, us
6 as Tsilhqot'in people. That is destroying us just
7 like a -- this episode happened before when a
8 European culture came into our yard called
9 smallpox. This is another small pox among our
10 people. Our people are going to be devastated.
11 When talking about this billions of dollars, do
12 you care about how we live? When we live off the
13 land, when we look at different areas, when we
14 look at that fish that feeds the ocean, the
15 commercial fisheries that depend on that; if
16 Taseko destroys this --

17 CHAIRPERSON ROSS: The purpose
18 is not to introduce new information, but pose
19 questions of clarification. Ask the question,
20 please.

21 MR. GRINDER: With that
22 question here, with you talking about this, how do
23 you feel when you are destroying us like that,
24 destroying our culture, our tradition?

25 CHAIRPERSON ROSS: Hold on, Mr.

1 Grinder --

2 MR. GRINDER: How would you
3 feel?

4 CHAIRPERSON ROSS: Hold on a
5 second. You will pose your question to me. I
6 will ask him to respond.

7 MR. GRINDER: When talking
8 millions of dollars, when talking about the fish,
9 the abundance, the billions of dollars you're
10 talking about, the monies you're talking about,
11 that's going to destroy, how do you feel when
12 you're going to destroy us as Tsilhqot'in people,
13 our nation, our lifestyles and tradition, our
14 language, our culture?

15 CHAIRPERSON ROSS: A brief
16 response, please.

17 MR. DOERKSON: First off, Mr.
18 Grinder, I'd like to let you know, the first
19 question that you asked was how do I feel about
20 your culture. The fact is, I love your culture.
21 I love it so much that through my involvement as a
22 vice-president of the Williams Lake stampede I've
23 done my level best to bring that culture back to
24 the stampede and have tried to showcase that
25 culture at our show.

1 My family enjoys your culture
2 and we've attended pow-wow's many times over.
3 I've received many gifts from First Nations in
4 this community, some because I supported the day
5 of reconciliation through breakfasts and meals at
6 my store, through shuttles, etc., because I
7 believed that that was the time that needs to be
8 addressed and it needs to be dealt with by all
9 Canadians, not just First Nations communities.

10 I believe that our areas is
11 rich in First Nations' culture and I'm not trying
12 to take that away. But I also know in these
13 times, very tough times, think back to three or
14 four years ago when West Fraser, when Tolco were
15 all down. Think back to the time when Sigurdson's
16 Mill had gone broke, Jack Pine. How do we keep
17 simple services in this community, services that
18 your people and other people use, hospitals,
19 schools, how do we do that without revenue? I'm
20 not trying to take away from your culture, but we
21 have to be financially in good shape so that all
22 of that can move forward. My children have to go
23 to school too.

24 CHAIRPERSON ROSS: I'll thank
25 you for that and I'll thank you for your

1 presentation and Mr. Grinder for his helpful
2 question.

3 I'm sorry, but we really are
4 squeezed with time. I'd like to move on to the
5 next speaker. Thank you Mr. Doerkson.

6 CHAIRPERSON ROSS: Patricia
7 Spencers, Friends of Fish Lake. If it's possible
8 to be expeditious, we would very much appreciate
9 that.

10 PRESENTATION BY PATRICIA SPENCER:

11 MS. SPENCER: My name is
12 Patricia Spencer. I'm representing the Friends of
13 Fish Lake. I'd just like to make a note to begin
14 with that I've already submitted the presentation
15 in draft form. There are a few changes so I will
16 submit the final document tomorrow to the Panel.

17 CHAIRPERSON ROSS: That would
18 be fine, thank you.

19 MS. SPENCER: Good evening
20 Panel members. My name is Patricia Spencer. I'm
21 a retired teacher, naturalist and environmental
22 educator, and I'm speaking on behalf of the
23 Friends of Fish Lake. Most of our members live in
24 South Cariboo which is about one hour's drive
25 south of here, near 100 Mile House, and several of

1 us have lived here 30 years or more.

2 We have some deep concerns
3 about the proposed mine at Fish Lake. Many of us
4 enjoy going to Fish Lake for fishing, camping,
5 canoeing and other recreational activities. We
6 enjoy the quiet setting, clean air and water,
7 abundance of life and the spectacular mountain
8 views. Personally, as a naturalist, I know that
9 the Fish Lake area is ecologically-rich with it's
10 abundance of fish, 85,000 trout, natural spawning
11 habitat, birds, wildlife, including the grizzly
12 bears, healthy aquatic habitats and wetlands. All
13 these factors contribute to the quality of our
14 recreational experience.

15 Fish Lake is a special place
16 and we go to enjoy the quiet, the natural
17 surroundings, knowing that this place is pristine
18 and uncontaminated. Our presentation will be from
19 the perspective of those that enjoy Fish Lake,
20 although we will also touch on a few other topics.
21 Though we support mining as one sector of the
22 region's economy, we do not support this
23 particular mining proposal.

24 Over-arching issue; there are
25 two broad issues that have bearing on the proposed

1 mine at Fish Lake and I will briefly mention them
2 here. The first issue has to do with the
3 ownership of the land and resources in the Fish
4 Lake or Tahltan B area. The proposed mine is
5 located in the Tsilhqot'in territory, traditional
6 territory, and the Tsilhqot'in people have a long
7 history of traditional use and cultural heritage
8 associated with this place. The previous Panel
9 determined that the cultural and spiritual value
10 of the area could not be replaced or mitigated.
11 The Tsilhqot'in people have opposed the mining
12 from the beginning about 28 years ago. There are
13 legal issues related to the established Aboriginal
14 rights and title. Regarding Aboriginal rights,
15 the Tsilhqot'in people have a right proven court
16 to hunt, trade and trap in the Fish Lake area. We
17 believe that the new mining plan would still be an
18 infringement on these rights. With respect to
19 potential Aboriginal title, the Supreme Court of
20 Canada will hear this next fall.

21 Given this information we
22 wonder why the Proponent has continued to pursue
23 their mining plan. It's perplexing to us that the
24 plan is even being considered at this time.

25 The second broad issue relates

1 to the first environmental review completed by the
2 Canadian Environmental Assessment Agency in 2010.
3 Taseko Mine's current proposal is based on mine
4 development plan number 2 from the 2009 EIS which
5 was determined a higher environmental risk than
6 it's proposal to drain Fish Lake by both Taseko
7 Mines and the Federal Review Panel. And I have a
8 reference there. It is a mystery why this project
9 is receiving a second environmental review.

10 Fish Lake preserved. A key
11 component of the Proponent's new mining proposal
12 is the claim that Fish Lake will now be preserved,
13 although Tahlтан B will no longer be drained and
14 used to store waste rock it will be cut off from
15 it's natural in-flow's and out-flow's and
16 dependent on a complex system of pumps for
17 circulating water and maintaining water levels and
18 lake productivity. What if these pumps fail? How
19 long will the systems be required and who will
20 maintain them after closure?

21 Fish Lake will be surrounded by
22 industrial development, including an
23 ever-expanding open pit and ore and waste rock
24 piles. A 3 kilometre by 4 kilometre tailing
25 storage facility will be located upstream, thus

1 inundating Little Fish Lake. There will be a
2 significant amount of noise and dust from all the
3 industrial activity. Who would want to go to Fish
4 Lake and what health risk would there be?
5 Certainly the recreational experience that we now
6 enjoy will be ruined forever.

7 Although we're not experts we
8 know that a lake and the habitat it provides for
9 many species is a complex system involving both
10 surface and ground water, nutrient cycling and
11 other chemical processes, water temperature and
12 flow, etc.

13 How can the proponent presume
14 to replicate all the services provided by nature?
15 What about Tahltan B's 85,000 rainbow trout? Fish
16 Lake is well-known for being one of BC's top
17 fishing lakes and it has a highly-productive,
18 totally natural spawning area; however, the
19 tailings storage facility will destroy 81 percent
20 of the lake's spawning habitat. This is
21 unacceptable to us.

22 Environment. The Friends of
23 Fish Lake have many concerns about the
24 environmental impact and risk of the project.
25 First, this is a very large project in geographic

1 scope. It's 10 times greater than the Mount Polly
2 Mine. The overall footprint of the proposed mine
3 is about 35 square kilometres and most of the 90
4 thousand hectare watershed will be effected.
5 There's a strong possibility metal leaching from
6 the TSF will contaminate Fish Lake and also over
7 time, eventually reach Onion Lake, Beece Creek and
8 the salmon-bearing Taseko River. The
9 Taseko-Chilco River sockeye salmon is one of the
10 last healthy sockeye runs in the Fraser River is
11 considered genetically superior and comprises a
12 full 25 percent of the Fraser sockeye run. There
13 are spawning areas directly below the proposed
14 mine site and Beece Creek is an important area for
15 the salmon, as we understand it.

16 It would seem foolish to
17 jeopardize all of these values for a mine with
18 life span of a mere 20 to 30 years. We have many
19 concerns over water quality and water quantity.
20 Water is a precious resource and all life depends
21 on the availability of clean water.

22 In the larger context, about
23 two-fifth's of the world's population does not
24 have access to clean drinking water, and even many
25 rural communities in Canada do not have safe

1 drinking water. Given this information, the fact
2 the proposed mine will effect the entire Fish
3 Creek watershed and beyond is quite disturbing to
4 us. We can no longer take clean water for granted
5 in Canada and we ask the Panel to exercise caution
6 with respect to all issues related to water.

7 Specifically, in addition to the contamination
8 resulting from metal leaching of the TSF, we're
9 doubtful that the Proponent can adequately
10 maintain water levels in Fish Lake. The latter
11 would be dependent on the success or failure of
12 Taseko Mine's recirculation system, which would be
13 required for an indefinite period of time.

14 Tahltan B water levels will
15 also be subject to whatever hydraulic conductivity
16 that exists between the pit and the lake. We are
17 concerned that pit de-watering will draw down
18 water levels in Fish Lake.

19 The proposed mine at Fish Lake
20 will also result in a significant loss of wetland.
21 Although there is no time to discuss this topic,
22 suffice it to say wetlands are "the most
23 threatened life support systems around the world
24 and along the most socioeconomically valuable."

25 Finally, in light of the

1 current relaxation of government regulations such
2 as the recent federal bills C-38 and C-45, which
3 have significantly weakened environmental
4 protection legislation, coupled with cut back's to
5 both provincial and federal ministries of
6 fisheries and environment, we wonder how much
7 government oversight and monitoring will be
8 provided if this mine were to be approved.

9 Socioeconomic. While this
10 topic is not the focus of our presentation we
11 would like to make a few brief comments. Many
12 people support this proposed mine because of the
13 purported economic benefits. We would support
14 economic development that is truly sustainable
15 over the long term and that doesn't create another
16 boom-and-bust cycle for our region; however, the
17 need for jobs and economic development doesn't
18 justify a mining plan that contains so many
19 environmental risks and that is contrary to the
20 wishes of local First Nations. There is a strong
21 possibility that taxpayers will end up paying for
22 environmental clean up costs and other
23 post-closure expenses. We believe that an
24 economic development project that depends on the
25 potential pollution of vast amounts of fresh water

1 is certainly not in the public's best interests.

2 The value of the Fish Lake area
3 and natural capital. Is Tahltan B and surrounding
4 area more valuable developed into an operating
5 mine or left as it is?

6 In order to answer questions
7 like this the Pembina Institute has developed a
8 tool called the Boreal Ecosystem Wealth Accounting
9 System, or BEWAS, to measure the full economic
10 value of goods and services provided by nature, in
11 this case the boreal forest. Noting that,
12 "approximately 60 percent of the world's ecosystem
13 services are being degraded or used
14 unsustainably."

15 We would like to suggest that
16 Fish Lake with it's abundance of life and
17 highly-productive natural spawning habitat has
18 more value and natural capital left in it's
19 present state than any monetary gains provided by
20 a mine. To us, Fish Lake is a small miracle in
21 nature. One must also remember that some people's
22 livelihoods depend on these lands and waters,
23 whether it be the local tourism operators,
24 Aboriginal trapper or the commercial or
25 recreational fisher person downstream in the

1 Fraser River. To us, true wealth consists of
2 clean water, clean air and clean soil. Our health
3 and well-being depend on them.

4 Trust and social license. From
5 our experience to-date we find it difficult to
6 trust Taseko Mines and this erodes our confidence
7 in this project. On October 10th, 2012, the
8 Proponent told the(unintelligible)committee as a
9 whole that, "The Aboriginal community has now
10 expressed it's support of the proposal."

11 The latter statement is simply
12 not true. After reading sections of the company's
13 Environmental Impact Statement and responses to
14 the Panel information request we are not confident
15 that Taseko Mines is exercising the precautionary
16 principal. How can this company be trusted with a
17 mining operation that will impact an entire
18 watershed and probably the salmon in the Taseko
19 River? It saddens us to see how this proposed
20 mine has divided our communities. Does it have to
21 be this way?

22 Conclusions. In conclusion we
23 would like to reiterate that the proposed mine at
24 Tahltan B contains too many risks and would
25 destroy the recreational experience that the

1 Friends of Fish Lake enjoy and value. Why put at
2 risk one of the most productive trout fishing
3 lakes in the province, along with it's unique and
4 natural spawning habitat? Why jeopardize one of
5 the healthiest sockeye salmon runs in the
6 province? There are no compensation measures that
7 can substitute for these losses which will last
8 forever. The environmental risk outweighs the
9 economic benefits of this project.

10 This mine should not be
11 approved.

12 As an interested party and
13 speaking on behalf of the Friends of Fish Lake
14 we'd like to thank you this for this opportunity
15 to express our views.

16 CHAIRPERSON ROSS: Thank you,
17 Ms. Spencer. Taseko, any questions?

18 MR. GUSTAFSON: No questions.

19 CHAIRPERSON ROSS: Thank you.
20 In the interests of time I'm going to turn to my
21 colleagues. The Panel has no question at this
22 time. Thank you for your submission.

23 Mr. Anderson, we have copies of
24 your presentation. So what do you have to say?

25 MR. DOUCETTE: Sorry that you

1 didn't see me stand up and ask a question to
2 Patricia.

3 Patricia, you made mention that
4 that 81 percent of the spawning creeks or creeks
5 flowing into Fish Lake will be effected or
6 destroyed. I'd like to know where you got that
7 number from.

8 From what I understand, the
9 vast number of creeks flowing into Fish Lake are
10 actually ephemeral, non-spawning channels, so I'd
11 like to know where you get the 81 percent from.

12 CHAIRPERSON ROSS: Please come
13 to the microphone. Your name.

14 MR. DOUCETTE: Len Doucette.

15 MS. SPENCER: The source of
16 that information is right in my submission,
17 footnote number 3, so should I read that?

18 CHAIRPERSON ROSS: Why don't we
19 say it's footnote number 3 and you can check it on
20 line tomorrow morning.

21 MS. SPENCER: It's from the
22 project description, June 2011.

23 CHAIRPERSON ROSS: Thank you so
24 much. Mr. Anderson, please.

25

1 PRESENTATION BY DARYL ANDERSON:

2 MR. ANDERSON: Thank you. I
3 appreciate the opportunity to be able to speak
4 today. My name is Daryl Anderson. I did submit a
5 written submission and it's been filed and also
6 the information's sited in my written submission,
7 I filed a copy of that.

8 I'd like to explain a bit of my
9 work history. I grew up in British Columbia and
10 obtained a diploma of technology and wellness
11 recreation. Since that time, I worked as a
12 wildlife technician, and was able to enjoy a
13 lengthy career as a conservation officer in the
14 Yukon. Got cross-appointed as a British Columbia
15 conservation officer and also as a Federal
16 Fisheries officer. Following that, I transferred
17 to Environment Canada and spent five years as a
18 Senior Environmental Inspector and Investigator
19 for Environment Canada doing pollution
20 enforcement. Part of my duties for Environment
21 Canada, the majority of my duties, were conducting
22 inspections and investigations at mine sites
23 throughout the Yukon, Northern British Columbia
24 and the western portion of the Northwest
25 Territories.

1 I should state at this time
2 that I'm not representing the view of any previous
3 or current employer and have not received any
4 promise of benefit or reward for appearing before
5 the Panel today from any party.

6 I'd like to just -- I'm not
7 going to go through my -- you've got my written
8 submission. I would like to hit a few points that
9 are important to emphasize. The information that
10 I've sited in my report comes from geological
11 surveys, a U.S. one, a report called Global Flows
12 of Metals and Minerals.

13 I want to point out that North
14 Americans are huge consumers of the world
15 resources. We extract currently in North America
16 only one-third of what we're consuming. In the
17 European Union countries this number drops to
18 under 10 percent. As an illustration, using a
19 smart phone, the current life cycle of a smart
20 phone in North America is 21 months; that's from
21 production to landfill. We are not conservers of
22 resources. We are heavy users of resources, all
23 of us. The trend is continuing to -- this trend
24 is continuing with an increase in demand by North
25 American's and European's and a drop in extraction

1 in our home countries.

2 One of the conclusions drawn in
3 this report was that the environmental burden
4 associated with the extraction of minerals seems
5 to be borne by the lesser-developed countries,
6 countries I would submit that do not have forms
7 like this. Many of them do not have robust
8 environmental enforcement laws. And, in many
9 cases, are not motivated to introduce those laws.
10 I'm not suggesting in any way that projects
11 lacking in technical merit or unacceptable
12 environmentally should be approved, but when sound
13 projects are submitted by responsible companies I
14 believe it is our responsibility to produce some
15 of what we are using here in our home countries
16 and not use frivolous reasons for preventing those
17 projects from going ahead. I'm not drawing
18 conclusions about anyone else's presentation or
19 their points of view.

20 I believe, we in proceeding
21 with responsible projects within our home country
22 we actually demonstrate environmental leadership
23 worldwide. We have some of the strongest laws in
24 the world. We have provisions in some of the laws
25 that don't exist anywhere else. Some of these

1 examples are in Sections 16 through 24 of the
2 Canadian Environmental Protection Act, which I
3 used to enforce. These sections include what I
4 like to call "corruption prevention provisions"
5 and they're called in the Act "public
6 participation", but really what they are is an
7 individual has the right to request an
8 investigation of violations under the Act, and
9 bring a civil action if the government fails to
10 conduct an investigation or respond unreasonably.
11 There is also provisions for the protection of
12 individual reporting violations, including
13 employees of the very company that may have
14 committed those violations.

15 In Canada a project like this
16 is subject to many layers of legislative oversight
17 and observation from the public. These layers
18 include federal and provincial agencies, First
19 Nations, the general public and the media as a
20 last line of defence for the environment.

21 I've reviewed not all certainly
22 because it's quite the volume of material produced
23 in relation to this project, but I have reviewed
24 the Environmental Impact Statement and a number of
25 other documents. I've also visited the site and

1 would like to express some opinion on that. Those
2 opinions are in my written submission, but I
3 believe the project, in my view, benefits from a
4 number of attributes that lower the risk of this
5 project compared with many other mine sites in
6 Canada. It benefits from a dry climate, a very
7 simple watershed in terms of complexity. All the
8 primary disturbance is appearing within a single,
9 isolated watershed. Slopes are small to moderate,
10 and it also benefits from a near impermeable layer
11 of glacial till underneath the disturbance area.

12 The footprint, in my opinion,
13 is quite small, the overall footprint of this
14 project compared with others that produce similar
15 benefits and volumes of product. In my view, the
16 designers have obviously purposely looked to
17 compress the site and limit environmental impacts.
18 From my point of view, another significant
19 positive feature is the company itself. I've had
20 the occasion to conduct inspections and
21 investigations with multi-national companies,
22 numerous layers of corporate protection and I can
23 say that having a company, having a Proponent
24 that's based here in this home jurisdiction, has
25 all their assets here, gives a level of protection

1 to the public. They're accessible to enforcement
2 agencies in a way that's not typical of large,
3 multi-national companies. It's simpler and easier
4 for enforcement agencies to obtain compliance.
5 This type of company is more likely to stay in
6 compliance because they are vulnerable, I guess,
7 is the word to enforcement action.

8 North Americans are among the
9 largest consumers of base metals in the world. We
10 make choices every day that result in the
11 extraction and production of copper, led, zinc,
12 iron, nickel and, many other substances somewhere
13 in the world in order to meet our demand. At the
14 same time we tend to discourage and oppose mining
15 proposals within our home jurisdictions and site
16 unacceptable environmental impacts as the cause.
17 We currently only extract about one-third of the
18 base metals we consume and this percentage is
19 falling. Do we really believe that our rejection
20 of local projects will somehow result in more
21 environmentally friendly extraction of those
22 materials in remote or less-developed portions of
23 the world? Canada has some of the most stringent
24 environmental protection legislation and
25 enforcement capabilities in the world. Safeguards

1 have been built in to these laws to prevent
2 corruption, protect those who report violations
3 and facilitate enforcement accountability and
4 transparency. The examples I gave in the SEPA
5 follow.

6 Next point, accessible deposits
7 of metals and minerals are a finite resource
8 globally. We clearly need to continually develop
9 strategy to reduce consumption of these
10 commodities and curb the current trend.

11 I believe we demonstrate global
12 leadership and environmental responsibility by
13 carefully assessing development proposals within
14 our borders and proceeding with those technically
15 sound and that pose a relatively low risk.

16 After considering the New
17 Prosperity proposal in some detail I feel it's
18 totally qualified as an excellent type of
19 development which should be supported and
20 encouraged within our society. The Proponent is
21 entirely Canadian-based and is accessible to
22 enforcement agencies, has an established record of
23 compliance and environmental responsibility and is
24 seeking to maximize the economic benefits of the
25 project for local communities. The inherent risks

1 associated with the site are low as it benefits
2 dry climate, low to moderate slopes, small
3 casement area, containment within a distinct
4 single drainage and near impermeable sub straight.
5 The area of primary disturbance is quite limited
6 and compact decreasing the size and scope of
7 potential impacts. The methods of extraction,
8 concentration and tailings handling proposed
9 utilize modern technology and are relatively
10 straightforward and proven.

11 The Proponent is committed to
12 the development of mortality risk reduction plan.
13 The same plan and strategies will reduce the risk
14 of black bear conflicts and mortality. Much is
15 known about bear behaviour and the components of a
16 successful program have been well-established at
17 other sites.

18 By incorporating the lessons
19 learned elsewhere I'm fully confident an effective
20 program can be instituted for the New Prosperity
21 site which would focus on prevention of, rather
22 than reaction to, bear/human conflict. I just
23 want note that in my duties as a conservation
24 officer for 14 years I dealt with literally
25 hundreds, if not thousands of bear/human conflict

1 issues.

2 I've identified a number of
3 things in my written submission which should be
4 required for that plan, but I note the Proponent
5 has committed to doing so. The Proponent is
6 committed to preserving the Rainbow trout
7 population within the Fish Creek system and will
8 be highly motivated and have the resources
9 available to fulfil this commitment. In reality,
10 the capacity and long term viability of the
11 population will likely be significantly enhanced
12 as a result of the concentrated management
13 efforts, at the same time I believe co-operative
14 research could be undertaken at the site to help
15 predict and address fisheries issues in other
16 small systems within the region.

17 My concluding paragraph, after
18 receiving and reviewing all relevant materials
19 this Panel will prepare and submit it's report and
20 the Federal Cabinet will be tasked with the job of
21 deciding if approval of the new prosperity project
22 represents the best use of the site for the
23 benefit of Canadians.

24 From my perspective I have no
25 hesitation in responding to this question with an

1 absolute yes. In my view this is a scientifically
2 sound proposal submitted by an environmentally
3 responsible Canadian company with a proven record
4 of compliance on a site with very low inherent
5 risk. Furthermore, from an economic standpoint no
6 other resource-based industry comes close to
7 generating the same level of benefit from such a
8 small footprint. If we choose to reject domestic
9 development projects like this one possessing such
10 near optimum combination of positive attributes,
11 we have no right to ask the rest of world to
12 fulfil our ever-increasing demand for natural
13 resources. Thank you. Very much.

14 CHAIRPERSON ROSS: Thank you
15 very much, Mr. Anderson. Taseko, any question?

16 MR. GUSTAFSON: No questions.

17 CHAIRPERSON ROSS: Thank you.
18 One brief question, please.

19 MR. LAPLANTE: Can it be two
20 short ones? I promise it will be short. Thank
21 you. My name is JP LaPlante, that's
22 L-A-P-L-A-N-T-E.

23 Thank you, Mr. Anderson, for
24 your presentation. I appreciate your experience
25 and that's why I'd like to ask these two

1 questions. I'm wondering if you ever worked in
2 relation to the Farrow or Giant mine.

3 MR. ANDERSON: Farrow, yes.

4 MR. LAPLANTE: And would you
5 characterize that mine as a responsible
6 development given that hindsight is 20/20?

7 MR. ANDERSON: I do not think I
8 have the depth of knowledge of that project to
9 answer that accurately or completely. When I was
10 dealing with that mine site --

11 CHAIRPERSON ROSS: I'm sorry,
12 we have to take a short break. I promise to
13 return and we'll finish this discussion, but we're
14 going to do it right now.

15 --- Recess taken.

16 --- Upon resuming.

17 CHAIRPERSON ROSS: I apologize,
18 Mr. LaPlante. Can we target a little bit more
19 about New Prosperity and make the connection
20 quickly, thank you.

21 MR. LAPLANTE: I'm happy with
22 you saying you are not sure. That's fine with me.
23 I have another question. Thank you. I guess one
24 of the primary mitigations and contingencies at
25 the New Prosperity site is deep ground water pumps

1 and water treatment in perpetuity, so that's what
2 I'm getting at. I'm wondering if it were
3 identified that in fact this, you know, this ore
4 body necessitated the need for long term,
5 indefinite and ongoing, on site operations and
6 maintenance, would that be a responsible
7 development?

8 MR. ANDERSON: There are
9 certainly possibilities of requiring treatment
10 long term, but I'm not a mining engineer, so I'm
11 coming from the perspective of enforceability of
12 current regulations, and maintaining.

13 MR. LAPLANTE: Who is paying
14 for the Farrow and Giant mine clean ups?

15 MR. ANDERSON: I believe it's
16 the Federal Government.

17 CHAIRPERSON ROSS: Thank you
18 very much. In the interests of moving along,
19 George, any questions?

20 MR. KUPFER: Thank you, and
21 thank you for the article.

22 CHAIRPERSON ROSS: The Panel
23 has no questions at this time. Thank you, Mr.
24 Anderson. We have three things left to do, the
25 first is to afford Taseko a short opportunity to

1 comment on today's development. Any questions,
2 any comments on the sessions today that you'd like
3 to make Mr. Gustafson?

4 MR. GUSTAFSON: We do
5 understand the Panel asked whether we would be
6 prepared to defer a number of our questions and
7 responses until the end of the general session and
8 we've agreed to do that. One exception with
9 respect to one issue we'd like to deal with in the
10 moment, if we may.

11 CHAIRPERSON ROSS: Sure.

12 MR. GUSTAFSON: And with that
13 Mr. McManus has a brief two minute comment.

14 MR. MCMANUS: Thank you very
15 much. I will be brief. We heard a lot of things
16 today and they are all very interesting and to be
17 dealt with later on in the hearings. One point
18 came up a number of times and that was the
19 implication that Taseko has a divide-and-conquer
20 strategy. That couldn't be further from the
21 truth. We are simply presenting an opportunity we
22 believe provides great benefits with no
23 significant environmental effects. We presented
24 it as clearly and fairly as we possibly can and we
25 hope that people make up their own minds and

1 that's that. Thank you.

2 CHAIRPERSON ROSS: Thank you
3 very much for that comment Mr. McManus. I'm
4 assuming we're done there. My closing remarks
5 today will be fairly short, quite short. The
6 first is to thank all of the presenters for some
7 helpful information. We very much appreciate
8 that.

9 Secondly, I'd like to thank you
10 all of you for quite a respectful first two
11 sessions. That has made my job easier but, more
12 importantly, it makes for a more pleasant hearing
13 session.

14 For tomorrow the hearing will
15 take place at the same time as today. We will
16 start tomorrow at 1:00, go to 5:00, dinner break,
17 and 7:00 to 9:00 tomorrow. Wednesday and Thursday
18 we're 9:00 to 5:00 with a break for lunch. And I
19 think that's about all I have to say.

20 It's my understanding, Mr.
21 Grinder, that the Tsilhqot'in drummers will be
22 doing a closing now. In that case, I turn it over
23 to you.

24 --- Closing ceremony.

25 --- Whereupon the hearing was adjourned at

1 9:35 p.m., to resume at 1:00 p.m. on Tuesday,
2 July 23rd, 2013.

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5 foregoing pages to be an accurate transcription of
6 my notes to the best of my skill and ability.

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