

COPY

Mackenzie Valley Environmental Impact Review Board

July 28, 2001

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MVEIRB file: EA00-002
Via facsimile: (867) 669-2701

David Livingstone, Director
Natural Resources and Environment
Indian and Northern Affairs Canada (DIAND)
Government of Canada
P.O. Box 1500
Yellowknife, NT, X1A 2R3

Dear Mr. Livingstone,

RE: INFORMATION REQUESTS (IR) TO DIAND

On July 16, 2001, the Mackenzie Valley Environmental Impact Review Board ("Review Board" or "Board") approved two Information Requests submitted by the Canadian Parks and Wilderness Society ("CPAWS") regarding the Canadian Zinc Corporation Phase II Drilling, Decline and Test Plant environmental assessments.

DIAND staff has previously advised the Review Board that some of the information requested is client protected and not accessible by the Review Board. However, s.22 of the Mackenzie Valley Resource Management Act ("Act") provides that subject to any applicable federal or territorial law, the Review Board may obtain from government, any information in its possession that the Board requires for the performance of its functions. Therefore, I would appreciate it if you would review the attached IRs and arrange for DIAND's response to those parts that are not protected by the Privacy Act.

Thank you for your assistance in acquiring the information requested by the Board for the above environmental assessments.

Sincerely,



Vern Christensen
Executive Director

Copy:

Annette McRobert, Manager Mining Records Office, Indian and Northern Affairs, Fax: (867) 669-2713
Attachment.

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Information Request

Date: July 19, 2001

From: Greg Yeoman, CPAWS-NWT

Phone: 867-873-9893

Fax: 867-873-9593

e-mail: cpaws-nwt@yellowknife.com

Subject: Draft Reclamation Costing Model for Prairie Creek Minesite

Objective: To obtain information for the public registry on mitigation of environmental impacts specific to the Prairie Creek mine.

Time Limits: Submissions by amended workplan date for submission of IR responses

Reference: Parks Canada submission to MVEIRB dated March 19, 2001 re: Land Use Permit MV2000C0030

Preamble: Parks Canada viewed this document as part of the previous Canadian Zinc environmental assessments. In a subsequent submission to the Board, Parks Canada outlined some of the contents of the document, which appears to contain information which would be relevant to the Board's decision on the drilling program and pilot plant environmental assessments. This includes information on:

- Mitigative measures for drilling programs
- Soil contamination, re-vegetation, and PCBs
- Water sampling program

All of the above are relevant to the current environmental assessments relating to the Prairie Creek mine.

CPAWS-NWT requested a copy of the above report from Gary Magee of DIAND on April 27, 2001. Mr. Magee stated that the report contained client protected information and that therefore he could not provide CPAWS-NWT with a copy.

Request: For DIAND to place a copy of the Draft Reclamation Costing Model for Prairie Creek Minesite, and any subsequent versions of the report, in the public registry.

Information Request

Date: July 19, 2001

From: Greg Yeoman, CPAWS-NWT

Phone: 867-873-9893

Fax: 867-873-9593

e-mail: cpaws-nwt@yellowknife.com

Subject: Surface Lease 'Overhold Tenancy'

Objective: To obtain information for the public registry on the legal mechanism by which Canadian Zinc occupies the Prairie Creek minesite.

Time Limits: Submissions by amended workplan date for submission of IR responses

Reference: Maps provided by Canadian Zinc which label their surface lease as an overhold tenancy.

Preamble: The surface lease which Canadian Zinc holds for Prairie Creek mine does not appear to be a regular surface lease. We are seeking clarification on the legal mechanism by which Canadian Zinc occupies the minesite.

CPAWS-NWT requested a copy of the above report from Gary Magee of DIAND. Mr. Magee stated that information regarding the status of the surface lease is not available for public viewing and that therefore he could not provide CPAWS-NWT with a copy.

Request: We request that DIAND supply the following:

- 1) A definition and description, with specific reference to relevant legislation, of a surface lease in overhold tenancy.
- 2) A description of the legal mechanism by which Canadian Zinc occupies the Prairie Creek mine site, including the rights and responsibilities it grants, any conditions placed on their occupancy, the expiration date, and the process for renewal.
- 3) A description of why Canadian Zinc is in an overhold tenancy position.
- 4) A copy of the surface lease and/or overhold tenancy agreement for the Prairie Creek minesite, to be placed in the public registry