



March 18, 2011

Mr. Richard Edjericon
Chairperson
Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre
Box 938, 5102-50th Ave
Yellowknife, NT X1A 2N7

via email: board@reviewboard.ca

Dear Mr. Edjericon,

**Re: EA 0809 – Canadian Zinc Corporation – Prairie Creek Mine –
Request for focused Technical Session subsequent to Second Round of
Information Request Responses**

On March 4, 2011, the Review Board posted notification of Canadian Zinc Corporation (CZN)'s responses to the second round of Information Requests in the environmental assessment process for the Prairie Creek mine. As required by the Board process, Parks Canada Agency (PCA) expects to use this information in preparation for our technical report submission before public hearings.

Upon initial review of the responses, however, we note that there are areas where CZN has presented information that represents a large change to the project as initially proposed, or otherwise includes project description information that is presented for the first time in the environmental assessment process. For example, there are changes to the proposed water management on site, and a new discharge strategy, raising accompanying questions about mixing zones and water quality.

We do not believe that these changes require a third round of formal information requests and responses; nevertheless, we do require an opportunity to more fully



understand these changes to the project description through a focused discussion with the proponent and /or other regulators and experts.

In light of these uncertainties and our need to fully understand the project's effects and their significance before completing our final report, we request the Board convene a second, focused, technical session that would allow for a discussion on identified topics. This would ensure that parties had a full understanding of the technical issues related to new information presented in the responses to the Information Requests. The meetings could be less formal in nature than the first Technical Session, to facilitate an open discussion among parties and experts. Commitment and clarifications could be documented on the public registry.

In particular, PCA has identified the following areas of focus for extended consideration and discussion, before preparation of final reports:

(1) **Water Management:** CZN's water management plan has changed from the previously-presented plan, and the method for effluent discharge has been confirmed for the first time in the environmental assessment process (exfiltration trench into Prairie Creek). With changes to the system, all reviewers have further questions about water treatment, mixing zones, and creek impacts.

The Review Board has identified *Mine Site Water Quality* as a key line of inquiry in the Terms of Reference for the Review (TOR s. 3.3.2). Notwithstanding the CZN notation that the changes to water storage are not significant (Appendix F), there is still a requirement to ensure that this important topic is fully understood by all parties. Further, PCA requires a full understanding of this topic to inform our response to the assessment conclusions regarding impact to the ecological integrity of NNPR (TOR s. 3.3.3). We anticipate that this topic would form the bulk of the discussions in a technical session.

(2) **Wildlife:** During the Technical Session at Dettah (October, 2010), CZN made a commitment to conduct additional surveys for baseline wildlife data. To date, two of three planned surveys have been completed. Parks Canada and CZN,



along with their consultants, are currently in discussion about the results of these surveys, and the full range of effects and mitigations to reduce the likelihood of significant impacts to wildlife.

A primary species considered in the surveys has been the Northern Mountain population of woodland caribou – a species listed on Schedule 1 of the *Species at Risk Act* (SARA). Under SARA, both PCA and the Review Board have an obligation to determine adverse effects on caribou from the project, to mitigate them (even if the effects are not significant), and to monitor them, should the project proceed. If current ongoing discussions still leave significant questions unresolved, a final opportunity in a technical session to consider the results of all surveys would ensure that PCA and the Review Board can fully discharge their legal obligations under SARA.

(3) ***Road Construction and Operation:*** The second round IR response provides information on road construction that is presented for the first time in the environmental assessment process.

The access road is a component of the project of key interest to PCA, as we will be a regulator of approximately half the road and owing to potential impacts to the ecological integrity of NNPR. A second technical session could help to ensure that we consider this new information to understand the effects of the road, and ensure that these effects can be adequately addressed should the project proceed to the regulatory phase.

PCA understands that a second technical session would add time to the EA process before the public hearing. We believe, however, that it is in the interests of all parties that these questions are resolved before final reports are prepared, increasing the likelihood that clear recommendations can be presented to the Board at the public hearing. We expect this process will increase efficiency and make for straight-forward decision-making and regulatory processes for the proponent and regulators.



We thank the Board for considering our request.

Sincerely,

Eric Betsaka
Acting Superintendent, NNPR

c.c.

Rob Kent, Superintendent, Southwest Northwest Territories Field Unit, Parks
Canada