

FAX

DATE *MAY 18, 2004*
 TO *SARAH BAINES, R.O.*
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of Pages , including cover page.

SUBJECT *Re: CN Amendment Request*

COMMENTS *Attached are DCFN's
 comments ON the CN
 Amendment Application.*

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EA 04 05-002
CZN Expansion
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From Preliminary Screening



DEH CHO FIRST NATIONS

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May 17, 2004

Sarah Baines
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Mackenzie Valley Land
& Water Board

File

MAY 17 2004

Application # MV2001C0022

Copied To PLM/ISB/Reg

**Re: Canadian Zinc Corporation
Amendment Request: Phase II Drilling Program
MV2001C0022**

The Deh Cho First Nations have reviewed the application from Canadian Zinc Corporation (CZN) requesting an amendment to the locations permitted under land use permit MV2001C0022 and find that the area proposed in the amendment request is clearly outside the scope of the original application, as well as outside the scope of the environmental assessment conducted by the Review Board. We have come to our conclusion after reviewing the original application, as well as the environmental assessment documents, including the Detailed Project Description submitted by CZN to the Review Board, the Review Boards' Environmental Assessment Report, and supporting Information Requests and correspondence from CZN and other parties to the environmental assessment. After a careful review of all relevant documents pertaining to land use permit MV2001C0022, we conclude that the amendment application is a new land use permit application, as defined in S. 26(4) of the *Mackenzie Valley Land Use Regulations*.

Please refer to our submission to the Board, dated April 15, 2004¹, in which we outline the factual and regulatory issues surrounding land use permit MV2001C0022. This previous submission has direct relevance to the amendment application in question. We are also providing the Board with the following concerns regarding CZN's recent amendment request.

¹ We have attached this submission for your convenience.

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Firstly, for clarity, our interpretation of the “scope” of a development project definitely encompasses the geographical location of a development. This is consistent with Canadian dictionary definitions of “scope” as “the area over which any activity extends”² and “the range of something.”³ Canadian thesaurus interpretations of “scope” are equally clear, and include the words “area”, “confines”, and “extent”.⁴ CZN also described the “scope” of the drilling program in submissions to the Review Board during the EA as including the geographical extent of the proposed drilling program and CZN tied the proposed project to specific geographic locations. For example, under “Scoping the Assessment”, CZN stated:

...the proposed 60 hole exploration drilling program is to be carried out from surface along strike in a southwesterly to northeasterly direction over a distance of about 1000m and parallel to the existing underground workings from about the 875 to 1125 elevation. The entire drill program is proposed to take place within 1000m of the existing minesite facilities, within the area of traditional mining activity at Prairie Creek and within the boundaries of Mining Lease 2932 and Surface Lease 95F10/10-5-3. In all cases, potential drill hole locations are in close proximity to the 249 holes drilled on the property in earlier years and the existing network of exploration roads.⁵

Thus, the project scope described in the original land use permit application MV2001C0022 was narrow, explicit, and clear. In defining the geographical scope of the project, CZN’s application described a very focused and confined area of approximately 1000 metres in circumference. However, in stark contrast to the original scope of the application, CZN is now requesting to drill anywhere within the “Prairie Creek property”, which, according to CZN, totals approximately 18,320.56 acres of land⁶, the vast majority of which is previously undisturbed and ecologically sensitive terrain.

Secondly, the narrow scope of the project was repeatedly used by CZN to justify the “negligible impacts” of the project.⁷ CZN emphasized to the Review Board during the environmental assessment that the drilling program would have negligible environmental, social, and cultural impacts because the described area

² De Wolf et al. 1997. *Gage Canadian Dictionary*. Gage Educational Publishing Company. Page 1310.

³ Hawkins, J.M. (editor). 1985. *The Oxford Paperback Dictionary*. Oxford University Press. Page 592. Note: “Range” is further defined as “an extent, the limit between which something operates...the distance...” Page 543.

⁴ *Collins Pocket Reference Thesaurus*. 1990. HarperCollins Publishers. Page 445.

⁵ CZN. *Cumulative Impact Assessment for the Phase II Mineral Exploration Drilling Program at Prairie Creek Mine, NWT*. Prepared for CZN by EBA Engineering Consultants Ltd. June 4, 2001. Page 1.

⁶ Alan Taylor, CZN. December 10, 2003. *Letter to Sarah Baines, MVLWB*.

⁷ See CZN. 2001 *Detailed Project Description*. Land Use Permit MV2001C0022.

was small and previously disturbed. The following CZN statements illustrate how CZN referenced the proposed locations of the drilling program to justify the "negligible" environmental impacts of the program:

"The impact assessment provided in Canadian Zinc (2001) predicted that the anticipated residual impacts of the Phase II drilling program on all the biophysical resources, cultural and heritage resources, visual and aesthetic resources and land and resources use were expected to be negligible. **These results are consistent with the short-term, highly localized nature of the proposed drilling program** and the fact that all of the activities would occur within the footprint of existing mining activity at the Prairie Creek mine."⁸ (emphasis added)

"All areas proposed for use in this application are within 1000 metres of the existing facilities...as such, impacts of the proposed developments on cultural and heritage resources are expected to be negligible."⁹

The Review Board, in the *Report of Environmental Assessment*, also noted that CZN's justification of "negligible impacts" pertained directly to the narrow, focused scope of the development: "CZN predicts that the impacts of the proposed development on the use of land, water and renewable resources to be negligible. All areas proposed for use in this application are within 1000 metres of the existing facilities."¹⁰

Thirdly, as the original scope of land use permit MV2001C0022 was limited to the previously disturbed 1000 metre area near the mill site facility, the participants in the environmental assessment, including the Deh Cho First Nations, the Department of Fisheries and Oceans, and Parks Canada only assessed the environmental, social, and cultural impacts of a drilling program within 1000 metres of the mill site facility. Furthermore, in reaching their conclusion, the Review Board noted: "The Review Board has made this decision based on the commitments and undertakings to mitigate environmental impacts made by the Canadian Zinc Corporation. If these measures are not implemented, the Review Board's conclusions about impact significance could be affected...The Review Board fully expects the Canadian Zinc Corporation to discharge all the commitments and undertakings given in its environmental assessment report and

⁸ CZN. *Cumulative Impact Assessment for the Phase II Mineral Exploration Drilling Program at Prairie Creek Mine, NWT*. Prepared for CZN by EBA Engineering Consultants Ltd. June 4, 2001. Page 3.

⁹ CZN. 2001. *Detailed Project Description*. Page 13.

¹⁰ Mackenzie Valley Environmental Impact Review Board. *Report of Environmental Assessment, Mineral Exploration Drilling Program*. S. 5.6.2.1.2, Page 20. Note the Environmental Assessment for the 50-60 drill core program relied on this document.

supporting documentation.”¹¹ The numerous statements made by CZN in submissions to the Review Board, including in the *CZN Detailed Project Description*, *CZN Cumulative Effects Assessment Report*, and *CZN Environmental Assessment Report* are indeed “commitments” made during the environmental assessment. We also refer the Board to recent correspondence from the Review Board to MVLWB staff, in which the scope of the project and the conclusions of the environmental assessment are clarified: “the Review Board’s assessment and recommendations were based on consideration of the development as described by the developer”, noting that “the company was explicit as to what its proposal was.”¹²

Fourthly, the Deh Cho First Nations are very concerned that the conclusions and recommendations of the environmental assessment will not be incorporated into the land use permit, should an amendment be approved by the Board. As the Board is defined as a “regulatory authority” under the *MVRMA*, we must stress that the Board is required, under S. 62 and S. 118 of the *MVRMA*, to ensure that the requirements of Part 5 have been complied with, prior to issuing any permits or licenses. We find that the Board would be in violation of S. 62 and S. 118 of the *MVRMA*:

62. A board may not issue a licence, permit or authorization for the carrying out of a proposed development within the meaning of Part 5 unless the requirements of that Part have been complied with, and every licence, permit or authorization so issued shall include any conditions that are required to be included in it pursuant to a decision made under that Part.

118. (1) No licence, permit or other authorization required for the carrying out of a development may be issued under any federal or territorial law unless the requirements of this Part have been complied with in relation to the development.

With reference to the above sections of the *MVRMA*, we fail to see how the requirements of Part 5 could possibly be complied with, should an amendment be allowed that completely disregards and contradicts statements and commitments made by the company throughout the environmental assessment. To allow amendments that completely redefine the location of a project would render the environmental assessment process, and the conclusions of the Review Board, completely meaningless. As such, we find that it would be negligent of the Board to permit this drilling program in an area that was clearly outside the scope of the original application and environmental assessment. The environmental, social and cultural impacts of the development outside the originally proposed location have not been assessed.

¹¹ Mackenzie Valley Environmental Impact Review Board. Oct. 2001. *Report of Environmental Assessment on the Canadian Zinc Corporation Phase II Mineral Exploration Drilling Program*. Page 2, 14.

¹² Alan Ehrlich. April 8, 2004. *Letter to Sarah Baines*.

Finally, we also find that the remainder of the Terms and Conditions in land use permit MV2001C0022 would be devoid of context, should this amendment be approved without further review.

In summary, we find that the amendment request should be treated as an application for a new permit, as defined in S. 26(4) of the *Mackenzie Valley Land Use Regulations*:

S. 26(4) Where a land-use requested in a proposed amendment is not within the scope of the land-use for which the permit was issued, the Board shall treat the request as an application for a new permit in accordance with sections 22 or 23.

Sincerely,



Laura Pitkanen
Deh Cho First Nations

CC. Melody McLeod, Chair MVLWB
Chief Peter Marseilles, Nahanni Butte Dene Band
Chief Tim Lennie, Pehdzeh Ki First Nation
CC. Chris Reid, Legal Counsel



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April 15, 2004

Melody McLeod, Chair
Mackenzie Valley Land and Water Board

Canadian Zinc Corporation
MV2001C0022 Phase II Mineral Exploration Drilling Program

Background: Type A Land Use Permit Application MV2001C0022

On March 5, 2001, the Canadian Zinc Corporation (CZN) submitted an application to the Mackenzie Valley Land and Water Board (MVLWB) for a Land Use Permit to conduct an exploration drilling program at the CZN Prairie Creek mine site. On April 11, 2001, Nahanni National Park Reserve (NNPR) referred the drilling program to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for environmental assessment (EA). On April 5, 2001, the Pehdzeh Ki First Nation also referred the drilling program to the MVEIRB for EA.

In accordance with Section 19(3)(a), 19(b)(iii), and 21(1) of the *Mackenzie Valley Land Use Regulations*, CZN submitted an application to the MVLWB that included the locations of the drilling program. As described in the CZN Land Use Permit application, *Detailed Project Description, Year 2001, Phase II Mineral Exploration Drilling Program*, CZN proposed to drill "50-60 exploration holes, each up to approximately 500m in length, in an area adjacent to the existing underground workings."¹ Specifically, CZN stated in the application that

"The up to 50-60 hole exploration drilling program as proposed in this application is to be carried out from surface along strike in a southwesterly to northeasterly direction over a distance of about 1000m and parallel to the existing underground workings from about the 875 to 1125 m elevation...the entire drill program is proposed to take place within 1000m of the existing minesite facilities...within the boundaries of Mining Lease 2932 and Surface Lease 95F10/10-5-3...in all cases, potential drill hole

¹ CZN. 2001. *Detailed Project Description, Year 2001 Phase II: Prairie Creek Mine Mineral Exploration Drilling Program*. Submitted in support of Type A Land Use Permit Application, dated March 2, 2001. Submitted by CZN to the MVLWB on March 5, 2001. Page 2.

locations are in close proximity to the existing network of exploration roads.²

While CZN noted that “the very nature of the mineral exploration in question means that precise number and locations of drill holes cannot reasonably be identified beforehand...the locations of individual drill holes are generalized and will be precisely located in the field at the time of drilling,”³ CZN repeatedly stated throughout the detailed project description that **the entire drilling program will take place within 1000m of the existing minesite facilities**. See Appendix A for a list of CZN commitments in the land use permit application, regarding drilling locations.

The Environmental Assessment

The MVEIRB conducted the EA for the proposed Phase II drilling program. During the EA, the MVEIRB considered submissions and commitments from CZN and other parties to the EA. Among the documents that the MVEIRB assessed during the EA were the following submissions from CZN which outlined the proposed development:

- *CZN Detailed Project Description, Phase II, Prairie Creek Mine Mineral Exploration Drilling Program*, March 5, 2001;
- *CZN Cumulative Impact Assessment for the Phase II Mineral Exploration Program at Prairie Creek Mine, NWT*. Prepared by EBA Engineering Consultants Ltd. June 4, 2001;

All the documents submitted by CZN during the EA clearly stated that the drilling program would take place within 1000m of the existing mine site facility and within the boundaries of Mining Lease 2932 and Surface Lease 95F10/10-5-3.

For example, as part of the EA requirements, the MVEIRB requested detailed information from CZN regarding the potential cumulative effects of the proposed development. In response, CZN submitted the document “*Cumulative Impact Assessment for the Phase II Mineral Exploration Drilling Program at Prairie Creek Mine, NWT*.”⁴ In this document, CZN stated:

“The Project Description for the year 2001 Phase II exploration drilling program (Canadian Zinc 2001) provided information on the existing environmental and assessed the anticipated impacts of the proposed drilling program on the environmental, socioeconomic and cultural resources of the development area...

² Ibid. Page 5.

³ Ibid. Page 5.

⁴ CZN. *Cumulative Impact Assessment for the Phase II Mineral Exploration Drilling Program at Prairie Creek Mine, NWT*. Prepared for CZN by EBA Engineering Consultants Ltd. June 4, 2001.

As reported in Canadian Zinc (2001), the proposed 60 hole exploration drilling program is to be carried out from surface along strike in a southwesterly to northwesterly direction over a distance of about 1000m and parallel to the existing underground workings from about the 875 to 1125 m elevation. **The entire drill program is proposed to take place within 1000 m of the existing mine site facilities, within the area of traditional mining activity at Prairie Creek and within the boundaries of Mining Lease 2932 and Surface Lease 95F10/10-5-3.** In all cases, potential drill hole locations are in close proximity to the 249 holes drilled on the property in earlier years and the existing network of exploration roads”⁵ (emphasis added)

CZN also referenced the proposed locations of the drilling program to justify the “negligible” environmental impacts of the program:

“The impact assessment provided in Canadian Zinc (2001) predicted that the anticipated residual impacts of the Phase II drilling program on all the biophysical resources, cultural and heritage resources, visual and aesthetic resources and land and resources use were expected to be negligible. **These results are consistent with the short-term, highly localized nature of the proposed drilling program** and the fact that all of the activities would occur within the footprint of existing mining activity at the Prairie Creek mine.”⁶ (emphasis added)

Following completion of the EA, the MVEIRB recommended approval of the proposed development, noting that the development is not likely in its opinion to have any significant adverse impact on the environment or be a cause of significant public concern. However, the MVEIRB also stated that “the Review Board has made this decision based on the commitments and undertakings to mitigate environmental impacts made by Canadian Zinc Corporation. If these measures are not implemented, the Review Board’s conclusions about impact significance could be affected.”⁷

The Land Use Permit

On November 30, 2001, the MVLWB issued Type A Land Use Permit MV2001C0022 to CZN for a period of five years. The permits states “Subject to the *Mackenzie Valley Land Use Regulations* and the terms and conditions in this Permit, authority is hereby granted to Canadian Zinc Corporation to ‘Proceed with

⁵ Ibid. Page 2.

⁶ Ibid. Page 3.

⁷ Mackenzie Valley Environmental Impact Review Board. October 25, 2001. *Report of Environmental Assessment on the Canadian Zinc Corporation Phase II Mineral Exploration Drilling Program*. Page 2.

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the land use permit operation **described in application**'.⁸ The permit also stipulates that "As a condition of this land use permit, Canadian Zinc Corporation is **expected to meet all commitments and obligations made by the company** in its submissions to the Mackenzie Valley Land and Water Board and in the Environmental Assessment Process."⁹

Furthermore, in Part C, Item 26(1)(a)(1): *Conditions Applying to All Activities*, the permit explicitly states: "The Permittee **shall not conduct this land use operation on any lands not designated in the accepted application**."¹⁰ This condition is consistent with S. 26(1) of the *Mackenzie Valley Land Use Regulations*, under which the MVLWB sets conditions for the location and area of lands that may be used in a land use operation.

Despite the above terms and conditions stipulated in the permit, the MVLWB staff have recently interpreted Part A, Item 1, *Scope of Permit*: "conduct mineral exploration activity consisting of 50-60 diamond drill holes throughout the Prairie Creek property," as meaning that CZN may conduct the drilling program anywhere within their 10 leases and four claims.

Recent Developments

On December 10, 2003, Alan Taylor from CZN faxed a letter to a Regulatory Officer at the MVLWB, requesting clarification on allowable drilling locations within permit MV2001C0022. In this correspondence, CZN stated their intent to "carry out diamond drill operations in a **similar** manner to that described in the existing license." CZN referenced Part A, Item 1 of the permit as well as listed CZN's ten leases and four claims. CZN also stated that they now intended to use a "helicopter portable diamond drill" in the drilling program.

In response to CZN's inquiry, the MVLWB staff has responded that "CZN can drill anywhere on their lease as long as they are in compliance with the conditions in LUP MV2001C0022."¹¹ In a subsequent email to Alan Taylor of CZN, the MVLWB staff also stated "I understand that the following are activities that CZN will be undertaking: (1) diamond drilling will be conducted not just within 1000m of the mill facility, but throughout the Prairie Creek Mine property; (2) helicopter portable drill will be used..."¹²

⁸ MVLWB. November 30, 2001. *Issuance of Type "A" Land Use Permit. MV2001C0022. Cover page.*

⁹ MVLWB. November 30, 2001. *Issuance of Type "A" Land Use Permit. MV2001C0022. Cover letter signed by Chair, Melody McLeod.*

¹⁰ *Ibid.* Page 2.

¹¹ Sarah Baines. December 10, 2003. *MVLWB Telephone Log regarding discussion with Alan Taylor, CZN.*

¹² Sarah Baines. December 12, 2003. *Email correspondence to Alan Taylor, CZN.*

In a follow-up letter to CZN, the MVLWB staff defined the 'Prairie Creek Property' as all of CZN's ten leases and four claims, and wrote "In accordance with this definition, diamond drilling of up to sixty holes in total is permitted throughout all areas under the above claims and leases. Helicopter supported diamond drilling is permitted and fuel to carry out the exploration program can be transported to the site on an as-needed basis and stored at the airstrip."¹³

The Acts and Regulations

This interpretation of Type A Land Use Permit MV2001C0022 by the MVLWB is wholly inconsistent with the purpose and intention of the *Mackenzie Valley Land Use Regulations*, the purpose of EA, and the function of the Mackenzie Valley Land and Water Board as a permitting authority.

Firstly, the MVLWB statement "CZN can drill anywhere on their lease as long as they are in compliance with the conditions in LUP MV2001C0022" is contradictory. As noted previously, the conditions in permit MV2001C0022 clearly state "The Permittee shall not conduct this land use operation on any lands not designated in the accepted application."¹⁴ This condition of the permit is supported by the opening statement of the permit: "Subject to the *Mackenzie Valley Land Use Regulations* and the terms and conditions in this Permit, authority is hereby granted to Canadian Zinc Corporation to proceed with the land use operation **described in application...**"

The *Scope of Permit* only describes the overall context of the development. Of course the context of the development is the Prairie Creek property, however the Conditions of the permit describe the exact locations of allowable land use activities. This interpretation is consistent with Section 26(1) of the *Mackenzie Valley Land Use Regulations*.

Secondly, the land use permit application did not describe any drilling outside 1000m of the existing mill site and outside of Mining Lease 2392 and Surface Lease 95F10/10-5-3. Should CZN now propose to conduct the drilling program outside of the area designated in the application, CZN is required, under Section 26(2) of the *Mackenzie Valley Land Use Regulations* to submit a formal written request to the MVLWB for an amendment to the permit. Section 26(2) of the Mackenzie Valley Land Use Regulations states:

¹³ Sarah Baines. January 7, 2004. *Letter to Alan Taylor, CZN*.

¹⁴ MVLWB. November 30, 2001. *Issuance of Type "A" Land Use Permit. MV2001C0022. Section 26(1)(a)(1). Page 2.*

“Subject to subsections 4 and 5, the Board may amend any of the conditions of a permit on receipt of a written request from the permittee setting out (a) The conditions that the permittee wishes to have amended; (b) the nature of the proposed amendment; (c) the reasons for the proposed amendment.

Subsequently, Section 26(4) of the *Mackenzie Valley Land Use Regulations* states:

“Where a land-use requested in a proposed amendment is not within the scope of the land-use for which the permit was issued, the Board shall treat the request as an application for a new permit in accordance with sections 22 or 23.”

CZN’s letter to the MVLWB was not a written request within the meaning of Section 26(2) of the *Mackenzie Valley Land Use Regulations*. CZN’s written request to the MVLWB only requested clarification on the definition of “Prairie Creek Property”, as defined in the general *Scope of Permit* and a general notice of intention to conduct drilling outside the area designated in the accepted application.

Thirdly, as the land use permit application did not describe any drilling outside of Mining Lease 2392 and Surface Lease 95F10/10-5-3, the EA conducted by the MVEIRB did not assess the impacts of drilling outside the area described in the application.

The Deh Cho First Nations find that the recent correspondence between CZN and the MVLWB is inconsistent with the *Mackenzie Valley Land Use Regulations*, and also inconsistent with Sections 62, 118, and 130(5) of the *Mackenzie Valley Resource Management Act*.

Fourthly, the application did not describe helicopter-supported drilling. Therefore, the MVEIRB and the EA did not examine helicopter-supported drilling. Helicopter-supported drilling may require different drilling equipment, fluids, and support services, than those described in the application. Part C: Item 26(1)(c)(12) of the permit states “The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application.”¹⁵ Should CZN now propose to conduct helicopter-supported drilling, detailed information about this proposed amendment will be required, in order to assess if this would trigger a new land use permit application under Section 26(4) of the *Mackenzie Valley Land Use Regulations*.

¹⁵ MVLWB. November 30, 2001. *Issuance of Type “A” Land Use Permit. MV2001C0022. Section 26(1c)(12). Page 2.*

Finally, while Section 27 of the *Mackenzie Valley Land Use Regulations* provides some flexibility to the MVLWB to allow Board employees to issue, amend, or renew Type B permits, the Board staff does not have the regulatory authority to amend Type A permits, as is the case with the CZN permit in question: Type A Land Use Permit MV2001C0022.

We look forward to hearing from you to resolve these matters,

Sincerely,


Laura Pitkanen,

Appendix A: CZN Statements about Drilling Locations in the Land Use Permit Application (Detailed Project Description)

“...50-60 exploration holes, each up to approximately 500m in length, in an area adjacent to the existing underground workings” (CZN. 2001. Page 2).

“The up to 50-60 hole exploration drilling program as proposed in this application is to be carried out from surface along strike in a southwesterly to northeasterly direction over a distance of about 1000m and parallel to the existing underground workings from about the 875 to 1125 m elevation (CZN. 2001. Page 5).

...the entire drill program is proposed to take place within 1000m of the existing minesite facilities...within the boundaries of Mining Lease 2932 and Surface Lease 95F10/10-5-3 (CZN. 2001. Page 5; see Appendix B (i) for the map).

“...in all cases, potential drill hole locations are in close proximity to the existing network of exploration roads” (CZN. 2001. Page 5; also see Appendix B (ii) for the map).

“The exploration drilling program currently proposed is to be carried out from surface along strike in a southwesterly to northeasterly direction over a distance of about 1000m and parallel to the existing underground workings from about the 875 to 1125m elevation. The entire drill program is proposed to take place within 1000m of the existing minesite facilities, wholly within the boundaries of the existing surface and mineral leases and within the area of traditional mining activity at Prairie Creek. In all cases, potential drill hole locations are in close proximity to the existing network of exploration roads. As a result, only minor extensions of existing roads, if any, typically in the order of a few to 10 or 20 metres, will be required to access drill pad sites” (CZN. 2001. Page 8)

“All proposed drill locations are in close proximity to existing exploration tote roads which will minimize disturbance relating to the establishment of roads and drill sites” (CZN. 2001. Page 9)

“The drilling program will be carried out on the northwest side of the Harrison Creek valley approximately 250-1000m upstream of its confluence with Prairie Creek” (CZN. 2001. Page 11)

“... development will take place within 1000m of the existing mill and campsite facilities and within the area of traditional mining activity at Prairie Creek...and the proposed development will occur primarily on or adjacent to existing exploration tote roads” (CZN. 2001. Page 12)

“All areas proposed for use in this application are within 1000 metres of the existing facilities” (CZN. 2001. Page 13)

“All areas proposed for use in this application are within 1000 metres of the existing facilities” (CZN. 2001. Page 14)

“The proposed development will take place within the area of traditional mining activity and within 1000m of the existing minesite facilities and will therefore not stand out in contrast to undisturbed terrain” (CZN. 2001. Page 19)

“The area which the Company wishes to secure for the purposes of undertaking the proposed development is shown on the attached drawing as the “Proposed 2001 Surface Drilling Area”” (CZN. 2001. Page 22; See Appendix B (i) and B (ii) for maps).

“The area of proposed development is within the area of traditional mining activity and adjacent to the existing facilities, including the existing underground workings and the location of the underground decline portal proposed for 2001...all proposed drill locations are in close proximity to existing exploration tote roads which will minimize disturbance relating to the establishment of roads and drill sites” (CZN. 2001. Page 25)