



September 24, 2010

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Via email: chubert@reviewboard.ca

**Re: EA0809-002, Prairie Creek Mine, Canadian Zinc Corporation:
Information Requests**

Parks Canada is pleased to provide the Mackenzie Valley Environmental Impact Review Board (the Board) with a response to their information request:

The Review Board requests that government parties provide:

- a list of permits, licenses or other authorizations administered by them that may be issued in respect of the proposed Prairie Creek Mine development by the regulator*
- the purpose and intent of each regulatory instrument*
- a brief description of how each regulatory instrument may be used to mitigate adverse effects of the Prairie Creek Mine*

The primary authorizations administered by Parks Canada in respect of the proposed Prairie Creek mine are in relation to the mining access road through the expansion area of Nahanni National Park Reserve (NNPR), which surrounds the proposed Prairie Creek mine site. The following authorizations may be issued by Parks Canada under the *Canada National Parks Act (CNPA)*. In general, Parks Canada is able to regulate most aspects of activities in national parks; however, authorizations for a mining access road are uncommon and therefore we cannot describe specifically what authorizations or conditions will be required for the



operators of the Prairie Creek mine. This determination will be made once activities have been specified.

1. Land Use Permit (CNPA s. 41.1(3))

The minister may issue a land use permit or authorization for the use of the mining access road and associated facilities. The purpose of the permit or authorization is to regulate the use of land for the purposes of operation of the road and associated facilities. The land use permit can include conditions related but not limited to:

- (a) the location and area of lands that may be used in the land-use operation;
- (b) the times at which any portion of a land-use operation may be carried on;
- (c) the type and size of equipment that may be used in the land-use operation;
- (d) methods and techniques to be employed by the permittee in carrying out the land-use operation;
- (e) the type, location, capacity and operation of all facilities to be used by the permittee in the land-use operation;
- (f) methods to be used to control or prevent ponding of water, flooding, erosion, slides and the subsidence of land;
- (g) the use, storage, handling and ultimate disposal of any chemical or toxic material to be used in the land-use operation;
- (h) protection of wildlife habitat and fish habitat;
- (i) the storage, handling and disposal of refuse or sewage;
- (j) protection of historical and archaeological sites and burial grounds;
- (k) protection of objects and places of recreational, scenic or ecological value;
- (l) the posting of security in accordance with section 32;
- (m) the establishment of petroleum fuel storage facilities;
- (n) methods and techniques for debris and brush disposal;
- (o) restoration of the lands;
- (p) the display of permits and permit numbers; and
- (q) any other matters not inconsistent with these Regulations, for the protection of the biological or physical characteristics of the lands.



2. Water Licence (CNPA s. 41.1(4))

The minister may issue a water licence for the use of waters in NNPR, for the purpose of the above mining access road, subject to conditions in the licence. The intent of this licence is to regulate the use of water within the park for the access road. For the Prairie Creek access road, this may be required for water usage connected to annual construction of the winter road within NNPR, including ice bridges, and/or construction of bridges.

Mitigation measures will be described as conditions of the permit, if they are required for the protection of NNPR.

3. Other Authorizations

In addition to the CNPA authorizations described above, which apply only to the expansion area in NNPR, Parks Canada administers regulations which provide authorizations for activities within all national parks. The intent of these authorizations is to ensure compliance with practices and mitigations appropriate for the high level of protection expected within a national park. The list below describes a number of these regulations that may apply to activities associated with the Prairie Creek development.

National Parks General Regulations - s. 11(1) - Natural Objects permit
Authorizes person to remove or use natural objects (not flora or fauna) for construction purposes within a Park, subject to (among other conditions) demonstration that the removal or use will not have a significant adverse environmental impact on the park or its natural resources.
National Parks General Regulations - s. 12(1) - Damage or destroy any flora or natural objects
Authorizes person to remove, deface, damage or destroy any flora or natural objects in a Park for purposes of Park management. The purpose of this regulation is to manage possible impacts to vegetation and abiotic components. This authorization incorporates mitigations specific to activities that would likely impact vegetation and/or natural objects similar to the land use permit.



National Parks General Regulations - s.17 - Obstruct or divert a watercourse
Authorizes a person to obstruct or divert, by means of a pipe or otherwise, any watercourse. The purpose of this regulation and its capability to incorporate mitigations would likely be addressed by the water licence authorized by the <i>CNPA</i> .
National Parks General Regulations -s. 18(1) - Water Use Permit
This permit may be issued for a period not exceeding 10 years, for business purposes, subject to the submission of required information, including a description of the potential impairment to resources within the park, and subject to conditions within the licence. The purpose of this regulation and its capability to incorporate mitigations would be similar to the water licence authorized by the <i>CNPA</i> .
National Parks of Canada Aircraft Access Regulations - s. 3(1) – Aircraft access
Authorizes a person to access (land and take-off) a national park by aircraft, subject to terms and conditions that consider any matter that is necessary for the preservation, control and management of the park. The purpose of the authorization is to ensure impacts to wildlife and visitor experience are minimized.
National Parks Highway Traffic Regulations s. 3(2) – Permit to operate a motor vehicle off a highway
Authorizes a person to operate a motor vehicle described in the permit on a specified trail or in a specified place or area in a park.
National Parks Highway Traffic Regulations 41(1) – Over-snow Vehicle use
Authorizes a person to operate an over snow vehicle use subject to written permission in accordance with specified conditions and in specified areas.
National Parks Highway Traffic Regulations 41(2)- All-terrain Vehicle use
Authorizes a person to use an all-terrain vehicle in the Park.
National Parks Fire Protection Regulations s. 4(3) - Start and maintain a fire
Authorizes a person to start and maintain a fire subject to terms and conditions.
National Parks Fire Protection Regulations s. 5(2) – Permit to possess Gasoline or flammable liquids
Allows a person to be in possession of greater than 250 litres of gasoline or other flammable liquid subject to any terms and conditions by superintendent.
Research
Before research is conducted in a national park, a permit is required. This would apply to monitoring activities associated with the Prairie Creek mine.
National Parks Building Regulations 5(1) –Permit to erect a building
Allows a person to erect a building within a national park, subject to provision of information.



National Parks of Canada Business Regulations 4.1 - Business licence

Licence to authorize a business conducting activities in a national park. The licence can identify terms and conditions on how that business must be conducted.

The above descriptions are brief summaries, and not intended to provide full details of each authorization. For further and authoritative information, please consult the appropriate regulation and section of the CNPA. Further, depending on the activities proposed to occur with NNPR, other permits and authorizations may be required from time to time. Terms or conditions of these authorizations will contain measures that will mitigate adverse effects of the activities, but the specific terms and conditions cannot be predicted at this time.

If you have any questions or comments, please contact Mike Sutor at (867) 695-3151, or Katherine Cumming at (204) 984-1929.

Yours truly,

Chuck Blyth
Superintendent, NNPR
Parks Canada

cc. Rob Kent, Field Unit Superintendent, SWNWT Field Unit