



## **An Update on the Teztan Biny Environmental Review Process**

*An expert report bolsters the fight to save the Tsilhqot'in's territory from permanent devastation!*

The efforts to save Teztan Biny (Fish Lake) from becoming a toxic dump for Taseko Mines' proposed Prosperity Gold-Copper mine continues – with several interesting developments over the past few weeks.

The federal review panel sent Taseko Mines Ltd.'s Environmental Impact Statement (EIS) back *twice* for deficiencies in the content. Then a report by U.S. mining experts at Stratus Consulting concluded that Taseko's EIS "vastly underestimate[s]" the impact of the mine on the fish habitat. That report came on the heels of Taseko announcing it was extending the life of the mine from 20 to 33 years with an intention to "mine deeper, higher grade mineralization."

*...continued on page 2*

## **December Profile: Berry Hykin**

Berry and her trusty sidekicks Paddy & Thai (long time members of W&Co's burgeoning Large Black Dog population) returned from maternity leave in April 2009.

Berry has been working on a variety of projects involving Aboriginal rights and title law, economic development, band governance and employment law.

Berry is an active member of the local legal community and can often be found organizing continuing legal education programs. She has been instrumental in developing W&Co's weekly Continuing Professional Development program to ensure that all our lawyers are up-to-date on the latest developments in the law.

This month Berry will be spending time in Vancouver completing a course in Advanced Civil Mediation. This course will add to her existing training in Family Law Mediation. She looks forward to using her new mediation skills in negotiations and litigation for W&Co clients. Berry is also busy preparing two new workshops for 2010: (1) Update on Employment Law for First Nations; and (2) Development of Bylaws.



In addition to her busy law practice and full-time mom duties, this former horse trainer likes to stay active and outdoors by participating in triathlons (in all her spare time).



Please note that during the holidays, W&Co's office will be closed Dec. 25 & Jan. 1, 2010. The office will close early on Dec. 24<sup>th</sup> and Dec. 31<sup>st</sup>.

### **UPCOMING EVENTS:**

**Copenhagen:** Dec. 7 – 14 - Summit convened by UN Framework Convention on Climate Change (UNFCCC) to accelerate efforts and draft a long-term plan to avoid dangerous climate change. How this will be done will depend on what deal can be reached between rich and developing nations.

The world's politicians & climate scientists have settled on 2°C as the threshold for "dangerous" global warming. To stay below this we must emit no more than 750K Mt of carbon in total. Sometime in 2006 we emitted the 500,000<sup>th</sup> megatonne.

### **In Memoriam: David H. Vickers (1934 – 2009)**

Woodward & Company offers condolences to the family of B.C. Supreme Court Justice David Vickers. His landmark ruling in the Tsilhqot'in land claim case has altered the framework of Aboriginal rights and title in BC and Canada. Judge Vickers was a visionary member of the judiciary and his legacy will long be remembered.

W&Co's legal team just submitted the Tsilhqot'in National Government's report & maps on "current use of lands for traditional purposes" and now awaits a company response. The current use report included a statement from Xeni Gwet'in elder Catherine Haller on the spiritual and cultural importance of Teztan Biny to the Tsilhqot'in people.

Lawyer **Sean Nixon** says the team is still waiting for Taseko to incorporate this current use information into its Environmental Impact Statement – following which, the federal review panel will determine whether it has sufficient information on use of the area by Aboriginal groups, and on potential impacts to Aboriginal uses, to proceed to public hearings.

The review panel also has to determine whether it has enough data on hydrology to proceed to public hearings – this is where the Stratus report fits in. Stratus states that Taseko's EIS information "does not permit a reasoned evaluation of potential adverse effects to water quality, water quantity, fish and wildlife under variable conditions."

In addition, the panel asked for comments by Monday, November 23<sup>rd</sup> on Taseko's news release statement (dated November 2<sup>nd</sup>) that they now intend to run the mine 13 years longer than originally planned. W&Co has submitted comments on behalf of TNG on this issue.

As it stands, public hearings are not yet scheduled - much depends on Taseko and on the review panel. More information will be provided when dates and locations of the hearings are announced. And the issue was just made a feature in U.S. magazine *Sacred Fire*. See [www.sacredfiremagazine.com](http://www.sacredfiremagazine.com). ❄

### ❧ Congratulations Derek! ❧

W&Co is pleased to announce Derek Christ's Call Ceremony to the Bar of B.C. will take place on December 3, 2009 at the Provincial Court House.

### *Welcome Silas and Sacha!*

Dawn Imlach gave birth on  
October 30<sup>th</sup> to a  
8lb 6oz baby boy named  
*Silas Ian Quin Imlach.*



Dominique Nouvet gave birth on  
November 16<sup>th</sup> to a  
9lb 8oz baby boy named  
*Sacha Léon Nelson-Nouvet.*

**Congratulations to both W&Co families!**



### STOPLIGHT FUNDRAISER FUELS TWO GUATEMALAN RELIEF EFFORTS

The Guatemala Red Yellow Green & Blues Party brought in a good crowd and raised funds for two great causes. The November fundraiser organized by W&Co's **Alana Degrave, Berry Hykin, Drew Mildon, Leah Mack** and **Leigh Anne Baker** assisted ICO Scarves for Stoves and the Guatemala Action Support Association (GASA).

ICO Scarves for Stoves purchase high efficiency stoves for Guatemalan families. GASA supports the Rabinal Legal Clinic in its work for Guatemala's Indigenous peoples.



Assisted by some fine noshing on traditional Indian snacks provided by chef Surinder Kumar and live R&B by the Vic High Rhythm and Blues Band the night raised \$2000 for the two organizations. 🌍

From all of us  
at Woodward &  
Company, we  
wish you and  
your loved ones  
a warm and  
wonderful  
holiday season!





