

NEW PROSPERITY GOLD COPPER MINE PROJECT  
**FEDERAL REVIEW PANEL**  
**CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY**  
AGENCE CANADIENNE D'ÉVALUATION ENVIRONNEMENTALE

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**FEDERAL REVIEW PANEL**

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1 I have two questions related.  
2 I'd like to know how the DFO incorporated the  
3 Tsilhoqot'in right to harvest fish into it's  
4 assessment of the significance of a loss of 63  
5 percent of the Fish Creek main salmon-spawning  
6 habitat and upstream loss of 50 percent of the  
7 spawning habitat?

8 I guess I'm wondering if that's  
9 right or you may consider that an asserted rate,  
10 but if that was worked into the analysis.

11 MS. ROTINSKY: At this point we  
12 undertook a technical review of, as the majority  
13 of the presentation showed, a technical review of  
14 the functioning of Fish Lake, and the DFO  
15 recognizes the body of evidence presented during  
16 the last panel hearings on the Tsilhoqot'in use of  
17 the area for fishing.

18 There's new evidence that came  
19 forth during this hearing that we have reviewed  
20 and had taken into account and also with direct  
21 communications with the TNG about the use of  
22 Little Fish Lake as well. Our review is focussed  
23 on the functioning of Fish Lake to sustain fish.

24 MR. LAPLANTE: I think that's  
25 an answer.

1                   Can I try to confirm, that  
2                   means it's purely technical and didn't incorporate  
3                   the Tsilhoqot'in right to harvest fish, it's  
4                   fairly technical, as far as the significance that  
5                   you have or haven't identified?

6                   MS. ROTINSKY: We didn't  
7                   present a determination on the significance of the  
8                   facts. That is the purpose of this panel, the  
9                   panel hearings, and of course up to the panel to  
10                  determine.

11                  MR. LAPLANTE: That's a fair  
12                  answer. I'll leave it at that.

13                  CHAIRPERSON ROSS: Thank you.  
14                  Interested party organizations. Come forward,  
15                  state your name.

16                  MR. TOTH: Good afternoon, Mr.  
17                  Chair. Brain Toth, Upper Fraser Fisheries  
18                  Conservation Alliance.

19                  Thanks to the DFO for the  
20                  excellent presentation. I wanted to ask a few  
21                  questions about habitat compensation and  
22                  specifically the Taseko Lake off channel. Is  
23                  there any data or evidence presented within the  
24                  EIS that suggests that habitat is currently  
25                  limiting for any species that utilize the Taseko