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MVLWB Work Plan for Canadian Zinc Corporation – Mining and Milling Applications for Water Licence MV2021L2-0004 and Land Use Permit MV2021D0005

Purpose of the Work Plan

To outline the processes and timelines to be followed for the Water Licence (Licence) Application MV2020L2-0004 and Land Use Permit (Permit) Application MV2021D0005 for the Canadian Zinc Corporation (CZN) Mining and Milling Applications.

Background

On March 11, 2021, CZN submitted a Renewal Application for Licence MV2020L2-0004 and a new Permit Application MV2021D0005 for mining and milling at Prairie Creek Mine. On June 4, 2021, the Mackenzie Valley Land and Water Board (MVLWB or the Board) deemed the Applications complete.

Scope of the Project

The scope of this Project includes mineral exploration and mining and milling activities at Prairie Creek Mine. The scope is outlined in CZN's Updated Project Description submitted on May 27, 2021.

Guiding Principles

The following principles will guide the Work Plan of the MVLWB throughout this licencing and permitting process:

- The process shall be carried out in a timely manner and shall have regard to the protection of the environment in consideration of the impacts of the proposed undertaking and the importance of conservation to the wellbeing and way of life of the Aboriginal peoples of Canada (Section 35 of the *Constitution Act, 1982*);
- The Board will review CZN's applications and consider potential Licence and Permit conditions based on evidence and rationale submitted by the company or any other party;
- The Board may also consider changes it considers appropriate to meet its mandate, applicable policies, and to ensure consistency in decision-making throughout the Mackenzie Valley; and
- The Board will actively continue to monitor compliance with existing Permit and Licence requirements.

Work Plan Objectives

The Work Plan is to achieve the following objectives:

- Compile a broad range of input through the review process;
- Ensure adequate information is gathered to complete the licensing and permitting process;
- Facilitate a thorough, inclusive, and timely licence and permit review process; and
- Establish adequate licence and permit conditions to ensure protection of the environment.

Opportunities for Community Engagement

- The Board requires CZN to engage with communities and Indigenous organizations regarding the licence and permit Applications prior to their submission;
- The Board will distribute the licence and permit Applications to reviewers including Indigenous organizations, governments, and communities – for review using the LWB Online Review System;
- The Board will include a notification(s) regarding the review process in the newspaper;
- The Board will coordinate a technical session(s) to address specific issues that require more focused review and discussion;
- The Board will hold a public hearing and provide notice to the public of this, in advance, in the newspaper; and
- The Board will hold any other consultation or engagement activity that the Board considers appropriate.

Materials Circulated for Comment by Parties

During the course of this proceeding Board staff will review all evidence filed by the parties. These efforts are intended to identify issues or concerns which must be addressed in the licence and permit and to resolve them, if possible, before the close of the proceeding. In order to focus these discussions, staff will prepare and circulate a draft of the licence and permit for comment. This process allows parties to address the proposed terms and conditions for the licence and permit in their presentations to the Board and to prepare argument setting out their positions with respect to these provisions at the close of the proceeding.

These staff efforts to develop and circulate a draft licence and permit should focus discussion on appropriate terms and conditions for these authorizations. The Board is not bound by the contents of any of these draft materials and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all parties.

The table on the following page sets out the main process steps in the Board’s Work Plan and indicates the responsible party for each, as well as the anticipated completion date for each item.

Regulatory Process Timelines

Table 1 below sets out the regulatory process tasks and timelines. Subsection 22(2) of the Mackenzie Valley Land Use Regulations requires the MVLWB to make a decision on the land use permit application within a period of 42 days after receipt of the complete application. Subsection 47(1) of the *Waters Act* requires the MVLWB to make a decision on a water licence application within a period of nine months after the day on which an application is deemed complete and the review process begins. Based on section 28 of the *Federal Interpretation Act*, this is equivalent to 275 calendar days. The MVLWB Day Count stops whenever the Board requires the Proponent to provide information for the regulatory process to continue (signified by the red shading in the table below). Once that information has been provided, the MVLWB Day Count resumes (signified by the green shading in the table below).

Table 1 Regulatory Process Timeline

Item #	Task	Responsible Party	MVLWB Day Count (275 Max)	Due Date (Date Completed)
1	Applications Submitted	Proponent	0	27-May-21
2	Applications deemed complete	MVLWB staff	8	4-Jun-21
3	Applications sent out for review	MVLWB staff	8	4-Jun-21
4	Reviewer comments due on Application	Reviewers	49	15-Jul-21
5	Proponent responses to Reviewer comments on Applications	Proponent	49	29-Jul-21
6	Preliminary Screening Determination	MVLWB	-	26-Aug-21
-	If Preliminary Screening decision is to continue with the regulatory process, then draft work plan follows below			
7	Technical Session Day 1, 2, and 3	All Parties	82	31-Aug-21
			83	1-Sep-21
			84	2-Sep-21
8	Circulate Information Requests from Technical Session	MVLWB staff	89	7-Sep-21
9	Deadline to respond to Information Requests – CZN	All Parties	85	20-Sep-21
10	Deadline to respond to Information Request – ECCC	ECCC	103	4-Oct-21
11	Deadline for Interventions	Interveners	121	22-Oct-21
12	Pre-Hearing Conference	All Parties	121	28-Oct-21
13	Proponent response to Interventions	Proponent	121	19-Nov-21
14	Deadline for Intervener Public Hearing presentations	Interveners	131	29-Nov-21
15	Proponent Public Hearing presentation due	Proponent	131	1-Dec-21
16	Public Hearing Day 1, 2, 3, and 4	All Parties	143	13-Dec-21
			144	14-Dec-21
			145	15-Dec-21
			146	16-Dec-21
17	Circulate Public Hearing Undertakings	MVLWB staff	147	17-Dec-21
18	Public Hearing Undertakings due (except for #2)	All Parties	147	18-Jan-22
19	Public Hearing Undertaking #2 due	CZN	175	15-Feb-22
20	Circulate Draft Licence	MVLWB staff	178	18-Feb-22
21	Reviewer comments due on Draft Licence	Reviewers	199	11-Mar-22
22	Proponent response to reviewer comments on Draft Licence	Proponent	199	18-Mar-22

Item #	Task	Responsible Party	MVLWB Day Count (275 Max)	Due Date (Date Completed)
23	Deadline for Closing Arguments from Interveners	Interveners	206	25-Mar-22
24	Deadline for Closing Arguments from Proponent	Proponent	206	1-Apr-22
25	Board decisions on Applications	MVLWB	-	Late April, 2022
26	Water Licence sent to the GNWT Minister for review	Board staff	-	Mid May, 2022
27	Final decision from the GNWT Minister	Minister	Up to 90 days	

Please note that the Work Plan has been created based on the information available and is subject to change at any time.