



## TSILHQOT'IN NATIONAL GOVERNMENT

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**FOR IMMEDIATE RELEASE**

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### **Tsilhqot'in Nation Goes to Court to Protect Lake from Acid Mining Waste Tsilhqot'in Vows to Protect Teztan Biny (Fish Lake) from Prosperity Mine**

*Tsilhqot'in Territory* - The Tsilhqot'in Nation filed a writ in B.C. Supreme Court today claiming an Aboriginal right to fish. The claim, if successful, will prevent Taseko Mines Ltd. from developing its proposed Prosperity Project, 125 km southwest of Williams Lake. The proposed mine pit, and the construction of the mine tailings and waste rock disposal areas, would completely destroy Teztan Biny (Fish Lake).

The court action, brought by Chief Marilyn Baptiste of the Xeni Gwet'in First Nation on behalf of the Tsilhqot'in Nation, is seeking a declaration of an Aboriginal right to fish in Teztan Biny, a pristine mountain lake in the heart of Tsilhqot'in territory. For the Tsilhqot'in, the lake is sacred and its destruction unthinkable. The court action aims to permanently stop Taseko from using this natural lake as a disposal site for its toxic mine tailings, a controversial mining practice in Canada that threatens to leave a legacy of environmental contamination that will last for millennia.

The proposed Prosperity Project would also require a 125 km power transmission line and the construction of a 'replacement' lake, something Taseko calls a Fish Compensation Plan. The project is currently entering federal and provincial environmental review processes and is set to go into development as early as 2010, if approved. The federal Department of Fisheries and Oceans has previously opposed the destruction of the lake because of its 'net loss' to fish habitat policy.

Taseko's 2007 Prosperity Feasibility Study states that the "property hosts proven and probable reserves of 487 million tonnes grading 0.43 gpt Au and 0.22% Cu at a C\$5.25 net smelter return (NSR/t) per tonne pit-rim cutoff". The current value of those metals at today's prices would be over \$10 billion. The Feasibility Study speaks of a pre-production capital cost of C\$807 million, with an operating cost of C\$2.9 billion over the life of the mine.

On November 20, 2007 the Tsilhqot'in won a historic victory of an aboriginal right to hunt, trap and trade to over 400,000 hectares of their territory. Marilyn Baptiste, Chief of the Xeni Gwet'in Tsilhqot'in states: "A lot of our members and Elders can't understand why we need to go to court again. We already went to court for 339 days and won. The governments took their best shot and lost. Our members are asking how many times we need to win in court to have our rights respected. However, if it takes another court case, we'll do it: whatever it takes to protect our Territory."

When asked about the legal foundation of the court action, lawyer Jack Woodward stated "The provincial government simply has no constitutional authority to extinguish Aboriginal fishing rights."

If the court action is successful, the Prosperity Project, as currently proposed, will be barred from proceeding.

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