



Transport Canada Navigable Waters Protection Act & Canadian Environmental Assessment Act

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Transport Canada's participation in the Federal Review Panel Process

Transport Canada's expertise is offered on the following topics:

- key effects of the Project on the proposed mine site and the surrounding environment;
- possible mitigation measures; and
- proposed monitoring and follow-up programs.



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Transport Canada's Technical Review of the Environmental Impact Statement

The Environmental Impact Statement (EIS) Guidelines required Taseko Mines Limited to:

- Identify all waterways and water bodies that will be directly affected and provide representative width, depth, gradient, flow and photographs of all potentially affected waterways.
- Identify the Project components that will impact waterways and water bodies and the anticipated effects.
- Provide information on current and/or historic usage of all affected waterways and water bodies.



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NAVIGATION

Navigable Waters Protection Act

- Navigable Waters Protection Program
- Regulatory Framework
- Review Process





Navigability

Transport Canada uses a suite of tools to assess the navigability of waterways within a project footprint. These include, but are not limited to:

- Observing the physical characteristics.
- Determining the level of public access.
- Determining navigation use through public and First Nations consultation.
- Determining historical or potential use.
- Reviewing officer experience.
- Conducting a review of publications available for the area.
- Reviewing baseline information supplied by the proponent.
- Obtaining anecdotal information from other sources.



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Level of Impact to Navigation

Understand navigation use

➤ Determine the provisions of the NWPA that apply to the project for:

- Fish Lake
- Little Fish Lake
- Lower Fish Creek
- Big Creek
- Fraser River





Application of the NWPA

The provisions of the NWPA that will apply to this project are:

- Section 5(2) for the placement of the dam in Fish Creek,
- Section 5(3) for the placement of the transmission lines over Big Creek and the Fraser River,
- Section 23, Governor in Council exemption, for the placement of the mine overburden and waste rock in Fish Lake and Little Fish Lake



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Navigation use at the proposed mine site

- Type of use
 - Access road via 4X4 vehicle
 - Boat ramp at Fish Lake
 - Recreational boaters
- Frequency of use
 - One of the busier of the 32 lakes on the Chilcotin flight circuit
 - Occasional use of Fish Creek for kayaking



Mitigation for Navigation Interference

- Workable options
- Analysis



Focus of Transport Canada's Analysis under CEAA

- Responsible Authority due to Law List trigger under the *Canadian Environmental Assessment Act*
- Federal authority with expertise in navigation
- Impacts related to navigation
 - Boating
 - Fishing
 - Recreation
- At this point, Taseko Mines Limited and Transport Canada have not discussed how the impacts of the project on navigation might be mitigated.

Project Impacts

Impacts on the environment that impact navigable waterways:



Fish Lake – storage of mine waste

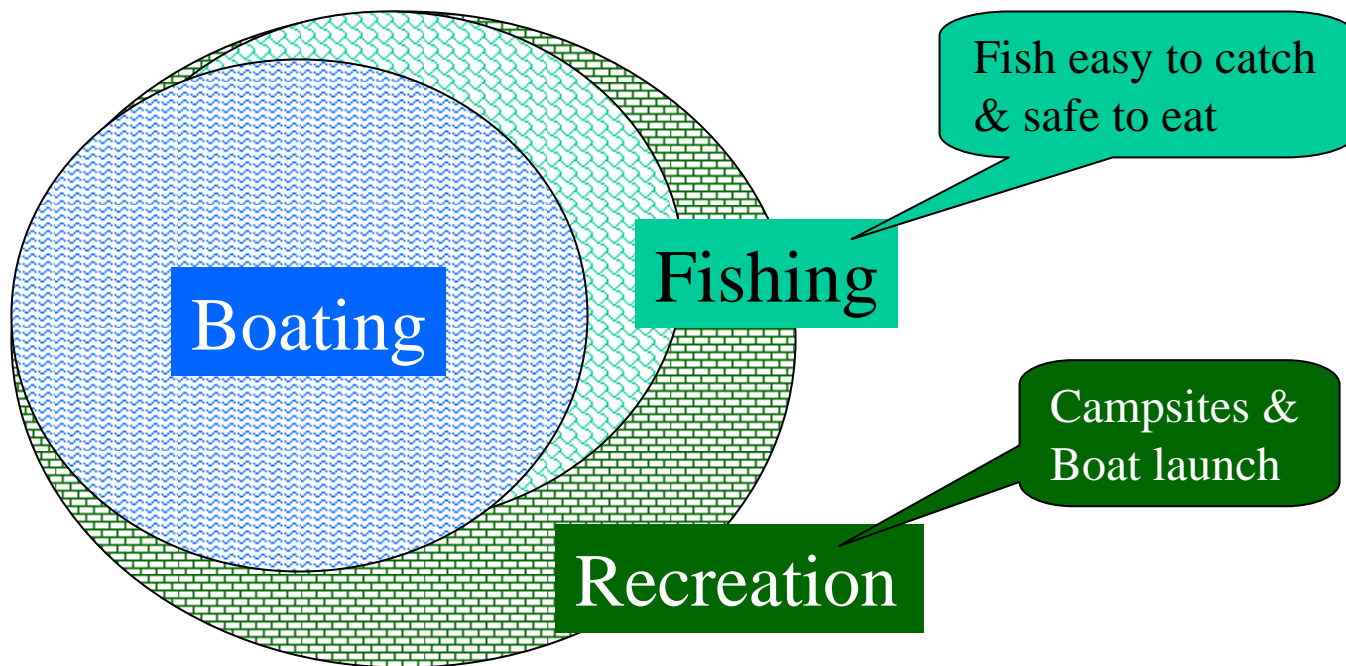


Little Fish Lake – inundated by tailings storage facility



Lower Fish Creek – dam

Relationship between Boating, Fishing and Recreation at Fish Lake





Socio-Economic Conditions

- Boating – ranked 7th in aerial boat counts of Chilcotin lakes
- Fishing – 4100-4900 fish caught; 388-654 angler days (over 1000 in the 90s)
- Recreation – 1-2 days spent at recreation site; 400-850 visitors from June until September



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Mitigation Options

- General mitigation
- Prosperity Lake
- Ability of Prosperity Lake to mitigate impacts on navigation
- Taseko Mines Limited and Transport Canada have not yet discussed how the navigational impacts of the project might be mitigated.



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Transport Canada's Analysis of Risk

- Technical feasibility of mitigation measures
- Access to Prosperity Lake for navigation
 - No public access road to Prosperity Lake
 - Potential delay in ice break-up due to higher elevation than Fish Lake



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Transport Canada's Analysis of Risk

- Trout fishery
 - Increased angler effort
- Fish consumption
 - Perceived health risk
 - First Nations subsistence fishery



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Transport Canada's Analysis of Risk

- Operation of mitigation measures post-closure
 - Integrity of dams
 - Seepage
- Mine expansion (33 year mine life)
 - Prosperity Lake part of active mine site
 - Reversal of hydrology

Summary of Findings

- Elimination of all boating, fishing and recreation activities
- Mitigation strategies need to take into consideration fishing success, recreation facilities, accessibility and setting.
- Risks associated with mitigation strategies:
 - technical feasibility,
 - access to navigation,
 - trout fishery,
 - fish consumption,
 - post-closure operation,
 - mine expansion.



Monitoring and Follow-Up Program

Should the project be permitted to proceed, and to ensure that mitigation measures are applied, Transport Canada will work with other federal departments to develop a monitoring and follow-up program to meet the requirements of the *Canadian Environmental Assessment Act*.





Transport Canada's Conclusion

Due to the complete elimination of navigation and lack of a proposal by Taseko Mines Limited to mitigate impacts on navigation, Transport Canada concludes that the project as proposed by Taseko Mines Limited will lead to significant adverse effects on navigation.



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Thank you



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