

August 23, 2013

TASEKO MINES LIMITED

**RESPONSE TO THE POSTING OF JULY 1996
LETTER FROM DFO TO TASEKO (CEAR #1074)**

On August 20, 2013 a July 12, 1996 letter from D. Griggs to Taseko Mines Ltd. (the “Letter”) was posted as CEAR document #1074. The posting link on the CEAA Registry describes it as in response to undertaking 22, but Taseko has been unable to locate a reference to undertaking 22 in the hearing transcripts.

In any case, given that this document has been placed on the Registry, Taseko wishes to provide a couple brief comments in response.

First, Taseko notes that this document is more than 17 years old, and fails to reflect substantial and positive developments in its work with DFO during that time period. For example, page 3 of this 1996 Letter outlines DFO’s (then) position that further participation in a formal review process would serve little purpose unless Taseko Mines Ltd. could bring forward significant new information, or preferably, modify its mine plan. But as is patently obvious, Taseko has in fact done exactly that, and under New Prosperity the mine plan has been modified such that Fish Lake is retained. And as is also patently obvious, DFO has participated in a meaningful way in these proceedings and in doing so has not made any statements to suggest that the position set out 17 years ago in the Letter remains applicable to the present proposed mine design.

Further, similar issues were already canvassed by Taseko in the EIS which addressed a TNG document titled “*Ten Facts Why Resubmitted Prosperity Mine Proposal Cannot Be Approved*”. In the process of doing so, Taseko made reference to a significant number of positive developments in its discussions with the DFO and MELP. Excerpts from relevant correspondence can be found at pages 1317 to 1318 of the EIS, which state:

“Since 1993 we have remained willing to review plans that would avoid or mitigate the impacts on these valuable fisheries resources.”

Louis Tousignant, Director General, Pacific Region, DFO, letter to John Allan,
Deputy Minister, MELP, BC
- October 7, 1996

“I believe that everyone concerned is aware that DFO has always been prepared to rejoin the provincial Fish Lake Project Review Committee that was struck to review Taseko’s Prosperity mine proposal. DFO’s participation in a joint review, though, has always been dependent on there being the potential to preserve Fish Lake and to adequately compensate for lost fish habitat of Fish Creek, thereby preserving the fisheries resources.”

Fred J. Mifflin, Minister, DFO, letter to Cathy McGregor, Minister, MELP, BC.
- June 6, 1997

“Under both federal and provincial legislation, the decisions regarding the acceptability of these projects are not in the hands of government staff but are left to elected officials

who must, in an open and accountable manner, weight the potential benefits and costs of a project in determining whether it is, on balance, beneficial in the public interest.”

John Allen, Deputy Minister, MELP, letter to Louis Tousignant, Director General, Pacific Region, DFO.

- August 15, 1996