



# T̄SILHQOT'IN NATIONAL GOVERNMENT

February 2021

## BACKGROUNDER

### Gibraltar Mines Ltd. and Discharge Permit

#### WHERE

Gibraltar Mines Ltd., the second largest open pit copper mine in Canada, is located 60km north of Williams Lake, BC in the BC's interior. Effluent from this mine is discharged into the Fraser River only 4km from the community of [?Esdilagh First Nation](#) (Alexandria) and near traditional fishing sites within the T̄silhqot'in territory. The Fraser River itself is the longest river in British Columbia, flowing into the Straight of Georgia at the City of Vancouver, BC. The Fraser River support the largest migration route of Pacific Salmon in the province, and several fish species, as well as endangered sturgeon populations.

#### WHAT

In 2019, the Province of BC approved a permit amendment that allows Gibraltar Mines Ltd. to increase effluent discharge from their tailing pond by 50% into the Fraser River for three years. Effluent is discharged into the Fraser river only 4km from the community of ?Esdilagh and does not meet BC Water Quality Guidelines at the point where it enters the Fraser River. This area is known for its importance as a fishing and gathering area to the ?Esdilagh First Nation and as a nursery for endangered white sturgeon. To date, the discharge is not subject to a sophisticated water treatment process prior to entering the Fraser River. Gibraltar Mines relies on the effluent being diluted in the Fraser River as a treatment process. The T̄silhqot'in National Government and ?Esdilagh First Nation assert that the effluent must be of better water quality standards than the Fraser River upon entry to the Fraser River.

As stewards of the waters that flow through their caretake area, the ?Esdilagh First Nation and T̄silhqot'in National Government enacted the "Sturgeon River Law" ([?Elhdaqox Dechen Ts'edilhtan](#)) in May of 2020 which brings into modern form the ancient T̄silhqot'in laws and teachings about water and the Fraser River. This T̄silhqot'in Law stipulates that water users and industry must ensure the Fraser River stays clean and healthy for future generations.

#### WHY THE T̄SILHQOT'IN OPPOSE THE INCREASE IN DISCHARGE

The T̄silhqot'in oppose the increase in discharge due to the fact that the discharge has levels of contaminants above BC Water Quality Guidelines and the Fraser River is used to "dilute" the discharge. This is in violation of the [?Elhdaqox Dechen Ts'edilhtan](#), may have unknown effects on the river and the fish and other species that rely on the Fraser River. ?Esdilagh is also very concerned about salmon

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species and their severe decline in recent years because the community strongly relies on salmon from the Fraser River for sustenance. The T̄silhqot'in Nation and people of ?Esdilagh support reducing water build-up at the Gibraltar Mine, but believe there should be an investment in water treatment so that any discharge is of better quality than the Fraser River or other receiving environment. This mine has generated billions of dollars for its shareholders and the provincial government, with minimal benefit to ?Esdilagh First Nation and the T̄silhqot'in Nation. Now is the time to give back and to invest in water treatment so that we protect our waterways and the life they support.

### TIMELINE

- 1972** – The Gibraltar copper-molybdenum mine is built approximately 5km from the main reserves of the ?Esdilagh First Nation, without any environmental assessment, consultation or consent with ?Esdilagh. It is one of the lowest grade mines ever built in British Columbia. It is now the second largest copper mine in Canada and is scheduled to continue with active mining until 2038.
- 1970s** – Mine needs water for its mill so pipe from Fraser River installed to bring water up from the river
- 1980s** – Mine begins to collect water runoff, resulting in water surpluses and growing reservoir of water in the old pits and tailings pond.
- 1990s** – Mine shuts down several times due to low metal prices. Gibraltar is purchased by Taseko Mines in 1999 and re-opened in 2004.
- 2006** – BC Ministry of Environment approves an application from Gibraltar Mine to reverse the flow of the pipe to the Fraser River, and send untreated tailings supernatant (tailings pond water) to the Fraser River, 4km downstream of the main ?Esdilagh Indian Reserves.
- 2006** – Xat'sull First Nation (?Esdilagh's neighbour to the south) appeals the permit to the Environmental Appeal Board
- 2008** – The BC Environmental Appeal Board overturns the permit
- 2009** – BC Ministry of Environment issues a revised discharge permit to Gibraltar Mines
- 2015** – Gibraltar Mines applies for and receives a one-year temporary discharge amendment which allows them to increase the discharge rate by 50%. The discharge increased discharge occurs in 2016.
- 2017** – Gibraltar Mines Ltd. applies for a permanent increased discharge permit. The application was lacking technical information and was not approved by BC Ministry of Environment.
- 2018** – Gibraltar Mines Ltd. revises their application to a three-year amended permit for a 50% increased discharge.
- March 2019** – Three-year amended discharge permit approved by the Province of BC.
- April 2019** – The T̄silhqot'in National Government files a [notice of application](#) to the BC Environmental Appeal Board, challenging the three-year discharge permit.
- May 2020** - ?Esdilagh First Nation enacts "Sturgeon River Law" to enact their governance over the stewardship and management of the waterways within its caretaker area.
- Jan 2021** – TNG submits its written arguments and evidence to the Environmental Appeal Board
- March 15-19, 2021** – Appeal Board will hold virtual cross-examination hearing of the witnesses in the appeal.

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