



Mackenzie Valley Land and Water Board
7th Floor - 4922 48th Street
P.O. Box 2130
YELLOWKNIFE NT X1A 2P6
Phone (867) 669-0506
FAX (867) 873-6610

August 8, 2019

File: MV2014F0013,
MV2014L8-0006 &
MV2019L8-0002

Mr. David Harpley
Canadian Zinc Corporation
SUITE 1710-650 West Georgia Street
Vancouver BC V6B 4N9

Email: david@canadianzinc.com

Dear Mr. Harpley:

Composition of Independent Technical Review Panel (ITRP)
Canadian Zinc Corporation – Prairie Creek All Season Road Project

The Mackenzie Valley Land and Water Board (the Board) met on August 8, 2019 to consider the composition of the Independent Technical Review Panel (ITRP) for Canadian Zinc Corporation's (CZN) All Season Road (ASR) Project. This is required to fulfill Measure 5-1, Part 3 of the Mackenzie Valley Environmental Impact Review Board's Report of Environmental Assessment and Reasons for Decision for EA1415-01.

The Board approved the following individuals as members of the ITRP:

- Timothy Smith
- J.M. (Jim) Owell
- Robert E. Johnson
- David J Watt

If you have any questions or concerns, please contact Julian Morse at (867) 766-7453 or email jmorse@mvlwb.com.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mavis Cli-Michaud".

Mavis Cli-Michaud
MVLWB, Chair

Copied to: Distribution List

Attachment: Reasons for Decision



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Reasons for Decision

Issued pursuant to section 72.25 of the *Mackenzie Valley Resource Management Act* (MVRMA) and section 54 of the *Waters Act*

| Post-EA Information Package and Land Use Permit Application Preliminary Screening | |
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| Preliminary Screener | MVLWB |
| Reference/File Number | MV2014F0013 MV2014L8-0006 MV2019L8-0002 |
| Applicant | Canadian Zinc Corporation |
| Project | Prairie Creek All Season Road |

These Reasons for Decision set out the Mackenzie Valley Land and Water Board’s (the Board or MVLWB) decision on the composition of the Independent Technical Review Panel (ITRP) for Canadian Zinc Corporation’s (CZN’s) Prairie Creek All Season Road (ASR) Project for Land Use Permit (Permit) MV2014F0013 and Water Licences (Licence) MV2014L8-0006 and MV2019L8-0002. The purpose of the ITRP is to evaluate and approve the final road design for the ASR and is required to fulfill Measure 5-1, Part 3 of the Mackenzie Valley Environmental Impact Review Board’s Report of Environmental Assessment (EA1415-01).

1.0 Background

In 2014, CZN applied for a new Type A Land Use Permit MV2014F0013 and a new Type B Water Licence MV2014L8-0006 for construction of a permanent all season road (ASR) between the Liard Highway and the Prairie Creek Mine. The Board referred the Applications to the Review Board for Environmental Assessment (EA) on May 22, 2014. On September 12, 2017, the Review Board released its Report of EA and Reasons for Decision (EA1415-01). On October 9, 2018 the Minister of Crown-Indigenous Relations, with agreement from all responsible ministers, adopted the recommendation of the Review Board.

The ASR will allow for year-round transport of concentrates from Prairie Creek Mine to market, and delivery of operating supplies to Prairie Creek Mine. It will cross non-federal land, federal land (administered by Indian Affairs Branch), and lands within Nahanni National Park Reserve (NNPR) (administered by Parks Canada, under the *Canada National Parks Act*). On October 9, 2018 Board staff and Parks Canada jointly issued a letter to CZN outlining requirements for a Post-EA Information Package.

CZN submitted its Post-EA Information Package on February 20, 2019, which included various plans, programs, reports, maps and design drawings for the construction, operation, maintenance and

closure of the ASR Project. Board staff and Parks Canada deemed the package complete and distributed it for review on March 12, 2019. Reviewers comments and recommendations were received on the Post-EA Information Package April 24, 2019 and CZN responded on May 15, 2019. A Technical Session was held in Yellowknife from June 5-7, 2019 to discuss issues raised by reviewers during the review.

Measure 5-1 of the Report of EA and Reasons for Decision requires CZN to establish and fund an ITRP to evaluate and approve the final road design. Measure 5-1, Part 3: Panel composition states that:

At a minimum, the panel will be comprised of three members who are professional engineers and geoscientists. The panel must have expertise in northern road design, including permafrost and mountainous terrain experience. Members of the panel will have knowledge and experience to appropriately address the mandate in Measure 5-1 part 2 and consideration in Measure 5-1 part 5. CanZinc will engage with Parks Canada, the Mackenzie Valley Land and Water Board, the Government of the Northwest Territories, Nahanni Butte Dene Band, Liidlii Kué First Nation, and Dehcho First Nations on the panel composition. Members of the panel will be independent and will be approved by the Mackenzie Valley Land and Water Board and Parks Canada.

2.0 Public Review

- October 9, 2018 – Board staff and Parks Canada jointly issued a letter to CZN outlining the requirements for a Post-EA Information Package;
- November 8, 2018 – the Board determined that under paragraph 22(2)(b) of the Mackenzie Valley Land Use Regulations, further study was needed for the Permit, and that the Permit and Licence should be reviewed and considered by the Board together;
- February 20, 2019 – CZN submitted a Post-EA Information Package to the Board and Parks Canada;
- March 12, 2019 – Post-EA Information Package deemed complete and review commenced;
- April 24, 2019 – Reviewer comments and recommendations due and received;
- May 15, 2019 – CZN responses due and received;
- June 5-7, 2019 – Technical Session held by Board staff and Parks Canada in Yellowknife, NT;
- June 11, 2019 – Information Requests (IRs) generated from the technical session were distributed to CZN, Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) and the Government of the Northwest Territories (GNWT) – Department of Lands (Lands);
- June 25, 2019 – Responses to IRs received (two IRs had later due dates);
- July 12, 2019 – Parks Canada recommended a 4th panel member (either David J. Watt or Jason Paquette) and CZN agreed;
- July 23, 2019 – CZN confirmed that David J. Watt would be the 4th panel member; and
- **August 8, 2019 – Request presented to the Board to consider the proposed members of the ITRP, for decision.**

3.0 Decision

After reviewing the submissions of the Applicant, the written comments received by the Board and the Staff report prepared for the Board, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the MVRMA and the *Waters Act* and Regulations made thereunder, approves the members of the Independent Technical Review Panel to be Timothy Smith, J.M. (Jim) Oswell, Robert E. Johnson, and David Watt, as proposed by CZN in its Post-EA Information Package dated February 20, 2019 and agreed to by Parks Canada.

The Board will provide additional referenced material or documents if requested in writing to do so.

SIGNATURE

Mackenzie Valley Land and Water Board



August 8, 2019

Mavis Cli-Michaud, Chair

Date