



Media Release

FOR IMMEDIATE RELEASE

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Tsilhqot'in Voice Indigenous Laws at Hearing

Williams Lake, BC: Today marks the beginning of the Environmental Appeal Board (EAB) virtual hearing of the Tsilhqot'in Nation's challenge of an amendment to a discharge permit authorized by a Director of the BC Ministry of Environment and Climate Change Strategy. The Tsilhqot'in Nation is appealing the amended permit on the grounds that the Director did not properly consider Tsilhqot'in laws and principles in the consultation and accommodation process, and that the amended permit fails to protect the environment, as required under BC's *Environmental Management Act*. Due to Covid-19 restrictions, the Appeal is being heard in a hybrid fashion, with a mix of written submissions and this virtual oral hearing for cross-examination of witnesses and experts.

Tsilhqot'in inherent Indigenous laws regarding the Fraser River (*ʔElhdaqox* in our language) require that the river be protected from degradation. Effluent that lacks sophisticated water treatment before being discharged into the Fraser River is in direct contravention of our Indigenous laws. When approving this amended permit in 2019, the Director did not adequately take into account the laws that we as Indigenous peoples and caretakers of this area have used to govern and protect our lands and waters for thousands of years.

The Tsilhqot'in Nation is seeking to have the 2019 amended permit revoked, or at minimum, amended. If revoked, Gibraltar Mines Ltd. would not be permitted to increase the discharge levels by 50%. The mine would however, still be able to discharge at their previous permitted rate which is itself of grave concern to our Nation.

BC has all together failed to ensure the protection of the environment by authorizing this amended permit. The corresponding provincial policy – which allows for untreated discharge entering a waterway as long as it gets diluted quickly – should be cause for concern for everyone in the Province as we all directly or indirectly rely on and benefit from this important river and the life it supports.

Quotes:

Nits'il?in (Chief) Troy Baptiste, ʔEsdilagh First Nation

“Our laws are there to protect our land and waters for use by current and future generations. They are not being taken into consideration when our people can't hunt and fish in places they have for centuries. To have a mechanism within the Province of BC that allows for pollution to enter our

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waterways as long as it is quickly diluted is absolutely appalling. It is up to the Environmental Appeal Board to do the right thing and revoke this 2019 permit.”

Nits'il?in (Chief) Francis Lacey, Tl'esqox

“Our rights and laws have been ignored by the Provincial government for far too long. The hearing this week is about holding this government and mining companies accountable for their actions and policies that directly impact our fish, wildlife and waterways. The Fraser River is a major migration route for key salmon and other species such as the endangered white sturgeon – anything that increases the temperature of this water or overall challenges the survival of fish should be outlawed in BC. The *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) has been adopted by the Province of BC but this case is a glaring example of how BC is unable to put their words into action.”

More Information:

- Livestream the virtual EAB hearing: http://www.eab.gov.bc.ca/hearing_schedules/index.htm
- Webpage: www.tsilhqotin.ca/gibraltar
- Media Package: <https://drive.google.com/drive/folders/14IURUafU9322B091N1-hcmZDeLk86r-L?usp=sharing>
 - Media Backgrounder
 - 2019 Discharge Permit
 - Photos and maps available for use
 - Sturgeon River Law (May 2020)

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