



August 10, 2022

Mr. David Harpley, VP Environment
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Dear Mr. Harpley:

Conditional Approval of the Wildlife Management and Monitoring Plan for Phase 1 of NorZinc's Prairie Creek All-season Road Project

This letter is to notify NorZinc that I have approved the Wildlife Management and Monitoring Plan (WMMP) with the conditions outlined in the attached Reasons for Decision.

On October 27, 2017, the Government of the Northwest Territories (GNWT) Department of Environment and Natural Resources (ENR) notified Canadian Zinc (CZN; now NorZinc) that a WMMP approved by the Minister of ENR would be required for the Prairie Creek all-season access road project under section 95 of the *Wildlife Act*.

The draft WMMP for the project has undergone several reviews and updates throughout the environmental assessment (EA) and post-EA regulatory phase conducted by the Mackenzie Valley Land and Water Board (MVLWB). This process has provided ENR and other parties with several opportunities to comment on the WMMP, and for NorZinc to respond to those comments. Two opportunities for public review of the WMMP post-EA, have helped to fulfill Measure 6-2(b) of the Report of Environmental Assessment.

The WMMP for Phase 1 of the Prairie Creek Mine all-season access road was submitted to the Minister of ENR and the Superintendent of Nahanni National Park Reserve from NorZinc on November 12, 2019. Phase 1, as described in the land use permit for the project, involves construction and operation of a winter road to conduct geotechnical investigations and transport equipment and materials to the Prairie Creek Mine.

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On December 10, 2019, Parks Canada and ENR initiated a final public review of the updated Phase 1 WMMP and requested that parties submit comments to the MVLWB's Online Review System (ORS) by January 9, 2020. Comments were submitted by four parties, including Parks Canada. NorZinc responded to the comments on January 16, 2020. ENR did not provide comments on the WMMP to the ORS, but did submit a notification on January 14, 2020, indicating comments would be submitted as part of ENR's decision letter on the WMMP.

Given NorZinc's decision in February 2020 to delay the start of the project, similar to Parks Canada's decision to delay approval decisions on NorZinc's management plans, ENR decided to defer its decision on whether to approve the WMMP to a later date. In a letter dated May 5, 2020, ENR notified NorZinc that four key revisions were required to the WMMP before ENR would consider it for approval. In addition, the letter requested that NorZinc re-submit a final version of the Phase 1 WMMP for approval at least 90 days prior to commencing construction. Lastly, ENR notified NorZinc that upon receiving the Phase 1 WMMP, it would consult Indigenous governments and Indigenous organizations prior to making a decision on approval as required under the GNWT's WMMP Process and Content Guidelines.

On October 4, 2021, NorZinc submitted a revised version of the Phase 1 WMMP to ENR and Parks Canada for approval. On November 2, 2021, ENR sent a letter to Indigenous governments and Indigenous organizations requesting that they advise ENR if they felt that any of the proposed actions to be undertaken by NorZinc in the WMMP had the potential to adversely impact asserted or established Aboriginal and/or treaty rights. ENR received one response raising concerns about the WMMP.

Between December 2 and 16, 2021, Parks Canada coordinated seven technical team meetings to discuss and clarify their comments and expectations around the content of the WMMP and technical responses presented by Tetra Tech, Inc. on behalf of NorZinc. ENR participated in most of these meetings. On December 19, 2021, ENR provided NorZinc with comments and recommendations on the October 2021 Phase 1 WMMP via e-mail, as it was understood at that time that NorZinc would be revising some sections of the WMMP and resubmitting it to Parks Canada before their requested deadline of January 17, 2022. ENR indicated that it would endeavor to make its approval decision by that date as well.

On December 20, 2021, NorZinc issued a press release indicating that the Phase 1 Pioneer Winter Road would not be built during the winter of 2022. On January 19, 2022, Parks Canada sent a letter to NorZinc indicating that they had not received the revised WMMP before the January 17, 2022 deadline, and that based on their outstanding concerns, they would not be able to approve the Phase 1 WMMP. ENR understands that discussions between Parks Canada and NorZinc with respect to the Phase 1 WMMP are ongoing.

On July 15, 2022, NorZinc submitted a revised version of the Phase 1 WMMP to ENR and Parks Canada for approval. ENR staff have reviewed the July 2022 Phase 1 WMMP. In this review they considered the comments submitted on the 2019 publicly reviewed version, NorZinc's responses to reviewer comments and recommendations, the four key revisions required in ENR's May 2020 letter, meetings between NorZinc, Parks Canada and ENR, results of Aboriginal Consultation, and the comments and recommendations provided by ENR in December 2021.

This letter is to notify NorZinc that I have approved the Phase 1 WMMP with 3 conditions for reasons outlined in the attached reasons for decision. The conditional approval of this WMMP applies only to mitigation and monitoring measures outlined in the plan that will take place on those portions of the Pioneer Winter Road that occur on territorially administered lands. **NorZinc must submit an updated version of the Phase 1 WMMP that addresses the Approval Conditions at least 30 days prior to commencing construction of the Pioneer Winter Road.**

ENR acknowledges that NorZinc may also make changes to the Phase 1 WMMP in response to ongoing discussions with Parks Canada. ENR encourages NorZinc to submit one final version of the Phase 1 WMMP that addresses both ENR's Approval Conditions and any changes required by Parks Canada.

ENR expects NorZinc to submit the WMMP for Phases 2 and 3 of the Prairie Creek All-Season Road project sufficiently in advance to allow for 90 day review and approval decision process, prior to the anticipated start of Phase 2 activities. ENR will work with Parks Canada to coordinate this process. When NorZinc submits the Phase 2-3 WMMP to ENR and Parks Canada, it will undergo a conformity review against items that NorZinc deferred to be addressed in the Phase 2 WMMP (as indicated in an e-mail sent to ENR and Parks Canada on July 10, 2019), applicable Measures from the Report of Environmental Assessment, and Developer commitments made during the EA, post-EA regulatory phase, and through ongoing discussions between NorZinc, Parks Canada and ENR.

Once ENR and Parks Canada have determined that conformity with these requirements has been met, the 90-day review and approval decision process will commence. This will include a 30-day public review period, response to public review comments by NorZinc, and re-submission of an updated Phase 2-3 WMMP for final approval by ENR and Parks Canada.

Please contact Kathy Unger, Manager, Environmental Assessment and Habitat, at (867) 767-9237 extension 53218 or kathy.unger@gov.nt.ca if you have any questions.

Sincerely,



(For) Erin Kelly
Deputy Minister
Environment and Natural Resources

Attachment

c. Minister Shane Thompson
Environment and Natural Resources

Grand Chief Herb Norwegian
Dehcho First Nations

Chief Steve Vital
Nahanni Butte Dene Band

Chief Kele Antonie
Łíídlı́ Kúé First Nation

Sub Chief Brenda Berreault
Acho Dene Koe First Nation

Dr. Brett Elkin
Assistant Deputy Minister, Operations
Environment and Natural Resources

Julian Kanigan
Assistant Deputy Minister, Environmental and Climate Change
Environment and Natural Resources

Heather Sayine-Crawford
Director, Wildlife and Fish
Environment and Natural Resource

Jamie Chambers
Superintendent, Dehcho Region
Environment and Natural Resources

Jonathan Tsetso
Superintendent, Nahanni National Park Reserve
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Allison Stoddart
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Executive Director
Mackenzie Valley Land and Water Board

Mark Cliffe-Phillips
Executive Director
Mackenzie Valley Review Board

Georgina Williston
Head, Environmental Assessment North
Environment and Climate Change Canada

Alison de Pelham
Executive Director
Dehcho First Nations

Boyd Clark
Advisor/Band Manager
Acho Dene Koe First Nation

Liza McPherson
Executive Director
Łíídlı Kúé First Nation

Soham Srimani
Acting Band Manager
Nahanni Butte Dene Band

Reasons for Decision – Prairie Creek All Season Road: Phase 1 – Pioneer Winter Road Mine Wildlife Management and Monitoring Plan

The July 15, 2022, version of the Prairie Creek All Season Road: Phase 1 – Pioneer Winter Road Mine Wildlife Management and Monitoring Plan (WMMP) is conditionally approved. Canadian Zinc (CZN; now NorZinc) is required to resubmit a version that addresses the 3 Approval Conditions below at least 30 days before commencement of construction.

Requirement for a Wildlife Management and Monitoring Plan

Under section 95(1) of the *Wildlife Act*, a developer may be required to prepare a WMMP for approval by the Minister of the Department of Environment and Natural Resources (ENR), and to adhere to the approved plan if the Minister is satisfied that the proposed development is likely to:

- a) *result in a significant disturbance to big game or other prescribed wildlife;*
- b) *substantially alter, damage or destroy habitat;*
- c) *pose a threat of serious harm to wildlife or habitat; or*
- d) *significantly contribute to cumulative impacts on a large number of big game or on habitat.*

The WMMP Process and Content Guidelines describe the factors that were considered by the Minister in determining whether a WMMP would be required for the Prairie Creek all-season access road. On October 27, 2017, a letter was sent to NorZinc providing the determination that a WMMP was required for this development.

Opportunity for Public Review

There have been several opportunities for interested and affected parties to review and provide comments on the Prairie Creek Mine all-season access road WMMP throughout its development both during and after the environmental assessment (EA).

A draft WMMP for the project was submitted during the EA (MVEIRB PR#297), and NorZinc submitted an updated WMMP to the Mackenzie Valley Land and Water Board (MVLWB) as part of the post-EA regulatory review process for the land use permit (MV2014F0013/PC2014F0013) and water licence (MV2019L8-002/PC2014L8-0006). The updated WMMP underwent a public review as part of the MVLWB's public comment period for the land use permit and water licence. Comments were submitted by ENR and four other parties (Łíídlı Kúé First Nation, Racher Consulting, Environment and Climate Change Canada, and Parks Canada) on the WMMP. In response to the comments from the first round of post-EA public review, NorZinc indicated that many of them would be addressed in another updated WMMP.

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At the MVLWB technical sessions in July 2019, NorZinc indicated that the all-season access road project would be completed in three phases. The three phases are described in the land use permit for the project as:

Phase 1 – activities to support the construction of the all-season access road in Phase 2, including the construction and operation of the winter road to conduct geotechnical investigation and transport equipment and materials to Prairie Creek Mine.

Phase 2 – activities to support the construction of the all-season access road including the construction and operation of the winter road and of all-season access road construction.

Phase 3 – activities to support the operation of the all-season access road including transportation of loaded concentrate, consumable materials and supplies to support mine operations, and road maintenance.

On July 10, 2019 NorZinc’s consultant (TetraTech) sent an e-mail to ENR and Parks Canada to clarify which aspects of the WMMP would be updated to reflect Phase 1 vs. Phase 2 activities.

On October 4, 2019 the Minister of ENR submitted a letter to NorZinc requiring that a revised WMMP be submitted for approval by the Minister at least 60 days prior to commencement of Phase 1 activities, and notifying NorZinc that there would likely be another opportunity for public review of the WMMP prior to ENR’s decision on whether to approve it.

On November 12, 2019, NorZinc submitted a revised WMMP for Phase 1 of the Prairie Creek Mine all-season access road to the Minister of ENR and the Superintendent of Nahanni National Park Reserve (NNPR). NorZinc also submitted a Caribou Data Gap Analysis report to help fulfill the requirements of Measure 6-1 of the Report of Environmental Assessment for the project.

On December 10, 2019, Parks Canada and ENR initiated a final public review of the updated Phase 1 WMMP and requested that parties submit comments to the MVLWB’s Online Review System (ORS) by January 9, 2020. Comments were submitted by four parties: Acho Dene Koe First Nation, Environment and Climate Change Canada, Parks Canada and Racher Consulting on behalf of Łíídlı Kúé First Nation and Nah?a Dehé Dene Band. NorZinc responded to the comments on January 16, 2020. ENR did not provide comments on the WMMP to the ORS, but did notify NorZinc on January 14, 2020 that comments would be submitted as part of ENR’s decision letter on the WMMP.

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On May 5, 2020, ENR submitted a letter to notify NorZinc that four key revisions were required to the WMMP before ENR would consider for approval, and requested that NorZinc re-submit a final version of the Phase 1 WMMP for approval at least 90 days prior to commencing construction.

On October 4, 2021, NorZinc submitted a revised version of the Phase 1 WMMP to ENR and Parks Canada for approval. On November 2, 2021, ENR sent a letter to Indigenous governments and Indigenous organizations requesting that they advise ENR if any of the proposed actions to be undertaken by NorZinc in the WMMP had the potential to adversely impact asserted or established Aboriginal and/or treaty rights.

ENR received one response with concerns on December 17, 2021, and ENR provided a response letter on May 25, 2022.

On July 15, 2022, NorZinc submitted another revised WMMP for Phase 1 of the Prairie Creek Mine all-season access road to ENR and Parks Canada.

Scope of the Phase 1 WMMP

The July 15, 2022 WMMP covers activities proposed for Phase 1 of the all-season access road project. As described in the land use permit issued for the project, Phase 1 includes activities to support the construction of the all-season access road in Phase 2, including the construction and operation of the Pioneer Winter Road to conduct geotechnical and geophysical investigations along the all-season road alignment to the Prairie Creek Mine.

As described in Section 2.0 of the WMMP, the Phase 1 road will be approximately 170 km long, and only tracked and light vehicles will be used. ENR's authority with respect to approval and enforcement of the WMMP applies to those portions of the road that occur outside of NNPR, more specifically km 0-17, and km 101-170 (roughly 86 km of the road).

ENR's Review

ENR staff have been actively involved in all opportunities to review the WMMP as it has evolved, not only to provide advice on the WMMP but also to take the views of other parties into consideration when determining the extent to which the WMMP meets the legislated requirements of section 95 of the *Wildlife Act*.

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ENR has reviewed the WMMP from several perspectives, but has primarily focused on the content of the WMMP as it relates to the requirements of the *Wildlife Act*. Section 95(2) of the *Wildlife Act* requires that a WMMP include:

- (a) a description of potential disturbance to big game and other wildlife included in the regulations, potential harm to wildlife and potential impacts on habitat;*
- (b) a description of measures to be implemented for the mitigation of potential impacts;*
- (c) the process for monitoring impacts and assessing whether mitigative measures are effective; and*
- (d) other requirements that are outlined in the regulations.*

ENR has also considered the extent to which the WMMP addresses:

- Project commitments made by NorZinc during the EA (summarized in Table A of the WMMP);
- Measures applicable to wildlife outlined in the Report of Environmental Assessment from the Mackenzie Valley Review Board, namely Measures 6-1, 6-2 and 6-3;
- Comments and recommendations on the February and October 2019 versions of the WMMP submitted to the MVLWB's ORS by ENR and other parties, and NorZinc's replies to those comments; and,
- Four key revisions to the WMMP required by ENR in a letter dated May 5, 2020
- Technical comments and recommendations provided by ENR staff in December 2021.

As Parks Canada will also be responsible for approving the WMMP where it applies to activities being undertaken within NNPR, ENR did not assess the extent to which Parks Canada's comments were addressed except where similar comments were submitted by both parties. While ENR has reviewed Environment and Climate Change Canada's (ECCC) comments, and NorZinc's responses to those comments, ENR's authority with respect to approval and enforcement of the WMMP does not extend to migratory birds captured under the *Migratory Birds Convention Act, 1994*. ENR encourages NorZinc to continue to engage with ECCC.

Furthermore, in approving the WMMP, the Minister of ENR also considers Section 35 consultation obligations. ENR relies on MVLWB regulatory processes and the process outlined in the WMMP Process and Content Guidelines to help fulfill the Crown's duty to consult, and has taken these processes into account in assessing the adequacy of consultation and accommodation for the approval of the WMMP.

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As noted earlier, ENR sent a letter to Indigenous governments and Indigenous organizations on November 2, 2021 requesting that they advise ENR if they felt that any of the proposed actions to be undertaken by NorZinc in the WMMP had the potential to adversely impact their asserted or established Aboriginal and/or treaty rights. ENR received three responses by December 17, 2021. Two responses indicated that they had no further comments on the WMMP.

The third response raised concerns with respect to the Phase 1 WMMP. This included failure to acknowledge that portions of the all-season road alignment overlapped with their traditional territory, impacts to wildlife and hunting/trapping success due to increased traffic levels on public highways from project-related traffic, the potential for the proposed checkpoint and signage at the southern end of the road to prevent or dissuade members from accessing their traditional territory, lack of incorporation of their traditional knowledge in the WMMP, and lack of hiring of monitors from their community. ENR responded to these concerns in a letter dated May 25, 2022. ENR notes that two of NorZinc's Negotiators (Consultants) were copied on the response letter.

ENR notified Indigenous governments and Indigenous organizations that consultation on this file had closed by way of a letter dated July 4, 2022. ENR is of the view that the duty to consult and accommodate has been fulfilled.

ENR expects NorZinc to continue engaging with Acho Dene Koe First Nation (ADKFN) to address their concerns regarding: the incorporation of ADKFN's traditional knowledge into the WMMP for Phase 2 and 3 of the project, the hiring of Acho Dene Koe monitors to participate in implementing the WMMP, and representation of ADKFN on the Road Oversight Committee.

Rationale

WMMP content required under s.95(2) of the *Wildlife Act*

ENR is satisfied that the Phase 1 WMMP meets the necessary content outlined in section 95(2) of the *Wildlife Act*. While the requirements in the Act are relatively high-level, the WMMP guidelines provide further guidance as to what ENR is looking for when assessing whether a WMMP meets the requirements. NorZinc has adequately described the potential impacts to big game species, species at risk and other important harvested species from Phase 1 activities in section 6.0 and Table 3 of the WMMP.

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The WMMP also describes the proposed mitigation and monitoring programs for the species most likely to be impacted by Phase 1 activities, which are accompanied by appendices with detailed standard operating procedures and monitoring procedures for these programs. The WMMP also includes action levels to trigger adaptive management measures based on the results of monitoring.

Developer Commitments

ENR is satisfied that all the commitments outlined in Table A of the WMMP have been addressed in the plan.

EA Measures

ENR's May 5, 2020, letter to NorZinc considered whether the November 2019 Phase 1 WMMP addressed relevant measures directed at NorZinc in the Report of Environmental Assessment. ENR noted that some aspects of these Measures apply to the full scope of the project (Phases 1-3), and still need to be addressed in a revised WMMP for Phase 2/3 of the project.

With respect to outstanding aspects of Measures 6-1 and 6-2 that apply to the Phase 1 WMMP that were noted by ENR in May 2020, ENR is satisfied that those comments have now been addressed in the July 2022 Phase 1 WMMP. NorZinc provided ENR and Parks Canada with additional baseline data collection reports in fall 2021, such as the results of the 2019 aerial survey for boreal caribou, a bird baseline report, and collared pika baseline surveys and habitat loss estimates. NorZinc should ensure that, as per Measure 6-1, Part 2 – bullet f, all baseline data survey reports are shared with relevant Indigenous governments and Indigenous organizations.

NorZinc has also addressed ENR's recommendation to include different action levels to trigger adaptive management, and more frequent reporting during Phase 1.

Status of Key Revisions required by ENR in May 2020

Revision 1: Wildlife Hazard Mitigation Monitoring and Animal-Vehicle Collision Risk

Monitoring must be conducted weekly during the construction and operation phases of the Phase 1 winter road project. Relevant sections of the WMMP, Appendix B - SOPs and Appendix D – Monitoring Procedures must be updated to reflect this change.

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This revision was satisfactorily addressed. Section 8 - Table 9 (Wildlife Hazard Mitigation Monitoring) stipulates once weekly monitoring and Table 11 (Road Mortality Monitoring) stipulates once weekly monitoring during project activities and daily during clearing.

Section 7.1 of the Traffic Control Mitigation, Operations and Maintenance Plan indicates that daily inspections will be conducted to identify issues related to signage and wildlife. WMMP #5 Procedure indicates "The following survey and reporting schedules will be applied:

- While Clearing: scheduled immediately ahead of the clearing equipment, including the mini-mulcher
- Daily: Report the locations of where wildlife caution zone signs were installed and/or removed to the QEP, Construction Manager, and Checkpoint Monitor;
- Weekly: Conduct the Road Survey during PWR activities"

Revision 2: NorZinc must provide an addendum to the WMMP that includes the results of the October 2019 aerial bear den survey. Given that the project has been delayed a year, and that an active den was detected in October 2019, all confirmed or suspected bear dens detected in that survey will need to be re-assessed prior to construction to determine if they are active in fall 2020. The WMMP must be revised to include more detailed adaptive management options that could be implemented in the event that an active den is detected within the specified setback distance and the road alignment cannot be adjusted beyond the setback. The WMMP must also describe monitoring that will be conducted in the event that an active bear den is detected within the specified setbacks in order to confirm that the bear is not disturbed from the den during project activities.

This revision was satisfactorily addressed. A report dated July 26, 2021, was submitted to ENR which contains the results of the aerial bear den survey. NorZinc revised Section 8.1.1 and WMMP #1 Procedures Section 7.1 to identify monitoring to be conducted in the event that known or suspected occupied dens are encountered. Section 9.1.1, Table 17 contains adaptive management options if an active den is detected within the setback and the alignment cannot be readjusted.

Revision 3: The spatial extent of boreal caribou winter track surveys must be extended to km 170 to cover the portion of the winter road between the Nahanni Butte Access Road and the Liard River. Surveys will thus be conducted between km 110 and 170. Section 8.2.4 and Appendix D – WMMP#8 of the WMMP must be updated accordingly.

This revision was satisfactorily addressed. The text in Section 8.2.4 and WMMP # 8 Section 5.0 was updated to include that the survey runs from KP 110 to KP 170.

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Revision 4: NorZinc will provide ENR and other interested parties with reports, at minimum every two weeks, during Phase 1 activities which describe implementation of wildlife mitigation measures, wildlife data collected under different monitoring programs, wildlife incidents and any adaptive management measures that were triggered and implemented.

This revision was satisfactorily addressed. Construction reports provided every 2 weeks was added in Section 10, Table 18.

Approval Conditions

ENR's review of the July 15, 2022, version of the Phase 1 WMMP has identified some additional issues with the WMMP that must be addressed by NorZinc as conditions of approval.

1) Collared Pika Pre-Construction Monitoring

Section 8.1.2 - Collared Pika Pre-Construction Monitoring – states that “A road survey crew was deployed to site in the fall of 2021 to adjust the PWR to avoid the meadow at this one talus site (CZN-32-PK-4; refer to Section 3.3.1.1 Adaptive Management in the pika baseline report). A follow-up report that presents the results of the fall 2021 pre-clearing pika survey will be submitted prior to PWR clearing.”

NorZinc's consultant Tetra Tech submitted a wildlife research permit report (Permit # WL501006-2021) to ENR on December 24, 2021, presenting the results of the fall 2021 pre-clearing pika surveys. Evidence of pika activity was detected at 19 of the 36 talus sites surveyed, including three out four talus sites that are within 25 m of the proposed road alignment.

In ENR's review of the 2019 version of the Phase 1 WMMP, ENR asked whether there would be follow-up surveys conducted after the Phase 1 PWR operations to determine whether occupied talus sites adjacent to the PWR might have been impacted. NorZinc has updated Table 7: Pre-Construction Collared Pika Monitoring Survey to include a survey in August 2023. However, the wording used in Section 8.1.2.1 (including the title of Table 7) is not consistent with this change.

Approval Condition #1: *NorZinc shall update Section 8.1.2.1 to reflect the addition of a follow-up survey in August 2023.*

2) Reporting of wildlife collisions with project vehicles on NWT public highways

During Aboriginal Consultation on the WMMP, ENR heard concerns about increased levels of traffic on NWT Highway 7 associated with vehicle traffic from the project leading to greater sensory disturbance of wildlife, increased risks of wildlife-vehicle collisions, and reduced hunting/trapping success in areas along Highway 7 south of the intersection with the Nahanni Butte access road.

Section 7.4 – Wildlife Hazard Management – of the WMMP requires that “All big game species and species at risk harmed as a result of the project will be reported to Parks Canada and or ENR within 24 hours. Reporting will be done in accordance with the procedures outlined in SOP #2.”. This reporting requirement is consistent with section 58 of the *Wildlife Act* and Section 8 of the *Wildlife General Regulations*, which stipulate that any person who, with a motorized vehicle, accidentally kills or seriously wounds big game or other prescribed wildlife on a highway is required to report the incident to an ENR officer within 24 hours.

ENR would like to remind NorZinc that this requirement applies to wildlife-vehicle collisions for any project-related vehicle that is travelling on a public highway in the NWT. ENR relies on this information being reported to assess levels of wildlife mortality due to vehicle collisions on public highways and uses it to work with the Department of Infrastructure to inform mitigation measures such as placement of warning signage or speed limit reductions.

Approval Condition #2: *NorZinc shall amend Section 7.4 and SOP #2 of the WMMP to clarify that reporting of wildlife-vehicle collisions within 24 hrs extends to any project-related vehicle either traveling on the PWR or an NWT highway. Wildlife-vehicle collisions involving project-related vehicles on NWT highways should also be summarized in annual WMMP reports.*

3) Euthanizing critically injured or sick animals

SOP #1 REPORTING, RESPONDING TO, AND DETERRING WILDLIFE - Table 1 and Section 5.1.1 state that critically injured or sick animals will be euthanized.

The decision to euthanize will not be made by project personnel. If project personnel observe critically injured or sick big game species or bird of prey or cause a big game species or bird of prey to become critically injured or sick they should contact an ENR officer as soon as practicable to determine what action should be taken, if any.

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Approval Condition #3: NorZinc shall amend SOP #1 REPORTING, RESPONDING TO, AND DETERRING WILDLIFE to remove euthanization as a response when wildlife are encountered from Table 1 and Section 5.1.1 on territorial lands.

Reporting

ENR expects NorZinc to follow the reporting schedule, and content of proposed reports, outlined in Section 10 – Table 18 of the WMMP. ENR expects to receive the annual report from the Phase 1 - Pioneer Winter Road WMMP prior to commencement of Phase 2 activities. NorZinc shall submit the annual Phase 1 WMMP report to ENR and Parks Canada.

ENR and Parks Canada will circulate the annual report to relevant parties for review and comment, and ask that parties copy ENR and Parks Canada when submitting their comments to NorZinc. A copy of the annual report will be posted to ENR's WMMP Resources webpage. NorZinc shall provide responses to reviewer comments and recommendations and indicate if and how they resulted in any changes to the WMMP for Phase 2/3 of the all-season road project.

ENR appreciates NorZinc's commitment on page 72 bullet h) to submit Wildlife Observations Logs in tabular format to ENR's Wildlife Management Information System. Consistent with Section 5.3 of ENR's WMMP Process and Content Guidelines, NorZinc is strongly encouraged to submit copies of its wildlife monitoring data from all WMMP monitoring programs to ENR's Wildlife Management Information System so that it can be archived in a central database and made available for future uses.

Developers can indicate whether the data can be made publicly available, is only for use by the GNWT or if the developer should be contacted directly by users requesting the data.

ENR also encourages NorZinc to submit wildlife monitoring data collected during previous baseline data collection programs. NorZinc should contact WMISTeam@gov.nt.ca to discuss the best way to submit data from different types of past, present and future monitoring programs.

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Decision Summary

The July 15, 2022 version of the Prairie Creek All Season Road: Phase 1 – Pioneer Winter Road Mine WMMP is conditionally approved subject to 3 Approval Conditions. NorZinc shall submit an updated version of the Phase 1 WMMP that addresses these conditions at least 30 days prior to commencing construction of the Pioneer Winter Road. The final approved version of the Phase 1 WMMP will be posted to ENR's WMMP webpage.