



CANADIAN PARKS AND
WILDERNESS SOCIETY
NWT CHAPTER

December 4, 2000

Gordon Lennie, Chair
Mackenzie Valley Environmental Impact Review Board
Box 938, 200 Scotia Centre, (5102-50th Avenue),
Yellowknife, NT X1A 2N7
Fax: (867) 920-4761

**Re: Environmental Assessment Terms of Reference for the Canadian Zinc Corporation,
application MV2000C0030
Cat Camp/Fuel Cache Retrieval and Clean-up Development, and
Diamond Drill Program Development**

Dear Mr. Lennie,

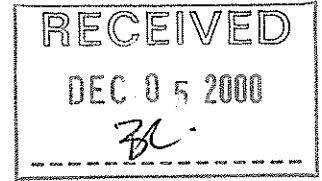
CPAWS-NWT has reviewed the draft terms of reference for the environmental assessments of the Cat Camp/Fuel Cache Retrieval and Clean-up Development, and Diamond Drill Program. Please find attached our comments on the proposal and the terms of reference."

Sincerely,

Greg Yeoman
Conservation Director,
CPAWS-NWT

Louie Azzolini

From: CPAWS-NWT [cpaws-nwt@yellowknife.com]
Sent: Monday, December 04, 2000 5:02 PM
To: eao1@mveirb.nt.ca
Subject: Cdn Zinc Terms of reference



Combined ToR, Dec
4.doc



ToR cover letter, Dec
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Hi Louie,

Attached are the CPAWS comment on the Canadian Zinc terms of reference.
Greg

Greg Yeoman
Conservation Director

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**CPAWS comments on the Environmental Assessment Terms of Reference for the
Canadian Zinc Corporation, application MV2000C0030
Cat Camp/Fuel Cache Retrieval and Clean-up Development, and
Diamond Drill Program Development**

Context of the Proposed Development

The geographic location of this proposal contains unique wilderness values and designations designed to recognize and protect those values. This context must be seriously considered when judging this application.

Almost immediately downstream from the Prairie Creek mine site is Nahanni National Park Reserve, which was designated to protect the Nahanni as a wilderness river. The National Parks Act states that the maintenance of ecological integrity is the first management priority of Canada's National Parks. The Nahanni river is designated as a Canadian Heritage River, also because of the river's outstanding wilderness qualities. The Park Reserve is a UNESCO World Heritage Site, designated in 1978 because of the international significance of its natural features. The unique wilderness values of the area do not stop at the Park Reserve's boundaries, and the Park Reserve recognizes the entire south Nahanni watershed, and Nahanni Karst area (which has been identified as an area for possible Park Reserve expansion), as the Greater Nahanni Ecosystem (GNE). The ecological integrity of the GNE affects that of the Park Reserve, and activities that occur at or near the Prairie Creek mine site have the potential to impact other areas of the GNE, including the Park Reserve. It is within this context of a globally unique wilderness area that the Board should consider this land use permit application. In this context, any activity which may detract from the wilderness quality of the GNE should be judged as significant. Significant impacts and/or cumulative effects that are likely to result from the proposed activities, and any foreseeable related activities, should be considered as adverse and result in refusal of the application.

**Comments and Suggested Additions relevant to the draft terms of reference for both the
Cat Camp/Fuel Cache Retrieval and Clean-up Development, and the Diamond Drill
Program.**

Aspects of the draft terms of reference common to both the Cat Camp/Fuel Cache Retrieval and Clean-up and the Diamond Drill program, as set out by the Board, are listed below, followed by comments from CPAWS-NWT.

- *Description of the existing environment potentially impacted by the proposed development, (e.g., natural and human setting)*

Since the proposed development would occur in the Greater Nahanni Ecosystem, this description should include the GNE and by definition the Park Reserve, and the Nahanni Karst, with specific reference to the wilderness values of the region.

- *Impact of the development on the environment, including those caused by malfunctions or accidents, and any cumulative impact(s)*

Section 117 (2)(a) of the MVRMA states that each environmental assessment shall consider “the impact of the development on the environment, including the impact of malfunctions or accidents that may occur in connection with the development and any cumulative impact that is likely to result from the development in combination with other developments”

The cumulative impacts of these developments need to be evaluated in combination with those of other developments, such as the previous drilling programs done by the developer and any other activities the developer is now undertaking. Additionally, any other industrial activities which are now occurring in the Prairie Creek region and in the GNE need to be identified and included in the assessment of cumulative effects.

Due to the unique wilderness values of the region, any developments which are foreseeable from these proposed activities, specifically the establishment of an all weather road and operation of the mine, need to be included in the scope of this environmental assessment in order to fully measure the extent of cumulative effects and their impact on the environment.

Impacts addressed by the developer should also include noise and visual impacts from the proposed developments.

- *List of potential impacts and the proposed mitigation or remedial measures*
- *Identification and description of the residual impacts following mitigation or remedial measures*

Due to the wilderness values in this region, it should not be forgotten that some environmental impacts may be adverse, and cannot be mitigated or remediated, and should be avoided altogether.

Additional directions to the developer included:

Consultation

Provide a summary of consultations completed with the Nahanni Butte Dene Band, the Liidlii Kue First Nation (Fort Simpson) and the Deh Cho First Nation, indicating how any concerns raised by the community have been addressed.

Given the potential impacts to the Park Reserve, consultation with the managers of the Nahanni National Park Reserve should be included here, along with their concerns, and if and how they have been addressed.

CPAWS urges that the terms of reference include monitoring and follow-up provisions, including the requirement of meaningful public participation.

Other Factors for Inclusion in the Terms of Reference

Under section 117 (2) (e) of the MVRMA the Board may consider any other matter they determine to be relevant concerning a land use permit application. Important to the consideration of this land use permit application are other land uses which are being actively pursued in the GNE that would exclude industrial development, specifically the expansion of the

Park Reserve into the Nahanni Karst and other areas, and the Nahanni Butte and Deh Cho First Nations proposal to protect the south Nahanni watershed.

Much of the public concern submitted in relation to this application stated support for further protection in the south Nahanni watershed. We ask that the Board respect these concerns, by including the consideration of these potential protective designations in the scope of this environmental assessment.

As currently written, the terms of reference ignore the inherent contradiction of developing and operating a zinc mine in an area which is recognized and managed for its internationally significant wilderness values. It would be prudent to address the issue of contradictory land uses proposed for the area sooner rather than later, and as a cohesive whole rather than assessing on an incremental basis.

Comments specific to the Cat Camp/Fuel Cache Retrieval terms of reference

The proposed re-establishment of approximately forty kilometers of the access road is only one part of a plan to establish an all weather road along the same route and extending eastward to the Liard highway. This is stated and mapped on the developer's web site (see attachment). The impacts of the entire road development should thus be included in this environmental assessment; the project should not be split into smaller sections for assessment. Long term, persistent cumulative impacts are likely to result from re-establishing the road, and should be identified and assessed.

Alternatives

Provide an explanation of the alternatives to the principle and accessory parts of the development (e.g., winter Cat Trail haul, on-site incineration). Indicate whether or not a winter completion of the proposed development is a viable alternative, and if not, explain why not.

Alternative methods of removing the fuel cache, especially any which would negate the need for re-establishment of the access road, should be identified and assessed. The sole reason given by the developer in the application for re-establishing the road is to clean-up the fuel site. The potential adverse effects from re-establishing this road can be avoided by using an alternate method of removal.

Related to this are:

State of Fuel Cache Sites: There were at least two inspections of the Cat Camp fuel cache site completed over the last two years, and there may be more. Any inspection reports or other information concerning the state of the fuel cache should be included in the public registry. This information will be helpful in the assessment of the developer's proposal, and alternative options for removing the fuel. Additionally, there is a second 30,000 gallon fuel cache further east of the Cat Camp, called the Grainger site. While considering removing the Cat Camp fuel, it may be useful to assess the state of the Grainger site, and consider removal of the fuel cached there as well.

Fuel Ownership: There is a question as to who owns the fuel at the Cat Camp and Grainger sites. The question of ownership, and therefore responsibility for the fuel, must be resolved prior to any decision on its method of removal and ultimate destination.

State of the Access Road: A description of the state of the road from the Cat Camp eastward to the main highway is necessary to assess alternative methods of removing the fuel, and the accessibility this road provides into the Mackenzie Mountains.

Land Use

The Nahanni Butte Dene Band and Deh Cho First Nations have identified the South Nahanni River watershed for any Nahanni National Park Reserve (NNPR) expansion. A portion of the tote road passes through the Nahanni Karst area, an area identified by Parks Canada as one of three Parks Canada NNPR expansion areas. Explain and report what efforts are being made to keep the impact to the environment to a minimum on the Karst portion of the tote road.

This land use direction, and the comments below related to it, should also be included in the Diamond Drill program terms of reference.

The Nahanni Butte Band Council Resolution states in part that “the Deh Cho First Nations and Nahanni Butte First Nation wish to protect the entire [south Nahanni] watershed,” as well, mining activity has been identified as the main threat to the ecological integrity of the Park Reserve; therefore the question to the developer must be broader than currently written.

This direction should be extended to include the identification and explanation of how the proposed development, and foreseeable future developments, will likely impact the ecological integrity of the Park Reserve, Nahanni Karst, and south Nahanni watershed, given that any impacts to the ecological integrity of the region would be considered significant.

Comments specific to the Diamond Drill Program terms of reference:

Section 3.1 of the workplan states seven drill cores will be included in the development. The map and detailed project description provided by the developer identify only six. Is there a seventh planned drill core, and if so, where is it located?

The original application stated new access roads may be required to complete the drilling program, and the detailed project description says the drill hole locations are in ‘close proximity’ to the existing network of roads so that ‘minor extensions’ will be needed, and that the exact locations are not yet known. However, the workplan states that only existing roads will be used. This discrepancy should be clarified, and any proposed road extensions and their associated environmental impacts identified and addressed in the environmental assessment.

The water source for the drilling program should be clearly identified, along with how the contents of the waste water are to be monitored and disposed. Any fish in the river system, which flows into the Park Reserve, may be susceptible to negative effects from upstream development. The identification of fish species present, and potential risks to them, should be identified and addressed.

- Description of the existing environment potentially impacted by the proposed development, (e.g., natural and human setting)

The underlined portion of this direction to the developer should be included in the terms of reference, as it is in those for the Cat Camp/Fuel Cache Retrieval development. This is important because the mine site is located within the GNE, upstream from the Park Reserve, which may potentially be impacted by the proposed activities.