



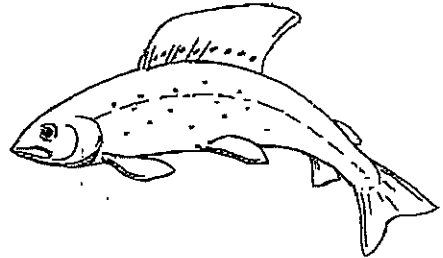
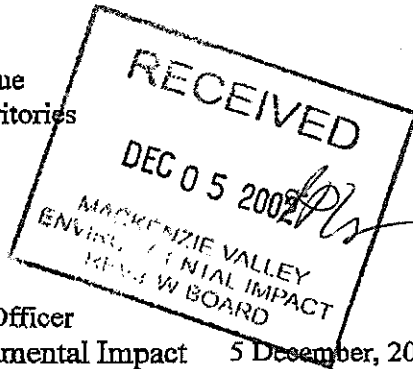
Fisheries
and Oceans

Pêches
et Océans

Fish Habitat Management
Suite 101, 5204 – 50th Avenue
Yellowknife, Northwest Territories
X1A 1E2

TO/A:

Mr. Louie Azzolini
Environmental Assessment Officer
Mackenzie Valley Environmental Impact
Review Board 5 December, 2002
Box 938
200 Scotia Centre, 5102-50th Ave
Yellowknife, NT X1A 2N7
Fax (867) 920-4761



page 1 of 3

MESSAGE

Enclosed please find DFO-FHM comments on the following:

DFO-FHM File No. SC00188
MVEIRB File No. EA01-002/003

Canadian Zinc Corporation – Information Request Response, Environmental Assessment on the Canadian Zinc Corporation Underground Decline/Exploratory Drilling and Metallurgical Pilot Plant Developments

FROM/DE:

J. David Tyson
Area Habitat Biologist
Western Arctic Area

Telephone: (867) 669-4919
Facsimile: (867) 669-4940
Email: tysond@dfo-mpo.gc.ca

Canada



Fisheries
and Oceans

Pêches
et Océans

Fish Habitat Management
Suite 101, 5204-50th Avenue
Yellowknife, Northwest
Territories
X1A 1E2

Your file *Votre référence*
EA01-002/003

Our file *Notre référence*
SC00188

5 December, 2002

Mackenzie Valley Environmental Impact Review Board
Box 938
200 Scotia Centre, 5102-50th Ave
Yellowknife, NT
X1A 2N7

Attention: Todd Burlingame

**RE: Canadian Zinc Corporation – Information Request Response,
Environmental Assessment on the Canadian Zinc Corporation Underground
Decline/Exploratory Drilling and Metallurgical Pilot Plant Developments**

Dear Mr. Burlingame:

The Department of Fisheries and Oceans, Fish Habitat Management – Western Arctic Area (DFO) received and reviewed the Canadian Zinc Corporation (CZN) response to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) Information Request.

DFO does not feel that the Information Request (IR) issued by the MVEIRB nor the response from CZN adequately address the concerns outlined by the Responsible Ministers in the 25 June, 2002 letter returning the Report on Environmental Assessment (REA) to the MVEIRB for further consideration. The responsible Ministers found that “...*Canadian Zinc has not provided a detailed description of its alternative proposal to discharge all effluent (from plant and decline) to the receiving environment if the integrity of the tailings facility is not proven, and the use of the tailings pond is subsequently removed from the development plan...*” as required by Section 7.5 of the *Work Plan and Terms of Reference for the Environmental Assessment of the Canadian Zinc Corporation Underground Decline and Drilling and Metallurgical Pilot Plant Developments*. Furthermore, in the same letter the Responsible Ministers expressed “...*the opinion that some of the measures would be more appropriately dealt with as ‘Information Requests’ rather than as recommended ‘measures’, especially those dealing with the geotechnical assessment of the tailings facility...*”. DFO detailed this concern in a 10 June, 2002 letter appended to the Ministers’ response referred to above. In summary, DFO concerns with the REA are:

Canada

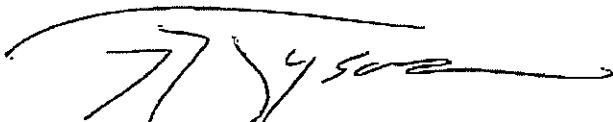
1. There was no water treatment alternative to the tailings pond presented by CZN.
2. The Recommended Measures dealing with the tailings pond in the REA were Information Requests, with the information to be provided to the Mackenzie Valley Land and Water Board, not the MVEIRB, for consideration.
3. The majority of the remaining Recommended Measures were Information Requests that should have been considered by the MVEIRB within the Environmental Assessment process.

On 11 October, 2002, the MVEIRB circulated, for comment, a draft IR to CZN and other reviewers that required CZN to provide an alternative water treatment plan to the proposed use of the tailings pond. This draft IR only addressed the first of the three areas of concern summarized above. In a 16 October, 2002 letter, DFO noted that the IR was limited to water treatment and did not include those Recommended Measures from the REA that had been identified as IRs in the June 10, 2002 letter from DFO. DFO is disappointed that the MVEIRB chose to reconsider the bare minimum with respect to the outstanding Environmental Assessment issues and to disregard the rest of the concerns detailed in attached letters from DFO and the other Responsible Ministers.

In regards to the response by CZN to the IR that was issued, the focus on one approach to water management/treatment has again left the Environmental Assessment process incomplete. CZN has yet to provide adequate evidence that the existing tailings pond could be safely used to contain and treat discharges and thereby serve as an alternative or contingency to treatment and release. Consequently, the MVEIRB is left considering a single water treatment strategy without an alternative proposal as required by section 7.5 of the Terms of Reference for the Environmental Assessment of the proposed project.

To reiterate, DFO feels that there are still outstanding issues for which information has not been provided nor considered in the Environmental Assessment.

If you have any questions, feel free to contact me at (867) 669-4919, or by fax at (867) 669-4940.



J. David Tyson
Area Habitat Biologist
Fish Habitat Management
Department of Fisheries and Oceans- Western Arctic Area

Copy. Julie Dahl, Area Chief, Habitat, DFO-FHM

Canada