



## **Gap Analysis**

**Draft Application Terms of Reference**

**for Taseko Mines Ltd.**

**Application for an Environmental Assessment**

**Certificate (Provincial), dated August 2008**

**Transmission Line Corridor Component**

**prepared for:**

**Stswecem'c/Xgat'tem (Canoe Creek) First Nation**

**by**

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The following gap analysis is focused on the Draft Application Terms of Reference for Taseko Mines Ltd. Application for an Environmental Assessment Certificate, August 2008 (hereafter referred to as the Draft Terms of Reference.)

In the course of review of the above document, overview reference was also made to relevant studies contained within the following websites:

Gap analysis and MAE presentations from 2007 year are located at:  
[ftp://ftp.env.gov.bc.ca/pub/outgoing/EAO/Prosperity/2007\\_WorkingGroupMeetings/](ftp://ftp.env.gov.bc.ca/pub/outgoing/EAO/Prosperity/2007_WorkingGroupMeetings/)

Baseline information and historical studies are at:  
[ftp://ftp.env.gov.bc.ca/pub/outgoing/EAO/Prosperity/Project\\_Information/](ftp://ftp.env.gov.bc.ca/pub/outgoing/EAO/Prosperity/Project_Information/)

This gap analysis is based upon the understanding of specific geographic area of Stswecem'c/Xgat'tem (Canoe Creek) First Nation interest as provided (hereafter referred to as the Canoe Creek First Nation.)

### Specific Areas of Concern

#### **1. First Nations Interests**

There is no specific acknowledgement of key traditional knowledge gaps or the Canoe Creek First Nation interconnected 'world view' perspective.

For example, missing from the Draft Terms of Reference is any reference to Use and Occupancy mapping or to Place Names research - particularly focused on the transmission line buffer ( $\pm 19,345$  ha within Canoe Creek Territory), the specific proposed transmission line Right-of-Way ( $\pm 3926$  ha), and construction and maintenance access points outside the buffer area. This knowledge is essential to adequately assess the potential impact of the proposed change in land use upon Canoe Creek First Nation economic opportunities, social and cultural resources and overall way of life.

## 2. Access

Other than a general reference under Environmental Management Plans, Access Management (pg. 45), the Draft Terms of Reference do not deal specifically with the potential impact of construction and maintenance access to the transmission line, both within and outside the buffer.

Assessment of the full range of potential environmental and land use impacts may be as important - or even more important - for these access routes as for the transmission line and corridor itself. Relevant aspects that require consideration in order to fill this gap include, but are not limited to, soil/terrain characteristics, vegetation management, wildlife and wildlife habitat, aquatics associated with stream crossings, archeological sites, First Nations Use and Occupancy history, invasive plant issues and range/livestock control issues. Also essential is the understanding of the cumulative impact of all of these combined factors.

## 3. Terrain and Soils

Although background reports indicate information was collected, the Draft Terms of Reference (pg. 75, 76) make no mention of terrain and soils survey specific to the transmission corridor as distinct from other components of the project. Similarly, page 76 indicates a conceptual soil erosion and sedimentation plan will be prepared for the minesite and access road – but there is no reference to such a plan being prepared for the proposed transmission line corridor. A soil erosion and sedimentation plan for the transmission line corridor should be required in order to ensure mitigation of impact in such locations as the Fraser River crossing and other sensitive terrain/ecosystems along the transmission line corridor, buffer and access roads.

## 4. Water Management (Surface and Groundwater)

The only direct reference in the Draft Terms of Reference to surface and groundwater assessment associated with the proposed transmission line is a

reference on pg. 53 to carrying out an inventory of springs to avoid within the final 80 m wide Right-of-Way. Yet, background information (Table 5-26 Appendices within Volume 6, Socio-Economics, Human Health and Ecological Risk Assessment, Section 5, Other Resource Uses) notes there are 34 surface water licenses that are points of diversion within the transmission line buffer. However, there is no reference to the number of points of diversion that would occur within the proposed transmission line Right-of-Way.

Water is a very scarce resource in this area of the Province and hydrological understanding of watershed components associated with points of diversion - with linkage to potential impact upon current and future land use options along the route - could be critical. For such a key natural resource, the Draft Terms of Reference do not provide sufficient guidance to ensure that surface, groundwater and watershed issues will be adequately addressed with respect to the proposed transmission line. This gap needs to be addressed.

## **5. Fish and Fish Habitat**

Quoting from pg. 74 of the T of Ref. document "The application will not include information concerning fish and fish habitat at potential watercourse crossings associated with the proposed transmission line as the actual centre line has not yet been determined and surveys have not been conducted"

In order to provide a proper framework for development of mitigation and compensation measures, fish habitat associated with impacted watercourses needs to be assessed for at least the 500 m transmission line corridor, at a scale and methodological standard mutually agreed upon, before (not after) the transmission line centre line is established.

## **6. Wildlife and Wildlife Habitat**

While, in general, draft terms of reference for wildlife and habitat assessment within the transmission line corridor are appropriate, they are missing the First Nations

perspective and values. This should be remedied through further direct consultation with the Canoe Creek First Nation and the TOR should be revised accordingly.

## **7. Agriculture/Ranching**

Despite recognition in the background report that agriculture and ranching play a central role in the history, culture and economy of the region, the Draft Terms of Reference give a scant one sentence reference to this sector (pg. 89). Livestock grazing is of particular significance within the transmission line corridor. It is noted that there are 23 grazing licenses within the proposed transmission line buffer, 20 of which also extend into the proposed transmission line Right-of-Way. (Table 5-26, Appendices within Volume 6, Socio-Economics, Human Health and Ecological Risk Assessment, Section 5, Other Resource Uses) One-half of the proposed transmission line corridor buffer is noted as suitable for forage crop improvement practices. Both of these factors directly impact existing and future agriculture/ranching enterprise options. More detail is required in the Draft Terms of Reference on the approach to agriculture/ranching, both in terms of assessment of and mitigation of potential impacts.

Finally, despite the acknowledgement that 16 percent of the land area potentially impacted by the project components is within the ALR, the Agricultural Land Commission, with its clear ALR legislative/regulatory mandate, is not listed under Permits, Licenses and Approvals section within the Draft Terms of Reference. (pg. 33).

## **8. Tourism and Outdoor Recreation**

Given the inherent recreational attributes of the region and the present (and potential) contribution of tourism to the regional economy, wilderness values associated with tourism and public recreation do not currently receive adequate emphasis within the Draft Terms of Reference (pg. 88) or within the background reports. This should be remedied.

Further to the information contained in the background reports (Table 5-19, Volume 6, Socio-Economics, Human Health and Ecological Risk Assessment, Section 5, Other Resource Uses), this needs also to include more detailed visual landscape impact and quality of recreational experience assessment of the proposed transmission line and corridor relative to established tourism-recreation travel routes.

## **9. Archaeological and Heritage Resources**

The Draft Terms of Reference indicates that an archaeological impact assessment will be carried out for the selected 80 m Right-of-Way (pg.91). This is not adequate. In addition to construction and maintenance access corridors (see 2 above), an AIA at a mutually agreed upon scale should also be required for the selected 500 m. corridor as a prerequisite to locating the 80 m wide Right-of-Way.

## **10. Water Quality Monitoring**

Upon reviewing Figure 4 in the Draft Terms of Reference (pg. 56), it is noted that proposed water quality monitoring is not proposed to include the transmission line corridor. Many of the streams and rivers transected by this corridor contribute to fish habitat and provide water for livestock and other uses. Baseline knowledge of water quality is required along the proposed transmission corridor in order to ensure potential impacts during construction, maintenance and decommissioning can be properly addressed.

## **11. Environment Management Plans (EMPs)**

It is proposed that 'preliminary outlines' for EMPs will be developed for 19 potential project impact aspects (pg. 44). Several of these potential impact aspects, including access management, surface erosion prevention and sediment control, vegetation and wildlife management and cultural and heritage protection, are relevant to the proposed transmission line corridor. Something beyond 'preliminary outlines', perhaps including some indication of principles or management prescriptions, should

be required in order to instill confidence that these issues will be adequately addressed.

## **12. Transmission Corridor Maintenance and Reclamation**

The Draft Terms of Reference describe the approach to and final reclamation plan for the closure and reclamation of the mine (pg. 46). However, no reference is made to the decommissioning of the transmission line and removal and restoration of the substation area. A final reclamation plan should be required for both the transmission line and the substation.

## **13. Cumulative Effects Assessment (CEA)**

Specific information gaps notwithstanding and reference to Effects Assessment (pg. 93) and Sustainability (pg. 97) notwithstanding, from the Canoe Creek First Nation's perspective, the most significant gap in the Draft Terms of Reference is the absence of any focused attempt to demonstrate understanding of (let alone measurement of) cumulative impact of the proposed transmission line and substation upon the complex web of life interrelationships (First Nation community way of life) over an ecologically relevant area and socio-economically relevant timeframe.

It is a way of thinking that recognizes the interconnectedness of all things – and that thinking must be incorporated into a cumulative effects assessment approach to a proposed project of this size, nature and potential impact.