



7th Floor - 4922 48th Street,
P.O. Box 2130, Yellowknife NT X1A 2P6

Tel: 867-669-0506 Fax: 867-873-6610
www.mvlwb.com

Staff Report

Applicant: Canadian Zinc Corporation (CZN)	
Location: Yellowknife, NT	File Number: MV2014F0013, MV2014L8-0006, and MV2019L8-0002
Date Prepared: March 30, 2021	Date of Board Meeting: April 8, 2020
Subject: Prairie Creek All Season Road Project - Requested Change to Composition of Independent Technical Review Panel	

1. Purpose

The purpose of this report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board”) a request by Canadian Zinc Corporation (CZN) to replace a member of the Independent Technical Review Panel (ITRP) for the Prairie Creek All-Season Road Project.

2. Background

- August 8, 2019 – Approval of members of the Independent Technical Review Panel (ITRP);
- November 13, 2019 – Effective date of Permit (MV2014F0013) and Licenses (MV2014L8-0006, MV2019L8-0002);
- January 16, 2020 – Approval of Independent Technical Review Panel – Terms of Reference;
- March 4, 2021 – Submission of request to change a member of the ITRP;
- March 8, 2021 – Request to change a member of the ITRP distributed for public comments;
- March 29, 2021 – Due date for comments on the change requested;
- April 5, 2021 – Due date for the Proponent to respond to parties’ comments; and
- **April 08, 2021 – Request presented to the Board for decision;**
- November 12, 2024 – Expiration of Permit MV2014F0013; and
- November 12, 2039 – Expiration of Licence MV2014L8-0006 and Licence MV2019L8-0002.

3. Discussion

On March 4, 2021, Canadian Zinc Corporation (CZN) submitted a request to change a member of the Independent Technical Review Panel (ITRP) for the Prairie Creek All-Season Road Project (Project), authorized under the following approvals: MV2014F0013, MV2014L8-0006, and MV2019L8-0002. The Prairie Creek All-Season Road Project consists of a 170-km, All-Season Road, beginning at the intersection of the Liard Highway (km 184) and ending at Prairie Creek Mine (km 0); additionally, an existing 10-km Nahanni Butte access road is linked to the All-Season Road.

CZN indicated that the panel-member change is requested to minimize potential conflict-of-interest issues as a member of the panel, David J Watt, has accepted a position with Allnorth, an engineering consulting firm. The ITRP has reviewed three separate individuals as possible replacements and have recommended Lee Delauriers as the most appropriate. If the change requested is accepted by the Board and Parks Canada, CZN will update the Independent Technical Review Panel – Terms of Reference to reflect the change.

The Independent Technical Review Panel and associated Terms of Reference are requirements under Measure 5-1 of the Project's Environmental Assessment Report and Reasons for Decision. On August 8, 2019, the proposed members of the ITRP, as required through Measure 5-1, Part 2 of EA1415-01, were approved by the Board and Parks Canada. On January 16, 2020, the terms of Reference for the ITRP were approved in accordance with requirements under Measure 5-1, Part 3 of EA1415-01, and relevant conditions of Permits MV2014F0013 and PC2014F0013, and Water Licences MV2014L8-0006, MV2019L8-0002, and PC2014L8-0006. The change request and supporting information were distributed on March 8, 2021 with the due date for comments set for March 29, 2021. The due date for the applicant to respond to public comments was set for April 5, 2021.

4. Comments

The rationale presented by Canadian Zinc Corporation seems reasonable to support the change requested.

5. Public Review

Prior to the due date for comments, March 29, 2021, a no-comment submission was received from the Government of the Northwest Territories – Environment and Natural Resources (GNWT-ENR). Given the nature of the comments received, no response(s) was required from Canadian Zinc Corporation.

On March 31, 2021, Board received an email correspondence from Parks Canada indicating that it agrees with the replacement panel member selected.

6. Security

Security requirements are not impacted by the change requested to the composition of the Independent Technical Review Panel.

7. Conclusion

Board staff conclude that there are no outstanding issues associated with the change request.

8. Recommendation

Board staff recommend that **the Board make a motion to accept the replacement of David J Watt with Lee Delauriers on the Independent Technical Review Panel for Canadian Zinc Corporation's Prairie Creek All-Season Road Project.**

9. Attachments

- Comment Review Table;
- [CZN Change Request and Supporting Information](#); and
- Draft Decision Letter.

Respectfully submitted,



Sean Joseph
Regulatory Specialist



Kimberley Murray
Regulatory Specialist

Review Comment Table

Board:	MVLWB
Review Item:	All-Season Road - Proposed Change to Independent Technical Review Panel Composition (MV2014F0013 MV2014L8-0006 MV2019L8-0002) (PC2014F0013 PC2014L8-0006)
File(s):	MV2014L8-0006 MV2014F00013 MV2019L8-0002 PC2014F0013 PC2014L8-0006
Proponent:	CanZinc Corporation
Document(s):	CZN - Request to Change an ITRP Member (Email Correspondence) (169 KB) CZN - Request to Change an ITRP Member (Letter and CVs) (326.28 KB)
Item For Review Distributed On:	Mar 8 at 14:08 Distribution List
Reviewer Comments Due By:	Mar 29, 2021
Proponent Responses Due By:	Apr 5, 2021
Item Description:	<p>Canadian Zinc Corporation (CZN) has submitted a request to replace a member of the Independent Technical Review Panel (ITRP) for the All Season Road Project (Project) on March 4, 2021. The ITRP, including the Terms of Reference, is required through Measure 5-1 of the Report of Environmental Assessment and Reasons for Decision for the Project (EA1415-01). CZN has indicated that if the new panel member is approved by the Mackenzie Valley Land and Water Board (the Board) and Parks Canada, the ITRP Terms of Reference will be updated to reflect the new member.</p> <p>Jurisdiction: Parks Canada is the regulator for lands within Nahanni National Park Reserve (NNPR) under the Canada National Parks Act. The Board is the regulator for the rest of the All Season Road (ASR), including the Indian Affairs Branch (IAB) lands.</p> <p>History: The Project consists of an ASR, beginning at the intersection of the Liard Highway (km 184) and ending at Prairie Creek Mine (km 0). The total ASR length is 170 km, in addition to an existing 10-km Nahanni Butte access road. On August 8, 2019 proposed members of the ITRP, as required through Measure 5-1, Part 2 of EA1415-01, were approved by the Board and Parks Canada. On January 16, 2020, the Terms of Reference for the ITRP, as required through Measure 5-1, Part 3 of EA1415-01, and conditions of Permits MV2014F0013 and PC2014F0013 and Water Licences MV2014L8-0006, MV2019L8-0002, and PC2014L8-0006, were approved by the Board and Parks Canada, respectively.</p> <p>Reviewers are invited to submit comments, and recommendations on the request to replace a panel member of the ITRP using the Online Review System (ORS) by the review comment deadline specified below. Please note that both Parks Canada and the Board are using the ORS to gather comments, therefore all</p>

Contact Information:	<p>comments will be considered by both jurisdictions at the same time. If reviewers seek clarification on the submission, they are encouraged to correspond directly with the proponent prior to submitting comments and recommendations.</p> <p>Contact us: All documents that have been uploaded to this review are also available on our public Registry. If you have any questions about this review, please contact the Board staff and/or the Parks Canada staff identified below. If you have any questions specifically about the ORS, please contact Board staff identified below.</p> <p>Kimberley Murray, Regulatory Specialist, MVLWB Telephone: (819) 766-7458 Email: kmurray@mvlwb.com</p> <p>Sean Joseph, Regulatory Specialist, MVLWB Email: sjoseph@mvlwb.com</p> <p>Allison Stoddart, Environmental Assessment Specialist, Parks Canada Telephone: (819) 661-0283 Email: Allison.stoddart@canada.ca</p>
Contact Information:	<p>Jen Potten 867-766-7468 Kim Murray (867) 766-7458 Sean Joseph</p>

Comment Summary

GNWT - ENR - EAM (Environmental Assessment and Monitoring): Central Email GNWT				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Decision
1	General File	<p>Comment (doc) ENR Letter - No Comments or Recommendations at this time</p> <p>Recommendation</p>	N/A	Noted