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WILLIAMS LAKE TRIBUNE

Public comment period on new Prosperity information begins

By Ken MacInnis - Williams Lake Tribune

Published: August 20, 2009 8:00 AM

0 Comments

The public has until Sept. 18 to comment on additional information provided by Taseko Mines to a federal panel reviewing the proposed Prosperity gold and copper mine at Fish Lake.

The Canadian Environmental Assessment Agency announced the beginning of the 30-day public comment period Wednesday.

"This 30-day comment period gives Aboriginal groups, governments and the public an opportunity to submit their views in writing to the panel on the adequacy of the additional information as measured against the EIS Guidelines and on the technical merit of the information presented. Opportunities to present overall views on the project will be provided at the future public hearing," the public notice reads.

Once the 30-day period ends, the panel will determine whether it has sufficient information to proceed to the public hearing. A public notice will be issued and interested parties notified at least 30 days prior to the commencement of the hearing.

On June 24, the panel asked Taseko to address information deficiencies in its Environment Impact Statement (EIS), including:

- more information on its assessment of alternatives for tailings and waste rock storage
 - the potential environmental effects of temporary closure scenarios
 - the volume of water required to successfully operate the fish compensation works and tailings storage facility
 - the water balance required to successfully operate Prosperity Lake under ideal conditions and in dry years
 - the implications of increased water requirements resulting from the possible underestimation of the amount of potentially acid generating waste rock
 - the mechanics of how that water would be diverted into Prosperity Lake and the tailing storage facility, as well as an assessment of the diversion's potential effects (if Taseko would be diverting water from the catchment east of the headwater diversion channel)
 - an estimation of the costs associated with the proposed treatment methodologies and the economic feasibility of the project if water treatment is required in the long term
- See GAPS, page A2
- clarification regarding who would have ultimate responsibility for ensuring that water treatment is implemented in perpetuity
 - under an early or temporary closure scenario, an assessment of the risk of acid drainage/metal leaching and its effects on water quality posed by not processing the low-grade ore
 - inputs from the low-grade ore stockpile in the water quality model completed for Pit Lake

On aboriginal fishery usage, the panel requests Taseko to provide a more thorough description of the anticipated effects of the project on the current use of fish and fish habitat in the project area for traditional aboriginal purposes. It also requests information on the current use of lands and resources for traditional purposes by Aboriginal persons, and any new information available to Taseko from First Nations on traditional use and cultural heritage.

It also expects Taseko to include this information in its analysis of the project's potential effects on the fish and fish habitat that is of cultural, spiritual or traditional importance to potentially affected First Nations, and on the aboriginal fishery in the regional study area.

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In its letter to Iaseko requesting the additional information, the panel notes that some information will need to come from First Nations in the affected area, and that if it is not provided in a "reasonable timeframe," the panel may take other measures to complete the review in a timely manner.

The status of that information is unclear.

In a July 17 letter to the panel, Chief Bernie Elkins, director of the Tsilhqot'in National Government's

Prosperity Project Working Group, wrote that the TNG is "fully committed to providing Taseko and the Panel that you have requested within a reasonable time frame.

"However, it is important that the panel appreciates that providing the requested information is not simple or straightforward - it represents a significant project."

Elkins submitted a proposed eight-week work plan and a \$35,540 budget. The work plan, from Symbion Consultants based in Winnipeg, identifies gaps in traditional use information and how to address them. Gaps in information gained from the William case, a 2001 traditional use study, a 2006 Xen'i Gwet'in human use study, and a 2007 trial study, among others, include:

- No formal documentation of the numbers of fish, animals or plant species harvested and/or consumption rates.
- No formal documentation of the frequency, duration, and intensity of traditional use throughout the Tsilhqot'in traditional territory or proposed mine area of influence
- No formal documentation about current traditional use participation rates: numbers of people who engage in traditional use activities, differences in activities or locations.
- No formal documentation about how current traditional use contributes to individual, family and community economies and how harvested goods are distributed/shared amongst families and communities.

On July 22, panel chair Robert Connelly sent a letter to Elkins encouraging him to complete the activities outlined in the work plan, but noted the panel has no mechanism with which to fund the work. Elkins' letter was forwarded to the CEAA and to Taseko.

In a July 31 letter, Taseko vice-president of corporate affairs wrote to Connelly to refute the idea that the information the panel requested on current traditional use is not simple or straightforward, and

"Taseko's understanding is that the subject matter that the Panel has requested...is already well researched," Battison wrote. "We note that in relation to the William case, that the TNG received about \$15 million of government funds to assist the TNG in trying to establish the nature of their claim to the land. Although the focus of this work was on the historic use of the land, consideration of current uses for traditional uses of the area was also part of that enquiry.

"Taseko has provided the TNG with about \$900,000 to assist in addressing issues specifically relating to how the mine might impact on the aboriginal rights of the TNG. CEAA has provided \$300,000 to the TNG for funding in connection with this review.

"In addition, in January of 2009 the TNG commenced a lawsuit against Taseko and the federal and provincial Crowns. A fundamental part of that lawsuit is an assertion that the project will adversely affect the current use of the lands around the mine site for traditional purposes such as hunting, trapping and fishing, and the TNG presumably assembled this information before commencing the lawsuit. The information that the Panel was requesting the TNG to provide to Taseko would seem to be readily available without a further report."

Battison also wrote that Taseko's Environmental Impact Study includes "extensive information gathered over many years on matters of special interest and concern to First Nations including traditional use, traditional knowledge, culture and heritage....last fall we provided the TNG with a complete list of all of the aboriginal concerns that Taseko was aware of that might be affected by the Project, and requested the TNG to identify any additional concerns that they had. No response from the TNG was forthcoming."

On Aug. 17, the CEAA responded to Connelly, noting the work described in Elkins's request falls under the activities and eligible expenses in the contribution agreement which sees the TNG approved for up to \$300,000 from the CEAA for activities related to the proposed mine.

As part of its additional information, Taseko has complied all of its First Nations consultation work and information.

Battison says he is confident that additional information will be sufficient for the panel, so the review can move to the public hearing stage. If the panel decides it is not, Taseko may be asked to provide more information, which will be followed by another 30-day public comment period, and another 30-day period for the panel to decide if the new information is sufficient.

Taseko's responses to the panel's additional information requests can be found at the CEAA website at <http://www.ceaa-acee.gc.ca/050/document-eng.cfm?DocumentID=38076>.

Comments will be shared with the B.C. Environmental Assessment Office and posted on the CEAA website.

Comments can be mailed, e-mailed, or faxed to:

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