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**PROSPERITY GOLD-COPPER MINE PROJECT**  
**CANADIAN ENVIRONMENTAL ASSESSMENT REGISTRY #09-05-44811**

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**FEDERAL REVIEW PANEL PUBLIC HEARING**

**PURSUANT TO:**

**SECTION 34 OF THE *CANADIAN ENVIRONMENTAL ASSESSMENT ACT***

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**PROCEEDINGS AT HEARING**

**TOPIC-SPECIFIC SESSION**

**April 28, 2010**

**Volume 31**

**Pages 6055 to 6367**

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Held at:

Pioneer Complex  
Room 119  
351 Hodgson Road  
Williams Lake, British Columbia

**APPEARANCES**

**FEDERAL PANEL:**

Mr. Robert (Bob) Connelly, Panel Chair  
 Mr. Bill Klassen, Panel Member  
 Ms. Nalaine Morin, Panel Member

**CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY (CEAA):**

Ms. Colette Spagnuolo  
 Mr. Joseph Ronzio  
 Mr. Jaron Dyble  
 Mr. Livain Michaud  
 Ms. Carolyn Dunn  
 Ms. Lucille Jamault  
 Ms. Patricia McKeage

**VIA TELEPHONE CONFERENCING:**

Dr. Jeff Morris ) Stratus Consulting  
 ) (Assisting TNG)

**TOPIC 3: FISH AND FISH HABITAT (CONTINUED):**

**TASEKO MINES LIMITED EXPERT PANEL:**

Mr. Rod Bell-Irving ) Taseko Mines Limited  
 Mr. Bill Rublee ) Triton Environmental  
 Mr. Ryan Liebe ) Triton Environmental  
 Mr. Greg Smyth ) Knight Piesold

**DEPARTMENT OF FISHERIES AND OCEANS EXPERT PANEL:**

Mr. Adam Silverstein )  
 Mr. John Summers )  
 Dr. Dan Selbie )  
 Mr. Jeremy Hume )

**TSILHQOT'IN NATIONAL GOVERNMENT EXPERT PANEL:**

Dr. Gordon Hartman )  
 Dr. Jeff Morris ) Stratus Consulting  
 Mr. Richard Holmes )

**MININGWATCH CANADA EXPERT PANEL:**

Mr. Ramsey Hart ) MiningWatch Canada

**INTERESTED PARTIES AND PRESENTERS:**

(In order of appearance on the record):

**TOPIC 2: FISH AND FISH HABITAT (continued):**

1			
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4			
5	Mr. Tony Pearce	)	Tsilhqot'in National
6	(Questions)	)	Government
7	Former Chief Roger William	)	Xeni Gwet'in First
8	(Questions)	)	Nation
9	Ms. Crystal Verhaeghe	)	Tsilhqot'in National
10	(Questions)	)	Government
11	Mr. Ramsey Hart	)	MiningWatch Canada
12	(Questions)	)	
13	Ms. Beth Bedard	)	Esketemc First Nation
14	(Questions)	)	
15	Mr. Adam Silverstein	)	Department of Fisheries
16	(Questions)	)	and Oceans Canada
17	Mr. Adam Silverstein	)	Department of Fisheries
18	(Questions)	)	And Oceans Canada
19	Former Chief Roger William	)	Xeni Gwet'in First
20	(Questions)	)	Nation
21	Mr. Tony Pearce	)	Tsilhqot'in National
22	(Questions)	)	Government
23	Mr. Matthias Starznar	)	Centre for Science,
24	(Questions)	)	Assisting TNG
25	Mr. Rick Holmes	)	Tsilhqot'in National
	(Questions)	)	Government
	Dr. Jeff Morris	)	Stratus Consulting
	(Questions)	)	(Assisting TNG)
	Ms. Amy Crook	)	The Centre for Science
	(Questions)	)	and Public
		)	Participations
		)	(Assisting TNG)

**INTERESTED PARTIES AND PRESENTERS:**

(In order of appearance on the record):

1  
2  
3 Mr. Ramsey Hart ) MiningWatch Canada  
(Questions) )  
4 Ms. Beth Bedard ) Esketemc First Nation  
5 (Questions) )  
6 Dr. Gordon Hartman ) Tsilhqot'in National  
) Government  
7 Dr. Jeff Morris ) Stratus Consulting, for  
8 ) Tsilhqot'in National  
) Government  
9 Mr. Richard Holmes ) Tsilhqot'in National  
10 ) Government  
11 Mr. Ramsey Hart ) MiningWatch Canada

**COURT REPORTING:**

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16 Mainland Reporting Services, Inc.  
17 Nancy Nielsen, RPR, RCR, CSR(A)  
18 Stephen Gill, CCR, CSR(A)  
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1 THE CHAIRMAN: Thank you, Nalaine.

2 I would like to follow up on a couple  
3 questions that Nalaine has asked.

4 One has to do with concerns we heard  
5 certainly in the First Nations communities that we  
6 visited about the spiritual ceremonial importance, the  
7 fishery as a food source for First Nations. We also  
8 heard concerns, and I think this was mentioned  
9 yesterday, about the perception that if there was a  
10 perception of contaminated fish within Prosperity  
11 Lake, that they would actually not use that as a  
12 source of food.

13 And I wonder, how do you incorporate those  
14 factors in your decisions on whether to authorize a  
15 Project such as this?

16 MR. SILVERSTEIN: Well, certainly I can provide  
17 you the typical fashion in which DFO would attempt to  
18 do that. And recognizing that this certainly isn't a  
19 typical Project.

20 So DFO, as I mentioned, and the Crown, is  
21 required to consult with First Nations, and we would  
22 attempt to include First Nations in Compensation  
23 Planning to ensure that whatever Compensation Plan is  
24 developed would also include their objectives.

25 In the existing situation, detailed

1 discussions with the local First Nations around their  
2 objectives have not yet occurred and therefore I  
3 couldn't comment directly on how they have been  
4 incorporated in this situation.

5 I will note, however, though, that  
6 Compensation Planning is the responsibility of the  
7 Proponent. DFO is there to provide advice and  
8 guidance and ultimately approval. And so we view that  
9 as a shared responsibility with the Proponent to  
10 include First Nations objectives and views on the  
11 Compensation Plan.

12 THE CHAIRMAN: Well, just to pursue that  
13 further, what if they are very clear that this is  
14 unacceptable from their perspective, how would you  
15 deal with that?

16 MR. SILVERSTEIN: I think that speaks,  
17 Mr. Chairman, to the type of Review Process that we  
18 have here, which is as public and as the role of the  
19 Review Process that is possible, with as high a  
20 decision level on the proposed Project as is possible.  
21 And in part, when DFO made a recommendation to the  
22 Minister of Environment that the Project be reviewed  
23 by Review Panel, those considerations came into play.

24 THE CHAIRMAN: Okay, thank you. A few other  
25 questions. I noticed in your, noted in your