



MACKENZIE VALLEY ENVIRONMENTAL  
IMPACT AND REVIEW BOARD

PRAIRIE CREEK ALL SEASON ACCESS ROAD PROJECT  
(EA1415-01)  
TECHNICAL SESSIONS

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Co-Facilitator Stefan Reinecke

Explorer Hotel, Yellowknife

June 14, 2016

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24

25

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1 --- Upon commencing at 8:37 a.m.

2

3 CO-FACILITATOR BARB SWEAZEY: Barb,  
4 from Stratos. Good morning, everyone. Welcome back  
5 to day 2. Hope you all had a good rest, and we look  
6 forward to our -- our conversations today.

7 To kick things off, I would like to  
8 just do a round table of introductions just so that we  
9 have in the transcription those that are present. So  
10 we'll just do name and organization so that we can  
11 capture that, and then we'll move to a few  
12 housekeeping issues, and then move on to our first  
13 agenda item.

14 So I'm going to start here perhaps with  
15 the Dehcho organiz -- First Nation. Can I start with  
16 you on my right? Carrie, could I get you just to  
17 state your name and your organization? We'll do a  
18 roundtable of introductions. Thank you.

19 MS. CARRIE BRENEMAN: Carrie Breneman,  
20 Dehcho First Nations.

21 MR. DEAN HOLMAN: Dean Holman, Liidlii  
22 Kue First Nation.

23 MR. CLIMATE MUYAMBO: Climate Muyambo,  
24 Liidlii Kue First Nation.

25 MS. SHANNON MOORE: Shannon Moore,

1 Canadian Parks and Wilderness Society.

2 MR. JEAN FRANCOIS DUFOUR: Jean  
3 Francois Dufour, with Environment and Climate Change  
4 Canada, Canadian Wildlife Service.

5 MS. LORETTA RANSOM: Loretta Ransom,  
6 Environment and Climate Change Canada.

7 MS. JULIE MARENTETTE: Julie  
8 Marentette, Fisheries and Oceans Canada.

9 MR. GLEN MACKAY: Glen Mackay,  
10 Education, Culture, and Employment, GNWT.

11 MS. ANDREA PATENAUDE: Andrea  
12 Patenaude, Wildlife Division, Environment and Natural  
13 Resources, GNWT.

14 MR. WILBERT ANTOINE: Wilbert Antoine,  
15 Canadian Zinc.

16 MR. DAVID HARPLEY: Dave Harpley,  
17 Canadian Zinc.

18 MR. JONATHAN TSETSO: Jonathan Tsetso,  
19 Parks Canada.

20 MS. ALLISON STODDART: Allison  
21 Stoddart, Parks Canada.

22 MS. AUDREY STEEDMAN: Audrey Steedman,  
23 Parks Canada.

24 MR. DOUGLAS TATE: Douglas Tate, Parks  
25 Canada.

1 MR. GARRY SCRIMGEOUR: Garry  
2 Scrimgeour, Parks Canada.

3 MS. LAURA JAMES: Laura James, Parks  
4 Canada.

5 MR. GILLES LUSSIER: Gilles Lussier,  
6 Parks Canada.

7 MS. KARLA LANGOIS: Hi, Karla Langois,  
8 Tetra Tech EBA.

9 MR. RICK HOOS: Rick Hoos, Tetra Tech  
10 EBA. And both of us are on behalf of Canadian Zinc.

11 MR. DAVID NICKERSON: Dave Nickerson,  
12 Canadian Zinc.

13 MS. VERONIQUE D'AMOURS-GAUTHIER:  
14 Veronique d'Amours-Gauthier, GNWT Lands.

15 MS. MONICA WENDT: Monica Wendt, GNWT,  
16 ENR.

17 MR. ADRIAN PARADIS: Adrian Paradis,  
18 CanNor.

19 DR. CESAR OBONI: Cesar Oboni, Riskope  
20 Associates.

21 MR. CHUCK HUBERT: Chuck Hubert,  
22 Review Board.

23 MR. ALAN EHRLICH: Good morning. I'm  
24 Alan Ehrlich, with the Review Board.

25 CO-FACILITATOR STEFAN REINECKE:

1 Stefan Reinecke, with Stratos.

2 MR. BRETT WHEELER: Brett Wheler --  
3 Brett Wheler, Review Board.

4 MR. MARK CLIFFE-PHILLIPS: Mark  
5 Cliffe-Phillips, with the Review Board.

6 MR. CHRIS ROSE: Chris Rose, with the  
7 Review Board.

8 MS. STACEY MENZIES: Stacey Menzies,  
9 with the Review Board.

10 CO-FACILITATOR BARB SWEAZEY: Thank  
11 you. And Barb, from Stratos. Anyone joining us on  
12 the conference call line, Environment Canada and  
13 Climate Change? Natural Resources Canada?

14 MS. RACHELLE BESNER (BY PHONE):  
15 Rachelle Besner.

16 CO-FACILITATOR BARB SWEAZEY: Okay.  
17 And is there anyone else joining us on the conference  
18 call, other than Rachelle?

19

20 (BRIEF PAUSE)

21

22 CO-FACILITATOR BARB SWEAZEY: Okay,  
23 good. Well, welcome, and thank you. Today we have on  
24 our agenda, we're going to recap on vegetation. We  
25 have -- I'd like to spend no more than fifteen (15)

1 minutes on finishing off what we started yesterday.  
2 And then for the rest of the day, we -- this morning,  
3 we're going to be working on effects to communities,  
4 as well as the effects to tourism and the Nahanni  
5 National Reser -- Park Reserve.

6 We're also going to spend time on  
7 cultural resources, including archeological sites. We  
8 will then spend time on wildlife, and we have several  
9 different bullet points highlighted in your agenda  
10 related to wildlife, so we'll work through your  
11 questions at that point. And the last chunk that  
12 we'll spend time on before lunch, traditional  
13 harvesting.

14 Are there any questions or concerns  
15 with our agenda for this morning?

16

17 (BRIEF PAUSE)

18

19 CO-FACILITATOR BARB SWEAZEY: Great.

20 A couple of just housekeeping matters. Again, just a  
21 reminder to please state your name before you speak so  
22 that we can include that in the transcription. Also,  
23 if there's folks on the phone, please, do interject if  
24 we don't have an opportunity to circle back with you.

25 And I also would like to suggest that

1 we try and keep our questions quite tight and succinct  
2 as -- to the extent that we can. We have a lot of  
3 material to go through, a lot of questions, and the  
4 more that we can direct -- particularly around  
5 identification of the information you need around  
6 significance -- significant adverse impacts and  
7 mitigation related to it. Let's try and keep those as  
8 focussed as we can to help -- to help move through the  
9 many questions that you may have.

10                   So those are -- those are my  
11 recommendations. And at this point, unless there's  
12 anything else, I will open up the floor to the  
13 vegetation questions -- oh, yes, you're right. Sorry,  
14 Stefan. Thank you.

15                   The one -- we do have a listing of ten  
16 (10) undertakings up here, and -- how many commitments  
17 was it, six (6) commitments? Those commitments and  
18 undertakings, we're going to leave up over the break  
19 and if you could just spend a couple of minutes at  
20 some point over the break, and we'll also post them  
21 over the lunch hour, just to have a read through to  
22 make sure they are reflecting what we discussed  
23 yesterday.

24                   These undertakings and commitments will  
25 come to you as a formal part of the -- the reporting

1 from the technical session at the end, so certainly  
2 we'll have time to comment and review in detail, but  
3 we did want to reflect those back to you. So we'll  
4 put those up again at break and at lunch, and come in  
5 and check with one of -- either Stefan or I if you  
6 have questions or concerns about the wording of the  
7 undertakings and commitments as we recorded them from  
8 yesterday.

9                               Okay. So with that, I will -- I'll  
10 open the floor to questions on -- to vegetation.

11

12                               (BRIEF PAUSE)

13

14                               MS. AUDREY STEEDMAN: Audrey Steedman,  
15 Parks Canada. So this is just going to come back to  
16 our first comment from yesterday, and it's about  
17 having adequate baseline data to understand impacts to  
18 vegetation.

19                               So with regards to veg, Parks Canada is  
20 concerned about potential impacts to ecological  
21 integrity from this project, and there's gaps in the  
22 baseline data for vegetation. So with these unknowns,  
23 it's difficult at this stage to determine if there are  
24 potential significant impacts, or what appropriate  
25 mitigations would be.



1                   So what we're asking for is the  
2 Proponent to address all of the items in the terms of  
3 reference, and to demonstrate that best practices for  
4 vegetation surveys have been followed. So there's  
5 three (3) key parts to this. The first is that a  
6 vegetation classification be ground truth. The second  
7 part is that the ground truth classification be used  
8 to assess rare plant and assemblage potential along  
9 the alignment. And that survey data be used to  
10 describe all current veg assemblages, including rare  
11 and sensitive communities.

12                   And to support this, we can contribute  
13 Parks Canada's new ecological land classification for  
14 Nahanni, and we can work with the Proponent to develop  
15 additional field surveys that would meet these needs.  
16 Thanks.

17                   CO-FACILITATOR BARB SWEAZEY: Is there  
18 a comment from CanZinc? Thank you.

19

20                   (BRIEF PAUSE)

21

22                   MR. RICK HOOS: Rick Hoos, here on  
23 behalf of Canadian Zinc. We talked yesterday about  
24 the methodology we had used to undertake the  
25 assessment of vegetation impacts, and we're still

1 comfortable with that.

2 But more importantly, we want to also  
3 put things into perspective a bit by pointing out  
4 that, as we identified in the assessment, the total  
5 footprint of the proposed clearing of new corridors  
6 for all-weather road construction is in the order of  
7 45 hectares. That's what we're really talking about  
8 here, 45 hectares total, which is really a very small  
9 amount.

10 So I'm not quite sure what kind of  
11 studies Parks Canada is proposing be undertaken. But  
12 really, if we're concerned about potential impacts of  
13 road construction on vegetation, communities and  
14 whatnot, we should be focussing on a very limited area  
15 that's actually going to be altered from what has  
16 already been altered in the past or will be altered  
17 from operation of the winter road. Thank you.

18

19 (BRIEF PAUSE)

20

21 MS. KARLA LANGOIS: Our DAR also  
22 suggests that there is --

23 CO-FACILITATOR BARB SWEAZEY: Can you  
24 just state your name for the record, please?

25 MS. KARLA LANGOIS: Oh, sorry.

1 CO-FACILITATOR BARB SWEAZEY: Thank  
2 you.

3 MS. KARLA LANGOIS: Karla Langois.  
4 The DAR also indicates that there is potential for  
5 three (3) species at risk in Nahanni National Park.  
6 And of those three (3), it's the Nahanni Aster. It  
7 prefers springs and tufa (phonetic) mounds, hot  
8 springs. And obviously, the winter -- or the all-  
9 season road avoids springs just for the integrity of  
10 the road.

11 Similarly, the moss species identified  
12 prefers exposed soils on high elevation slopes. And  
13 again, the road will not be -- just for the integrity  
14 of the road, will not be built on exposed soils in  
15 high elevation areas.

16 And the ropes willow (phonetic), the --  
17 the final species, its preferred habitat is gravel  
18 flood plains and treed bogs. The all-season road  
19 preferentially avoids wet areas, such as treed bogs,  
20 so the only locations could potentially be the gravel  
21 flood plains. And I guess it would be within that  
22 Sundog Creek alignment area that there may be the  
23 potential for that one (1) species at risk.

24 CO-FACILITATOR BARB SWEAZEY: Barb,  
25 from Stratos. Parks Canada, is -- does that degree of

1 information help, or are there particular areas that  
2 you are concerned about that you would like to share  
3 with CanZinc so they know of particular regions or  
4 areas in response to what was just shared?

5 MS. AUDREY STEEDMAN: All right, so  
6 just to clarify. We're not just concerned about  
7 species at risk. We're concerned about rare species.  
8 There's, according to GNWT, general status rank.  
9 There's more than two hundred (200) that are -- that  
10 may be at risk or sensitive within the project area.

11 And in my original comment, I just  
12 wanted to highlight that we're -- we're not -- rare  
13 species aren't the only valued component here that  
14 we're talking about. We're also talking about  
15 assemblages. And those haven't been assessed across  
16 the study area.

17 So we're talking about coverage of the  
18 study area and also having appropriate coverage of  
19 rare and sensitive areas. And so additional work  
20 needs to be done to identify those rare and sensitive  
21 areas. Thanks.

22

23 (BRIEF PAUSE)

24

25 MR. ALAN EHRLICH: It's Alan Ehrlich,

1 for the Review Board. I just -- it would be helpful  
2 to me and perhaps the developer if Parks Canada could  
3 clarify. What I thought I heard you ask for was  
4 ground truthing, which is, in my understanding,  
5 basically calibrating the model that's used. That's  
6 not the same as doing a survey along the entire length  
7 of the road.

8 Is that correct, Parks Canada?

9 MS. AUDREY STEEDMAN: Yeah, that's  
10 correct. I mean, we're not asking for the entire  
11 alignment to be intensively surveyed. What we're  
12 looking for is all assemblages to have been ground  
13 truthed and for it to be demonstrated that that's  
14 happened and that high potential, rare, and sensitive  
15 areas have been targeted as well.

16 And it's not clear from the methodology  
17 that's been described for the -- the surveys that have  
18 been done if that's the case. So, I mean, potentially  
19 just additional clarification is needed there. But  
20 it's not clear whether those concerns can be met from  
21 the work that's been done, or if additional surveys  
22 need to be completed to meet those needs.

23 MR. ALAN EHRLICH: Alan Ehr -- Alan  
24 Ehrlich, for the Review Board. Thank you, Audrey.

25 So, look, I -- I don't know if that

1 attempt to clarify helps, but it sounds to me like  
2 what Parks Canada wants is simply to make sure that  
3 where -- where remote sensing has indicated that  
4 something's on the ground, that it is actually on the  
5 ground, that you can use it through your area.

6 I don't know if CanZinc has any more  
7 comfort with that. But from your response initially,  
8 I -- I got the sense that you might have thought Parks  
9 Canada was expecting a full survey of the length of  
10 the road.

11 MR. DAVID HARPLEY: It's Dave Harpley.  
12 I -- I'm not sure we're hung up on the full survey or  
13 ground truthing. I think the -- the fundamental issue  
14 we have is that from our perspective, the -- the  
15 vegetation assemblish was -- assemblage was well  
16 established in the early 1980s. Admittedly, that  
17 information is somewhat dated now. However, I  
18 wouldn't expect the vegetation would have changed much  
19 in thirty (30) years given it's developed over, you  
20 know, many hundreds of years.

21 What we did do as was described  
22 yesterday, is use some recent remote information to  
23 basically confirm that what was out -- what we expect  
24 to be out there based on the historical stuff is  
25 indeed out there. So from that perspective, we feel

1 the -- the baseline in terms of determination of  
2 effects is -- is adequate as it is. And we're not  
3 contemplating either a detailed or a ground truthing  
4 exercise at this point.

5                   If I can comment on the rare plant  
6 aspect. We had this issue come up in the last EA with  
7 the winter road. And -- and at that point, Parks  
8 Canada felt that we needed to do a rare plant survey.  
9 And, in fact, we ended up doing two (2). And as I  
10 mentioned yesterday, there were a -- a couple of rare  
11 plants that were found. And one (1), in fact, was  
12 subsequently determined not to be rare at all.

13                   So what -- what I'm uncomfortable with  
14 is -- is these additional Information Requests come up  
15 -- coming up for various aspects here. And we end up  
16 doing surveys in response, or we have done in the  
17 past. And we don't find anything. So where do you  
18 draw the line?

19                   Another point I might make is, we were  
20 asked to address the terms of reference. Well, we  
21 feel we have. And obviously, that's for the Board to  
22 determine, and here we are in a technical session  
23 after the DAR submission and adequacy reviews. I  
24 assume, by -- by extension, then, that the Board has  
25 already decided that we have complied with the terms

1 of reference.

2

3

(BRIEF PAUSE)

4

5

THE CO-FACILITATOR BARB SWEAZEY:

6

Barb, from Stratos. The -- did -- Karla, did you want

7

to add anything additional?

8

MS. KARLA LANGOIS: I was just gonna

9

mention -- this is Karla Langois -- that albeit the

10

1981 surveys and vegetation mapping are a little bit

11

old, they were all ground truthed at the time as well.

12

MR. ALAN EHRLICH: So just for the

13

sake of clarity, meeting the requirements of the terms

14

of reference in the Developer's Assessment Report is a

15

necessary part of getting on with the technical

16

analysis section of the environmental assessment. But

17

we still need to know that parties' requirements in

18

terms of impact significance are -- are being met.

19

And it's -- it, you know, this is an iterative

20

process. Sometimes concerns unfold based on what has

21

been found.

22

I guess the question I have for Parks

23

Canada is, you've heard what -- what CanZinc has --

24

has done and the basis for it. Are you expecting a

25

substantial increase in the qualify of information



1 based on the approach that you provide? I mean, I --  
2 I know the original survey was thirty (30) years ago,  
3 and, yes, plant survey techniques have improved over  
4 thirty (30) years. But -- but CanZinc has indicated  
5 that it's used some more modern techniques more  
6 recently in its -- in the -- the CanZinc mine EA, if I  
7 -- if I heard correctly.

8                   Is there a big difference in the  
9 information you would expect to find from the -- the  
10 technique that you're advocating compared to what  
11 CanZinc has done? Can you just talk about the -- what  
12 value you expect to be added from this? Thank you.

13                   MS. AUDREY STEEDMAN: So with the  
14 baseline work that has been done in the 1980s and more  
15 currently, very little project footprint has been  
16 surveyed. And with the methods that have been used,  
17 it's unclear if they've been structured to get good  
18 coverage of the current study area and if there's been  
19 good coverage of rare and sensitive areas.

20                   MR. ALAN EHRLICH: And Alan Ehrlich,  
21 for the Review Board. Can I ask CanZinc, the areas  
22 that are not along the route of the previous winter  
23 road, have they been surveyed in a similar way to what  
24 you describe?

25                   MR. DAVID HARPLEY: It's Dave Harpley.

1 In -- in the park, the largest realignment from the  
2 original winter road is what we call the Polje Creek  
3 bypass, or Polje bypass. And that specifically was  
4 surveyed last time around for rare plants.

5 CO-FACILITATOR BARB SWEAZEY: Parks  
6 Canada, do you have anything else to add?

7

8 (BRIEF PAUSE)

9

10 MS. AUDREY STEEDMAN: No, not at this  
11 time for -- for that, for this comment. We do have  
12 one (1) additional one.

13 So this comment's regarding --

14 MR. ALAN EHRLICH: Sorry.

15 MS. AUDREY STEEDMAN: Sorry.

16 MR. ALAN EHRLICH: Alan Ehrlich, for  
17 the Board. Just before we move completely off that,  
18 look, if -- if Parks Canada requires that information,  
19 you're welcome to ask the -- the Board in writing to  
20 require it. But when you do so -- and the Board would  
21 consider it.

22 I won't presume what decision the Board  
23 would -- would make on that, but it is necessary when  
24 you do so that you provide the rationale, what  
25 specific areas you're interested in, how it relates to

1 the environmental assessment, and your supporting  
2 reasons if you decide to -- to take that path. Thank  
3 you.

4 MS. AUDREY STEEDMAN: Audrey Steedman,  
5 Parks Canada. So this second comment is regarding  
6 permanent changes to vegetation structure and function  
7 that may result from permafrost degradation.

8 We're concerned that significant  
9 impacts to ecological integrity could result from  
10 permafrost degradation. And we're asking for the  
11 Proponent to identify areas where permafrost is likely  
12 to degrade, and identify what vegetation assemblages  
13 will be impacted.

14 And to give some background to this  
15 comment, the discontinuous permafrost that's in the  
16 project area is considered ecosystem protected, which  
17 means that it formed under colder climate conditions  
18 and it's only still present because it's protected by  
19 ecosystem components.

20 And so once it's potentially degraded  
21 by disturbances like road construction, its original  
22 characteristics can't be re-established, which can  
23 permanently impact the ecosystem, including veg.  
24 Thanks.

25 CO-FACILITATOR BARB SWEAZEY: CanZinc,

1 reaction or comments?

2 MR. DAVID HARPLEY: Dave Harpley. I  
3 kind of think the response is going to be a little  
4 more involved than a simple answer. I would suggest  
5 that Parks put that in some form of a formal request  
6 and we can respond to it properly.

7

8 (BRIEF PAUSE)

9

10 CO-FACILITATOR BARB SWEAZEY: So we  
11 will -- Barb, from Stratos. We'll -- I -- I guess  
12 that doesn't req -- require an undertaking. That  
13 would be up to Parks Canada, then, to frame it as a --  
14 an IR as a follow-up. Any other comments on that?

15 Are there any other questions around  
16 vegetation before we move on to the next agenda item?  
17 So we'll go to CPAWS.

18 MS. SHANNON MOORE: Shannon Moore,  
19 CPAWS. First, I'd like to state for the record that  
20 because -- well, this is CPAWS's position -- because  
21 roughly half of this project occurs within a national  
22 park, it is not only important to CPAWS and the  
23 parties in this room, but to all Canadians.

24 That being said, a project as this  
25 deserves a high standards of scrutiny to ensure that

1 Nahanni National Park Reserve is maintained in an  
2 unimpaired state for future generations. So 45  
3 hectares within a national park is significant.

4 My question to do with vegetation is to  
5 do with the borrow sites, and the potential borrow  
6 sites. Some do fall well within the road's buffer  
7 zone where previous baseline studies have been  
8 completed, but some are right on the cusp of that  
9 buffer zone.

10 So what is CanZinc's plan for the area  
11 around and beyond the buffer zones -- or, sorry, the  
12 borrow pits that haven't been studied yet for  
13 vegetation?

14

15 (BRIEF PAUSE)

16

17 MR. RICK HOOS: Rick Hoos, on behalf  
18 of Canadian Zinc. The work that has been done,  
19 particularly the EOSD work, of course, covers the  
20 entire area. Well -- I mean, everything. The whole  
21 Dehcho, practically, and so that information is being  
22 used for assessment.

23 You're talking about the site-specific  
24 vegetation conditions in the area of a particular  
25 borrow site that may not have been examined on the

1 ground? That's what you're talking about?

2 MS. SHANNON MOORE: Yes.

3 MR. RICK HOOS: And for what purpose?

4 MS. SHANNON MOORE: To have that base  
5 -- sorry, Shannon, CPAWS. To have the baseline data  
6 that I believe Parks is actually talking about as  
7 well, to understand the actual ecosystem components  
8 around those borrow pit sites.

9 MS. KARLA LANGOIS: So back in the  
10 '80s when they first did the land cover mapping --  
11 pardon me?

12 CO-FACILITATOR BARB SWEAZEY: Name,  
13 please.

14 MS. KARLA LANGOIS: Sorry. Karla  
15 Langois. Back in 1981, when they did the mapping and  
16 the ground truthing, typically what happens is they  
17 ground truth representative polygons of similar  
18 habitat types that they map, and so with that  
19 understanding that the similar species and species  
20 compositions occur within similar habitat types.

21 So per -- even though they may not have  
22 been ground truthed specifically at the borrow  
23 locations, we can still have a general understanding  
24 of what the species composition already is.

25 CO-FACILITATOR BARB SWEAZEY: Shannon,

1 is that -- Barb, from Stratos. Is that a sufficient  
2 answer? Are you hap...

3 MS. SHANNON MOORE: Yes.

4 CO-FACILITATOR BARB SWEAZEY: Great,  
5 thank you. Alan, from the Review Board, do you have  
6 one (1) more question on vegetation?

7 MR. ALAN EHRLICH: I do, thanks. We  
8 heard yesterday the Developer describe that it -- it  
9 took efforts -- well, we heard Parks Canada talk about  
10 the importance of certain karst features in micro  
11 habitats, also unglaciated areas along the route. And  
12 we heard the Developer describe the efforts it took to  
13 avoid karst areas.

14 We have not seen yet which unglaciated  
15 areas, which tend to be biodiversity hot spots, the  
16 road covers. The reason for this interest -- I mean,  
17 I recognize this is only forty-five (45) -- as you  
18 point out, 45 hectares, but it's stretched along 186  
19 kilometre route, so it encounters several micro  
20 habitats along that way.

21 Could we please have a map from  
22 Canadian Zinc for the length of the proposed road  
23 showing where it crosses unglaciated areas? Thank  
24 you.

25 MR. DAVID HARPLEY: It's Dave Harpley.

1 Well, Parks Canada raised the point. Maybe they have  
2 that information already.

3 CO-FACILITATOR BARB SWEAZEY: Parks  
4 Canada...?

5 MS. AUDREY STEEDMAN: The data set is  
6 publically available through the geological survey of  
7 Canada, but it's -- it's something we could produce  
8 and put on the public registry. Thanks.

9 MR. ALAN EHRLICH: It's Alan Ehrlich  
10 here. Look, I understand why it may be helpful for  
11 Parks Canada to do that for areas within the national  
12 park. I have no idea if it crosses previously  
13 unglaciated areas outside of the national park either,  
14 and I don't see why that would be Parks Canada's  
15 responsibility.

16 MR. DAVID HARPLEY: Well, it's Dave  
17 Harpley. I'm -- I'm -- I guess I'm a bit confused as  
18 to why it's particularly relevant to the road and that  
19 we need to provide it.

20 MR. ALAN EHRLICH: In working out an  
21 impact, we look at probability as well as consequence,  
22 much like risk. And the probability of endemic  
23 species in areas that have not been glaciated is quite  
24 different from areas that have been, like the rest of  
25 the Northwest Territories.



1                   So it will help us figure out the  
2     likelihood of impacts to rare species. I notice your  
3     consultant is nodding behind you, so I think he gets  
4     what I'm -- I'm saying here. It's -- it shouldn't be  
5     a very difficult ask, if -- if that helps.

6                   CO-FACILITATOR BARB SWEAZEY:     Barb,  
7     from Stratos. Rick, do you want to comment?

8                   MR. RICK HOOS:     Rick Hoos. Well, the  
9     general comment is, if this information is publically  
10    available in the geological survey of Canada, I  
11    suppose we could find it out and map it relative to  
12    the -- to the road alignment and be able to identify  
13    precisely how many hectares of unglaciated land the  
14    road may be traversing. That shouldn't be too hard to  
15    do.

16

17                                   (BRIEF PAUSE)

18

19                   MR. ALAN EHRLICH:     Thanks. It's Alan  
20    Ehrlich. The actual area is not nearly as relevant,  
21    from the Board's perspective, for a linear  
22    development, because the -- you know, the area's not  
23    as much of the -- the question, but the mapping of it  
24    would be quite helpful. And it would be extremely  
25    helpful if you could also link it back to your

1 predictions about the probabilities of impacts on  
2 species at risk as well as rare assemblages of  
3 species.

4 Are you able to do that?

5 MR. RICK HOOS: Rick Hoos. Yes, we  
6 can do that.

7 CO-FACILITATOR BARB SWEAZEY: Barb,  
8 from Stratos. So I will -- we'll record some wording  
9 on that, and then read it back as an undertaking.

10

11 --- UNDERTAKING NO. 8: CanZinc to identify how  
12 many hectares of  
13 unglaciated land the  
14 proposed road covers  
15 including probabilities of  
16 impact to species at risk

17

18 (BRIEF PAUSE)

19

20 MR. ALAN EHRLICH: Alan Ehrlich, from  
21 the Review Board. So what we'll do, if -- if the  
22 developer's looking at the publically available  
23 information along the portion of its road outside of  
24 the park, I think it only makes sense for you to also  
25 do it for the part that's inside the park, considering

1 it may have bearings on your impact predictions for  
2 species at risk.

3 We'd like to try and -- and craft that  
4 into an undertaking that you can -- you can see here  
5 in the technical session and see that we've got  
6 wording that -- that matches something that's amenable  
7 to you.

8 So we're going to go ahead and -- and  
9 prepare that as a draft undertaking. And -- and we'll  
10 -- we'll show you the draft before long.

11 CO-FACILITATOR BARB SWEAZEY: Okay.  
12 Great. Thank you. So I'm going to suggest that we  
13 close up the conversation on vegetation and move onto  
14 our next agenda item. So the first one that we'd like  
15 to focus on is the effects to communities.

16 When your -- in your agenda, it's  
17 effects to communities, tourism, and the Nahanni  
18 National Park reserve. So let's just focus on  
19 communities first. And then we'll work on the tourism  
20 and the reserve separately.

21 So I will open the floor to any  
22 questions that you may have related to the effects to  
23 communities.

24

25 (BRIEF PAUSE)

1                   MR. DEAN HOLMAN:   Dean Holman, from  
2 the Liidlii Kue First Nation. It's difficult to --  
3 it's actually difficult to discern the impacts,  
4 because we haven't been involved in a in-ground  
5 truthing as well as an indigenous knowledge study to  
6 determine whether there is vegetation or different  
7 types or clusters of habitat.

8                   We are aware that -- through various  
9 reports, that happily, Canadian Zinc has provided that  
10 there are significant areas that wildlife habitat  
11 would be, just as a result of the observance of  
12 wildlife within certain areas such as -- such as the  
13 Ram Plateau and also the Sundog Creek area.

14                  Judging by the occupancy of caribou,  
15 there is -- it -- it's just a -- it -- it seems that  
16 the Sundog approach area is one (1) place that -- that  
17 there would be conflicts, or there could be conflicts  
18 or intersects with habitat that the caribou depend  
19 upon. Thus, resulting in a -- in an impact to a  
20 keystone species that the Liidlii Kue First Nation  
21 relies on. Masi.

22                  THE CO-FACILITATOR BARB SWEAZEY:  
23 Barb, from Stratos. Dean, I just -- can I just  
24 clarify your question? Is it more related to the  
25 wildlife and the caribou? We're on a little bit

1 further down the agenda this morning.

2 MR. DEAN HOLMAN: It -- I -- I -- the  
3 way we look at it is basically in that holistic -- the  
4 holistic approach. I understand that, you know, the  
5 science that they want and the regulatory regime  
6 function, so that areas -- areas of the environment  
7 could be -- could be partitioned. We don't  
8 necessarily look at it that way.

9 And that's one (1) of the reasons why  
10 it's so important to -- to have, you know, a  
11 indigenous knowledge study. Because of -- when you --  
12 when you effective -- when you have an impact on the  
13 vegetation, obviously you will be impacting the  
14 wildlife. I'm not too sure if that's okay with you  
15 guys.

16 CO-FACILITATOR BARB SWEAZEY: Barb,  
17 from Stratos. It -- I think there's a question  
18 related still to vegetation then, Dean, if I'm -- I'm  
19 clear. I was thinking we were moving on to  
20 communities. That's why I interrupted. So you still  
21 have one (1) more question related to vegetation.

22 MR. DEAN HOLMAN: Well, and -- and  
23 again, I think this is -- I -- I don't think we're  
24 asking a lot. I -- I don't think that anybody's  
25 asking a lot, especially when you're talking about an

1 adaptive management plan process. I think that the  
2 baseline is an absolute must in an adaptive management  
3 process. I think that remediation is a -- is -- is  
4 definitely at the top of the list when you're getting  
5 that baseline.

6                   And I think that the interactiveness  
7 between the vegetation and the wildlife is absolute --  
8 is absolutely a must to determine, you know, whether  
9 there is occurrence of vegetation and -- and wild --  
10 and habitat. There -- we're not just talking about  
11 the caribou. We're talking about the -- the Dall  
12 sheep as well, which are another highly dependent upon  
13 species.

14                   In order for these species to flourish,  
15 we understand that linear disturbances is -- is one  
16 (1) of the -- one (1) of the -- the most significant  
17 impacts to wildlife and to wildlife habitat.

18                   CO-FACILITATOR BARB SWEAZEY: CanZinc,  
19 is there a -- a comment or response to Dean's comment?

20                   MR. DAVID HARPLEY: It's Dave Harpley.  
21 I'll -- I'll just say what I know and -- and assume to  
22 be the case. The caribou in the area predominantly  
23 occupy the mountain -- the mountainous areas on the  
24 western section of the road, mostly to the north.  
25 Some of them do stray across the road.

1                   And in that section, as you probably  
2 already know, the road is largely already developed.  
3 There's very little alteration proposed in the road  
4 alignment through that section. There is the  
5 adjustments I mentioned yesterday morning. So the  
6 amount of terrain disturbance or new terrain  
7 disturbance and vegetation loss is pretty small  
8 compared to, you know, the -- the total area of range  
9 for caribou.

10                   Regarding Dall sheep, the road doesn't  
11 cross Dall sheep terrain at all in terms of the area,  
12 the ground they occupy. They really stay to the -- to  
13 the peaks east of the mine site and in -- in that kind  
14 of an area. So that's -- that's all I offer.

15                   CO-FACILITATOR BARB SWEAZEY: Barb,  
16 from Stratos. Thank you, Dave.

17                   Dean, are there any follow-up questions  
18 or requests that you have at this time?

19

20                   (BRIEF PAUSE)

21

22                   MR. DEAN HOLMAN: No, not at this  
23 time. Thanks.

24                   CO-FACILITATOR BARB SWEAZEY: Thank  
25 you. So maybe I should just do one -- were -- are

1 there any other questions on vegetation?

2                   So let's -- shall we then move on to  
3 effects on communities? Are there questions on  
4 communities? Environment Canada, DFO, GNWT, any  
5 questions on communities? Review Board...?

6                   MR. ALAN EHRLICH: Sure. It's Alan  
7 Ehrlich, for the Review Board. But for the -- most of  
8 the rest of my questions for today, it's not actually  
9 going to be Alan Ehrlich questioning. It's going to  
10 be senior environmental assessment officer Ruari  
11 Carthew who isn't here this week, but as of next week  
12 will be taking over for Sachi de Souza to work as co-  
13 lead on this assessment with Chuck Hubert.

14                   And so Rauri's provided me with a -- a  
15 list of detailed questions, many of which relate to  
16 socio-economic impact assessment, which is a  
17 particular area of focus of his. And so he's asked me  
18 to go through them as his proxy over here.

19                   So on his behalf, one (1) of the first  
20 questions -- this one's directed, I think, to CanZinc.  
21 It has to do with -- with how communities will -- will  
22 potentially benefit from the project related to the  
23 personnel that are involved in -- in helping  
24 communities function.

25                   On page 73 of the DAR addendum, there's



1 a list of skills and experiences that CanZinc -- on  
2 page 73 of the DAR addendum, there's a list of the  
3 skills and experiences that CanZinc is looking for for  
4 the project.

5                   And a question that he had for CanZinc  
6 is: What skills or experiences are available in each  
7 of the communities for hire? You describe the skills  
8 and experiences that you -- you need for your project,  
9 and the question is: How does that compare to what is  
10 actually available in the communities -- within the  
11 communities for hire?

12                   MR. DAVID HARPLEY: It's Dave Harpley.  
13 I'd have to look at which specific skills we've listed  
14 on that particular item and then compare that to  
15 skills available. I don't have that answer off the  
16 top of my head.

17                   CO-FACILITATOR BARB SWEAZEY: Barb,  
18 from Stratos. Can I just ask a point of  
19 clarification, Dave? Is there information that does  
20 describe -- so if the DAR says what the -- skills are  
21 needed, and I think the question from the Review Board  
22 are: What skills are available?

23                   Is that information about what skills  
24 are actually available in those communities at hand,  
25 or is that information not being collated?

1 MR. DAVID HARPLEY: It's Dave Harpley.  
2 I -- I just don't know. I -- I believe it probably  
3 is, but I don't want to say it is without knowing for  
4 sure.

5 MR. ALAN EHRLICH: Okay. It's Alan  
6 Ehrlich, from the Review Board. Are you able to bring  
7 that back tomorrow or the day after so that we can  
8 have it in the technical session?

9 MR. DAVID HARPLEY: Dave Harpley. It  
10 depends how much time I have with all the other things  
11 to be done. But if it's -- if it's that urgent, well,  
12 can it wait a little longer?

13 MR. ALAN EHRLICH: Okay. In that  
14 case, can we make an undertaking of -- I propose we  
15 make that into an undertaking, and we'll -- we'll come  
16 up with draft wording for -- for you to consider.

17

18 --- UNDERTAKING NO. 9: CanZinc to report whether  
19 they gather information  
20 on what skills are  
21 available in the  
22 communities as it relates  
23 to the project

24

25 CO-FACILITATOR BARB SWEAZEY: And you

1 have a follow-up question, do you, Al -- Alan?

2 MR. ALAN EHRLICH: Okay. So let's  
3 assume that not all the positions can be filled with  
4 the existing skills that are in the communities.

5 Are -- are you able to describe, for  
6 the kinds of skills that you've listed, what's the  
7 process and length of time it takes to acquire those  
8 desired skill sets if they're not available in the  
9 communities that you're hiring from?

10 MR. DAVID HARPLEY: It's Dave Harpley.  
11 Well, I -- I'm not an expert in -- in this -- in this  
12 area, but I -- I think you can probably appreciate  
13 that the length of time depends on the specific  
14 position we're talking about.

15 If we're talking about a truck driver,  
16 then it's probably a relatively short period, and --  
17 and we're literally talking about a short course and a  
18 test. But if we're talking about a millwright or some  
19 other skilled trade, for example, then obviously we're  
20 talking higher education and several years of  
21 experience. So it's going to vary, I would say.

22 MR. ALAN EHRLICH: Okay, thanks. And  
23 if approved, when would construction for the all-  
24 season road begin?

25 MR. DAVID HARPLEY: Dave Harpley. I

1 wish I had a crystal ball and I could give you that  
2 answer. It's entirely dependent on the market right  
3 now, which you probably realize isn't very good for  
4 the mining industry. So we're contingent on financing  
5 to put the project into operation, and that financing  
6 is also contingent on forces in the market. It's  
7 improving, but we're not at the point yet where we can  
8 predict when we might start.

9 MR. ALAN EHRLICH: Okay. Looking over  
10 the --

11 CO-FACILITATOR BARB SWEAZEY: Name,  
12 please.

13 MR. ALAN EHRLICH: Alan Ehrlich, for  
14 the Review Board. Looking over the rest of these  
15 questions, and considering responses to the first  
16 couple, I think that it may be best to save these for  
17 written Information Requests where you can have time  
18 to carefully consider the questions, and -- and come  
19 up with more substantial informed answers. And so I -  
20 - I -- in terms of impacts on communities -- and  
21 that's all the questions I'm going to ask here on  
22 Ruari's behalf.

23 CO-FACILITATOR BARB SWEAZEY: Barb,  
24 from Stratos. Thank you. Are there any other  
25 questions? Yes, go ahead, Dean.

1                   MR. DEAN HOLMAN:     Just can you give me  
2 one (1) minute? Thanks.

3                   CO-FACILITATOR BARB SWEAZEY:     While  
4 they're formulating the question, it sounded like we  
5 had another person join us on the phone. If you have  
6 just joined us, perhaps you could just introduce your  
7 name and your organization?

8                   MS. DONNA LEE DECK (BY PHONE):     Donna  
9 Lee Deck and Brian Smith, Parks Canada -- Donna Lee  
10 Deck and Brian Smith, Parks Canada.

11                  CO-FACILITATOR BARB SWEAZEY:     Thank  
12 you. Welcome, Donna Lee.

13                  MS. DONNA LEE DECK (BY PHONE):     We're  
14 having trouble with the line, so we're going to try  
15 calling in from another phone. It's -- we can hardly  
16 hear you. It keeps cutting out.

17                  CO-FACILITATOR BARB SWEAZEY:     It's  
18 Barb, from Stratos. Thank you. If you can try again  
19 on a different line, and if it's still not working  
20 we'll have our techs see if they can help support you.

21                  MS. DONNA LEE DECK (BY PHONE):     Thank  
22 you.

23                  MR. DEAN HOLMAN:     Thank you. Dean  
24 Holman, from Liidlii Kue First Nation. We -- we do  
25 have an IBA with Canadian Zinc. However, during that

1 time, the IBA was -- was signed, the all-weather road  
2 wasn't anticipated during that time, so there are  
3 aspects of this new application that would affect the  
4 communities, especially with the construction of the -  
5 - construction of the road.

6                   So those things are -- are not  
7 necessarily -- we -- we haven't had a chance to -- to  
8 speak about those things. However, Liidlii Kue First  
9 Nation would definitely invite Canadian Zinc to sit  
10 down at the table, and -- and reopen, I guess, the IBA  
11 just to see if there are any conflicts with the new  
12 project, and to see where we can effectively come to  
13 an agreement. Thank you.

14                   CO-FACILITATOR BARB SWEAZEY:  
15 CanZinc...?

16                   MR. DAVID HARPLEY: It's Dave Harpley.  
17 As far as my understanding is, we have been attempting  
18 to set up a meeting with LKFN for several weeks now.  
19 So we're amenable to sitting down and discussing any  
20 issues.

21                   CO-FACILITATOR BARB SWEAZEY: Barb,  
22 from Stratos. And specifically, it's issues related  
23 to the IBA. Is that correct?

24                   MR. DEAN HOLMAN: The issue is not the  
25 IBA itself. The issue is that the -- when -- or the

1 IBA covered a -- a seasonal road. The all-season road  
2 presents a much more significant impact to not only  
3 the socioeconomic aspects of the project but also to  
4 the environmental aspects of the project, and those  
5 things have not been looked at.

6 And again, we would be very happy to  
7 meet with Canadian Zinc, and perhaps we can schedule  
8 something as -- as agreeable between the two (2)  
9 parties. Thank you.

10 CO-FACILITATOR BARB SWEAZEY: Barb,  
11 from Stratos. It sounds like it's open doors both  
12 ways, so we'll leave it with the two (2) parties to  
13 connect. Thank you. Great.

14 Are there additional questions related  
15 to the effects on communities that we haven't had the  
16 opportunity to raise yet?

17

18 (BRIEF PAUSE)

19

20 CO-FACILITATOR BARB SWEAZEY: I'm just  
21 looking at you folks at GNWT. Are you formulating a  
22 question? Are you -- no. Okay, good. Okay, so let's  
23 move on, then, to the topic of tourism and the -- the  
24 park reserve.

25 So I'm wondering if there are specific

1 questions that parties might have related to the  
2 effects on tourism and -- and the national park  
3 reserve.

4 MR. ALAN EHRLICH: It's Alan Ehrlich,  
5 with the Review Board. This is also a suitable place  
6 in the agenda for anything to do with impacts to  
7 Nahanni National Park, even if they're not related to  
8 tourism.

9

10 (BRIEF PAUSE)

11

12 MR. JONATHAN TSETSO: Jonathan Tsetso,  
13 Parks Canada. A lot of the -- the responses that we  
14 have throughout the agenda kind of touch on elements  
15 of these as well, so we could probably revisit some of  
16 those aspects as we're going through the agenda.

17 CO-FACILITATOR BARB SWEAZEY: Barb,  
18 from Stratos. Did the Review Board have additional  
19 questions on -- on the socio-ec side?

20 MR. ALAN EHRLICH: I do have questions  
21 that relate about -- about Nahanni National Park.  
22 They do tend to be socio-economic or cultural, not  
23 exclusively. Can I -- could I just start in?

24 Okay. So it's Alan Ehrlich, for the  
25 Review Board. Again, I break out my list of questions



1 from Ruari Carthew, but this time they're aimed at  
2 Parks Canada. One (1) of them has to do with fires.

3 In the 2010 management plan, Parks  
4 Canada described its -- its let it burn policy for  
5 what it called the majority of the park. It talks  
6 about how the increase and intensity and frequency of  
7 forest fires is:

8 "One (1) of the most significant  
9 ecological impacts related to  
10 climate change."

11 But it also talks about how Nahanni --  
12 in the -- in the vision for the park, how Nahanni  
13 protects a -- a watershed, "Where fires and floods  
14 shape the land."

15 The question that Ruari had and that I  
16 -- I asked on his behalf, there's a few in the --  
17 regarding fires. One (1) of them is: In the area  
18 where the road is proposed how frequent are fires?  
19 You know, what's the cycle like?

20

21 (BRIEF PAUSE)

22

23 MR. JONATHAN TSETSO: Jonathan Tsetso,  
24 Parks Canada. I guess I'll take a very general  
25 approach to that question. Very generally, in the

1 boreal forest, the return interval could be anywhere  
2 from a hundred to a hundred and twenty (120) years.  
3 And there are sections of the road that just burnt as  
4 recently as last year.

5 MR. ALAN EHRLICH: Thanks. And what's  
6 the Parks Canada fire management plan for the access  
7 road within Nahanni National Park?

8 MR. JONATHAN TSETSO: Jonathan Tsetso,  
9 Parks Canada. Right now, we currently do not have a  
10 fire management plan for the access road. I think  
11 those are discussions that we would probably have to  
12 have with the Proponent as well just to cover areas of  
13 responsibility with regards to, you know, any  
14 encampments and structures, or any potential for non-  
15 natural ignition sources and how those would be dealt  
16 with.

17 But in terms of, you know, natural fire  
18 cycle, obviously we would have a -- a concern there,  
19 and want to work with the -- the Proponent on that.

20 MR. ALAN EHRLICH: Thank you. Alan  
21 Ehrlich, for the Review Board.

22 The next question is: Assuming that  
23 you do have to suppress fires along the road because  
24 there are presumably things that will need protection  
25 along the road that are different from other parts of

1 the park.

2                   How would the fire suppression affect  
3 the plant and animal species along the road in terms  
4 of -- of the ecological representation where before  
5 you described fires shaping the land? But presumably  
6 there's more fire suppression. How would the road  
7 corridor change with respect to the rest of Nahanni in  
8 that case?

9

10                   (BRIEF PAUSE)

11

12                   MR. JONATHAN TSETSO: Jonathan Tsetso,  
13 Parks Canada. That's an interesting question. I  
14 think first, I'll -- I'll just kind of take a -- maybe  
15 a -- a broader sweep to that -- to that question in  
16 terms of fire doesn't necessarily see political  
17 boundaries. So on the other side, there's the GNWT,  
18 which is also a pretty significant fire management  
19 body.

20                   Currently we do have an older MOU with  
21 them to look at fire suppression east of Yohan  
22 (phonetic) Ridge, where we would work together and to  
23 coordinate to protect facilities around the community  
24 of Nahanni Butte. So that would mean the -- in an  
25 instance where a fire is along the southeastern part

1 of the -- the park boundary, that that may impact the  
2 community.

3                   With regards to fire suppression along  
4 the road and how that would affect our management plan  
5 goals, obviously we know what, you know, many years of  
6 sir -- fire suppression has done in North America, and  
7 we're -- we're kind of experiencing some of that now.  
8 So obviously, we would have a -- a very specific and  
9 targeted approach to how we -- we deal with fire  
10 around any values at risk along the road. And  
11 obviously, human safety as well.

12                   MR. ALAN EHRLICH:    Okay.  Thanks.  
13 It's Alan, for the Review Board.  The -- and the last  
14 question I have along that line is considering that  
15 the park values mission, vision, and stuff like that  
16 is a helpful thing for figuring out what counts as a  
17 significant change within the park, the question that  
18 Ruari is giving me here is:

19                   What would these changes represent?  
20 Now, those changes along the road regarding the  
21 ecological integrity of the park, specifically changes  
22 resulting from fire suppression activities along the  
23 road.

24

25                   (BRIEF PAUSE)

1 CO-FACILITATOR BARB SWEAZEY: Barb,  
2 from Stratos. While Parks is just putting their  
3 answers together, I'm going to encourage that we speak  
4 really close to the mic right now, because we have  
5 some boisterous neighbours that I can do very little  
6 about. But what I can do is ask us to talk closer to  
7 the mic, so that we have a better chance of hearing  
8 each other.

9

10 (BRIEF PAUSE)

11

12 CO-FACILITATOR BARB SWEAZEY: Barb,  
13 from Stratos. Go ahead, Dave.

14 MR. DAVID HARPLEY: So I'll take  
15 advantage -- this is Dave Harpley. I'll take  
16 advantage of the discussion here. I just want to give  
17 some perspective from -- from Canadian Zinc's  
18 perspective.

19 And not that I disagree with what  
20 Jonathan said regarding return period for fires, but I  
21 think our anecdotal information is that you can pretty  
22 much expect a fire or -- or more than one (1) or two  
23 (2) fires on the Ram every summer. They're certainly  
24 pretty common as far as we're concerned. They  
25 obviously vary in location and duration.

1 I -- I will say I'm a little confused  
2 as to why the questions are being posed to Park about  
3 our road when it's basically going to be our road.

4 I don't honestly expect that we would  
5 do much in the way of fire suppression, just because  
6 there wouldn't be much to burn. Given that we're not  
7 going to develop the Tetcela transfer facility, we may  
8 have, as I mentioned yesterday, the odd trailer and  
9 some mobile equipment in camp locations or on the  
10 road. But obviously, we would move those to be away  
11 from a fire.

12 I could think that we would probably  
13 locate a trailer in the centre of a clearing so that  
14 it wasn't at risk from a fire. So I -- I can't  
15 imagine that we're going to be doing much in the way  
16 of suppression.

17 MR. ALAN EHRLICH: Thanks. I was  
18 wondering if Parks Canada has an answer to potential  
19 effects on ecological integrity of the park from fire  
20 suppression activities along the road, if any?

21

22 (BRIEF PAUSE)

23

24 MR. JONATHAN TSETSO: Jonathan Tsetso,  
25 Parks Canada. I think David made some -- some very

1 valid points. We -- we would not be doing fire  
2 suppression along the entire road. I mean, there's  
3 other ways we can -- we can manage fire by limiting  
4 traffic, doing convoys in those types of situations.

5                   So in terms of fire suppression and  
6 impacts to ecological integrity in the park, at this  
7 point, I -- I would think they would be relatively  
8 low, just given our strategies for fire management.

9                   But also I -- I think David also made  
10 some points, too. Like -- like, I don't think there's  
11 fires on the Ram Plateau every year, but certainly  
12 over the last decade, there have been a number of  
13 fires in that area.

14                   So, you know, if we're looking at a  
15 fire return interval, where it's at, you know, there's  
16 the possibility, at least in the park, that there  
17 would be a -- a -- there might not be a whole lot of  
18 fire over the life of the project, or the risk is  
19 lower.

20                   That being said, I mean, there are  
21 sections outside of the park as well, and -- and that  
22 might not be as well burned as the Ram Plateau area  
23 currently is.

24                   MR. ALAN EHRLICH: Alan Ehrlich. So I  
25 just -- I want to thank David and Jonathan for their -

1 - their useful answers. And that's it for my  
2 questions in -- in terms of fire suppression.

3 I have some other questions about the  
4 park that are -- I have some other questions about the  
5 park that I'd like to direct to Parks Canada which has  
6 to do with understanding the -- the values that are  
7 important about this area of the park so the Board can  
8 use that in its weighing.

9 In your management plan, maintaining  
10 and increasing visitation was a key issue and a  
11 challenge. But when you discussed the Prairie Creek  
12 mine, the plan is quite explicit in saying:

13 "Motorized vehicle use and access  
14 will not be permitted on this  
15 route."

16 Now, that plan is outdated. Has the  
17 park's position that this area be excluded from  
18 tourism development changed since the 2010 plan was  
19 released?

20 MR. JONATHAN TSETSO: Jonathan Tsetso,  
21 Parks Canada. That's really astute. Thanks for the  
22 question. So that management plan was in the context  
23 of a -- of a winter road, and at -- at that time, an  
24 all-season road had not been contemplated.

25 The other day in our agenda, we talked



1 at length about managing access on the road and what  
2 that could potentially look like. And so we had quite  
3 a bit of detailed discussions on that.

4                   And perhaps we just need to preface  
5 that a little bit with -- in the context, an all-  
6 season road, those are some tools that we could go to  
7 that we could use. Would we? I think there's still a  
8 number of things that we really need to work out with  
9 the communities and the Proponent to see if -- if, you  
10 know, tourism is something we want to go to in the  
11 context of a -- a single-lane road with -- with pull-  
12 outs and -- and very technical terrain.

13                   With regards to the winter road, that  
14 was in the context of a -- of a -- you know, a much  
15 narrower road corridor and a much different  
16 operational set of circumstances. So I think that was  
17 the foundation for that policy statement at that time.

18                   We're going to be in the management  
19 planning process here in the coming years, in the  
20 intervening years, so I think that there will be a lot  
21 of opportunity for more of those discussions.

22                   MR. ALAN EHRLICH: Thanks. Alan  
23 Ehrlich, for the -- the Board. Now, in terms of the -  
24 - and I'm going to apologize for the pronunciation --  
25 the Naha Dehe Consensus Team, you're on the consensus

1 team, too, is -- is my understanding.

2 Is that right?

3

4 (BRIEF PAUSE)

5

6 MR. JONATHAN TSETSO: Jonathan Tsetso,  
7 Parks Canada. I apologize, I'm having to go to my  
8 colleague. She's -- I'm a little hard of hearing, so  
9 she's clarifying some of the questions for me.

10 Am I on the Naha Dehe Consensus Team?  
11 Typically the superintendent has been an ex-officio  
12 member, just kind of an observer, so that's been more  
13 my role.

14 MR. ALAN EHRLICH: Okay. Thanks.  
15 It's Alan. So my question is then: Do you know what  
16 the view is of the Consensus Team regarding tourism  
17 development and visitor access to this area of the  
18 park?

19 CO-FACILITATOR BARB SWEAZEY: It's  
20 Barb, from Stratos. We realize we also have another  
21 member of the Consensus Team here, but we'll -- we'd  
22 love to hear from you first, Jonathan, and then we'll  
23 go to perhaps others from the Consensus Team to weigh  
24 in on the question.

25 MR. JONATHAN TSETSO: Jonathan Tsetso,

1 Parks Canada. I think when we originally received  
2 this application, the Proponent has brought those  
3 possibilities forward, and I think there have kind of  
4 been some general commitments made as to having those  
5 discussions and what they would look like. So have we  
6 really delved into those yet at this point? Not --  
7 not yet, but there certainly are possibilities there,  
8 yes.

9 CO-FACILITATOR BARB SWEAZEY: The --  
10 at the -- Yes, I realize, CanZinc, I'll come back to  
11 you just in one moment, Dave.

12 Who else -- is it -- is it Darrell?  
13 Darrell, would you like to come forward and perhaps  
14 give your thoughts? Would it be helpful, Darrell, for  
15 you to hear the question again, or...

16 MR. ALAN EHRLICH: Thanks, Darrell.  
17 So the question is: What's the view of the Consensus  
18 Team regarding tourism and development, and visitor  
19 access in -- in the area of the national park where  
20 the all-season road is proposed?

21 MR. DARRELL BETSAKA: Nahanni Dene  
22 Band hasn't really discussed that yet, but it is on  
23 the agenda for future meetings. So I can't really  
24 address that right now, but as soon as we table it,  
25 I'll answer that question.

1                   MR. ALAN EHRLICH:    Thank you very  
2 much, Darrell.  It's Alan, for the Review Board.  I  
3 appreciate -- I -- I didn't mean to put you on the  
4 spot by surprise, but it helps the Board understand  
5 what kind of activities fit into national parks, how,  
6 and that kind of thing.

7                   So along that line, in terms of how  
8 will parks --

9                   CO-FACILITATOR BARB SWEAZEY:    Alan,  
10 can I just interrupt for one (1) second?  Dave, did  
11 you want to weigh in on this particular thread before  
12 we advance?

13                  MR. DAVID HARPLEY:    It's Dave Harpley.  
14 I -- I just wanted to be clear about what we know, and  
15 -- and our position on this aspect.  In the  
16 presentations that we've made and the submissions that  
17 we've made, hopefully we've made it clear that CanZinc  
18 is amenable to working with Parks Canada and the  
19 communities regarding additional tourism that might be  
20 facilitated by the access road.

21                  In other words, we're -- we're more  
22 than willing to work to a solution if there is a  
23 desire to promote tourism using the road.  However, it  
24 -- it's -- we don't feel it's our responsibility to do  
25 the promoting of the tourism.  In other words,

1 somebody else needs to carry the ball.

2                   We've said this in Nahanni. We said it  
3 just, what, a week ago, and Darrell was there at that  
4 meeting. I just think it's a little early in terms of  
5 the communities and probably Parks as well in -- in  
6 getting their heads around this tourism aspect, and  
7 how they want to deal with it, and what they want to  
8 do with it.

9                   From the communities' perspective, I  
10 think another question that comes into play is the  
11 concern has always been about access control. And --  
12 and so it's difficult for them to be thinking, I  
13 think, about tourism when at the same time, they're  
14 thinking about, well, how do we control access?

15                   We had that discussion of access  
16 control yesterday, and I think this development with  
17 the IEB lands and -- and the recognition that the road  
18 can now be gated kind of puts a different complexion  
19 on the access control issue, and now perhaps  
20 communities can -- can move forward with more in-depth  
21 consideration of tourism as a result.

22                   CO-FACILITATOR BARB SWEAZEY: Thank  
23 you. Are there follow-up questions?

24                   MR. ALAN EHRLICH: There are a -- a  
25 few. And, Dave, that fits the -- the parts that I

1 heard out of this year while I was speaking -- it was  
2 -- talking and yeah, they're here, sounded to me like  
3 that's -- that's very useful information to have on  
4 the -- the public record, so thank you for that. I'm  
5 going to skip some detailed questions here.

6 But I will ask Parks Canada: for the  
7 area where the -- the all-season road is -- is  
8 proposed, what are the important values, things to  
9 maintain, in -- in that part of the park?

10

11 (BRIEF PAUSE)

12

13 MR. ALAN EHRLICH: Or -- Alan Ehrlich.  
14 In other words, what matters to you in that part of  
15 the park, if anything?

16

17 (BRIEF PAUSE)

18

19 MR. JONATHAN TSETSO: Jonathan Tsetso,  
20 Parks Canada. I think just very generally, there are  
21 many very important components of the park overall.  
22 It is a United Nations education science and cultural  
23 organization designed world heritage site. The south  
24 Nahanni River, portions of it are designated a  
25 Canadian heritage river.

1                   Within the project area itself -- I'm  
2   sorry. So -- so those two (2) designations give it  
3   international and national recognition. And then,  
4   also, in -- within the project area, a lot of the  
5   ecological integrity and cultural integrity components  
6   would extend to, you know, all the natural functioning  
7   components of the ecosystem.

8                   So we know there's caribou use in the  
9   area. We know there's grizzly bears, sheep. There's  
10   the karst topography. There's sensitive features  
11   within the karst topography, and some of them the  
12   Proponent has committed to -- to reroute and go  
13   around, such as the Poljes and Bubbling Springs.

14                  So really, we're taking a -- a broader  
15   park view on that, as well. Does that answer your  
16   question?

17                  MR. ALAN EHRLICH:   Alan Ehrlich.  
18   Yeah, I -- I think that helps. And sort of following  
19   that line that -- that you've just pointed out, and  
20   also picking up on something that we heard this  
21   morning from Canadian Parks and Wilderness Society,  
22   this deals more with the -- the national part of  
23   Nahanni National Park Reserve.

24                  Like, can you talk a little bit about,  
25   as Parks Canada, the role that parks play for

1 Canadians in general? Because that was flagged as  
2 something that -- that, you know, parties just raised  
3 here.

4 MR. JONATHAN TSETSO: Jonathan Tsetso,  
5 Parks Canada. Yeah. So under the Canada National  
6 Parks Act, Parks Canada's responsible for the  
7 protection and presentation of nationally significant  
8 examples of Canada's natural and cultural heritage and  
9 to foster public understanding and appreciation and  
10 enjoyment in ways that ensure their ecological and  
11 commemorative integrity for present and future  
12 generations.

13 So that's kind of our broad mandate  
14 statement, so that kind of covers your -- your  
15 question there.

16 MR. ALAN EHRLICH: That's what you do.  
17 I guess my question's more about the why.

18

19 (BRIEF PAUSE)

20

21 MR. JONATHAN TSETSO: Jonathan Tsetso,  
22 Parks Canada. Sorry. I've been having issues with my  
23 hearing. So, essentially, why is it important  
24 nationally? Because our legislation obligates us to  
25 protect it.



1                   And then secondly, it's just an  
2 important piece of Canadian heritage. And then  
3 thirdly, the park is a -- a naturally representative  
4 area of the Mackenzie Mountains Natural Region, which  
5 the National Park System Plan covers a number of  
6 different eco-regions across the country. So Nahanni  
7 is a representation of the -- the Mackenzie Mountains  
8 eco-region area.

9                   MR. ALAN EHRLICH:    Okay. Jonathan,  
10 thank you very much. I know that we're getting a  
11 little bit different -- you know, away from the  
12 hydrogeology and stuff like that with -- with  
13 questions like that.

14                  But when we look at the -- the socio-ec  
15 and cultural impacts, because it's a national park,  
16 the Board is obligated to consider the national  
17 implications of this kind of stuff, too. And the  
18 follow-up questions I've got, I'll -- we'll -- we'll  
19 ask in Information Requests. Thank you.

20                  CO-FACILITATOR BARB SWEAZEY:   Great.  
21 Yes, from CPAWS, please.

22                  MS. SHANNON MOORE:   Shannon Moore,  
23 CPAWS. Curious to know if -- this is for Parks Canada  
24 -- if along these lines of talking about designations  
25 and importance on the national and international

1 levels, do you foresee this project being flagged or  
2 negatively impacting the UNESCO designation that  
3 Nahanni has been given?

4

5 (BRIEF PAUSE)

6

7 MR. DEAN HOLMAN: I think this is --  
8 might be just a point of order or something here. But  
9 there is a -- there is a rare plant species report  
10 that was done in 2009. But the report itself just  
11 isn't on the MVEIRB site. It's on the MVALE -- MVLWB  
12 site. But I think that's definitely information  
13 that's relevant here.

14 MR. CHUCK HUBERT: Chuck Hubert, with  
15 the Review Board. Yes, we can transfer that document  
16 to this project.

17 THE CO-FACILITATOR BARB SWEAZEY: Barb  
18 Sweazey. Thanks very much, Dean. We'll put it as a -  
19 - as an undertaking for the Review Board. Thank you  
20 for flagging that.

21

22 --- UNDERTAKING NO. 10: Review Board to transfer  
23 the 2009 rare plant  
24 species study to the  
25 current project

1 THE CO-FACILITATOR BARB SWEAZEY: So,  
2 Parks Canada, did you have a opportunity?

3 MS. ALLISON STODDART: Allison  
4 Stoddart, with Parks Canada. So just in response to  
5 CPAWS's question. Essentially you're correct that the  
6 original Nahanni National Park is -- has a designation  
7 of a -- of a international -- has an international  
8 designation. And so just -- just for clarification,  
9 the expansion of the park does not have that  
10 designation.

11 So there are guidelines in terms of how  
12 bodies -- I guess I -- I shouldn't say Parks Canada,  
13 but in terms of the international designation, there  
14 are guidelines for how countries need to behave  
15 around, let's say, for example, mining developments.  
16 And so we are following those guidelines by being  
17 involved in the environmental assessment of this  
18 project.

19 But I would also like to say that in  
20 terms of expanding that Nahanni National Park, the  
21 Canadian Zinc mine was already there before the  
22 expansion occurred. And so it was a collaborative  
23 effort between the government and the Company to  
24 ensure that the -- the park could be expanded.  
25 Meanwhile, continuing to allow access. And so -- so,

1 you know, the process that we're going through right  
2 now, of course, is to ensure that that access doesn't  
3 impact the ecological integrity of the park.

4                   However, there was a commitment within  
5 our legislation that -- that we would allow that  
6 access. So -- so I do -- I do hear where you're  
7 coming from, but -- but, you know, we're -- we're  
8 trying our best to follow all the measures that are in  
9 place around that international designation to -- to  
10 protect that.

11                   And -- and just -- sort of in closing,  
12 we obviously don't make those determinations in terms  
13 of whether or not this will put that designation in  
14 danger. But we will our -- you know, we will do our  
15 best to make sure we -- we try and -- and prevent  
16 that.

17                   MS. SHANNON MOORE: Thank you.

18                   CO-FACILITATOR BARB SWEAZEY: Barb,  
19 from Stratos. Are there any other questions related  
20 to tourism or the -- or the park at this time?  
21 Dave...?

22                   MR. DAVID HARPLEY: It's Dave Harpley.  
23 It's not really a question, but just a quick comment.  
24 The question seemed to be really focussed on negative  
25 impacts and preservation.

1 I kind of think that we have an  
2 opportunity here to both preserve and provide greater  
3 access into the park, which surely would go -- speak  
4 to Parks Canada mandate of making the park available  
5 for the use of and the enjoyment of Canadians, which  
6 is very difficult for most Canadians currently.

7 CO-FACILITATOR BARB SWEAZEY: Thank  
8 you.

9 Dean...?

10 MR. DEAN HOLMAN: All -- although we  
11 do -- sorry, Dean Holman, from Liidlii Kue First  
12 Nation. Although we do appreciate increased tourism  
13 potential, there is the conflict between -- between  
14 the keystone species or species in general that the  
15 First Nations depend upon.

16 Increased traffic would then increase  
17 the impacts on -- on traditional harvesting within the  
18 park and outside of the park. Thank you.

19 CO-FACILITATOR BARB SWEAZEY: Thank  
20 you. And we have some opportunity to ask questions  
21 about traditional harvesting that we can tackle a  
22 little bit later on in our conversation today.

23 So I'm -- would like to suggest that we  
24 just open up the conversation on cultural resources,  
25 including archeological sites. Let's -- let's take

1 one (1) or two (2) questions in this category, and  
2 then we'll maybe pause for a break at that point.

3                   So if I can, actually, I'll -- could I  
4 ask GNWT to open with their first question related to  
5 this topic?

6                   MR. GLEN MACKAY: Glen Mackay. I'm an  
7 archeologist with the Department of Education,  
8 Culture, and Employment with GNWT.

9                   So archeological impact assessments  
10 were conducted on segments of the winter road  
11 alignment that crossed territorial lands in 2009 and  
12 2012. No -- no archeological sites were found by  
13 those specific studies.

14                  But in -- in light of this -- the  
15 significant route alignments for the all-season road,  
16 the addition of borrow sites, borrow access,  
17 construction camps, and other infrastructure sites,  
18 the -- the areas assessed by those impact assessments  
19 now comprise only a small piece of the overall project  
20 footprint of the all-season road.

21                  So in the absence of proper pre-  
22 disturbance archeological studies, it's not possible  
23 to assess the significance of impacts to archeological  
24 sites by the all-season road project.

25                  And what we're asking for is -- is the

1 same thing that we asked for in GNWT IR number 1, that  
2 Canadian Zinc conduct an archeological overview  
3 assessment detailing the archeological potential of  
4 all project components requiring new land disturbance.

5 And that -- that would exclude the  
6 areas examined in the archeological impact assessments  
7 in 2009 and 2012, but -- but, as I've said, the -- the  
8 project footprint has expanded quite dramatically from  
9 what was looked at in those studies.

10 An AOA is typically a desktop study  
11 that identifies areas with high potential for  
12 archeological sites in a development area. It's  
13 something that has to be done by a professional  
14 archeologist, and it's -- it's based largely on  
15 terrain analysis, available traditional knowledge, and  
16 the -- the results of previous archeological studies.

17 And the expectation is that areas of  
18 high potential that cannot be avoided by the  
19 development would require a pre-disturbance  
20 archeological impact assessment, so -- so a field  
21 study.

22 So we -- we continue to think that  
23 that's the necessary course of action in relation to  
24 the protection of archeological sites for the all-  
25 season road project.

1                   MR. DAVID HARPLEY:    It's Dave Harpley.  
2   I would suggest that we -- or Canadian Zinc just defer  
3   our answer until others have asked their questions,  
4   because our answer's going to be common to probably  
5   more questions.

6                   CO-FACILITATOR BARB SWEAZEY:    Are  
7   there other questions related to -- specifically you  
8   mean to the -- this study, or broadly to archeological  
9   sites?

10                  MR. DAVID HARPLEY:    Dave Harpley.  
11   Both.

12                  CO-FACILITATOR BARB SWEAZEY:    To both.  
13   So I'm -- perhaps having a first glimpse into your  
14   answer would be helpful because it might also steer --  
15   help to answer some of the other questions in people's  
16   minds.  Would you -- would you mind taking a first  
17   pass at an answer, Dave, for us?  Oh.

18

19                               (BRIEF PAUSE)

20

21                  CO-FACILITATOR BARB SWEAZEY:    Okay.  
22   Fine.  Thanks.  Go ahead, Parks Canada.

23                  MR. JONATHAN TSETSO:    Jonathan Tsetso,  
24   Parks Canada.  First, I'd just like to say that we  
25   think GNWT's assessment and comments are -- are good,



1 and we support them. So we had a chance to review  
2 Canadian Zinc's comments, and we still find that there  
3 is insufficient existing baseline data and that no new  
4 information has been provided that would provide an  
5 overview of the cultural heritage resources in the --  
6 the project area.

7                   So really, our IRs remain the same, and  
8 they mirror GNWT's. So we are of the opinion that an  
9 archeological overview assessment and archeological  
10 impact assessment be conducted by a -- a professional  
11 archeologist. And that Canadian Zinc prepare a  
12 cultural resources protection plan.

13                   CO-FACILITATOR BARB SWEAZEY: Are  
14 there other parties that have a similar vein of  
15 questioning that they would like to raise at this  
16 time?

17

18                   (BRIEF PAUSE)

19

20                   MR. JONATHAN TSETSO: Just -- yeah, I  
21 mean -- yeah, I wasn't finished my --

22                   CO-FACILITATOR BARB SWEAZEY: Can you  
23 hang on one (1) second, Dean? They have a little bit  
24 more to add to that question. Sorry.

25                   MR. JONATHAN TSETSO: We appreciate

1 Canadian Zinc's approach that they would have members  
2 of the community flagging and involved in -- in  
3 construction work to identify cultural resources. I  
4 think we -- we think that would be very good.

5                   But we are concerned, because it isn't  
6 reasonable to assume that a local heritage resource  
7 monitor or -- or that construction crews would be  
8 sufficiently trained to identify and evaluate pre-  
9 contact artifacts or features associated with eleven  
10 thousand (11,000) years of human history in this  
11 region.

12                   For an example, some of the examples  
13 that we -- could potentially be found in the project  
14 area are things like prospecting camps, tent frames,  
15 culturally modified trees, trails, landscapes, hunting  
16 blinds, sheep or caribou fencing, historic mining or  
17 prospecting camps, pre-quarry sites, camp sites,  
18 burial, fire pits, tent poles, cellular depressions,  
19 berm foundations, pre-contact or historic artifact  
20 scatters, stone features such as caribou or sheep  
21 hunting blinds, cairns, drive lanes, or directional  
22 markers.

23                   Any of these finds would have  
24 significant cultural value to the human history of the  
25 park. And if they are found, obviously they -- they

1 would require significant further studies, so that's  
2 the -- the approach as to why we're asking for these  
3 things.

4 MR. DEAN HOLMAN: Dean Holman, from  
5 Liidlili Kue First Nation. We definitely appreciate  
6 the -- the thoroughness that Parks Canada is -- is  
7 talking about, and also the GNWT.

8 One of the -- I guess the asks or  
9 requests from Liidlili Kue First Nation is that we be  
10 consulted, because we do have significant information,  
11 or otherwise historical information that could lend to  
12 the assessment -- or both the assessments, the  
13 overview and the impact assessment.

14 To date, we have not been consulted on  
15 either -- sorry, the -- their current road alignment  
16 or all-weather road when it comes to the archeological  
17 aspects. Thanks you.

18 CO-FACILITATOR BARB SWEAZEY: Are  
19 there any other questions related to this topic before  
20 we turn to -- to CanZinc for a response?

21 So it seems to -- you've got good  
22 clarity on what you're aiming for there, Dave, for  
23 responses?

24 MR. DAVID HARPLEY: Yes. Dave  
25 Harpley. The -- this issue of heritage resources was

1 studied quite at length in the last EA, and at that  
2 time, the approach initially was to base the  
3 investigation work on the fairly extensive traditional  
4 knowledge study that was completed by Cross Currents  
5 and Associates for the Nahanni Butte Dene Band.

6                   And that study indicated historical  
7 locations of transit of local people in the region.  
8 And the conclusion that was drawn by the community and  
9 their consultant was that the -- the more -- the most  
10 likely locations of settlement or activity would be  
11 locations where these travel routes converge. That is  
12 the passes, the gaps, river crossings, those  
13 locations.

14                   So based on that information, the first  
15 study that was completed focussed on Grainger Gap and  
16 Wolverine Pass. And -- and those -- and there was  
17 consultation that occurred with the professional  
18 archeologist when that first study was initiated. And  
19 Wilbert here was part of the team that did the follow-  
20 up fieldwork in those locations. And the result was  
21 that no -- no heritage resources were found.

22                   On further review during that process,  
23 it was GNWT that felt that because we had realigned  
24 the winter road to join the Liard Highway near the  
25 community of Nahanni Butte as opposed to Lindberg

1 Landing, which was the historical terminus, that they  
2 felt that we need to, in more detail, consider the --  
3 the new alignment along the front range.

4                   So a second study was undertaken. The  
5 same approach was used in that. Professional  
6 archeologists had prior consultation with band  
7 members. And then they set out into the field to do,  
8 you know, on-the-ground inspections. And again, the -  
9 - the same result was that nothing was found.

10                   I think probably -- or at least I would  
11 hope that everybody would probably agree that it's --  
12 it's practically not possible to look everywhere in  
13 this -- in this region for where these resources might  
14 occur.

15                   We -- we had a follow-up conversation  
16 with the band regarding a number of matters, including  
17 heritage resources. And we asked them again about  
18 historical activities and where they may have had  
19 camps. And the answer they gave us is that there --  
20 there was no -- the -- this is from the Elders.  
21 There's -- there was no consideration of specific camp  
22 locations. For example, they wouldn't -- they  
23 wouldn't take a particular route and go back to the  
24 same location to camp. The camps would be basically  
25 at random.

1                   So, you know, if they had camped and if  
2 they had left artifacts behind, they could be anywhere  
3 in -- in the area. They would be very difficult to  
4 find. So what I'm trying to say is that the studies  
5 that we've done are more on a regional perspective. I  
6 mean, we honed in on the specific locations that had a  
7 higher probability of resource occurrence based on the  
8 TK information that was provided to us.

9                   And, you know, we went to those  
10 locations and we didn't find anything, so we treated  
11 the area as a region rather than a site-specific  
12 location. So having that prior information for this  
13 particular project and given the information that we  
14 have in terms of the randomness of camp locations and  
15 other potential activities in the area, we just feel a  
16 more practical approach is -- is required for this  
17 issue.

18                   And we -- we brought this subject up in  
19 our -- in our consultations with Nahanni Butte. That,  
20 you know, how do -- how do we want to approach this  
21 issue? How can we minimize the risk that we're  
22 actually going to develop the road and destroy --  
23 potentially destroy a resource?

24                   And what we collectively came up with  
25 was the approach that we've described in our response

1 to the IRs. And that is we think the first step needs  
2 to be a -- a development of a -- what I've called a  
3 brochure, which basically is a document that explains  
4 what all kinds of resources might be out there, what  
5 they look like, how to recognize them, basically have  
6 a -- a manual, if you like, that everybody can read  
7 and understand when they come across something,  
8 something what they're actually looking like, what --  
9 what they look like and -- and what they are.

10                   And then armed with that brochure that  
11 we would have all the field crews read beforehand, at  
12 least then they have a better chance walking the  
13 ground of -- of the actual road alignment, which still  
14 needs to be precisely located on the ground, as to the  
15 borrow sources.

16                   They have a better chance, I think, of  
17 -- of determining if there is actually a resource  
18 there or not. No amount of remote study or overview  
19 assessment is going to give us the answers. We're  
20 going to end up with the same mitigation, which is, as  
21 Jonathan mentions, a -- a heritage resource mitigation  
22 plan which we don't have a problem with.

23                   But I -- I think we need to be armed  
24 with the tools to actually identify these resources in  
25 the field by the people who are actually going to be

1 doing the most coverage in the field -- that is, the  
2 ground crews for the actual prior work before  
3 construction actually occurs.

4                   And recently, what we agreed with the  
5 band is that we would work with them to develop this  
6 brochure, and ensure that their representatives who we  
7 agreed would partner our field teams in -- during this  
8 exercise, make sure we're all aware of what these  
9 resources are, what they might look like, and -- and  
10 they can help guide our teams in the field so that if  
11 the resources are out there, we can find them.

12                   So, you know, we're talking the  
13 precautionary approach. We're taking what I think is  
14 a -- is the only sensible, practical approach that can  
15 be taken with this exercise.

16                   CO-FACILITATOR BARB SWEAZEY:    Thank  
17 you, Dave.

18                   Chuck, do you have a follow-up  
19 question? And then I'd like to go back to GNWT,  
20 Parks, and to Liidlil Kue for a response.

21                   MR. CHUCK HUBERT:    Yeah. The -- this  
22 ques -- Chuck Hubert, with the Review Board. The  
23 question's actually for Glen Mackay of -- of GNWT.

24                   Is the AIA, archeological impact  
25 assessment, a standard requirement for your



1 determination of impacts, significant impacts, to  
2 heritage resources for linear disturbances or other  
3 footprint disturbance-type projects similar to this?

4 MR. GLEN MACKAY: Glen Mackay, ECE.

5 It is a standard requirement. Every modern mine road  
6 in the NWT -- Tibbitt to Contwoyto, Gahcho Kue access  
7 roads, Snap Lake access road, more recently the  
8 Howard's Pass access road, which I -- I believe is --  
9 is similar in many ways to this -- this project have  
10 gone through that level of -- of scrutiny.

11 The -- the archeological overview  
12 assessment is a way to streamline the types of land  
13 forms that need to be scrutinized in the field based  
14 on the experience of -- of boreal forest  
15 archeologists. So it -- the idea of the AOA is to be  
16 able to select specific targets for the AIA for the  
17 field work.

18 So basically, the AO -- the goal of the  
19 AOA is to -- is to identify and map areas of the  
20 project footprint that likely have high potential for  
21 archeological sites. And those are the targets that  
22 would be looked at by the actual field study, the  
23 archeological impact assessment.

24 MR. CHUCK HUBERT: Chuck Hubert, with  
25 the Review Board. Just to follow up on that, was your

1 initial IR for the AIA or the AOA?

2 MR. GLEN MACKAY: The initial IR was  
3 to identify the need for archeological pre-  
4 disturbance, archeological studies. And their rema --  
5 recommendation was that the Developer conduct an  
6 archeological overview assessment and then follow that  
7 up with an archeological impact assessment of areas of  
8 high potential identified in the overview.

9 MR. ALAN EHRLICH: It's Alan Ehrlich,  
10 with the Review Board. The question's to the GNWT  
11 again. So, Glen, you've heard the Developer's  
12 rationale for the brochure. Do you -- do you accept  
13 that it's a reasonable substitute for the studies you  
14 talk about for the reasons that the Developers put  
15 forward? What are your thoughts on -- on that issue?

16 MR. GLEN MACKAY: I think the brochure  
17 -- Glen Mackay, ECE. A brochure of that type is -- is  
18 always a good idea for -- as -- as part of a -- a  
19 larger archeological site management plan for  
20 construction workers, people that are flying the route  
21 in the field. But it's -- it's most useful after the  
22 appropriate pre-disturbance studies have been done.

23 A lot of the archeological sites in  
24 this area are going to be buried consist of sud --  
25 subtle evidence, stone tool fragments, bone fragments.

1 Often they can be quite small sites.

2 And they really -- those types of sites  
3 really require the expertise of a -- of a professional  
4 archeologist to locate and evaluate them. So I -- I  
5 look at the heritage brochure as more of a failsafe  
6 after that project.

7 It's always possible that an  
8 archeologist will miss a site. And having the  
9 brochure is useful for field staff on the project that  
10 could, you know, potentially in the course of ground  
11 disturbance, or -- or even flagging the -- the route,  
12 may notice something and be able to take the  
13 appropriate action.

14 MR. ALAN EHRLICH: Thank you very  
15 much, Glen. It's Alan, for the Review Board.

16 CO-FACILITATOR BARB SWEAZEY: I wonder  
17 if I could go to Parks Canada for input or a response  
18 at this time?

19 MR. JONATHAN TSETSO: Jonathan Tsetso,  
20 Parks Canada. We do have a -- an archeological  
21 assessment person online, Donna Lee Deck, and she  
22 recently had done some field work in the park and  
23 perhaps, Donna Lee, if you're there, you can speak to  
24 that.

25 MS. DONNA LEE DECK (BY PHONE): Yes,

1 can you hear me okay? This is Donna Lee.

2 CO-FACILITATOR BARB SWEAZEY: Yes, we  
3 can hear you, Donna.

4 MS. DONNA LEE DECK (BY PHONE): Hello,  
5 can you hear me?

6 CO-FACILITATOR BARB SWEAZEY: Yes, we  
7 can. Go ahead, Donna Lee.

8 MS. DONNA LEE DECK (BY PHONE): All  
9 right. I -- I just want to step back and -- and say a  
10 -- a number of things in response to these comments.  
11 The AOA, the Archeological Overview Assessment and the  
12 Archeological Impact Assessment are standard  
13 approaches that we use in all national parks and  
14 national historic sites when it comes to development.

15 And in regards to the previous work  
16 that's been done in the project area, there were two  
17 (2) projects done in -- on the NWT, but in -- in part,  
18 there was only one (1) and that was the 2009  
19 archeological project. And her project was dealing  
20 with winter use. It wasn't looking at it in terms of  
21 all season.

22 And in her report, she states that when  
23 she went to Nahanni Butte to consult with the  
24 traditional knowledge component, the only  
25 knowledgeable person at that area of the park wasn't

1 available. And they didn't do testing ground truthing  
2 or ground reconnaissance at all locations.

3                   There was one (1) location that had  
4 high potential that they just did a helicopter  
5 flyover. So it was a very limited in scope project.  
6 As Glen pointed out, the footprint of the area is much  
7 more extensive and we just haven't done inventory work  
8 in that area of the park.

9                   There are a number of high potential  
10 locations. I'd also like to comment that not all of  
11 the com -- communities work in focus groups, the TK,  
12 just Nahanni Butte, and that there's over eleven  
13 thousand (11,000) years of pre-history, at least, in  
14 the area around studies that have been done around  
15 Nahanni National Park Reserve.

16                   It's the high potential that we have  
17 sites dating to that age in the park. So the TK  
18 studies are critical place name studies for  
19 understanding, you know, traditional use of the area,  
20 but you have to remember that eleven thousand (11,000)  
21 years ago, the people that were walking through that  
22 area and using that area are likely not the same  
23 people that are decedents of the people living there  
24 today.

25                   So we don't have -- we can't use

1 traditional knowledge when it comes to looking at the  
2 typically older types of sites in the area. For  
3 instance, we had somebody from Nah -- the Nahanni  
4 Consensus Team join us on a project in another part of  
5 Nahanni National Park at Glacier Lake, and we found a  
6 two thousand (2,000) year old buried archeological  
7 site, and the community in Nahanni Butte had no  
8 traditional knowledge of that area or place names  
9 related to that area, just as an example.

10 My comment on the brochure is that that  
11 is standard practice for accidental recovery that we  
12 do at all national parks and historic sites. I think  
13 it's an excellent stop gap to make sure that -- that  
14 we are recovering, protecting, learning more about the  
15 traditional use of that area of the park through  
16 accidental recoveries.

17 But if the development of that brochure  
18 will stem from the Archeological Overview Assessment  
19 and the Archeological Impact Assessment, the target,  
20 you know, the types of resources that people are  
21 actually likely to find there and that it needs to  
22 have input from, you know, GWNT, Parks Canada, the TK  
23 holders, and some archeologists?

24 MR. BRIAN SMITH (BY PHONE): This is  
25 also Parks Canada, Brian Smith. I'm an archeologist

1 in Winnipeg. I've dealt extensively with  
2 archeological impact assessments, archeological  
3 overview assessments.

4                   Basically what -- what I would like to  
5 point out with -- in response to these comments,  
6 basically, the -- the scope of your project has  
7 changed since the original impact assessments or  
8 original overview assessments were -- were done.

9                   Anytime -- this is standard practice,  
10 not only throughout parks, but it's standard practice  
11 throughout Canada, that a development looks -- gets  
12 looked at specifically for the development.

13                   Now, any professional archeologist will  
14 not go back and insist that the work that's already  
15 been done by Canadian Zinc gets redone, so it'll be  
16 totally focussed on your current project.

17                   But I -- I agree with the others that  
18 have been saying that, you know, because of this  
19 focus, we have to sort of take a -- a logical, proven,  
20 industry standard approach to determining what the  
21 actual potential impacts to the cultural resources of  
22 this road are in this area.

23                   And I'm very, very pleased to hear that  
24 the development of a heritage resources protection  
25 plan is -- is part of this because that -- that

1 basically is -- is cutting edge stuff. There's very,  
2 very few heritage resources protection plans being  
3 developed in conjunction with an AOA, in conjunction  
4 with an AIA, because that allows the environmental  
5 stewards of both the -- the company, the Proponents,  
6 the stakeholders all to get together and understand  
7 exactly what happens when there is an accidental find,  
8 or, like your brochure, which is a very, very  
9 important tool of this, what happens when an  
10 accidental finding -- but not only that, how is it  
11 going to be dealt with, who are the go-to people, who  
12 are the consults.

13                   This includes, who are the Elders, who  
14 are the communities, who are the environmental  
15 monitors, and -- and, if necessary, you know, the --  
16 the safety people that have to be all called in. Who  
17 are the -- the provincial, territorial, or national  
18 contacts that need to be consulted?

19                   And this is -- this is a great thing.  
20 I -- I praise Canadian Zinc for wanting to develop  
21 this heritage resources protection plan, because, like  
22 I say, that is -- that is a key thing, not only just  
23 to make sure that the road and during construction,  
24 the archeological or heritage resources of the area  
25 are protected, but it -- it should be part of an



1 overall environmental protection plan.

2                   And to consider the heritage resources  
3 in that is -- is a very, very good thing and a very,  
4 very necessary thing. So that is -- that's pretty  
5 much all my comments other than, if -- if we're to do  
6 this efficiently and do this to the benefit of  
7 everybody, Canadian Zinc and Parks and all the  
8 stakeholders and all the First Nations people who have  
9 a stake in this, we have to focus primarily on the  
10 exact development, not undertake a regional broad  
11 study, and then try to apply it.

12                   It's -- it's much better to go the  
13 other way around. Thank you.

14                   CO-FACILITATOR BARB SWEAZEY: Barb,  
15 from Stratos. Thank you very much, Brian.

16                   Before I go back to CanZinc, I'm  
17 wondering, Dean, would you like to contribute again to  
18 what you have heard so far? And then I'll turn it  
19 back to CanZinc.

20                   MR. DEAN HOLMAN: Thank you. Dean  
21 Holman, from Liidlil Kue First Nation. The -- we  
22 agree -- definitely agree with what's being said here.  
23 I -- I think that the -- the infor -- the information  
24 that -- that was gathered during the 2009 assessment,  
25 the -- the concern that I have with the information

1 there is that it did not -- it -- it didn't include  
2 Liidlii Kue First Nation and other possible First  
3 Nations that are out there that have used the park in  
4 the past, or the area in the past.

5 One of the -- I have a question to the  
6 GNWT and I think, Donna, you were on the phone there.  
7 You had referenced -- you had referenced some findings  
8 there from two thousand (2,000) years ago. I'm just  
9 wondering whether in the assessment or in -- in a  
10 proposed assessment whether the Nahanni bibliography  
11 was one of the resources that -- that the assessor, or  
12 the -- the archeologic -- archeologists used?

13 And I would also make the request that  
14 Liidlii Kue First Nation be consulted so that we have  
15 contributed effectively to this -- to this endeavour.  
16 Thank you.

17 CO-FACILITATOR BARB SWEAZEY: Barb  
18 here. So I think there's two (2) questions there.  
19 The first one is about the use of the library as a  
20 resource. So is that one that you would answer, Glen,  
21 or is that one that Donna Lee would answer?

22 MR. GLEN MACKAY: Glen MacKay, ECE. I  
23 think the question was in the context of an example  
24 that Donna Lee used in her response, but I'm -- I'm  
25 not aware of the -- the library that's being referred

1 to so I don't -- I don't think I can comment further  
2 on it.

3 CO-FACILITATOR BARB SWEAZEY: Donna  
4 Lee, are you able to -- to respond to Dean's question?

5 MS. DONNA LEE DUCK (BY PHONE): This  
6 is Donna Lee. I'm also unfamiliar of the document  
7 that -- that's being referred to.

8 CO-FACILITATOR BARB SWEAZEY: Barb,  
9 from Stratos. Dean, can you just give us a little bit  
10 more description of that resource that you were  
11 describing?

12 MR. DEAN HOLMAN: I -- I think that  
13 the -- well, perhaps if we had AANDC or Parks Canada  
14 might be able to answer that, but essentially what the  
15 Nahanni bib -- bibliography outlines is all the  
16 activity, the -- the individuals, the First nations  
17 that are -- that have travelled into the park. All of  
18 the resource material that is relevant to the Nahanni  
19 National Park -- sorry, the formation of the Nahanni  
20 National Park, and I believe the expansion of the  
21 Nahanni National Park Reserve.

22 There -- my -- my concern here is that  
23 without consulting or making it a much more broad-  
24 based social study, or involving other First Nations,  
25 that you're only going to receive information from one

1 (1) First Nation. The Nahanni bibliography outlines  
2 that there are other individuals from other -- not  
3 only First Nations but from the Metis -- from the  
4 Metis population, from the non-Aboriginal population  
5 that have travelled -- that have used the park  
6 historically.

7                   So to include LKFN and -- and perhaps  
8 an -- any other First Nations or individuals that  
9 might have information relative to areas that have not  
10 been looked at. I noticed that through the 2009  
11 archeological assessment that there were only three  
12 (3) areas that were looked at. One was the eastern  
13 most landscape feature is -- which is a second, or --  
14 or Grainger Cap -- Gap, Wolverine or Silent Hills  
15 Pass, and then the Tetcela River.

16                   But there are other areas that I know  
17 Liidlii Kue First Nation members utilize and that's  
18 areas such as the Ram Plateau, the Sundog -- the  
19 Sundog Creek, and possibly other places. Thank you.

20                   CO-FACILITATOR BARB SWEAZEY: Barb  
21 here. So I -- I wonder, Dave, if I can turn to you.  
22 There's been a lot of different ideas and suggestions  
23 put forward, and requests. And the way I'm parcelling  
24 them in my mind may or may not be the same as yours.

25                   So what I'm hearing is a request for

1 the AOAs and the AIAs, but I also heard in part of  
2 your opening remarks a commitment to making either a  
3 heritage mitigation plan or a heritage resource  
4 protection plan. And I'm not sure if they're  
5 synonymous. Perhaps you could speak to that piece.

6 And then the last piece that I'm  
7 hearing is around the involvement more broadly of many  
8 First Nations and the Metis in the process.

9 So I'm wondering if you could speak to  
10 each of those three (3) pieces if I've appropriately  
11 captured them.

12 MR. DAVID HARPLEY: Yeah. It's Dave  
13 Harpley. I'd pretty much bulleted those already. So,  
14 Chuck, you asked the question of Glen regarding AIAs  
15 and the typical approach. And Glen's answer, as I  
16 heard it, was that the standard approach is to kind of  
17 prioritize areas of the footprint and then go and  
18 inspect the high-probability areas.

19 Well, that's exactly what we did  
20 previously. And I would suggest that, if we had not  
21 done that study before for the winter road, and if we  
22 had done that study recently for the all-season road,  
23 we wouldn't be here discussing this because I don't  
24 honestly see the difference between what we did before  
25 and what we would do now.

1                   Yes, the scope has changed, but it --  
2 the scope hasn't changed the high-probability areas  
3 that will be determined initially. And -- and then  
4 you follow-up with a field inspection. So I think we  
5 have undertaken the industry-standard approach here.

6                   On the -- on the aspect of the -- the -  
7 - you know, the brochure or the plan, are we talking  
8 one or both? Well, I think we're talking probably  
9 both. Perhaps the brochure is an element of an  
10 overall plan. We're amenable to -- to both.

11                  I don't think it really matters too  
12 much how it's structured. The important thing is that  
13 we're armed with the right tools before anything  
14 actually occurs out there.

15                  But I -- I want -- just want to  
16 reiterate, we just don't see the logic in doing  
17 further remote study regarding areas that might go  
18 unlooked. We would rather focus on investigating and  
19 being armed with the -- the right tools and looking at  
20 all of the areas we're going to disturb before any  
21 disturbance actually occurs.

22                  I just think it's -- it's a redundant  
23 exercise to go through the process of trying to  
24 identify other areas to look because they're still  
25 going to result in the mitigation which is to go on

1 the ground and look at it. And that's exactly what  
2 we're planning to do.

3                   So to maybe put it in a nutshell, let -  
4 - let's rather just cut to the chase here and -- and  
5 instead of wasting time and having people flying  
6 around in a helicopter and not really achieving too  
7 much.

8                   On the -- the consultation aspect, it's  
9 been raised by a couple of parties here. I -- I think  
10 the records indicate, both in the prior assessment and  
11 in the current -- sorry, the prior EA and the current  
12 EA, that we've had engagement with local bands on a  
13 number of occasions, not just Nahanni Butte, but all  
14 the bands in the area, including Metis.

15                  And through all those meetings, the  
16 only one that really had an -- showed an interest in  
17 providing TK was Nahanni Butte. I do remember in the  
18 last EA that TK was considered in terms of LKFN. And  
19 if I remember correctly, the answer was that LKFN  
20 declined to either provide information at the time, or  
21 they didn't feel that it was necessary.

22                  So -- and -- and we've had -- we've had  
23 two (2) -- at least two (2) engagements specifically  
24 with LKFN chief and council regarding the current  
25 project. And basically, it was an open forum for any

1 issues that the band had, and TK wasn't raised as an  
2 issue at those meetings.

3                   So it's not that we've paci --  
4 specifically tried to avoid the engagement. It just  
5 simply hasn't been raid -- raised as an issue until  
6 now.

7                   The third thing on my list anyway that  
8 I wanted to mention is that I -- I know that Nahanni  
9 Butte has specific positions that they -- and comments  
10 they want to make on this issue. And I believe  
11 they'll be making them this afternoon when they dial  
12 in.

13                   CO-FACILITATOR BARB SWEAZEY:    Thank  
14 you, Dave.   Okay, go ahead, Chuck.

15                   MR. CHUCK HUBERT:    Chuck Hubert, with  
16 the Review Board.   So regarding the requirements that  
17 GNWT has recommended for the AOA and AIA, first of all  
18 -- all I'm a bit puzzled that CanZinc was so willing  
19 to accomplish these tasks during the past EA about six  
20 (6) or seven (7) years ago without any apparent  
21 quibble.   Agreed to what GNWT requested, and -- and  
22 yet there's -- there's sort of the opposite response  
23 this time.

24                   Can you clarify why that is?

25                   MR. DAVID HARPLEY:    It's Dave Harpley.



1 Because we felt last time that it was justifiable.  
2 There -- there needed to be a certain level of, you  
3 know, assessment and investigation. And we've never  
4 shied from doing what we think is reasonable, but at  
5 the same time we've also tried to avoid expenditures  
6 that really have no useful value.

7                   So given that that work was done  
8 previously and -- and we -- we honestly don't see the  
9 point of repeating it, which we feel will result in --  
10 in the same answers. And as I just mentioned, the --  
11 the result of any further work will be the same as  
12 occurred before which is we have to look at  
13 mitigation. And the mitigation is knowing what we're  
14 looking for, having boots on the ground aware of what  
15 -- of what might be out there, and being prepared to  
16 deal with it if they find something.

17                   So we've jumped to the mitigation  
18 rather than trying to satisfy a more scientific --  
19 scientific aspect of more remote sensing, which we  
20 don't believe is going to result in any new  
21 information.

22                   MR. CHUCK HUBERT:   Chuck Hubert, with  
23 the Board. Thanks for that response. We'll let  
24 parties pursue these requests in a second round of  
25 IRs, and the Board will make a determination. Thanks.

1 CO-FACILITATOR BARB SWEAZEY: Barb,  
2 from Stratos. I wonder if it's worth trying to  
3 articulate the one (1) commitment that's maybe a bit  
4 different than the AOA and the AIAs, which is the --  
5 the brochure or the heritage resource protection plan.

6 Is that different and above -- beyond  
7 what existing commitments are already recorded, and is  
8 that something we should take away from today's  
9 conversation?

10 MS. DONNA LEE DECK (BY PHONE): This  
11 is Donna Lee Deck, from Parks Canada. I think there's  
12 a bit of a disconnect and understanding as to what an  
13 AOA and AIA compared with a heritage protection plan.  
14 They are very different.

15 I -- I agree with Dave. I don't  
16 believe flying around in a helicopter is the way to do  
17 an assessment. What we are talking about is -- with  
18 an archeological impact assessment is being on the  
19 ground and doing testing. And as Brian pointed out,  
20 focussing on the development area.

21 Accidental recoveries by a construction  
22 crew is -- is, like I said, standard operating  
23 practice in Parks Canada by providing base  
24 information. However, you need an archeologist to do  
25 that type of work on the ground. Your mitigation work

1 has to be done by an archeologist, not by construction  
2 crews.

3 CO-FACILITATOR BARB SWEAZEY: Thank  
4 you, Donna Lee. Dave, one (1) comment?

5 MR. DAVID HARPLEY: So it's Dave  
6 Harpley. So two (2) things. The -- the first one  
7 regarding the -- the commitment. I think it's already  
8 in our submissions, so you can write it as a  
9 commitment.

10 The second one, a follow-up to Donna  
11 Lee's comment. We're certainly not suggesting that a  
12 construction crew is sufficiently knowledgeable by  
13 themselves to look for heritage resources. What we  
14 have undertaken and agreed with Nahanni Butte is that  
15 their members will partner our crews in the initial  
16 flagging and investigation phase before any  
17 disturbance. And they will be responsible for kind of  
18 leading and directing in terms of observing what's out  
19 there, and if there's a potential for heritage  
20 resource occurrence.

21 CO-FACILITATOR BARB SWEAZEY: Thank  
22 you. So at this time, let's pause for a break. It is  
23 twenty (20) to 11:00. How about we take a fifteen  
24 (15) minute break, and when we come back if there are  
25 no additional questions on the cultural resources,

1 we'll move into wildlife. Thank you.

2

3 --- Upon recessing at 10:40 a.m.

4 --- Upon resuming at 11:00 a.m.

5

6 CO-FACILITATOR BARB SWEAZEY: So,  
7 folks, let's readjournal -- reconvene. Over the break  
8 there was a couple of parties that just mentioned to  
9 me that they would like to have one (1) more followup  
10 comment on the -- the archeological site discussion.

11 So I'm going to turn it over to you,  
12 Glen, for your additional comments. And, Dean, I  
13 believe you also have an additional question or  
14 comment. So I'll ask you two (2) to speak and then  
15 we'll -- we'll see where we're at, but hopefully we  
16 can then move on to wildlife.

17 MR. GLEN MACKAY: Glen Mackay, ECE. I  
18 think -- I just wanted to respond to the idea of  
19 having members of Nahanni Butte Dene Bands as part of  
20 the flagging crew looking for archeological sites and  
21 -- as a substitute to a -- to an archeologist doing  
22 pre-disturbance archeological studies.

23 And, you know, the best archeological  
24 studies make use of the expertise of -- of both  
25 traditional knowledge holders and professional

1 archeologists. Traditional knowledge often provides  
2 important information on land use patterns that  
3 archeologists can use to predict -- help predict where  
4 archeological sites might be located.

5 But archeologists, the skills that they  
6 use to identify and evaluate spec -- specific land  
7 forms that are likely to hold ancient archeological  
8 sites, that's a por -- a very important part of the --  
9 the study as well.

10 If I could maybe us an example from the  
11 -- from the road routes. The -- the area between the  
12 Silent Hills, Wolverine Pass, and Grainger Gr -- Gap,  
13 that -- that area has never been assessed for -- for  
14 archeological sites. And as from what I understand  
15 from the presentation yesterday, that'll be a -- a  
16 completely new disturbance with the -- the new  
17 alignment that was -- was shown. I'm not sure if you  
18 have the map available. It -- it was up -- it was up  
19 for most of the morning. That one, yeah. Yeah.

20 So in -- in Canadian Zinc's response to  
21 our Information Request they say that campsites were  
22 likely established and utilized along the travelled  
23 routes. Band members indicated that such camps were  
24 only temporary and were used perhaps for only one (1)  
25 night while on a harvesting expedition. The locations

1 were more or less random and not in common frequently  
2 used locations. That -- I think, you know, that --  
3 that really describes a lot of the boreal forest  
4 archeological record.

5                   Often sites are small and -- and  
6 probably represent fairly limited -- limited events.  
7 But that, you know, that's -- those are the type of  
8 sites that boreal forest archeologists are experts at  
9 finding and evaluating. And that -- there's a 25, you  
10 know, kilometre stretch of new cut in a -- a low land  
11 valley between two (2) important passes that probably  
12 had traditional use in their recent past and has  
13 probably been used as a travel route for ten (10) or  
14 eleven thousand (11,000) years, so.

15                   And -- and the -- the goal of the  
16 overview assessment would be for an archeologist to  
17 look at that footprint of the road and any borrow  
18 sources that are associated with that stretch of road,  
19 for example, and make an educated guess based on their  
20 experience as to what the heritage pote --  
21 archeological potential of those specific land forms  
22 would be.

23                   They've mapped those out. Those would  
24 be the areas that would be targeted for the  
25 archeological impact assessment which would require a

1 helicopter to access those sites and would require the  
2 archeologist to examine those features through surface  
3 -- looking at the surface, but also doing shovel  
4 tests.

5                   So looking at that a bit further, I  
6 guess I -- I agree that Grainger Gap and Wolverine  
7 Pass are specific areas of the road footprint that  
8 would likely be areas of higher use intensity given  
9 that they're prominent passes betwe -- through the  
10 mountains.

11                   But -- and those areas were looked at  
12 in the 2009 archeological impact assessment. But if I  
13 understand it from yesterday, the route in Wolverine  
14 Pass has been -- been realigned quite significantly.  
15 And the archeological report from 2009 is very clear  
16 that they only looked at the existing cut line through  
17 that area.

18                   And they -- they say in the report that  
19 realignments would likely require further  
20 archeological studies. My understanding is that  
21 Grainger Gap, the road route will stay relatively --  
22 will follow the winter cut line for the most part,  
23 but... And -- and so, you know, that -- that part's  
24 done. That doesn't need to be considered in the  
25 archeological assessment or the archeological impact

1 assessment.

2 But there's a borrow source there. I  
3 believe it's called BP123B (phonetic), which is a  
4 prominent bedrock rise in a well used pass overlooking  
5 -- that rises significantly above lowland -- or the  
6 flood plain. And that -- that type of feature has  
7 high archeological potential. That's -- any  
8 archeologist would look at that and say that -- that  
9 has high potential as a lookout site for people in the  
10 pass waiting for game.

11 And with that -- that piece wasn't --  
12 you know, at the time of the 2009 impact assessment  
13 when we were talking about a winter road, you know,  
14 borrow sources weren't really on the -- on the table,  
15 so that -- that particular feature was never looked at  
16 as part of the -- of the road.

17 So you have areas of high potential,  
18 you know, tha -- that haven't been looked at,  
19 especially the borrow sources. You know, when you  
20 look through Appendix D of the DAR which describes the  
21 borrow sources, there's -- you know, they're often  
22 described as rock -- rock humps or knobs, but they're  
23 all of these sort of elevated -- from what I can  
24 gather from the pictures, the -- they're elevated  
25 landscape features that would have potential as --



1 high potential for archeological sites as overlooks  
2 over the valley.

3                   So I -- I think that, given the  
4 expansion of the footprint and the -- the -- I don't  
5 think the potential for archeological sites has been  
6 completely explored and defined. I think that needs  
7 to be done. And I think, you know, we'll -- we'd like  
8 -- we'd like a commitment to the -- to have the  
9 archeological overview assessment and the  
10 archeological impact assessment of high potential  
11 areas complete -- predis -- completed prior to  
12 disturbance.

13                   You mentioned -- Mr. Harpley, you've  
14 mentioned mitigation. The sites that are found -- if  
15 sites are found -- archeological sites are found  
16 through that process, then we can talk about  
17 mitigation then. It'll be important that those  
18 archeological sites are avoided by 30 metres as per  
19 the Mackenzie Valley Land Use Regulations, or that if  
20 they can't be avoided that steps are taken to recover  
21 some of the information from them before they're  
22 disturbed.

23                   So we -- we believe that these studies  
24 are necessary, and would -- will be AOA and AIA high  
25 potential or standard term -- conditions of land use

1 permits that the Mackenzie Valley Land and Water Board  
2 uses routinely. And we'll -- at the regulatory phase  
3 we'll be recommending that those be conditions of the  
4 land use permit for the all-season road project.

5 CO-FACILITATOR BARB SWEAZEY: Barb,  
6 from Stratos. Thank you, Glen.

7 Dave, did you want to comment or  
8 respond to Glen's intervention there?

9 MR. DAVID HARPLEY: It's Dave Harpley.  
10 Probably not too much without repeating verbatim what  
11 I've said before.

12 I did hear a comment about new  
13 alignment between Wolverine Pass and Grainger Gap,  
14 which is true but, again, I come back to the approach  
15 which Glen himself described earlier, which is to  
16 define the higher priority areas on the road and then  
17 go and investigate those. And that's the passes, and  
18 that's what we did so the fact that the alignments  
19 change between the two (2) I don't really think is  
20 particularly relevant.

21 Yes, there's potential for there to  
22 have been camps along that stretch but they could be  
23 anywhere along that stretch. And rather than  
24 hopscotch in a helicopter, I think it's more efficient  
25 to actually walk the whole thing. And that's --

1 that's what we're planning to do.

2 MR. GLEN MACKAY: Glen Mackay, ECE.

3 Another approach that you could take is to have a  
4 professional archeologist or a crew of professional  
5 archeologists walk the road with your crew, and do  
6 their work along the way prior to any disturbance --  
7 land disturbance.

8 MR. DAVID HARPLEY: It's Dave Harpley.

9 I'm -- I don't think I want to comment on that right  
10 now. We'll -- we'll take some time and digest all the  
11 comments here, and think about our plan going forward.  
12 And I also want to wait for the comments this  
13 afternoon from Nahanni Butte.

14 CO-FACILITATOR BARB SWEAZEY: Thank  
15 you. Dean, do you have a follow-up question that you  
16 wanted to ask on the archeological sites before we  
17 close this agenda item?

18 MR. DEAN HOLMAN: Not a question, but  
19 just a point of clarification I guess.

20 Before the break, Canadian Zinc had  
21 made a comment directed -- or related to LKFN. What I  
22 wanted to ask this -- this had to do with a refusal to  
23 meet. I wanted to ask Canadian Zinc to provide dates,  
24 or material where LKFN refused to meet when there was  
25 never an opportunity to meet with the new information

1 provided on the all-weather road.

2 I understand that Canadian Zinc had met  
3 with the past chief and council; that information is  
4 provided on Appendix 13 of the addendum in which the  
5 all -- the Application for the all-weather road was  
6 presented to LKFN leadership. However, there's no  
7 evidence or -- or anything that would lend to LKFN  
8 supporting the Application outright.

9 That's something -- again the -- the  
10 new all- weather road is -- is not within the scope of  
11 the IBA, and so I really would appreciate when those  
12 dates, or -- and those can be provided at any other  
13 time, or perhaps before we -- we meet with Canadian  
14 Zinc. Thank you.

15 MR. DAVID HARPLEY: It's Dave Harpley.  
16 Dean, I didn't mean to imply that there was a refusal  
17 to meet. It's simply -- I simply said that we've been  
18 trying to set up a meeting with the new chief and  
19 council for several weeks now. So just that we're  
20 amendable to meeting to discuss this.

21 I also wanted to point out that we have  
22 met with chief and council since the Application, and  
23 -- and that's on record. I could probably find it  
24 here pretty quickly, but I know that's the case.

25

1 (BRIEF PAUSE)

2

3 MR. DEAN HOLMAN: Tha -- thank you for  
4 that, Dave. We look forward to actually meeting here.  
5 I -- from our -- from our perspective, Canadian Zinc,  
6 or the -- or the Prairie Creek development, is only  
7 one (1) of the -- one (1) of the -- sorry, one (1) of  
8 the developments that we deal with on a day-to-day  
9 basis.

10 LKFN understands tha -- under --  
11 understands that Canadian Zinc has been trying to  
12 meet; however, again the opportunity has -- has just  
13 not been there. We have a newly elected chief and  
14 council. They have been -- they have been working  
15 very hard to get into their new roles. And Canadian  
16 Zinc -- the Prairie Creek mine is at the top of their  
17 list. And again, we invite -- or we look forward to  
18 meeting with Canadian Zinc and discussing the project.

19 CO-FACILITATOR BARB SWEAZEY: Barb,  
20 from Stratos. Thank you. So it seems like there is  
21 certainly an openness, from CanZinc's perspective, to  
22 meet with LKFN. And I'm going to assume that that  
23 communication channel will clear up and you'll be able  
24 to continue conversations.

25 So with that, I'm going to suggest that

1 we move on to wildlife. So wildlife, as we see in the  
2 agenda, has several different initial suggestions, but  
3 there may be questions on topics beyond. So we have  
4 species at risk disturbance mitigations. We have  
5 effects from noise and blasting, boreal caribou,  
6 effects assessment methodology, effects from borrow  
7 pits, and there may be others.

8                   So perhaps I can turn to Environment  
9 Canada Climate Change. Would you like to start with  
10 the first set of questions?

11                   MR. J.F. DUFOUR: J.F. Dufour, with  
12 Environment Climate Change Canada. I have a couple of  
13 clarification questions for the proponent I'm hoping  
14 they could answer it.

15                   For the effects assessment related to  
16 habitat loss alteration and fragmentation, and  
17 specifically with the lands for migratory birds and  
18 avian species at risk, can the proponent confirm that  
19 only the deviations from the permitted winter road  
20 were considered in their effects assessment and not  
21 the entirety of the winter road?

22                   MS. KARLA LANGOIS: Hi. Karla  
23 Langois. When it comes to habitat loss, yes, only the  
24 deviations were considered with habitat loss  
25 calculations.

1 MR. J.F. DUFOUR: Just a followup  
2 question to that.

3 CO-FACILITATOR BARB SWEAZEY: Could  
4 you just state your name again --

5 MR. J.F. DUFOUR: Oh, sor --

6 CO-FACILITATOR BARB SWEAZEY: -- for  
7 the record?

8 MR. J.F. DUFOUR: J.F. Dufour, Jean  
9 Francois Dufour, with Environment and Climate Change  
10 Canada. Sorry about that. So my followup to that is:

11 During the environmental assessment for  
12 the mine and the winter road, in the effects  
13 assessment was there any consideration for loss of  
14 habitat, alteration and fragmentation for migratory  
15 birds and avian species at risk?

16 MS. KARLA LANGOIS: Yeah, this is  
17 Karla Langois. I'm not entirely certain, but I don't  
18 believe so. That would have been in the -- in the  
19 2010 report, but I'm not certain, but I don't think  
20 so.

21 MR. DAVID HARPLEY: It's Dave Harpley.  
22 The -- the wildlife study for the previous year, it  
23 was done by Golder Associates, so we're just going to  
24 need to check. It may or may not have been done.

25 CO-FACILITATOR BARB SWEAZEY: It's

1 Barb here. Would it be helpful for us just to put a  
2 note for a followup? Would that be helpful?

3 MR. J.F. DUFOUR: Yes, it would be.  
4 Thank you.

5 CO-FACILITATOR BARB SWEAZEY: Okay.  
6 Is that okay?

7 MR. J.F. DUFOUR: J.F. Dufour,  
8 Environment and Climate Change Canada.

9 CO-FACILITATOR BARB SWEAZEY: Thank  
10 you. Can you just restate the piece of information  
11 specifically that you're looking for so that we can  
12 make sure we've got it captured?

13 MR. J.F. DUFOUR: Sure. J.F. Dufour,  
14 with Environment and Climate Change Canada. So I was  
15 seeking clarification if during the environmental  
16 assessment for the mine and winter road the effects  
17 assessment included loss of habitat fragmentation and  
18 alteration for migratory birds, and -- and avian  
19 species at risk specifically.

20 CO-FACILITATOR BARB SWEAZEY: Barb,  
21 from Stratos. Thank you.

22

23 --- UNDERTAKING NO. 11: To provide clarification  
24 if during the  
25 environmental assessment



1                           for the mine and winter  
2                           road the effects  
3                           assessment included loss  
4                           of habitat fragmentation  
5                           and alteration for  
6                           migratory birds, and avian  
7                           species at risk  
8                           specifically  
9

10                   CO-FACILITATOR BARB SWEAZEY:   Did you  
11 have another additional question?

12                   MR. J.F. DUFOUR:   And I guess maybe --  
13 J.F. Dufour, Environment and Climate Change Canada.  
14 Maybe just to give a bit of a -- a background why I  
15 believe this is important information to consider.

16                   For this environmental assessment just  
17 regarding the actual length of the winter road for the  
18 effects assessment for habitat loss fragmentation, the  
19 magnitude of the effects might be diminished by not  
20 considering the entirety of the winter road and just  
21 considering the deviations.

22                   When I looked into the winter road EA -  
23 - and again, I didn't go through all the documents --  
24 I wasn't able to see that that was something that was  
25 considered in the effects assessment.

1                   And the -- the rationale that I saw --  
2   and it was Appendix 17, Section 432 -- so you -- there  
3   was no impacts assessment to migrant birds and avian  
4   species at risk because there was no temporal overlap.  
5   So the birds aren't present during the winter, either  
6   during construction of the winter road or during the  
7   hauling period.

8                   And then also the assumption is that  
9   the -- the habitat is still available to the birds  
10   come -- come summertime. So the natural substrate is  
11   still present.

12                  So again, just in terms of while we're  
13   reviewing that, I find it's an important consideration  
14   because if it was omitted, the magnitude of effects  
15   might have been minimized.

16                  CO-FACILITATOR BARB SWEAZEY:   Barb,  
17   from Stratos. Is there any questions or follow-up  
18   from CanZinc on that comment? Okay. Thank you.

19                  Additional questions related to  
20   wildlife. Yes, go ahead, Parks Canada.

21                  MR. DOUGLAS TATE:   Douglas Tate, Parks  
22   Canada. Just for the information of the Board and  
23   others here, I'll -- just a little bit about our  
24   mandate and why we're asking for the things that we  
25   are.

1                   Part of the mandate for national parks  
2 is to protect ecological integrity. And according to  
3 National Parks Act, 'ecological integrity' means, with  
4 respect to a park, a condition that is determined to  
5 be characteristic of its natural region and likely to  
6 persist, including abiotic components and the  
7 composition and abundance of native species and  
8 biological communities, rates of change, and  
9 supporting processes.

10                   So, in other words, we're tasked with  
11 maintaining all of the naturally-occurring species and  
12 communities and the processes that sustain them. So  
13 this includes non-game species.

14                   Another related aspect to our questions  
15 is that Parks Canada shares the federal mandate to  
16 manage and protect species at risk, along with  
17 Environment and Climate Change Canada and Fisheries  
18 and Oceans Canada.

19                   So the comments we have and questions  
20 are largely follow-up to the Information Requests that  
21 were previously submitted and just address the areas  
22 in which those responses did not provide all the  
23 information that we were looking for.

24                   And just before I get into those, there  
25 was one (1) earlier comment about the road not

1 entering dall sheep habitat. And I would just like to  
2 state that that's not actually accurate because Parks  
3 Canada does have remote camera images of dall sheep on  
4 the road alignment, so it does pass through some of  
5 their habitat.

6                   So the first of the wildlife IRs, Parks  
7 Canada number 30, the DAR addendum asserted that  
8 adequate baseline vegetation and wildlife and wildlife  
9 habitat information had been collected to date, and  
10 that previous field studies adequately describe the  
11 baseline conditions, including species at risk, and  
12 were available in developing the assessment.

13                   There was no standard cited for  
14 considering this to be adequate. Several of the cited  
15 studies are twenty (20) or thirty (30) or more years  
16 old. Some are very short duration.

17                   Of twenty-one (21) species at risk that  
18 are mentioned in the port -- report, there are  
19 specific project area studies on caribou only. No  
20 studies were undertaken on waterfowl or forest birds  
21 in the project area. So we feel that better  
22 information is required to properly assess potential  
23 impacts on wildlife species.

24                   So the IR response stated that Canadian  
25 Zinc accepts the presence of forest birds and referred

1 to some mitigations such as windows for clearing and  
2 dust suppression.

3                   Some surveys are relatively narrow  
4 scope. Bear dens and presence of swans or caribou in  
5 blasting areas are mentioned for areas of highest  
6 potential impact. But, in general, no information is  
7 provided on wildlife populations or even all the  
8 species that are present in the project area.

9                   And related to this, the draft Wildlife  
10 Mitigation Monitoring Plan from 2012 states that it is  
11 based on the principle of adaptive management. So an  
12 adaptive management approach requires baseline  
13 information and ongoing monitoring to understand what  
14 impacts may be occurring and to come up with  
15 strategies to address those impacts.

16                   So without the baseline information and  
17 monitoring, there is really no way of knowing if the  
18 mitigations are working or if it's simply an  
19 assumption of no impact. So our -- our  
20 recommendations with regards to -- to that is that  
21 Canadian Zinc can commit to wildlife data being  
22 collected within the scope of an appropriate  
23 monitoring plan to ensure the long-term of effects.

24                   This would include the Forestburg  
25 (phonetic) Community, wetland species. In particular,

1 yellow rail and rusty blackbird, which are listed  
2 species at risk, and those could be incorporated into  
3 a similar acoustic monitoring program as forest birds,  
4 and collared pika monitoring from KP0 to 36, and  
5 borrow sites that may be in this portion of the  
6 alignment.

7                   The second recommendation was to  
8 include any considerations for protection of critical  
9 habitat for threatened species if they are  
10 encountered. The species that could potentially occur  
11 in the project area include common nighthawk,  
12 olive-sided flycatcher, bank swallow, barn swallow,  
13 and Canada warbler. Depending on the results of  
14 baseline data collection, then the appropriate  
15 mitigations could be implemented.

16                   And the final wildlife mitigation  
17 monitoring plan should demonstrate how monitoring data  
18 will be incorporated into adaptive management. That  
19 is defining thresholds and actions, given scenarios.  
20 And just to say, Parks Canada would be willing to  
21 assist in development of such a monitoring program or  
22 plans.

23                   CO-FACILITATOR BARB SWEAZEY: Thank  
24 you. Is there a initial response from CanZinc on --  
25 on this request?

1                   MR. DAVID HARPLEY:    Yeah, it's Dave  
2 Harpley. I would encourage Parks Canada to put that  
3 in writing and submit it to us so we can consider it  
4 in detail. That's quite a lot of information.

5                   Some immediate thoughts that I have,  
6 one (1) is a question. What were Parks Canada  
7 thinking in terms of timing of this particular  
8 monitoring exercise?

9                   And the second thing is really a  
10 comment, and I'm thinking back to the last assessment,  
11 and we had a similar consideration, I think in terms  
12 of caribou, and position we took as a -- as a company  
13 at that point was that we know we're in a park, and we  
14 know we're crossing the park, but we're a mining  
15 company. We're not a -- a wildlife monitoring outfit.

16                  And -- and we would much rather look at  
17 a model where we're working collaboratively with Parks  
18 Canada and subsidizing and facilitating their  
19 activities, because they're much better at this --  
20 this kind of a monitoring exercise than we could be.

21                  CO-FACILITATOR BARB SWEAZEY:   Barb,  
22 from Stratos. Parks Canada, any -- any comments on  
23 David's -- CanZinc's suggestion?

24                  MR. DOUGLAS TATE:    Douglas Tate, Parks  
25 Canada. Yeah, we could certainly consider

1 collaborative work in -- in that respect if -- but it  
2 would be primarily the financial responsibility of the  
3 company, we would think.

4 CO-FACILITATOR BARB SWEAZEY: Good.  
5 Thank you. Yes, go ahead.

6 MR. J.F. DUFOUR: J.F. Dufour, with  
7 Environment and Climate Change Canada.

8 CO-FACILITATOR BARB SWEAZEY: Just --  
9 just hang on one (1) second. David, is this in  
10 response to this -- is this a new one? You've got a  
11 new idea?

12 MR. J.F. DUFOUR: No, it's a follow-  
13 up.

14 CO-FACILITATOR BARB SWEAZEY: Okay.  
15 So perhaps I can just ask Dave to respond to Parks  
16 Canada, and then I'll go right to you.

17 MR. DAVID HARPLEY: Yes, Dave Harpley.  
18 Now, there was a question in my comment, what -- what  
19 is the timing that Parks Canada had in mind?

20 MR. DOUGLAS TATE: Douglas Tate, Parks  
21 Canada. It would make sense to have at least the --  
22 like, some initial surveys, the baseline data, prior  
23 to any disturbance. I guess the -- the final details  
24 of the overall mitigation and monitoring plan could be  
25 a -- could be completed sort of in the regulatory



1 phase.

2 CO-FACILITATOR BARB SWEAZEY: And we  
3 got a thumbs up from Dave. Okay. So thank you, just  
4 in case you didn't get that.

5 I will go to Environment Canada Climate  
6 Change.

7 MR. J.F. DUFOUR: J.F. Dufour,  
8 Environment and Climate Change Canada. I just wanted  
9 to add that Environment and -- Environment and Climate  
10 Change Canada also had similar concerns related to the  
11 adequacy of the -- of the baseline studies. And we  
12 would also like to put our name forward to help the  
13 Proponent, and work in collaboration with Parks Canada  
14 Agency to establish an appropriate monitoring  
15 protocol.

16 One of the IRs that Parks Canada put  
17 forward also made the suggestion of ARUs, automatic  
18 recording units, to cover a lot of that -- those  
19 monitoring gaps, and Environment and Climate Change  
20 Canada has multiple programs right now using that  
21 technology, so we would definitely have some expertise  
22 to share with both the Proponent and Parks.

23 CO-FACILITATOR BARB SWEAZEY: Thank  
24 you. Yes, go ahead.

25 MS. ALLISON STODDART: Can I just say

1 one (1) thing really quickly?

2 CO-FACILITATOR STEFAN REINECKE: M-hm.

3 MS. ALLISON STODDART: Allison  
4 Stoddart, with Parks Canada. So I just want to make  
5 sure that we're clear that the information with  
6 regards to the baseline work, we think would be  
7 required within the EA phase. However, monitoring can  
8 be pushed to the regulatory phase.

9 Was that clear? Okay.

10 CO-FACILITATOR BARB SWEAZEY: Can you  
11 just repeat it -- the -- repeat the timing just to  
12 make sure that it is what we've got captured in our  
13 notes?

14 MS. ALLISON STODDART: Okay. So the  
15 baseline work that -- that Doug has been referring to  
16 is -- is something that we would like to see within  
17 the environmental assessment phase so that we can --  
18 you know, so that we have the -- so that the Board has  
19 the information that they require to determine if  
20 there could be a significant environmental effect.

21 However, in terms of adaptive  
22 management and monitoring, developing that plan can be  
23 done in the regulatory phase.

24 CO-FACILITATOR STEFAN REINECKE:  
25 Stefan Reinecke, with Stratos. I will circle back

1 with Parks Canada to get the more precise wording of  
2 the three (3) requests that we'd like to pass along to  
3 Canadian Zinc for consideration.

4 CO-FACILITATOR BARB SWEAZEY: Yes. I  
5 was going to go to Dehcho to see.

6 MS. CARRIE BRENEMAN: Carrie Breneman,  
7 Dehcho First Nations. Doug, I was -- I just was  
8 wondering if you could run through a list of species  
9 that you were -- that you had listed originally that  
10 you wanted to propose for the baseline monitoring. I  
11 -- I just wasn't sure if I caught them all.

12 MR. DOUGLAS TATE: Doug Tate, Parks  
13 Canada. Essentially, monitoring for, like, the  
14 acoustic recorders that J.F. Dufour record -- recorded  
15 -- or referred to can be used to -- to identify the  
16 entire suite, like the -- the species that make up the  
17 community within whatever habitats.

18 The ones that I listed specifically are  
19 the species at risk at a threatened level, where  
20 critical habitat is a consideration, and those --  
21 those species were common nighthawk, olive-sided  
22 flycatcher, bank swallow, barn swallow, and Canada  
23 warbler.

24 MS. CARRIE BRENEMAN: Thank you.

25 CO-FACILITATOR BARB SWEAZEY: Barb,

1 here from Stratos. I also had a note that you had a  
2 question regarding a wildlife study. Is there addi --  
3 I made a note from it yesterday. Is there another  
4 follow-up question that you have regarding a wildlife  
5 study? That's the -- the note that I had. No?

6 MS. CARRIE BRENEMAN: Okay.

7 CO-FACILITATOR BARB SWEAZEY: Good for  
8 now? Okay. Other questions -- yes, go ahead, GNWT.

9 MS. ANDREA PATENAUDE: Andrea  
10 Patenaude, GNWT. While we're on the topic of plans,  
11 so I appreciate the -- I -- that everybody wants to  
12 get in on this plan because the plan covers several  
13 areas and several jurisdictions, and so what this says  
14 to me is we -- there is a level of -- of coordination  
15 that needs to occur.

16 I don't think I've spoken with anybody  
17 at EC about this but I have briefly spoken with folks  
18 at Parks Canada about this in terms of a plan. I  
19 mean, it makes sense to have one (1) wildlife plan for  
20 the road. And the GNWT is in a position -- is -- has  
21 -- in the IR phase, we asked for a draft of -- an  
22 updated draft of a wildlife mitigation and monitoring  
23 plan.

24 And it was indicated that CZN believed  
25 that this was an exercise to be complete -- completed

1 as a condition of a land use permit. In this, I just  
2 wanted to highlight, of course, that CZN should be  
3 aware that the requirement for a wildlife management  
4 and monitoring plan, as it's called under the Wildlife  
5 -- life Act, is independent from the land use planning  
6 process.

7                   Having said that, we do encourage the  
8 use of in -- the environmental assessment process and  
9 the land use permitting process to give reviewers,  
10 other -- other folks who have comments about these  
11 plans, using those processes where those comments can  
12 come out and be -- and where those plans can be  
13 reviewed in order to help the Minister make decision  
14 on -- on approval of a plan.

15                   And so the suggestion for an updated  
16 draft within this environmental process was not made  
17 to make your life difficult. It was made for a few  
18 practical reasons. First of all, it puts together  
19 everything in one (1) place to assist everybody around  
20 this table to ensure that we have the information  
21 required about -- I mean, right now, we're going  
22 through an old WEMP document, a number of commitments,  
23 a number of, you know, things coming from different  
24 places.

25                   And having a draft in this process

1 allows everybody's considerations to be considered at  
2 once. Because we are in a situation where some  
3 collaboration is going to be required between Parks  
4 Canada, the GNWT and Environment and Climate Change  
5 Canada, this also gives us time in -- ahead of the  
6 permitting process to consider how we are going to  
7 collaborate as well with you and amongst ourselves on  
8 -- on these plans.

9                   And so, finally, because these plans  
10 tend to be iterative in the way that they are  
11 developed, in our view, the sooner you get started on  
12 them, the better. Asking for a draft or conceptual  
13 plan for the project is a standard that we've asked  
14 for from other developers in other environmental  
15 assessments in the NWT, and it's come to be an  
16 expectation.

17                   So I -- I guess following up, I guess  
18 the question coming out of that is: Would the --  
19 would Canadian Zinc be willing to provide an updated  
20 wildlife management and monitoring plan for -- in time  
21 for folks to review before the public hearing? Thank  
22 you.

23                   CO-FACILITATOR BARB SWEAZEY:

24 CanZinc...?

25                   MR. DAVID HARPLEY: I'm going to ask

1 my colleagues here to comment on the -- the baseline  
2 aspect. And then I'll cover the -- the plan.

3

4 (BRIEF PAUSE)

5

6 MR. ALAN EHRLICH: It's Alan Ehrlich,  
7 for the Review Board. Andrea, when you speak of the  
8 hearing, I'm not sure if you mean the hearing phase.  
9 Or if you want parties to look at it before the  
10 hearing, it would have to be before they prepare  
11 technical reports, just to remind you of how our  
12 process goes into the hearing phase.

13 Can you please be very clear about what  
14 timing you're asking about?

15 MS. ANDREA PATENAUDE: Andrea  
16 Patenaude, GNWT. I am asking, yeah, that a draft  
17 compiled plan be submitted in time for reviewers to  
18 take a look at it before the public hearing so that  
19 questions that arise with respect to what is in there  
20 and how it relates to significance of impacts to the  
21 point that we have -- can be -- can be looked at.

22 My thought on that is that after those  
23 hearings, depending on what's come up in there, and  
24 parties have a chance to put in their final arguments,  
25 then that content is content that could be considered

1 going into the regulatory phase, because it is an  
2 intervenor process.

3 And it sounds like my counterpart from  
4 Lands has a comment to make on that, as well.

5 CO-FACILITATOR BARB SWEAZEY:

6 CanZinc...?

7

8 (BRIEF PAUSE)

9

10 MR. ALAN EHRLICH: Alan Ehrlich, for  
11 the Review Board. Of course the reason why I raised  
12 that point, that the technical reports are normally  
13 where parties respond to information and provide their  
14 overall conclusions, is so that the Board isn't  
15 surprised with new information during the hearing.

16 And so what you describe sounds like  
17 it's a much better fit to be in time for parties'  
18 technical reports because your point is, it sounds  
19 like, to have parties review the draft and provide  
20 their views on that.

21 Does GNWT have a response?

22 MS. ANDREA PATENAUDE: Andrea  
23 Patenaude, Government of the Northwest Territories.

24 I guess my response is I'm also  
25 learning that that's probably the way it's got to go.



1 So I think that could work as well. I guess I --  
2 well, am I to under -- yeah. That would -- that would  
3 suffice.

4 MR. ALAN EHRLICH: So -- it's Alan  
5 Ehrlich here. Look, from the Board's perspective,  
6 this is a process issue. We need -- if there's going  
7 to be new information and you're hoping to respond as  
8 part of the environmental assessment, right, closing  
9 arguments are not the time to do it.

10 We don't accept new evidence in the  
11 closing arguments. We accept argument but not  
12 evidence in the closing arguments. This would have to  
13 come in prior to technical reports so that the parties  
14 have time to consid -- consider it when they're  
15 submitting their technical reports.

16 So although you've asked for it in time  
17 for the hearing, my point is, if it's going to achieve  
18 what you want it to achieve in the environmental  
19 assessment, it has to match the Board's process. And  
20 so the Board's process would have that in time for  
21 parties to consider before they draft their technical  
22 reports.

23 MS. CARRIE BRENEMAN: Carrie Breneman,  
24 Dehcho First Nations. I just wanted to also support  
25 GNWT in their request for Canadian Zinc to provide an

1 updated mitigation and monitoring plan -- or wildlife  
2 mitigation and monitoring plan, and that we also  
3 requested that in our first round of IRs.

4 CO-FACILITATOR BARB SWEAZEY: It's  
5 Barb here. GNWT, did you want to respond to Alan's  
6 comment about the timing, or were you in agreement  
7 with that timing?

8

9 (BRIEF PAUSE)

10

11 MS. ANDREA PATENAUDE: Andrea  
12 Patenaude, GNWT. Right. So in time for technical  
13 report submission is what you're saying. Yes, that  
14 would work. If that's the chance to get a kick at  
15 that can, yes.

16 CO-FACILITATOR BARB SWEAZEY: Great.  
17 Barb here. So can I go back to you, Can Zinc? I  
18 recall you were perhaps going to speak about baseline,  
19 and then also about this timing.

20 MR. RICK HOOS: Okay. Rick Hoos, on  
21 behalf of Canadian Zinc. The assessment that we  
22 undertook, we used all available information for the  
23 various species that were -- were analyzed.

24 Specifically with regard to species at  
25 risk, as an example, we -- we reviewed the available

1 information on life histories, distribution,  
2 migration, conditions, times of year, et cetera, et  
3 cetera, preferred habitats for eighteen (18) species  
4 at risk.

5                   We then also looked at other wildlife  
6 and particularly wildlife that are traditionally  
7 harvested, including dall sheep, moose, fur bearers,  
8 forest birds, water fowl and trumpeter swans, raptors,  
9 to name a few.

10                   We were quite comfortable in doing the  
11 assessment with the available information. We came to  
12 our conclusions. We presented them in the -- in  
13 supporting documentation to the DAR, and we continue  
14 to be comfortable with our assessment.

15                   Specifically, though, we've also been  
16 following up with Information Requests and response to  
17 Information Requests. And -- and under the topic of  
18 species at risk, for example, we discussed the  
19 particular species at risk that seem to be of par --  
20 of greatest interest and relevance to the road  
21 corridor. So we add a section on yellow rails for  
22 instance, where we pointed out that most of the  
23 alignment changes that have been implemented had been  
24 implemented to try to purposely avoid wet habitats  
25 which are, in fact, preferred habitats for yellow

1 rails and move away from these wet habitats to,  
2 essentially, upland habitats that are not preferred  
3 habitats for yellow rails.

4                   So in that sense we really feel we have  
5 been pursuing a course of action to address and  
6 mitigate any potential impacts on yellow rails. In  
7 fact, I'd say further that we were actually following,  
8 for instance, Environment Canada's suggestions for  
9 beneficial management practices for protecting yellow  
10 rails.

11                   For example, avoiding areas in --  
12 activities in areas where wild birds are present,  
13 prevent loss and alteration of wetlands, maintain year  
14 round 100 metre no activity buffer from potential  
15 habitat. No mowing of potential habitats when dry.

16                   Well, that's -- that's irrelevant here,  
17 but clearly we have been doing what we can to mitigate  
18 any potential impacts on yellow rails. So it would  
19 seem unnecessary, perhaps, to do further studies on  
20 yellow rails, or monitoring in the context of yellow  
21 rails in the future, unless, of course, we have some  
22 situations where the road is still, let's say, within  
23 100 metres of -- of a water body that could  
24 potentially be frequented by yellow rails.

25                   Harlequin ducks is another example.

1 Interesting though, they actually have been known to  
2 occupy swift flowing streams. And we did, in fact,  
3 observe -- someone has observed one (1) female duck in  
4 the Sundog Creek area in 2013.

5                   So clearly, there's a potential that if  
6 there was, let's say, traffic or construction taking  
7 place at the time when harlequin ducks are there,  
8 let's say between June and September, that there could  
9 be some potential for impact and miti -- further  
10 mitigation steps would have to be taken to ensure that  
11 those harlequin ducks would not be impacted.

12                   That would be covered in the kind of  
13 mitigation monitoring plan that -- and management plan  
14 that's being talked about here.

15                   We went further and addressed other  
16 species as well that were most relevant to the road  
17 including the common night hawk and the olive-sided  
18 flycatcher. And in each case we were -- we've  
19 analyzed and considered how -- not only how they could  
20 potentially be impacted, but the kind of steps that  
21 Canadian Zinc would be taking to ensure that these  
22 animals would not be significantly impacted by  
23 construction of the road or activities associated with  
24 the operation of the road.

25                   So I just cover that only to point out

1 that we have tried to address these kinds of issues in  
2 the documentation that is before the Board. And we  
3 maintain that we're comfortable with that. And we  
4 don't see the need, frankly, for going out and doing a  
5 significant series of new studies on all of these  
6 individual species of interest, or risk, or of concern  
7 to agencies here, necessarily. Thank you.

8 MR. DAVID HARPLEY: It's Dave Harpley.  
9 So just to paraphrase. I think the approach we've  
10 taken is we've basically assumed these species are  
11 present and conducted our effects assessment on that  
12 basis. So whether in fact they're there or not, we've  
13 assumed they are there.

14 So I don't know how more studies at  
15 this point would better inform the effects assessment.  
16 I don't believe the effects assessment would change  
17 materially and -- as a result. In terms of updating  
18 the -- the mitigation and monitoring plan, frankly,  
19 I'm personally not that in favour of all these plans  
20 at this stage of the project.

21 I know they're always called for. But  
22 we're -- I'm -- we're going to have to consider this  
23 one. I don't want to give a -- a yes/no answer now,  
24 but that's just the way I feel about it.

25 CO-FACILITATOR BARB SWEAZEY: Barb,

1 from Stratos. Was there a followup question from  
2 Environment Climate Change Canada?

3 MR. J.F. DUFOUR: J.F. Dufour, with  
4 Environment and Climate Change Canada. I just wanted  
5 to respond to the Proponent in terms of the additional  
6 monitoring. Two (2) little tidbits of information.

7 So under Section 79 of the Species at  
8 Risk Act, the Review Board must determine the  
9 significance of effects on species at risk. And the  
10 wildlife managers, through the EA process, must  
11 provide comments to help the Review Board with that  
12 determination.

13 The lack of baseline data, and even  
14 just simply confirming the presence or absence of  
15 species at risk within the project area, presents a  
16 challenge to all involved in determining the magnitude  
17 of the effects with any level of confidence.

18 The other point I wanted to make as  
19 well is, under Section 79(2) of SARA, there's a  
20 requirement to monitor adverse effects regardless of  
21 the significance. So again, baseline conditions is  
22 necessary to monitor adverse effects and to allow the  
23 implementation of adaptive management.

24 CO-FACILITATOR BARB SWEAZEY: Thank  
25 you. I believe we have a question from Cesar.

1                   MR. CESAR OBONI:   Cesar Oboni.   So is  
2   it fair to say that a potential spill along the way  
3   should be treated equally in terms of environmental  
4   impacts, both for wildlife and vegetation?   And I'm  
5   not talking about geomorphological part of the -- or  
6   any water course segmentation.   And if not, what are  
7   the list of the segmentations that should be -- that -  
8   - that are area of concern?

9                   MR. DAVID HARPLEY:   It's Dave Harpley.  
10   Can you just repeat the question very simply, please?

11                  MR. CESAR OBONI:   Yes.   So for doing  
12   the risk assessment, I need to understand the  
13   different environmental impacts.   And so far, it seems  
14   to me that a potential spill along the way should be  
15   treated equally for the length of the road, or is it  
16   not -- are there specific area that are area of  
17   concern?

18                  And that's a question that is equally  
19   targeted to Park Canada and other parties.

20                  MR. DAVID HARPLEY:   Dave Harpley.   Can  
21   you just be specific regarding which valued components  
22   you're talking about?

23                  CO-FACILITATOR BARB SWEAZEY:   Barb  
24   here.   I'm thinking that -- is it related to species  
25   at -- specific species at risk?   Is it a vegetation?



1 Is it a crit -- critical habitat? That's the kind of  
2 thing.

3 MR. CESAR OBONI: Cesar Oboni. It's  
4 both for the wildlife and vegetation. Those are the  
5 targets.

6

7 (BRIEF PAUSE)

8

9 MR. RICK HOOS: Rick Hoos, for  
10 Canadian Zinc. I've been working on -- in this  
11 subject of spill, continuously planning assessment,  
12 mitigation for a long, long time. And I'll just relay  
13 some of the things that affect risks associated with  
14 spills.

15 First of all, you'd have to consider  
16 what is it that you're spilling, whether it's, in this  
17 case, perhaps concentrate, or maybe fuel as a result  
18 of a truck turning over and its fuel tank erupting, or  
19 something of that nature.

20 The next thing you have to consider is:  
21 Where is this incident occurring? Is it occurring  
22 near water? Is it occurring near some other sensitive  
23 type of environment? Or that sort of thing.

24 Beyond that, you also have to consider  
25 the time of year. Is the spill occurring in the

1 summertime when many species are present, or the  
2 wintertime, when few species are present?

3                   So there's so many factors to be taken  
4 into consideration in trying to evaluate the risk of a  
5 -- of a spill incident on a component of the receiving  
6 environment. There is no one (1) single answer that  
7 one can give.

8                   Suffice to say that it's -- the -- the  
9 potential for causing some sort of environmental harm  
10 is greater if you're spilling whatever the product is  
11 in or near a -- a water body, whether it be a stream  
12 or a pond or something of that nature. And --

13                   MR. CESAR OBONI: I -- I'm sorry. I  
14 specifically said that I'm -- I'm taking that apart  
15 and I'm not talking about geomorphological or the  
16 proximity of water. I'm talking about exclusively  
17 wildlife and vegetation receptacles.

18                   MR. RICK HOOS: Yes.

19                   MR. DAVID HARPLEY: It's Dave Harpley.  
20 Cesar, I understand your question. I -- I think it's  
21 going to be quite an involved answer, and maybe that  
22 would be better posed as a -- a undertaking, and we  
23 can respond a little better.

24                   DR. CESAR OBONI: Cesar Oboni. In  
25 your -- in the undertaking, could that include all the

1 alternative road segments as well? So far, I'm not  
2 sure if there's the all-season roads and the  
3 alternative segmentation as well, and that's -- it  
4 would be great to have both.

5 MR. DAVID HARPLEY: It's Dave Harpley.  
6 You can put whatever you want in your request, and  
7 we'll respond to it.

8

9 --- UNDERTAKING NO 12: Parks to submit wording of  
10 their recommendation for  
11 wildlife base line and  
12 monitoring (for CanZinc to  
13 consider)

14

15 CO-FACILITATOR BARB SWEAZEY: It's  
16 Barb here. Would you like to just try and state your  
17 request as an undertaking, Cesar, for us? Or we can -  
18 - we can -- okay. Perhaps we can just have a look at  
19 what we've -- what we've drafted at lunch. Yes.

20

21 (BRIEF PAUSE)

22

23 CO-FACILITATOR BARB SWEAZEY: Okay.  
24 Okay. Yes, Dave...?

25 MR. DAVID HARPLEY: It's Dave Harpley.

1 I -- I just also did want to comment on the gentleman  
2 from ECC whose -- whose name I'm sorry I can't  
3 remember, but everything he said I'm sure is true, and  
4 we understand that's our legislation. But the problem  
5 we have is when is enough enough?

6                   You know, we've -- we've done quite a  
7 lot of studies out there for species that are -- we  
8 know are prevalent. We've assumed other species that  
9 may be in the area are there from an effects and  
10 mitigation standpoint. I -- I think there needs to be  
11 some definition of what is a reasonable amount of work  
12 and expenditure for -- for these kinds of surveys.

13                   We can't just say, You must do this for  
14 every species and so that the Board is informed.  
15 That's -- that's not reasonable as far as our  
16 approach, I don't think.

17

18                   (BRIEF PAUSE)

19

20                   MR. CHUCK HUBERT:    So Chuck Hubert,  
21 with the Review Board. I'd just like -- just before  
22 we cut for lunch here, I'd like to follow up a bit on  
23 the wildlife -- excuse me, wildlife monitoring and  
24 management plan top -- discussion.

25                   One of the values that the Board sees

1 in an updated wildlife monitoring and management plan  
2 is that it collates mitigation that's been provided  
3 through -- in various documents in the DAR to reduce  
4 impacts to -- to wildlife species from the project.  
5 So currently, there's -- in -- in the DAR, there are  
6 sections that deal with wildlife, and -- and there's  
7 typically a mitigation section at the end of it in the  
8 DAR addendum.

9                   Similarly for -- in -- sometimes in --  
10 at the end of each species section, and sometimes a --  
11 a compilation at the end, there's a -- a listing of  
12 various mitigation measures that -- that assist the  
13 Board and other parties in forming their views, and  
14 opinions, and impacts to wildlife.

15                   So certainly in -- in past EAs, the  
16 Board has seen value in -- in compiling that  
17 information within what's now called a regulatory,  
18 which is the Wildlife Monitoring Management Plan, that  
19 -- that really helps parties out in -- in providing  
20 their views to the Board in their technical reports  
21 prior to the -- the hearing phase.

22                   So that's -- that's the value that the  
23 Board sees in an updated plan. It's not simply a plan  
24 for the sake of a plan. There's -- there's content  
25 that -- excuse me, content in there that is of value.

1 So with that sort of explanation, I guess I -- I'd be  
2 interested in giving Canadian Zinc the opportunity to  
3 -- to sort of respond to that, as well as to respond  
4 to your -- your answer was that you didn't want to  
5 respond currently, so when would you be in a position  
6 to advise the Board whether or not you are planning to  
7 submit an updated plan?

8 MR. DAVID HARPLEY: It's Dave Harpley.  
9 Chuck, I understand completely what you're saying. As  
10 far as timing, just -- just give us a little bit of  
11 time to think about it. I -- I don't want to say it's  
12 going to be tomorrow, or a week's time, or whatever.  
13 But I -- I mean, I've heard all the comments, and we  
14 need some time to go and consider it.

15 MR. CHUCK HUBERT: Could we -- Chuck  
16 Hubert, with the Board. Could we leave that as an  
17 undertaking?

18

19 (BRIEF PAUSE)

20

21 CO-FACILITATOR BARB SWEAZEY: The --  
22 Barb here. So perhaps, rather than frame it as an  
23 undertaking, it's more like a parking lot to do to get  
24 back to us on. Is that appropriate?

25 MR. DAVID HARPLEY: Dave Harpley.

1 Yes. And, otherwise, the undertaking would be, when  
2 are we going to respond?

3 CO-FACILITATOR BARB SWEAZEY: All  
4 right.

5 MR. DAVID HARPLEY: Better park it.

6 CO-FACILITATOR BARB SWEAZEY: Okay.  
7 Good. So I'm just looking at our time. It's -- it's  
8 twelve o'clock. So could I suggest that we break and  
9 reconvene at one o'clock? We'll continue on with the  
10 conversation on wildlife as well as traditional  
11 harvesting this afternoon after lunch. Thank you.

12

13 --- Upon recessing at 12:00 p.m.

14 --- Upon commencing at 1:12 p.m.

15

16 CO-FACILITATOR BARB SWEAZEY: Okay.  
17 Good afternoon, everyone. Welcome back. Barb, from  
18 Stratos.

19 Before we continue with the agenda item  
20 that we had left before lunch on wildlife, just a  
21 heads up, we'll be continuing our conversation on  
22 wildlife and on traditional harvesting probably till  
23 about 2:30, 2:45.

24 We'll pause for a break, and then at  
25 3:00, we'll be aiming to move on to the very first

1 passes on project description, just for an hour,  
2 though. And then we have the Nahanni Butte calling in  
3 at 4:00 for a series of questions. So that's kind of  
4 how we'll organize this afternoon.

5                   So I'll just actually turn it over to  
6 you, Alan, for your -- for your comment.

7                   MR. ALAN EHRLICH: Thanks. This isn't  
8 a question. This is more just some description about  
9 how our EA process works, and with respect to some of  
10 the things we've -- we've heard this morning.

11                   They're two (2) separate things. Each  
12 one has to do with -- you know, we've heard parties  
13 pointing out that there are certain -- there's a  
14 baseline information that some parties feel are  
15 lacking.

16                   And, you know, we do have a formal  
17 process for this. It's described on our Direction of  
18 Procedure for Information Requests, which is on our  
19 record for this. You've received this. What it says  
20 is -- is that parties are able to make a formal  
21 request for ruling from the Board.

22                   So if there's information that you're  
23 lacking that you need to reach your conclusions on  
24 significance of potential impacts, then please write  
25 to the Board and put in a formal request for ruling,



1 spelling out why you need that information, why it's  
2 necessary for your significance determinations, when  
3 you need the information by, and the Board can make  
4 procedural decisions on that if you're not finding  
5 satisfaction in the discussions that we're having  
6 here, okay?

7                   Because we didn't hear a lot of that  
8 stuff getting resolved here this morning. And we  
9 don't want to keep just going around and around in a  
10 technical session.

11                   Parks Canada, you have a question?

12                   MS. ALLISON STODDART: Sorry. Allison  
13 Stoddart, with Parks Canada. So just to clarify, you  
14 would rather that we go that route than -- than  
15 outline this information in the next round of  
16 Information Requests?

17

18                   (BRIEF PAUSE)

19

20                   MR. ALAN EHRLICH: Like, if it's  
21 information that you've asked for in the previous  
22 round and haven't got an answer to, asking the same IR  
23 again, you know, I mean, you can expect different  
24 results, but I don't know why you would, right?

25                   So if you've already asked and it

1 didn't work, then parties have the option of taking  
2 this request for ruling approach, in which case the  
3 Board will make a formal decision about this, right?

4                   And, you know, I just -- I -- I --  
5 ideally, we're prefer these things to be resolved face  
6 to face in technical sessions where it's possible.  
7 This morning, in -- for some of these things, it  
8 didn't sound like it -- it was going to get resolved  
9 here.

10                   If that happens later today or later on  
11 in the session, great. But if not, we have a formal  
12 procedure that's the appropriate way of dealing with  
13 these kinds of outstanding things. And the Board will  
14 weigh in if you put in a request for ruling.

15                   Please don't make the request for  
16 ruling frivolously, obviously, because, you know, it's  
17 -- I mean, it's -- it's a -- it's a formal decision by  
18 the Board. And please make sure that when you put in  
19 your request for ruling, you describe your reasons  
20 clearly, why you need it, and how it relates to your  
21 conclusions on the potential significance of the  
22 development that we're assessing, because, you know,  
23 it has to relate to the Board's decision here.

24                   So we do need parties' conclusions on  
25 what the potential impacts are. If you feel you can't

1 give those with the baseline information available,  
2 then write to the Board and tell them what you want,  
3 describe why, and the Board will consider this  
4 carefully and decide what direction to provide.

5 CO-FACILITATOR BARB SWEAZEY: Go  
6 ahead.

7 MS. ALLISON STODDART: Allison  
8 Stoddart, with Parks Canada. So just to be clear, the  
9 second round of Information Requests -- I mean, my  
10 assumption is that, you know, the -- most parties  
11 aren't going to have new Information Requests.  
12 They're likely going to be reiterating those parts of  
13 the Information Requests in the first round that  
14 weren't dealt with.

15 So are we going to go through a second  
16 round of Information Requests, or are we -- we are?  
17 So -- but -- so I'm confused as to the difference  
18 between what you're wanting in the Information  
19 Requests and what you're wanting us to go as a request  
20 for ruling.

21 And the second part to my question is,  
22 in terms of requests for ruling, what sort of response  
23 would the Board provide to something like that? Would  
24 they -- would they be providing a response to the  
25 Proponent to insist on certain information be

1 provided, or -- or how does that work?

2 MR. MARK CLIFFE-PHILLIPS: I don't  
3 want to shock everybody with the -- the speaker behind  
4 me here with the microphone. So there -- there's kind  
5 of two (2) parts.

6 One (1) is with the -- the request for  
7 a ruling process is when -- and -- and it's outlined  
8 in the -- the Rules of Procedure, and also there's a  
9 note -- or a -- a direction on procedure specific to  
10 Information Requests that's on the record that  
11 explains this in probably better detail than I can  
12 right off -- off the mark here.

13 We don't want people to use that as a -  
14 - a surrogate to -- for Information Requests, or for  
15 conversations with the Developer themselves in sidebar  
16 conversations to try and attain the information that  
17 you require.

18 It's where you feel that you're unable  
19 to get the information that, in your opinion, is  
20 required for making your -- your conclusions on  
21 significance of -- of impacts and mitigations that  
22 that process would be used. So it's -- it -- it's  
23 something that we would only ask as -- as a -- a  
24 process step at -- as a last resort. It -- it's not  
25 something that we would ask all Information Requests

1 to go through.

2                   We do have a second round of  
3 Information Requests. If there's only partial  
4 components that weren't answered in response from the  
5 previous rounds, then yes, use a second round of  
6 Information Requests to deal with those. This is  
7 where there may be some Information Requests where you  
8 didn't receive the answer to the -- the questions, and  
9 we haven't heard answers in the technical sessions.  
10 So not supplemental information, but the first  
11 question just wasn't answered, is generally what the  
12 Board would hear.

13                   In terms of the response, that's at the  
14 Board's discretion. We would have to look at what the  
15 request is. The board would make a -- a considered  
16 ruling, and -- and release of reasons. There is  
17 always the ability for the Board to compel information  
18 when required.

19                   MS. ALLISON STODDART: Hi. Allison  
20 Stoddart, with Parks Canada. Sorry, just -- just one  
21 (1) more sort of clarification question. So when  
22 you're saying that it's our determination of  
23 significance, or -- or our -- my -- my understanding  
24 was -- is that our job was to ensure that the Board  
25 had sufficient information to make that determination

1 of significance. Is that correct?

2 MR. ALAN EHRLICH: Hi, Allison. It's  
3 Alan Ehrlich, for the Board. No, you're correct. The  
4 Board is -- got the legal authority to make the  
5 ultimate determinations of significance. In so doing,  
6 it wants the parties' opinions on the significance of  
7 potential impacts. It's going to consider the  
8 conclusions of the party when reaching its  
9 determinations.

10 So just because the Board is reaching  
11 the ultimate determinations of significance in this  
12 case doesn't mean that the parties don't need to give  
13 their views on -- on what the potentially significant  
14 impacts are. The Board absolutely requires that.

15

16 (BRIEF PAUSE)

17

18 MR. ALAN EHRLICH: On a separate  
19 subject now, I'm no longer talking about requests for  
20 rulings or the request for ruling process. Some very  
21 useful things that you can describe if you feel like  
22 there's baseline information that you don't have this  
23 time that you need, if you want to help make it  
24 understandable -- is there a phone going off?

25 If you want to help make its relevance

1 understandable to the environmental assessment, we  
2 would encourage you to describe what the potential  
3 impacts are that you're worried about, which  
4 components of those -- of the project are likely to  
5 cause those impacts, what the interaction is. And  
6 whether or not the developer has proposed specific  
7 mitigation to deal with it.

8 All right. If the developer has  
9 proposed specific mitigation, in your opinion, is the  
10 -- is the mitigation sufficient? If not, why not? As  
11 well, if not, what other mitigation would you propose,  
12 either as part of project design, or as part of  
13 adaptive management that could be applied to make the  
14 mitigation sufficient in -- in your view?

15 So rather than just discuss what we  
16 have we have information of and what we don't have  
17 information of, we really want to push the  
18 conversation towards, what are the impacts? What can  
19 be done about it? Is what being -- is what is being  
20 done about it enough? If not, why? You know, to --  
21 to push the conversation more towards the assessment  
22 of the impacts where we can.

23 And bearing in mind that, you know, the  
24 stuff that I've said before, this is sort of a  
25 separate thing about just trying to make sure the

1 discussions here today are as productive as -- as they  
2 can be. Thank you.

3 CO-FACILITATOR BARB SWEAZEY: Barb,  
4 from Stratos. Thank you, Alan. Are there any  
5 questions on Alan's comments? Clarification required?  
6 Just -- we'll do a quick check in with folks on the  
7 phone to see whether or not there are individuals on  
8 the phone before we begin our questions.

9 So do we have anyone from Parks Canada  
10 on the line still this afternoon? No, okay. And  
11 anyone from Environment and Climate Change Canada?  
12 And Rachelle, are you still there from NRCan?

13 MS. RACHELLE BESNER (BY PHONE): Yes,  
14 I am.

15 CO-FACILITATOR BARB SWEAZEY: Okay.  
16 Great. Thank you. Is there anyone else on the phone  
17 that hasn't had a chance to introduce themselves yet?

18 MR. PIERRE OLIVIER EMOND: Hi. Good  
19 afternoon. This is Pierre Olivier Emond, from NRCan  
20 also.

21 CO-FACILITATOR BARB SWEAZEY: Can you  
22 restate your name again. We had a little trouble  
23 hearing your name.

24 MR. PIERRE OLIVIER EMOND: Pierre  
25 Olivier --



1 CO-FACILITATOR BARB SWEAZEY: Okay.

2 Thank you.

3 MR. PIERRE OLIVIER EMOND: - Emond, E-  
4 M-O-N-D.

5 CO-FACILITATOR BARB SWEAZEY: From  
6 NRCan?

7 MR. PIERRE OLIVIER EMOND: Yes.

8 CO-FACILITATOR BARB SWEAZEY: Thanks,  
9 Pierre. Okay. So at this point, I'll open up the  
10 floor for additional questions related to wildlife at  
11 this time.

12 MS. CARRIE BRENEMAN: Carrie Breneman,  
13 Dehcho First Nations. In the first round of IRs, we  
14 asked a question about an -- an alert system that CZN  
15 was -- or Canadian Zinc was proposing to warn  
16 personnel of woodland caribou and other sensitive  
17 wildlife in a local area by relating sighting  
18 information to vehicles, aircraft, and equipment  
19 operators.

20 I just wanted information on how this  
21 radio communication would work and what you consider  
22 to be wildlife prox -- like, what you consider to be  
23 proximal wildlife? Like, is it wildlife if they're  
24 on the road or the side of the road?

25 MR. DAVID HARPLEY: It's Dave Harpley.

1 I'll deal with the first part, and then I'll pass it  
2 to my colleague here for the second part. Regarding  
3 the radio system, we still need to investigate a  
4 little more exactly what the radio system's going to  
5 be in terms of the exact model and how it functions.

6 But our idea is that basically all  
7 monitors, the -- the road manager, and drivers on the  
8 road are basically all on the same radio system, so  
9 there's a -- the ability to communicate and warn  
10 drivers and other traffic of occurrence of wildlife,  
11 and proximity, and that kind of detail.

12 But the specifics on the actual system  
13 I can't tell you right now, because we haven't  
14 actually selected it. So the second part, I'll pass  
15 you next door here. So apparently we need a moment.

16 MS. KARLA LANGOIS: Sorry.

17

18 (BRIEF PAUSE)

19

20 MS. KARLA LANGOIS: Hi, I'm Karla  
21 Langois. So we have in Appendix C of -- what was our  
22 DAR addendum? In the DAR addendum, within it. In  
23 Appendix C, is an accumulation of all the mitigation  
24 that has been committed to within the DAR. And as  
25 part of that, we have some setback distances outlined

1 in -- in there.

2                   Basically, if animals are on the road  
3 or within 500 metres, then, you know, if they were  
4 reported through this reporting system, then different  
5 activities would occur, so traffic would cease at  
6 certain distances. And if wildlife were beyond a  
7 certain distances and still reported, then traffic  
8 speeds would be reduced to half, so to 30 kilometres  
9 an hour.

10                   And so Appendix C kind of outlines, I -  
11 - I guess, the threshold distances that would be  
12 reported with the system.

13                   MS. CARRIE BRENEMAN: Carrie Breneman,  
14 Dehcho First Nations. In a scenario -- sor -- sorry.  
15 And under what scenarios would traffic be halted if --  
16 if wildlife were directly on the road?

17                   MS. KARLA LANGOIS: Hi. Karla  
18 Langois. It says that traffic would stop if wildlife  
19 were on the road or observed within 500 metres of the  
20 road. Obviously, in forested areas, you won't be able  
21 to see wildlife within 500 metres, but in the  
22 mountains you would be able to.

23                   And as part as traffic stopping,  
24 there's -- there's mitigations that, you know, it  
25 won't be able to -- the traffic won't be able to start

1 again until the animal moves off -- at least a hundred  
2 metres off the road or five (5) minutes after last  
3 visual.

4 So if it's in a forested area, so five  
5 (5) minutes after last visual.

6 MS. CARRIE BRENEMAN: Carrie Breneman,  
7 Dehcho First Nation. In another IR that we had, I  
8 noted that a part of your adapted management strategy  
9 is, if noted caribou monitoring indicates a lack of  
10 success of mitigation actions, then mitigation actions  
11 will be addressed following consultation.

12 And what you consider to be a lack of  
13 success?

14

15 --- Upon recessing at 1:30 p.m.

16 --- Upon resuming at 1:35 p.m.

17

18 CO-FACILITATOR BARB SWEAZEY: Okay,  
19 Barb, from Stratos. So I'm just trying to remember  
20 where we were before we exited. Was it with -- you  
21 still have a follow-up question? Okay. Great. I  
22 wasn't sure if you had finished your question and we  
23 were waiting for the answer.

24 MS. CARRIE BRENEMAN: Do you want me  
25 to repeat?

1 CO-FACILITATOR STEFAN REINECKE: Yeah.  
2 And Stefan, from Stratos. And if -- if you would like  
3 to -- if you have a specific concern regarding the  
4 adequacy of the mitigation for wildlife detection,  
5 then that might be helpful as well for the discussion.

6 MS. CARRIE BRENEMAN: Carrie Breneman,  
7 Dehcho First Nations. First of all, I'd like to  
8 apologize if some of these -- this information was in  
9 other documents other than the Wildlife Management  
10 Plan, or you referred to Appendix C. I -- there were,  
11 like we said, wildlife information in multiple spots,  
12 so I'm just looking for clarity at this point on some  
13 of this information.

14 I noted that part of the adaptive  
15 management strategy on -- for caribou monitoring  
16 indicates that if there -- there's a lack of success  
17 of mitigation actions, then mitigation actions will be  
18 readdressed.

19 And so my first question was: What  
20 indicates a lack of success in terms of caribou  
21 mitigation measures? Like, what would be an  
22 indication to Canadian Zinc that the mitigation  
23 measures around caribou aren't working?

24 MR. DAVID HARPLEY: Dave Harpley. I  
25 would say documentation of either a collision with an

1 animal or a near miss.

2 MS. CARRIE BRENEMAN: So it would be -  
3 - if you have a single road traffic incident, that  
4 would be indicating that your mitigation measures  
5 aren't working?

6 MR. DAVID HARPLEY: Dave Harpley. No.  
7 It would trigger a review of whether it was the  
8 measures or was there something else involved that  
9 wasn't the measures, per se, but for some other reason  
10 that it occurred.

11 MS. CARRIE BRENEMAN: And in terms of  
12 looking at whether or not your mitigations are  
13 successful, you're considering -- considering things  
14 like the -- the caribou population size? Like, are  
15 you going to be doing monitoring, ongoing monitoring,  
16 around the road of looking at caribou populations and  
17 if they're changing at all over time?

18 MR. DAVID HARPLEY: Dave Harpley. I  
19 think now you're veering off into a much broader  
20 territory. I think your question's more specific to  
21 adaptive management in terms of collisions. That's  
22 what we're addressing with the questions. It's a  
23 whole different ball game if we're going into broader  
24 population-scale monitoring.

25

1 (BRIEF PAUSE)

2

3 MS. CARRIE BRENNEMAN: Carrie Breneman,  
4 Dehcho First Nations. So do you have a broader  
5 adaptive management strategy around caribou that  
6 includes things other than collisions? And if so,  
7 where would I look in the DAR to find that  
8 information?

9

10 (BRIEF PAUSE)

11

12 MR. DAVID HARPLEY: It's Dave Harpley.  
13 I'm just trying to think about what we've said about  
14 adaptive management. I'm -- the -- the first part of  
15 our monitoring -- the first step is avoidance,  
16 obviously.

17 But in terms of monitoring incidents  
18 and occurrence of animals in proximity and so on, then  
19 we've discussed in the submissions that we've made  
20 that we're going to be recording sightings both by the  
21 monitors and by the truck drivers as to where animals  
22 are, like crossing locations, for example.

23 Like, currently, I don't think we have  
24 enough knowledge where there may be specific locations  
25 for crossings. That -- that's some information that

1 might develop over time as we start to accumulate the  
2 data, and we can see that certain locations are more  
3 common for crossing than others.

4                   As far as adaptive management, I mean,  
5 we've -- we'll -- like I said, we'll -- we'll review  
6 the policies that we've enunciated already, depending  
7 on that -- what actually happens. Beyond that, I  
8 think we're getting into the details of the Wildlife  
9 Mitigation and Monitoring Plan and -- and adjustments  
10 that might be made in -- within that.

11                   MS. CARRIE BRENEMAN: Carrie Breneman,  
12 Dehcho -- Dehcho First Nation. So I'm just trying to  
13 make sure I understand this correctly. So when you're  
14 making updates to the Wildlife Mitigation and  
15 Monitoring Plan, these -- those types of details will  
16 be described in the plan? Is that what you're saying?

17                   MR. DAVID HARPLEY: Dave Harpley.  
18 Yeah, I would expect those details can be incorporated  
19 within the plan, yes.

20                   MS. CARRIE BRENEMAN: Thank you.  
21 Carrie Breneman, Dehcho First Nations.

22                   MR. CHUCK HUBERT: Chuck Hubert, with  
23 the Review Board. Just a question on bears, actually.  
24 So construction of the road, one (1) of the mitigation  
25 measures is that environmental monitors hired by Can -



1 - CanZinc will survey the road for wildlife dens.

2 Bear dens, other dens, I suppose. So that's -- that's  
3 a mitigation measure.

4 In the event that one (1) is found  
5 along the proposed routing, what is the -- CanZinc's  
6 response to that? Is -- is the road re-routed, and if  
7 so, how far away from the den?

8

9 (BRIEF PAUSE)

10

11 MS. KARLA LANGOIS: So it depends if -  
12 - sorry, Karla Langois. It depends if the bear den is  
13 active or inactive at the time when they find it. So  
14 if it's an inactive den, then construction will  
15 continue as planned. And if it's an active den, then  
16 the standard setbacks for active dens for a black  
17 bear, for example, would be met. So the timing  
18 restrictions on that -- timing and setback distances  
19 on that.

20 MR. CHUCK HUBERT: Thanks. Chuck  
21 Hubert, with the review Board. So a -- a question for  
22 GNWT, perhaps, what -- what is GNWT's recommendation  
23 if an inactive or active bear den is found along this  
24 proposed route? Does construction proceed, or -- or  
25 what -- across it, or -- or around, and what -- if so,

1 around what distance?

2 MS. ANDREA PATENAUDE: Andrea  
3 Patenaude, GNWT. A couple things on that. So -- I  
4 mean, the first thing in this situation would probably  
5 be to contact the local -- the regional office. If it  
6 is an active den, you would want to avoid it because  
7 disturbance of a den would be an offence under the  
8 Wildlife Act.

9 If it is not an active den, my  
10 understanding is that typically they -- and they're  
11 not always going back to the same place. It's more --  
12 at least for grizzly bears, it's more of a -- a  
13 preference -- their -- their habitat preferences, but  
14 they're not coming back to the same den. So if it's  
15 inactive, I would say you could proceed.

16 Having said that, though, I think the  
17 only -- there was a point that we wanted to make with  
18 regards to the bear surveys, and I don't have that off  
19 the top of my head, but we would want to make sure  
20 there was -- and it's a bit vague at this point, but  
21 there was some information given about the types of  
22 habitat that would be looked for with respect to  
23 grizzly bear dens.

24 And it was stated in response to our IR  
25 -- or a couple of IRs that the approach to monitoring

1 and mitigation for black bears would be the same as  
2 for grizzly bears, but for instance, you would be  
3 probably looking at different types of habitat and  
4 habitat features for, say, dens for black bears versus  
5 grizzly bears.

6 So I don't have that information  
7 absolutely handy, but you'd probably -- if you are  
8 going to be surveying for bear dens prior to  
9 construction opera -- activities, that you would want  
10 to be looking in both those of habitats.

11 MR. CHUCK HUBERT: Chuck Hubert,  
12 Review Board. Can you remind me if grizzly bears are  
13 considered a species at risk, either the GNWT or  
14 Federal?

15 MS. ANDREA PATENAUDE: Yes, they are.

16 MR. CHUCK HUBERT: Thanks. Chuck  
17 Hubert. Does Zinc -- Environment Canada have a role  
18 to play with -- with grizzly bears and denning habitat  
19 for species at risk?

20 MR. J.F. DUFOUR: J.F. Dufour,  
21 Environment and Climate Change Canada. Just to  
22 clarify, Andrea, I believe they're COSEWIC assessed,  
23 not listed at the moment. So there's no legal  
24 prohibitions in place with regards to that.

25 And then secondly, part of your other

1 question would be we would defer to the Government of  
2 Northwest Territories Environment and Natural  
3 Resources with regards to whether it's adequate  
4 mitigation or not, their -- their management  
5 responsibility for the species.

6 MR. CHUCK HUBERT: Thanks. It's Chuck  
7 Hubert, with the Review Board. So just to -- to  
8 CanZinc again for the surveys of denning habitat along  
9 with the proposed groups, how will those envi --  
10 environmental monitors be trained, or -- or what sort  
11 of guidance will they be given for detecting denning  
12 habitat along the route?

13

14 (BRIEF PAUSE)

15

16 MR. DAVID HARPLEY: It's Dave Harpley.  
17 We intend to employ local Aboriginals as the -- the  
18 environmental monitors. And as with any employment,  
19 we would need to review their experience and confirm  
20 that they have the necessary tools for whatever job we  
21 assign them.

22 So if they're not suitably  
23 knowledgeable regarding dens, then we'll have to make  
24 a plan to either use people that -- that do have that  
25 knowledge, or provide them that knowledge through

1 discussion with ENR, or Parks Canada, or whomever  
2 appropriate so that they're able to do that task  
3 properly.

4 MR. CHUCK HUBERT: Thanks. Chuck  
5 Hubert, again, with the Review Board. One (1)  
6 question about bears and waste management. There's a  
7 number of commitments and mitigation measures in the  
8 report prepared by CanZinc's consultant. And I just  
9 want to once again to confirm, and I know it's been  
10 said once before, but does CanZinc support or -- or  
11 plan on -- commit to adhering to the mitigation  
12 measures that were proposed in their consultant's  
13 reports?

14 MR. DAVID HARPLEY: It's Dave Harpley.  
15 I -- I remember the phrase, 'read my lips', and it's  
16 kind of appropriate here. We've -- I've said before  
17 that if it's in the consultant's report, then you can  
18 assume that it's good to go from us.

19 MR. CHUCK HUBERT: Thanks. I've never  
20 been much of a lip reader, so it's good to hear it.  
21 Just one (1) further question, will CanZinc ensure  
22 that it -- its contractors adhere to these commitments  
23 as well?

24 MR. DAVID HARPLEY: CanZinc, Dave  
25 Harpley. Yes.

1                   MR. ALAN EHRLICH:    Just as a -- a  
2   specific subset of that.  Chuck asked about  
3   contractors.  I'm wondering if subcontractors -- how  
4   CanZinc will ensure that subcontractors have things  
5   like adequate training in terms of bear/human  
6   interactions?

7                   MR. DAVID HARPLEY:   It's Dave Harpley.  
8   There's a number of plans that we've discussed, and  
9   we've already thinking when our road operation's plan  
10  and our road construction and -- and maintenance plan,  
11  I think it is.  There's -- I believe there's already  
12  some language in there regarding contractor,  
13  subcontractor, and employees, or -- or -- to ensure  
14  that they are familiar with the contents of the plan.

15                   And we'll need some sort of follow-up  
16  process.  You know, almost like a checklist to ensure  
17  that the individuals actually have read and understood  
18  it, and -- and signed off on it.  So I -- you know, I  
19  -- it probably needs some -- a little more work in  
20  terms of putting in the -- the formalities to -- to  
21  make the -- the process tight, but that's the intent.

22                   MR. CHUCK HUBERT:   Just one (1) -- one  
23  (1) question -- Chuck Hubert, with the Review Board --  
24  regarding bats.  We don't get to talk about bats a  
25  lot, so -- and -- and they were discussed in this

1 project and assessed.

2 CO-FACILITATOR BARB SWEAZEY: Just --  
3 Chuck, just -- just one (1) second for -- pardon me.  
4 It's Barb. Sorry, did you have a follow-up question,  
5 Douglas, on bat -- on bears?

6 MR. DOUGLAS TATE: Yes.

7 CO-FACILITATOR BARB SWEAZEY: Okay.

8 MR. DOUGLAS TATE: Doug Tate, Parks  
9 Canada. Sorry, just before we left bears, I wanted to  
10 say Parks Canada also had concerns about the statement  
11 that black bear effects were adequately addressed by  
12 the assessment of grizzly bears. And, as GNWT pointed  
13 out, there's a number of differences in terms of  
14 habitat, behaviour, their sensitivity to disturbance,  
15 so a species-specific assessment would be more  
16 appropriate.

17 There was a statement in the -- one (1)  
18 of the IR responses that suggested black bears have  
19 never been seen along the road alignment within  
20 Nahanni and, therefore, there will be zero effects.  
21 That assumption, I don't think, is -- is a valid  
22 approach. There are known observations along the road  
23 alignment. Much of the road is suitable for black  
24 bear habitat.

25 And we agree that bear presence is a

1 human safety issue, as is stated in the -- the  
2 response. But we would recommend sort of as opposed  
3 to just den surveys, which, in my understanding, were  
4 only going to be targeted in areas of borrow pits as  
5 opposed to the whole alignment, which I may be  
6 mistaken on, but we would like to see some sort of  
7 habitat assessment along the whole road alignment. It  
8 doesn't necessarily have to be on the ground.

9 But in terms of potential food sources  
10 and travel corridors for bears, this could help  
11 identify areas of high potential occurrence, areas  
12 where there's greater potential for conflict, and  
13 could serve to reduce impacts on bears and the  
14 potential for -- for conflicts. You know, might  
15 inform where camp placements are to avoid high -- high  
16 conflict potential areas. Thank you.

17 CO-FACILITATOR BARB SWEAZEY: CanZinc,  
18 is there a response to the intervention by Parks?

19

20 (BRIEF PAUSE)

21

22 MR. DAVID HARPLEY: It's Dave Harpley.  
23 So our approach is basically that, based on favourable  
24 habitats for both grizzly and black bear, the intent  
25 is to do the appropriate denning survey along the



1 alignment in those locations.

2 As far as human/bear interaction,  
3 that's a standard part of our response plans and --  
4 and management plans, so I -- I don't know that  
5 there's an issue here. It doesn't seem to me that  
6 we're in disagreement.

7 CO-FACILITATOR BARB SWEAZEY: Any  
8 other follow-up questions on bears?

9 MR. ALAN EHRLICH: Alan Ehrlich. I'm  
10 sorry, I'm just not completely sure that all Douglas's  
11 points there just were -- were captured. I mean, the  
12 bear/human interaction, the stuff that I was talking  
13 about was if a bear and a human happened to be in the  
14 same place, to make sure neither one of them, you  
15 know, winds up regretting it.

16 But the -- the habitat mapping that I -  
17 - I've just heard Parks Canada talk about is about  
18 things like making sure that your facilities are not  
19 in places with a high potential for the bears to be  
20 there in the first place, which is different from just  
21 making sure everyone does the right thing when they  
22 bump into each other.

23 And I -- I -- Parks Canada, do I -- do  
24 I have that right? I think you're asking something  
25 different.

1 MR. DOUGLAS TATE: Doug Tate, Parks  
2 Canada. Yes.

3 MR. DAVID HARPLEY: It's Dave Harpley.  
4 So I'm -- then I'm confused as to what facilities, per  
5 se, we're talking about, because the facilities -- I  
6 mean, we're going to building the road from one (1)  
7 end to the other, and there'll be camps. They're  
8 either in upland terrain or they're in lowland  
9 terrain.

10 And I'm not sure what else we can -- we  
11 -- we need to do at this point.

12 MR. ALAN EHRLICH: So Alan Ehrlich.  
13 Parks Canada, could you please just further elaborate  
14 on -- on what benefit you expect this bear habitat  
15 mapping to have with respect to the design assessment  
16 and operation of -- of this project.

17 MR. DOUGLAS TATE: Doug Tate, Parks  
18 Canada. Well, just if an area was identified that had  
19 a lot of high-quality bear food or is a known -- or  
20 appears to be a common travel corridor, that would not  
21 be a good place for a temporary work camp.

22 And this kind of mapping, even if was  
23 done just on a -- a, like a -- an aerial photo, or  
24 habitat suitability, or some quick surveys could --  
25 could help affirm -- inform that and avoid conflicts.

1 Is that adequate?

2 MR. ALAN EHRLICH: Well, at least --

3 Alan Ehrlich, for the Board. So my question is:

4 CanZinc, are you -- are you willing to commit to doing  
5 that?

6 MR. DAVID HARPLEY: It's Dave Harpley.

7 Seems to me we're belabouring this point. We've

8 already indicated where our -- we propose to have

9 camps. Those camps roughly at approximately kilometre  
10 20, 40, 60, and roughly 80.

11 I mean, the areas in general are pretty

12 similar within tens of kilometres from the camp

13 locations, so it doesn't seem to me to be a -- an

14 issue in terms of bear occurrence. We're going to be

15 prepared for the possibility of bear encounters

16 wherever we're conducting activities.

17 So I kind of what -- question the --

18 the usefulness of taking this a step further in terms

19 of specific habitat and food sources. The areas are

20 pretty similar, you know, within a certain proximal  
21 distance.

22

23 (BRIEF PAUSE)

24

25 MS. ALLISON STODDART: Allison

1 Stoddart, with Parks Canada. So I guess our -- our  
2 one (1) question, then, with regards to construction  
3 camps is: Has Canadian Zinc considered higher quality  
4 bear habitat, both black and -- and grizzly bear  
5 habitat, in the placement of these camps?

6

7

(BRIEF PAUSE)

8

9

MR. DAVID HARPLEY: It's Dave Harpley.

10 Well, I guess the answer is probably yes, implicit in  
11 our consideration of locations selected. Kilometre 20  
12 is in an existing disturbed area adjacent to Sundog  
13 Creek where the winter road's already developed.

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And that location, to me, at least,

from a -- you know, a terrain perspective and a  
vegetation pers -- perspective, is no different from  
10 kilometres further upstream and 20 kilometres  
downstream.

So I don't really think it matters from  
a bear habitat perspective where the camp is. It's  
more specific to -- it seems like a useful location  
that's already disturbed. Kilometre 40 is Cat Camp,  
and that's a historical road camp. There are trailers  
still there today from Cadillac.

The -- the one at sixty (60), around

1 sixty (60), is -- is in the area of Mosquito Lake, and  
2 that's the location where we propose to put the camp  
3 in a -- in a borrow source that's to be developed.  
4 And then the other one we discussed yesterday is  
5 Tetcela. Again, we're -- we're thinking of a camp  
6 location in a -- in a borrow source.

7                   So I think we're kind of getting away  
8 from what's -- you know, we're going a little too far  
9 here with this consideration of bears.

10                   CO-FACILITATOR BARB SWEAZEY:    So I'm  
11 wondering if we can move on, if there's anything else  
12 to be said on bears, or are we ready to move on to the  
13 next set of questions?

14

15                   (BRIEF PAUSE)

16

17                   MR. DOUGLAS TATE:    Doug Tate, Parks  
18 Canada. We did also have a -- an IR previously on  
19 grizzly bears. And again, it was -- the response sort  
20 of suggested that it was a -- a low density of -- of  
21 grizzly bears, and a low significance of -- of  
22 effects, whereas there was a multi-year field study  
23 specifically on grizzly bears that showed that area to  
24 be quite a high-density grizzly bear area.

25                   And it appears that the Proponent is

1 basing their assessment on non-systematic incidental  
2 reports of bears, which, in our opinion, is not as  
3 high quality information as the -- the study. So we  
4 think that the potential for impact on grizzly bears  
5 is -- is higher significance than what's stated in the  
6 assessment.

7 CO-FACILITATOR BARB SWEAZEY: Barb,  
8 from Stratos. Is there a particular question that you  
9 would like to have a response to, or is that just a  
10 comment into the conversation?

11 MR. DOUGLAS TATE: I guess in terms of  
12 a question, are -- we would like to see perhaps the  
13 assessment of potential impacts on grizzly bears  
14 reassessed, or in our opinion, should be raised to a  
15 higher level of significance than what was reflected.

16 CO-FACILITATOR BARB SWEAZEY: CanZinc,  
17 is there a response?

18 MR. DAVID HARPLEY: It's Dave Harpley.  
19 So what we said, and it was a response to information  
20 and -- and the study -- the Weaver (phonetic) study  
21 that Doug is referring to, that study indicated, as he  
22 said, high -- high incidence of bears in -- in the  
23 area. And we simply reply that our perspective  
24 doesn't jive with that conclusion.

25 I'm -- I -- I kind of doubt that Weaver

1 saw all that numbers of bears in a field study. I  
2 might be wrong, but I suspect there's some projection  
3 in there based on the results that he found. But from  
4 our perspective based on our anecdotal observations  
5 and, you know, we've had several years where the camp  
6 in Prairie Creek is open basically before breakup and  
7 -- and beyond the period when grizzlies would be  
8 denning. We just don't see that number of bears in  
9 that watershed. It's possible they may be on the  
10 adjacent watershed and we're just not seeing them, but  
11 we just don't see that -- that number of bears.

12                   So we kind of put a big question mark  
13 on the conclusion of that study. And if we go over  
14 into Sundog, on the other side of the mountains on the  
15 east side, then we see even fewer number of bears on  
16 that side. I mean, we would typically see in the  
17 order of half a dozen to a dozen bears a season in  
18 Prairie Creek. And all the studies we've done in  
19 Sundog, to -- to my memory, we've seen bears only  
20 twice.

21                   So I am not saying their study's wrong.  
22 I'm just saying from what we observe, we're -- we're  
23 not seeing comparable information. So a -- a  
24 consultant had access to both the Weaver data and also  
25 our anecdotal observations, and they made their

1 effects assessment accordingly. I -- I don't think we  
2 need to reopen that.

3 MR. CHUCK HUBERT: Chuck Hubert, from  
4 the Review Board. So, Parks Canada, is this Weaver --  
5 is the Weaver study the -- the study you were  
6 mentioning, and is that study on our record? It is?  
7 Both -- in both cases?

8 MS. ALLISON STODDART: Yes.

9 MR. CHUCK HUBERT: Thanks.

10 CO-FACILITATOR BARB SWEAZEY: Barb,  
11 from Stratos. I wonder if there are any other  
12 questions? Yes, Dave?

13 MR. DAVID HARPLEY: It's Dave Harpley.  
14 My colleague is just going to give a clarification  
15 here, which actually might throw some light on the  
16 difference between the study and our observations.

17 MS. KARLA LANGOIS: Hi. Karla  
18 Langois. So first off, the Weaver report indicates  
19 that there's a large area of high to very high  
20 predicted grizzly bear densities approximately 25  
21 kilometres from the proposed road.

22 And also I want to point out that our  
23 assessment for grizzly bears wasn't assessed as low  
24 for certain effects, such as habitat loss. They were  
25 identified as low considering the proposed road is



1 already an all-season quality, primarily in grizzly  
2 bear habitat. However, if you go down to different  
3 effects assessments, grizzly bears were assessed as  
4 moderate effects.

5 CO-FACILITATOR BARB SWEAZEY: Are  
6 there any follow-up questions?

7 MR. DOUGLAS TATE: Doug Tate, Parks  
8 Canada. But was not the overall assessment considered  
9 low?

10

11 (BRIEF PAUSE)

12

13 MS. KARLA LANGOIS: Karla Langois  
14 here. No, I don't believe it was. It -- we do say --  
15 we -- we only have overall significance determinations  
16 based on each specific effect pathway, such as habitat  
17 loss, species abundance and occurrence.

18 And we -- we don't have an overall  
19 grizzly bear once you consider the habitat loss, all  
20 that kind of stuff. The way that the -- the DAR is  
21 prepared follows the terms of reference identified in  
22 the -- or identifies the terms listed -- follows the  
23 terms of reference and basically had asked that we  
24 assess based on the various effects, each species with  
25 each individual effects.

1                   And so the way that the report is  
2 organized, each individual effect has an overall  
3 significance as habitat loss for all the species, and  
4 then abundance and occurrence for all the species, but  
5 it's not primarily specific to grizzly bears.

6

7                                   (BRIEF PAUSE)

8

9                   MR. ALAN EHRLICH:    It's Alan Ehrlich,  
10 for the Review Board. Why did you think it would be a  
11 good idea to aggregate the significance across all  
12 species?

13                   MS. KARLA LANGOIS:   Karla Langois  
14 here. Primarily because the way that the terms of  
15 reference had identified the effects they wanted us to  
16 assess, such as habitat loss, we thought it would be  
17 easier to minimize any sort of duplication considering  
18 some of the effects are similar across the different  
19 species.

20                   MR. ALAN EHRLICH:    It's Alan Ehrlich,  
21 for the Review Board. In that case, I'd request an  
22 undertaking that CanZinc would give specie-specific  
23 assessments of -- of your views on impact  
24 significance.

25

1 (BRIEF PAUSE)

2

3 MS. KARLA LANGOIS: Karla Langois  
4 here. We have identified them separately. But in the  
5 end, in the residual effects, we bring the individual  
6 effect that was, for example, maybe high effects  
7 identified within the individual effects tables into  
8 the residual effects, and we assess it there.

9 MR. ALAN EHRLICH: Alan Ehrlich. I  
10 understand. It makes it much more difficult for the  
11 Board, which has the responsibility of determining  
12 significance for a given vec (phonetic), if they are  
13 pooled in the way that you describe, which is why in,  
14 I think, every EA I can recall they've been specie-  
15 specific.

16 Can you please submit them? Or would  
17 you agree to an undertaking to -- to submit your  
18 significant determinations for each of the valued  
19 component species that you're talking about?

20

21 (BRIEF PAUSE)

22

23 MR. DAVID HARPLEY: It's Dave Harpley.  
24 Okay.

25

1 --- UNDERTAKING NO. 13: To submit significant  
2 determinations for each of  
3 the valued component  
4 species

5  
6 CO-FACILITATOR BARB SWEAZEY: Thank  
7 you. Okay, any fur -- another bear question? Okay,  
8 Parks is working on formulating one. Is there still -  
9 - are you on to bats? You're still on bears?

10 MR. CHUCK HUBERT: No, no time for  
11 bats. I'll -- I'll move on to -- to --

12 CO-FACILITATOR BARB SWEAZEY: Just  
13 hang on. They do have a bear's question.

14

15 (BRIEF PAUSE)

16

17 CO-FACILITATOR BARB SWEAZEY: Okay.  
18 So Barb, from Stratos. I'm going to open that back up  
19 to other wildlife-related questions. So let me just  
20 check and see if there are other folks.

21 GNWT, do you have any other questions  
22 on wildlife?

23 MS. ANDREA PATENAUDE: Andrea  
24 Patenaude, GNWT. Yes, I have a few questions. All  
25 right. Let's see.

1                   So, I mean, in terms of the requests  
2 from the Board, trying to follow along on this idea of  
3 examples of places where there isn't enough  
4 information to make determination of significance for  
5 species at risk, or at least that are assessed and,  
6 therefore, we're still concerned about them, I'm  
7 thinking pika, collared pika.

8                   So I do note that in a response to  
9 Parks Canada, CanZinc iterated a commitment to survey  
10 for people -- collared pika in proposed project  
11 footprints -- or proposed project footprint. And then  
12 they -- if they found them, they would employ  
13 mitigation.

14                   And I'm just curious. I'm curious  
15 about what kind of mitigation that would be.

16                   CO-FACILITATOR BARB SWEAZEY: CanZinc,  
17 do you have a response? Do you need the question  
18 restated? Would that be helpful to have the question  
19 restated, Karla, or are you okay?

20                   MR. DAVID HARPLEY: It's Dave Harpley.  
21 Just -- just let me confirm what I thought I heard,  
22 which is we survey for pika, and if we find them, what  
23 is the mitigation. Is that the question?

24                   MS. ANDREA PATENAUDE: Andrea  
25 Patenaude, GNWT. Correct.

1 (BRIEF PAUSE)

2

3 MR. DAVID HARPLEY: It's Dave Harpley.

4 Rather than have you all sit and wait here, the first  
5 thing that comes to my mind is that, from kilometre  
6 zero at the mine to kilometre 23, the -- the road's  
7 basically already built, so there's very little  
8 additional disturbance going to occur over that  
9 section.

10 For those that don't know, as far as I  
11 understand, pikas can occur in areas where there's  
12 loose talus and rocky terrain. So I believe it's  
13 potential disturbance on that terrain that might be a  
14 problem for pikas.

15 So it seems to me that if the  
16 monitoring determines that pikas are present, I mean,  
17 we want to avoid disturbing those locations or coming  
18 up with a -- and coming back to a time when they're  
19 maybe not present.

20 Then if they're still going to be  
21 present, then we're going to need to come up with some  
22 adaptive management approach which we'd need to  
23 determine with the appropriate regulatory body at the  
24 time.

25 But I -- I mean, I think this is really

1 a Parks Canada issue because territorial territory  
2 ends at kilometre 17, and that section's already  
3 built. And the -- the park boundary on the eastern  
4 side is kilometre 102, and I don't think we'll be in  
5 pika territory east of that.

6 MS. ANDREA PATENAUDE: Andrea  
7 Patenaude, Government of the Northwest Territories.  
8 Well, we do have responsibility to comment on impacts  
9 to wildlife within the Northwest Territories. You  
10 might want to talk to Parks Canada about what would  
11 have to happen with those.

12 But I guess I want to ask it also in  
13 the larger context of -- because I -- I do note in the  
14 DAR that you talk about avoidance of certain talus  
15 areas with respect to or realignment of the section  
16 between kilometre 24 and 28.5. And it's -- it's  
17 mentioned in the DAR as an area where you were  
18 avoiding talus habitat. It's mentioned in the -- in  
19 the pika section but then it goes on to talk about a  
20 couple of borrow sources where there would be likely  
21 presence, but I don't know if it's been surveyed, as  
22 well as alternative borrow sources.

23 And so to bring that up, I'm just  
24 curious about how -- like when you have a certain  
25 number of borrow sources that you decided on, and

1 twenty-five (25) additional backup ones, kind of a  
2 broader question is:

3                   How have wildlife concerns been  
4 incorporated into your decisions about which borrow  
5 sources you were use -- you used from the perspective  
6 of species that might be present there, including  
7 pika?

8                   MR. DAVID HARPLEY:   It's Dave Harpley.  
9 You're correct that there is discussion in the DAR  
10 about avoiding the talus slopes on kilometre 24 to 29.  
11 That's more from a road constructability and long-term  
12 maintenance perspective than anything else. They are  
13 unstable slopes, and the winter road through that  
14 section is in some places completely gone. It's been  
15 -- it's been obliterated with the movement of the  
16 slopes.

17                   So it was a -- more of an engineering  
18 decision to move to the southern side. As far as  
19 incorporating wildlife considerations into borrow  
20 sources, I -- I don't think we're at that stage yet.  
21 We've basically said that, you know, there are a  
22 number of potential issues regarding borrow sources.  
23 One would be permafrost for example. Another may be  
24 pikas in -- in the right location.

25                   What we've maintained is that we feel



1 we've identified a sufficient number of borrow sources  
2 and backup sources so that if we determine any  
3 particular issue at any specific borrow source, such  
4 as permafrost or pikas, we've got enough flexibility  
5 we think to -- to go to an alternative source.

6 MS. ANDREA PATENAUDE: Andrea  
7 Patenaude, Government of the Northwest Territories.

8 So just to I guess clarify then, or ask  
9 -- I mean, in terms of the commitment that you made to  
10 Parks Canada in terms of surveying collared pika  
11 within the project footprint, am I to understand that  
12 -- or borrow sources then would also be considered the  
13 footprint, as per that commitment?

14 MR. DAVID HARPLEY: Dave Harpley.  
15 That's correct, and it was a general commitment. It  
16 wasn't specific to Parks Canada.

17 CO-FACILITATOR BARB SWEAZEY: Barb,  
18 from -- from Stratos. Are there additional questions  
19 on this -- this thread from GNWT?

20 MS. ANDREA PATENAUDE: No, I can leave  
21 it there.

22 CO-FACILITATOR BARB SWEAZEY: Okay.  
23 I'll -- I'll go -- I'll come back. So, Dean, you had  
24 a question? Okay.

25 MR. DEAN HOLMAN: I -- I was just -- I

1 was interested whether Parks Canada actually has a  
2 management plan for grizzly bears in the Nahanni  
3 National Park, the knowledge that there are other  
4 national parks in the Northwest Territories that do  
5 have grizzly management plans.

6 I'd also like to bring attention to one  
7 (1) document that we were looking at here where it  
8 gives more of a collaborative approach, not  
9 necessarily all of the onus to a proponent. In this  
10 case, it -- it is Canadian Zinc and it is the Prairie  
11 Creek mine.

12 This document is called the Phase III  
13 Surface Drilling Exploration Program Technical Report  
14 that was by the Nahanni National Park Reserve, 2005,  
15 in which the recommendation -- one (1) of the  
16 recommendations is:

17 "CZN develop and implement a bear  
18 management plan with ENR and Parks  
19 Canada to enable personnel to reduce  
20 the risk of bear encounters, and to  
21 adequately respond to bear/human  
22 conflict situations."

23 So I -- I'm just trying to lend a  
24 little bit of clarification and perhaps some  
25 collaborative approaches to this. Thanks.

1 CO-FACILITATOR BARB SWEAZEY: Barb,  
2 from Stratos. Dean, just a quick question of  
3 clarification.

4 Are you looking for an answer  
5 specifically about the grizzly management plan, and if  
6 there is an existence of one? And were you directing  
7 that to Parks Can -- Canada or CanZinc?

8 MR. DEAN HOLMAN: I'm directing it to  
9 the Proponent, but I'd -- I would also say that it is  
10 directed to Parks Canada EN -- and ENR, whether they  
11 have taken any recom -- any of these recommendations  
12 in the past.

13 CO-FACILITATOR BARB SWEAZEY: Is there  
14 someone who has an answer? CanZinc...?

15 MR. DAVID HARPLEY: It's Dave Harpley.  
16 The Phase III drilling project that Dean refers to  
17 it's what now, ten (10)/eleven (11) years old, so my  
18 memory is a little fuzzy, but I -- I do seem to  
19 remember that we had some interaction with ENR,  
20 because that was before park expansion.

21 And we -- I believe we amended our  
22 emergency response plan, or one (1) of our plans and  
23 it was reviewed by the wildlife officer at Fort  
24 Simpson, I believe, and we made some adjustments.

25 Certainly I know that we have a -- an

1 existing plan at the mine site that has a whole  
2 section on bear awareness and basically how to respond  
3 and what to do at the back of it, so I think there was  
4 followup.

5 CO-FACILITATOR BARB SWEAZEY: Barb,  
6 from Stratos. Any other comments or information to  
7 share?

8 MR. DOUGLAS TATE: Doug Tate, Parks  
9 Canada. Just briefly, we do have a bear management  
10 plan for the park. It's not specific to grizzly  
11 bears. It covers both black and grizzlies. It's --  
12 it talks a lot about sort of the bear/human encounters  
13 more than -- more than habitat management. But --  
14 yeah, so that's one (1) document that is in place.

15 It's not specific to -- to this project  
16 than as Dave pointed out those projects were before  
17 park expansion.

18 MR. DEAN HOLMAN: Thank you. I -- I  
19 guess what my main concern would be is -- is  
20 definitely around the construction phase, because  
21 that's where I believe, since you're going to have,  
22 you know, permanent camps in the area, I think that  
23 most of the -- I guess the prevention measures that  
24 would be necessary would have to do with, Okay, how do  
25 you keep bears away from -- or away from the camp.

1                   And so, you know, any prevention  
2 measures during that time I think would -- would  
3 definitely help. However, after the road has been  
4 completed, I don't see grizzly bears as being as much  
5 a problem. And maybe somebody can answer that if  
6 there's historical data on that, or examples of other  
7 projects where this type of activity -- or these types  
8 of incidents may or may not have occurred.

9                   MR. DAVID HARPLEY:   It's Dave Harpley.  
10 I -- I would hope that in -- we would not have any  
11 issues with bears during construction. And -- and  
12 it's my expectation that we won't, just based on the  
13 track record we have at the mine site.

14                   You know, we're at the site basically  
15 at least every summer season operating and disposing  
16 of sewage and incinerating garbage and so on. And to  
17 date we've had no significant issues with grizzlies at  
18 all.

19                   Construction camps, I would expect to  
20 have a -- a lesser amount of activity. And provided  
21 the waste management approaches are -- are followed,  
22 which we would expect they would be, and we would  
23 certainly monitor that they are, I don't expect that  
24 we would have any issues with those either.

25                   MR. DEAN HOLMAN:   Thank you. Dean,

1 from LKFN.

2 CO-FACILITATOR BARB SWEAZEY: Barb,  
3 from Stratos. Okay. Next set of questions. I might  
4 just go around to you Parks Canada.

5 Do you have any more wildlife related  
6 questions? Okay.

7 MR. DOUGLAS TATE: Doug Tate, Parks  
8 Canada. We did have one (1) IR previously that was  
9 related to the geographic scope of the assessments and  
10 also the use of local population information in  
11 assessments. And I think this relates to the recent  
12 undertaking, if that's the right word, with regards to  
13 providing assessments on a species basis.

14 The DAR addendum stated that the focus  
15 of the assessment is biological status of a species at  
16 a territorial level, whereas the terms of reference  
17 for the project assessment indicated geographic scope  
18 should be potential impacts at a local population  
19 level. Local population effects are important and  
20 could be significant long before detection at a  
21 territorial level.

22 So our request was to provide  
23 assessments at a local population level and clarify  
24 how local population information was used.

25 In some of the previous responses there

1 it sounded like there really was not a lot of local  
2 population, that it was just based on -- yeah, I have  
3 to have preferences and other things from -- from  
4 literature. Just one (1) second.

5                   Yeah, so in -- in general, the -- yeah,  
6 the -- sorry. So the response to IRR -- IR, again,  
7 stated that it was focussed on species with  
8 territorial conservation status. So this response  
9 really did not address the point of the IR in terms of  
10 the geographic scope.

11                   So I would just like to reiterate the  
12 need for local baseline information which could assist  
13 in developing mitigations and adaptive management.

14                   CO-FACILITATOR BARB SWEAZEY: CanZinc,  
15 is there a response to this statement?

16                   MS. KARLA LANGOIS: Hi. It's Karla  
17 Langois. Can you just direct me to what IR number  
18 that was quickly, please?

19                   MR. DOUGLAS TATE: Doug Tate, Parks  
20 Canada. IR-31.

21

22                   (BRIEF PAUSE)

23

24                   MS. KARLA LANGOIS: Thanks. Karla  
25 Langois here. Okay, so we -- the -- in the IR

1 response we -- we acknowledged that the sentence that  
2 you're referring to, that we assess the species at a  
3 territorial level, we acknowledge that the sentence is  
4 -- could possibly be worded better. And we provided  
5 better wording to include:

6 "The focus of this assessment is  
7 species with special territorial  
8 conservation status."

9 And so it wasn't that we assessed  
10 species at a territorial spacial scale. We are just  
11 acknowledging that we took species listed under the  
12 Territorial Species Act as being important within our  
13 assessment.

14 When we had said, "at a territorial  
15 level," we didn't mean a spacial scale, more of the  
16 status of species.

17 MR. DOUGLAS TATE: Doug Tate, Parks  
18 Canada. So, yeah, I guess the question is then: Was  
19 local population information used or were the  
20 assessments at a local population level?

21 MS. KARLA LANGOIS: Karla Langois.  
22 Yes, for the ama -- for the information that we had  
23 for local information, it was included in the  
24 assessment.

25 MR. DOUGLAS TATE: Doug Tate, Parks



1 Canada. I guess I was just curious, like, what --  
2 other than grizzly bears and mountain caribou, was  
3 there local population information on any -- any  
4 species? I just wasn't clear what species it was  
5 available for.

6

7 (BRIEF PAUSE)

8

9 MS. KARLA LANGOIS: Karla Langois  
10 here. So that statement was in more of the  
11 introductory statements. Local -- local information  
12 was -- I don't remember exactly which species local  
13 information was used before, but we used information  
14 from local observations and historical information  
15 kind of stuff, as well as habitat suitability type  
16 information.

17 Sorry, and obviously the -- the caribou  
18 work that had been done, the Dall Sheep done and moose  
19 work that has been done back in 2000 -- or sorry,  
20 1981. And, also, Golder's originally -- original  
21 surveys from 2010/2009 also reported moose and Dall  
22 Sheep incidentally with their caribou surveys.

23 CO-FACILITATOR STEFAN REINECKE: Parks  
24 -- oh, Stefan Reinecke, from Stratos -- do you have  
25 additional questions regarding the Proponent's

1 response? And can you -- if you do, can you speak  
2 specifically to any concerns about the assessment of  
3 impacts given their approach?

4 MR. DOUGLAS TATE: Doug Tate, Parks  
5 Canada. There's -- well, there's a couple of things.  
6 We did have an IR that was done I guess on the  
7 northern mountain caribou, and also on the assessment.  
8 If your question was specifically about the assessment  
9 methodology, I think the one (1) point there -- let me  
10 just get down to that.

11 With regards to providing the  
12 assessments at a local scale, when I reviewed the IR  
13 response, because there was a similar IR from Parks  
14 Canada and from the Review Board about the -- the  
15 methodology, it appeared that significance of effect  
16 would be limited to moderate or less if the impact was  
17 of low geographic extent, whereas the terms of  
18 reference specifically requests assessments at a local  
19 population level. So that seemed contradictory.

20 Did I explain that well?

21 CO-FACILITATOR BARB SWEAZEY: Barb,  
22 from Stratos. Thank you. So I -- I suspect you still  
23 have a couple more questions on wildlife, GNWT as  
24 well. People on the phone, are there any questions on  
25 wildlife? NRCan...? Dehcho, do you have any more

1 wildlife --

2 MR. PIERRE OLIVIER EMOND: No  
3 question, thank you.

4 CO-FACILITATOR BARB SWEAZEY: --  
5 questions? No? Okay. So, GNWT, can we go back to  
6 you for another set of questions, and then we'll come  
7 back to Parks Canada.

8 MS. ANDREA PATENAUDE: Andrea  
9 Patenaude, GNWT. So you showed us today -- it happens  
10 to be right up there -- the new realignment that  
11 you're preferring at this point between the Silent  
12 Hills and Grainger grab -- gap.

13 What I'm -- what our question is,  
14 basically for the southern portion of that  
15 realignment, it brings the road quite a bit closer to  
16 the western edge of the range.

17 And so I think just in a general sense,  
18 how might this realignment change the impact  
19 assessment predictions from the perspective of a  
20 mountain goat and Dall sheep, given that now  
21 disturbances would be closer to suitable habitat and  
22 that there might be greater access into that point,  
23 into that part of their range?

24 We do have records of Dall sheep  
25 sightings within a couple of kilometres at least of

1 the -- the realignment of the southern part because I  
2 guess that part was still kind of out. So if you  
3 could elaborate, that'd be great.

4 MR. DAVID HARPLEY: It's Dave Harpley.  
5 Actually, I think the potential for impacts is  
6 actually less with the realignment because Dall sheep  
7 are on record, as far as I know, in the upland  
8 sections of that mountain range. But we're pretty  
9 much sticking to the lowlands.

10 And in fact, the -- the original red  
11 route on the west side of the gap was proposing to  
12 cross the river and gain elevation onto one of the  
13 upland areas, which, to my mind, would put it more at  
14 risk of getting into "prime" Dall sheep territory. So  
15 we're avoiding that now. We're actually going north  
16 and staying more at a lower elevation. So I think  
17 it's actually better from that perspective.

18 I'm not sure about mountain goats, to  
19 be honest. We've -- to my knowledge, I don't -- I'm  
20 not aware of any reported sightings of mountain goats  
21 in this particular area.

22 CO-FACILITATOR BARB SWEAZEY: Barb,  
23 from Stratos. GNWT, do you have an additional  
24 question on this?

25 MS. ANDREA PATENAUDE: On this topic,

1 no. That was --

2 CO-FACILITATOR BARB SWEAZEY: Okay.

3 Do you want to do one (1) more, and then we'll go to  
4 Parks Canada?

5 MS. ANDREA PATENAUDE: Yes. That  
6 would be great. Andrea Patenaude, Government of the  
7 Northwest Territories.

8 This is a question related to -- it's a  
9 -- it's a mitigation question related to access issues  
10 for boreal caribou, for anything else really that  
11 people would be looking to get access to.

12 GNWT has identified, based on the  
13 Environment Canada and Climate Change linear  
14 disturbance database and the Dehcho land use planning  
15 feature -- or linear features information, at least  
16 six (6) locations where there are visible linear  
17 features that intersect with the road alignment.

18 And so we're just wondering if to deter  
19 use of the road to get into those -- and -- and we  
20 under -- we already understand there are probably a  
21 number of circumstantial and logistical determines for  
22 access into those areas but I still think when people  
23 are motivated they're motivated.

24 To deter use of the road to get into  
25 areas accessible by these lines and understanding that

1 there may already be some regrowth of some of these  
2 lines that we see, would Canadian Zinc be willing to  
3 place wind rows or piles of cut lumber resulting from  
4 clearing for the right-of-way at intersections with  
5 linear features to deter human access, line sights,  
6 and predator travel?

7 MR. DAVID HARPLEY: It's Dave Harpley.  
8 The first thing I would say about access control is,  
9 as you probably gathered from the discussion  
10 yesterday, we're concerned about all types of access.  
11 And -- and we've been trying to develop the approach  
12 to -- to minimize that.

13 The second part regarding the wind  
14 rows, that doesn't seem to me to be an onerous  
15 commitment, and kind of an easy and sensible thing to  
16 do so I've got no problem with that.

17 CO-FACILITATOR BARB SWEAZEY: Barb,  
18 from Stratos. Thank you. So and perhaps we can get -  
19 - would either GNWT or CanZinc, can you just  
20 articulate what that commitment might be so that we  
21 can make sure we capture it?

22

23 (BRIEF PAUSE)

24

25 CO-FACILITATOR BARB SWEAZEY: Andrea,

1 do you -- you think you've got it? Okay. Maybe we'll  
2 just check it with both of you afterwards? Okay.

3

4 --- COMMITMENT NO. 6: CanZinc commits to place  
5 wind rows or piles of cut  
6 lumber resulting from  
7 clearing for the right-of-  
8 way at intersections with  
9 linear features to deter  
10 human access, line sights,  
11 and predator travel

12

13 CO-FACILITATOR BARB SWEAZEY: Parks  
14 Canada, back to you for additional questions.

15 MR. DOUGLAS TATE: Doug Tate, Parks  
16 Canada. So caribou has already been mentioned by  
17 Dehcho First Nations, and -- and others. We did have  
18 an Information Request regarding too the northern  
19 mountain caribou, new information that had come out  
20 since the original DAR, and the -- so the -- this  
21 information was provided and put on the public  
22 registry.

23 And I guess perhaps it's a difference  
24 of opinion in terms of the significance, the IR -- the  
25 IR response still said they considered use to be

1 infrequent and -- and not having a significant impact  
2 on caribou.

3                   However, in our opinion some of the  
4 collar data has shown a very -- fairly small but to us  
5 significant population of caribou that seem to reside  
6 year round in the vicinity of the project area; some  
7 in the Sundog Lake, which is just north of the -- of  
8 the road area, and some in the Prairie Creek and --  
9 and Fast Creek valleys.

10                   The collared animals are a very small  
11 proportion of the population but of those three (3) of  
12 eighteen (18), which is about 17 percent, have already  
13 been shown to cross the road alignment with a few  
14 months of -- of data there. So I guess, in our  
15 opinion, it is a significant -- a significant use of  
16 the area, and has shown to be year round.

17                   So similar to what Dehcho First Nations  
18 have asked earlier, I guess we're -- we'd like to know  
19 what additional monitoring for caribou may happen.  
20 The draft wildlife plan makes reference to passive  
21 reporting of incidental observations, just like what's  
22 seen by drivers on the road, but no systematic  
23 monitoring.

24                   In our opinion, the adaptive management  
25 requires monitoring feedback and options for



1 management strategies. We support adaptive management  
2 approach, and would like to see monitoring plans for  
3 caribou perhaps as part of the larger wildlife plan  
4 but beyond just reporting incidental observations.

5

6 (BRIEF PAUSE)

7

8 MR. DAVID HARPLEY: It's Dave Harpley.

9 I guess regarding the recent collar data, maybe as  
10 Doug says, we're going to have to agree to disagree,  
11 but to -- to our way of thinking, the collar data  
12 really validates what we believe to be the case, which  
13 is we know that there are caribou in the region.

14 We've seen them in numbers some  
15 distance to the north of the -- the road alignment.  
16 We know that periodically, one (1) or two (2) animals  
17 stray to the south and actually cross the road.

18 But in terms of the significant  
19 numbers, is it a significant population? No, I don't  
20 think we would conclude that. And -- and we gave some  
21 information to -- to indicate why we thought that was  
22 the case.

23 For example, a couple years ago when we  
24 were doing road studies in September over a period of  
25 twelve (12) days with multiple crews all along the

1 road, we had one (1) sighting of three (3) caribou in  
2 the whole period. So we're not talking about a huge  
3 number of animals here.

4 So I think our -- our approach to --  
5 for -- for mitigation is -- is sound. I don't think  
6 we're expecting a significant impact, and I think what  
7 we've proposed as far as monitoring and adaptive  
8 management is appropriate for what we're seeing out  
9 there.

10 CO-FACILITATOR BARB SWEAZEY: Parks  
11 Canada, any further response on this?

12 MR. DOUGLAS TATE: Doug Tate, Parks  
13 Canada. I guess just in our opinion, monitoring of  
14 impacts goes beyond just reporting incidental  
15 observations. You kind of need more data in terms of,  
16 like, if caribou are avoiding the road, that's not  
17 really going to be picked up by reporting observations  
18 if they're avoiding it right from the time of  
19 construction.

20 So I guess in -- in our opinion,  
21 adaptive management framework requires a -- a better -  
22 - more comprehensive monitoring, I suppose.

23 CO-FACILITATOR BARB SWEAZEY: Thank  
24 you. Are there additional wildlife questions that you  
25 have? One (1) more? Okay. Would you like to go

1 ahead and ask that?

2 MR. DOUGLAS TATE: Doug Tate, Parks  
3 Canada. This was -- a -- a number of our Information  
4 Requests in the last round related in part to  
5 potential impacts to wetland-dependent wildlife or  
6 wildlife habitat from impacts to drainage patterns.

7 Several of the responses referred to  
8 commitments to maintain natural drainage through  
9 culvert sizing and placement and thereby an assumption  
10 that there will be no impacts to wildlife or wildlife  
11 habitat. The commitments are appreciated.

12 It's good to know. However, it's not a  
13 given that culverts will mean no change to natural  
14 drainage. It -- they can have effects in terms of  
15 water quality or temperature, et cetera, velocity of  
16 flow, things like that.

17 Also, research on the existing old  
18 three (3) year old winter road alignment as referred  
19 to earlier has shown that there are changes to  
20 moisture regimes and permafrost groundwater relative  
21 to the uncleared areas nearby.

22 And an all-season road may have greater  
23 impacts in that way, so there is potential for change.  
24 So this relates to some of our previous monitoring  
25 discussion that some key wetland species, such as the

1 yellow rail, rusty blackbird, which are species at  
2 risk, can likely be captured in a common monitoring  
3 program.

4 In terms of -- there was a commitment  
5 to monitor drainage. So with regards to that, I guess  
6 Parks Canada would like to see some details of what  
7 the monitoring would be for management and maintenance  
8 of natural drainage patterns.

9 Like, for example, the timing and  
10 location of inspections, methods, reporting  
11 requirements, and what adaptive management approaches  
12 might be taken if things are -- are found to be of  
13 concern.

14 MR. DAVID HARPLEY: It's Dave Harpley.  
15 I -- I believe we made some comments on inspection  
16 frequency and protocols in our IR responses. Beyond  
17 that, getting into more detail on the specifics of  
18 certain locations and culverts, I think that's kind of  
19 a detail. That can wait until the permitting phase.

20 I will say that also regarding the  
21 references made to the old winter road and changes of  
22 drainage associated with that, I think it's fair to  
23 say that when Cadillac put in that winter road, they  
24 weren't terribly concerned about drainage control.

25 Certainly, the -- the road section in

1 the vicinity of the mine site, for example, they --  
2 they didn't armour the road. And when we had floods  
3 in 2005, and '06, and '07, we had quite a bit of  
4 erosion on the road because of that, and -- and that's  
5 why we had to -- to repair.

6                   So I -- I -- just if we're going to  
7 compare the all-season road to the old winter road,  
8 it's going to be very different, because obviously,  
9 we're going to pay much more attention to drainage  
10 control and proper management for -- for this road  
11 we're proposing now.

12                   CO-FACILITATOR BARB SWEAZEY: Barb,  
13 from Stratos. I wondered whether or not if I could  
14 just ask Parks Canada the suggestion by Dave, that  
15 that information come at the time of the permitting  
16 phrase, does that allow you to have information you  
17 need with regard to significance?

18                   MR. DOUGLAS TATE: Yeah, if there's a  
19 commitment to the monitoring program, that's -- that's  
20 fine. Thank you.

21                   CO-FACILITATOR BARB SWEAZEY: Sorry,  
22 did you say if there is a commitment to the monitoring  
23 program, or as is?

24                   MS. ALLISON STODDART: Yeah, so,  
25 essentially, we're -- we're okay with that being done

1 in the regulatory phase, but as long as, you know,  
2 there -- there is a commitment that -- that there will  
3 be monitoring of the natural drainage. I mean,  
4 there's a commitment to maintain natural drainage, but  
5 we want that to be properly monitored.

6 CO-FACILITATOR BARB SWEAZEY: Barb,  
7 from Stratos. So is that a -- is that a request for a  
8 commitment that is beyond what has already been  
9 committed to, or is it included in the existing  
10 documentation that you have?

11 MS. ALLISON STODDART: No, it -- it's  
12 a -- it's a request, yeah.

13

14 (BRIEF PAUSE)

15

16 CO-FACILITATOR BARB SWEAZEY: Barb,  
17 from Stratos. So can -- could perhaps you or CanZinc  
18 just phrase that -- that request for the commitment,  
19 please, so that we make sure that we've got it, or do  
20 you have it?

21

22 --- COMMITMENT NO. 7: To provide details of  
23 monitoring plans for  
24 management and maintenance  
25 of nature drainage

1 patterns

2

3 MR. BRETT WHEELER: No, I don't have it  
4 under -- I mean, we've got to get the commitment.

5 CO-FACILITATOR BARB SWEAZEY: From  
6 CanZinc.

7 MS. ALLISON STODDART: Sure. So from  
8 our perspective -- sorry, Allison Stoddart, with Parks  
9 Canada.

10 So Parks Canada would like to see  
11 details of monitoring plans for management and  
12 maintenance of nature drainage patterns, so, for  
13 example, timing and locations of inspections, methods,  
14 reporting requirements, and adaptive management to  
15 address drainage issues.

16 So that's -- we would like a commitment  
17 from CanZinc that they will provide that as -- as a  
18 monitoring program if that has to happen in the -- we  
19 want a commitment that they will do that, yes.

20 CO-FACILITATOR BARB SWEAZEY: CanZinc,  
21 a response to that request for a commitment?

22 MR. DAVID HARPLEY: It's Dave Harpley.  
23 Just to follow the -- the train appropriately, as far  
24 as I understand, in the first aspect, during detailed  
25 design, the intent would be to assess drainage

1 patterns and specifically to put in water management  
2 features that maintain the current situation as much  
3 as possible.

4                   Thereafter, there'll be regular  
5 inspection of bridges and culverts and all sections of  
6 the road for drainage to ensure basically that that  
7 assessment was accurate. And if we find the location  
8 where clearly it wasn't accurate, then there'll be a  
9 response in terms of installation of additional  
10 culvert or whatever the measure is deemed to be most  
11 appropriate.

12                   CO-FACILITATOR BARB SWEAZEY:     Parks  
13 Canada...?

14                   MS. ALLISON STODDART:     Allison  
15 Stoddart, with Parks Canada. So obviously, they're --  
16 they're committing to -- to monitoring. So if that  
17 can just be part of a monitoring plan, that would be  
18 great. Thanks.

19                   CO-FACILITATOR BARB SWEAZEY:  
20 CanZinc...?

21                   MR. DAVID HARPLEY:     Dave Harpley. I  
22 mean, that's basically a commitment that that's --  
23 we're going to do that. All I'm saying is, the  
24 specifics of it, I think, can wait until the  
25 permitting phase.



1 CO-FACILITATOR STEFAN REINECKE: Okay.  
2 So -- Stefan Reinecke, with Stratos. So currently, my  
3 understanding is we'd -- there's no need for a  
4 commitment.

5 CO-FACILITATOR BARB SWEAZEY: Oh, I  
6 think there is. That was a commitment.

7 CO-FACILITATOR STEFAN REINECKE: Okay.  
8 Sure. Sure.

9 MR. ALAN EHRLICH: It's Alan Ehrlich,  
10 from the Review Board. I -- I heard a commitment, and  
11 I think the Company agreed to a commitment. I think  
12 that it's probably going to be quite beneficial to  
13 have the Developer, Parks Canada, and -- and you meet  
14 during the break just to go over the wording to make  
15 sure there's something that's mutually acceptable.

16 CO-FACILITATOR BARB SWEAZEY: Barb,  
17 from Stratos. It's another cosy meeting. I couldn't  
18 resist. Okay. So you guys are finished with wildlife  
19 questions.

20 Andrea, from GNWT, do you have any  
21 other wildlife questions? Oh, sorry, a follow-up  
22 question. Pardon me.

23 MS. SACHI DE SOUZA: Sachi, with the  
24 Review Board. Parks Canada, you just described the  
25 importance of maintaining drainage, natural drainage,

1 during operations. I'm wondering about the importance  
2 of that for after closure.

3 Is it important the drainage is  
4 returned a certain way after closure? And how  
5 specifically would you be looking to have that  
6 demonstrated at closure?

7

8 (BRIEF PAUSE)

9

10 MR. DOUGLAS TATE: Doug Tate, Parks  
11 Canada. Yes, we would like to see the drainage  
12 maintained post-closure, but I'm not sure if that was  
13 covered in any of the reclama -- reclamation  
14 discussions earlier or -- or to come.

15 MS. SACHI DE SOUZA: So -- it's Sachi  
16 again, with the Review Board.

17 Parks Canada, if we could maybe give  
18 you an undertaking to describe what you would like to  
19 see, what's important to you with respect to natural  
20 drainages after closure, why it's important, and how  
21 you think it could be demonstrated that closure is  
22 successful with respect to returning natural  
23 drainages.

24 Would you accept that?

25 MR. DOUGLAS TATE: Doug Tate, Parks

1 Canada. Yes, we can do that.

2

3 --- UNDERTAKING NO. 14: Parks Canada to describe  
4 why natural drainages are  
5 important, and how they  
6 think it could be  
7 demonstrated that closure  
8 is successful with respect  
9 to returning natural  
10 drainages

11

12 CO-FACILITATOR BARB SWEAZEY: Okay.

13 Barb, from Stratos. It's about five (5) to 3:00, so  
14 let's -- we'll try and wrap up the wildlife questions  
15 fairly shortly, and then we'll break to get started on  
16 the first part of the project description.

17 So, Andrea, I'll turn it back to you.

18 MS. ANDREA PATENAUDE: Andrea

19 Patenaude, GNWT. I just have one (1) more question.

20 So we did provide an Information  
21 Request on western toad. And in the response we got  
22 some good information, and we appreciate that CZN  
23 outlined kind of how the project could interact if it  
24 is present.

25 But a couple of things from that is

1 that -- I mean, we indicate that there is a potential  
2 for interaction to occur during a fall migration  
3 period, and that this is a threatened species for  
4 which being -- or highway collisions -- collisions are  
5 a major threat.

6                   And it's true, we don't have a lot of  
7 information in that area of the Dehcho for this  
8 species. So we note that CZN states that they would  
9 consider collaborating with GNWT on a fall migration  
10 mortality survey along the access road once it's  
11 built.

12                   And so given that this is a species at  
13 risk, it seems to make more sense to colla -- to  
14 collaborate on a pre-construction serveway -- survey  
15 to determine if they are present in the area, maybe  
16 within about a kilometre or kilo -- I think 1.2  
17 kilometres was a -- a dispersal distance that they  
18 were talking about.

19                   And so we're just wondering, could any  
20 surveys along the existing access road to Nahanni  
21 Butte be completed in advance of construction to give  
22 us a sense of whether further surveys would be  
23 required for unclear portions of the proposed access  
24 road?

25                   MR. DAVID HARPLEY: It's Dave Harpley.

1 So the question is: Would we con -- consider surveys  
2 along the existing Nahanni Butte access road? Is that  
3 correct?

4 MS. ANDREA PATENAUDE: That -- well,  
5 there's that portion of the road that's already there.  
6 I don't know if you've looked in that area or if there  
7 are -- yeah, just before the -- just before the barge.  
8 I'm sorry, I don't know what you call the road through  
9 there.

10 MR. DAVID HARPLEY: Dave Harpley. So  
11 -- so you're referring to the portion of road we  
12 propose to build from the Nahanni Butte access road to  
13 the river crossing?

14 MS. ANDREA PATENAUDE: Andrea  
15 Patenaude, GNWT. Yes.

16 MR. DAVID HARPLEY: And -- and would  
17 we consider surveys along it either -- either before  
18 or during construction?

19 MS. ANDREA PATENAUDE: Yes.  
20 Preferably before but, yes. Or -- oh, yes.

21 MR. DAVID HARPLEY: So Dave Harpley.  
22 I'm wondering about access in the fall when nothing is  
23 built. I -- I assume it's probably possible. But I -  
24 - I think we could probably come up with something  
25 that would be -- be suitable given that, as I

1 mentioned, we -- we are going to have local  
2 environmental monitors, and I would think that that  
3 would probably be an exercise that could be relatively  
4 easily conducted.

5 MS. ANDREA PATENAUDE: Andrea  
6 Patenaude, GNWT. Okay. That would be great. I think  
7 we're thinking more like perhaps a spring or -- or  
8 summer survey like because they're not a -- they're a  
9 non-calling population in some of the -- the close  
10 wetlands. But, okay, yeah, that would I think be  
11 preferable at this point, just to get a sense of  
12 whether that is going to be an issue later on. It --  
13 provide some of that baseline information that we're  
14 talking about, I think. Thank you.

15 CO-FACILITATOR STEFAN REINECKE:  
16 Stefan Reinecke, with Stratos. So we'll be noting  
17 that as a commitment, and just to clarify the timing  
18 of that pre -- pre-disturbance versus permitting phase  
19 versus EA? I heard pre-disturbance but I just wanted  
20 to clarify with GNWT.

21

22 --- COMMITMENT NO. 8: To conduct surveys along  
23 the existing access road  
24 to Nahanni Butte be  
25 completed in advance of

1 construction re western  
2 toad

3

4 MS. ANDREA PATENAUDE: I'm a little  
5 foggy on the actual schedule, please -- Andrea, GNWT.

6 MR. DAVID HARPLEY: Yes. Dave  
7 Harpley. So I said either before or during  
8 construction, and you said okay but preferably before,  
9 I think was your answer, and -- and during the  
10 summertime.

11 The reason I'm kind of vacillating a  
12 little bit is I'm -- I'm just thinking about access.  
13 I mean, the road is going to be cleared in winter, and  
14 then pretty soon after that there's going to be  
15 subgrade being placed. And so I would imagine the  
16 following summer, and it should be feasible to do a  
17 survey along the section of that road which will  
18 likely already then have a subgrade along it. So I  
19 think that should allow access, and a survey to be  
20 completed then.

21 MS. ANDREA PATENAUDE: Andrea  
22 Patenaude, GNWT. That -- that would be appropriate.

23 CO-FACILITATOR BARB SWEAZEY: Barb,  
24 from Stratos. Andrea, do you have any other wildlife  
25 questions, or is that it?

1 MS. ANDREA PATENAUDE: Andrea  
2 Patenaude, GNWT. No more wildlife questions.

3 CO-FACILITATOR BARB SWEAZEY: Thank  
4 you. I believe there's just a couple questions from  
5 the Review Board on wildlife.

6 MR. ALAN EHRLICH: Thanks. Alan  
7 Ehrlich, for the Review Board. I've got a few  
8 questions about some of the things that I've heard.

9 One of them is, if I understand  
10 correctly, CanZinc is relying partly on driver  
11 observation on the road to decide when wildlife is  
12 close enough to stop road use.

13 Is that correct?

14 MR. DAVID HARPLEY: That's partially  
15 correct. We've also got specific environmental  
16 monitors on -- on the road for that purpose, and also  
17 our maintenance crews. So it would be kind of a  
18 collaborative effort.

19 MR. ALAN EHRLICH: Alan Ehrlich, the  
20 Review Board. So you're likely familiar with the  
21 Board's recent environmental assessment of the Jay  
22 project at the Ekati mine.

23 One of the subjects of some discussion  
24 there was they had proposed driver observation as one  
25 of the ways to decide when caribou are close enough to



1 the road to shut things down. And as you may be  
2 familiar with, some concerns that came up include the  
3 difficulty of spotting naturally camouflaged wildlife  
4 at night, right. This is not -- not even in a  
5 forested area much less in a mountainous area where  
6 wildlife may be upslope or downslope.

7                   And, you know, if you're saying you'll  
8 shut down the road if wildlife are within 500 metres,  
9 well, the possibility -- and remember it's night for  
10 months -- well, it's dark for -- primarily dark for a  
11 very long time in this area, I -- I was just -- one of  
12 the Board's things that came out of that EA were  
13 suggestions about using other additional technologies  
14 to try to figure out when caribou were -- were in the  
15 area. Now, that was mostly about caribou.

16                   In this case, you have a variety of  
17 different species that move in different places at  
18 different times. I was just -- I was wondering if  
19 you'd -- you'd care to comment on that?

20

21                   (BRIEF PAUSE)

22

23                   MR. DAVID HARPLEY: It's Dave Harpley.  
24 To be honest, I don't think we've given this an awful  
25 lot of thought. But I also kind of think that during

1 the winter period the amount of wildlife in the area  
2 we wouldn't expect to be significant, and then -- but  
3 probably more so in summertime. Then we have the  
4 opposite in terms of daylight and -- and nighttime.

5 MR. ALAN EHRLICH: Alan Ehrlich, with  
6 the Review Board. Thanks for that.

7 The Board particularly focussed on  
8 September, October, and early November as times when  
9 wildlife is active, day lengths are very short and  
10 sometimes driving conditions are -- are tricky, but  
11 it's just something I wanted to -- to raise out there.  
12 But I think you've -- you've responded okay.

13 One (1) of the things to think about in  
14 this area is -- is not just -- you mentioned earlier  
15 today that there was talk about Dall Sheep and you  
16 indicated that you didn't believe Dall Sheep were on  
17 the road so disturbances to Dall Sheep weren't as big  
18 a deal. I'm paraphrasing.

19 In the Jay report of EA considerable  
20 thought was given to sensory disturbances on wildlife  
21 and the fact that they can extend far beyond the  
22 project footprint, specifically wildlife that has  
23 better hearing than humans, responses to smells,  
24 responses to dust, responses to instantaneous pressure  
25 waves from explosions, and there was a lot of

1 consideration.

2                   And one (1) of the things that you've  
3 provided is a Golder report from the -- from the Jay  
4 Project. That Golder report concluded that dust  
5 wouldn't be a problem, and you've agreed. But if you  
6 read the Board's report of EA, the Board dis -- the  
7 Board did not accept Golder's conclusion and found a  
8 significant adverse impact related to dust from the  
9 project.

10                   I know it's a different project. But  
11 my point here is, just like we did during the fire  
12 alarm, there are reasons why we avoided this area  
13 when, you know, a certain sound has happened.  
14 Wildlife can be more sensitive to this. I'd like to  
15 know what kind of distances you assumed for wildlife  
16 avoidance in terms of sound, what kind of sight lines,  
17 how you -- you compensated for that beyond just human  
18 senses. Thanks.

19

20                   (BRIEF PAUSE)

21

22                   MR. RICK HOOS: Rick Hoos here, on  
23 behalf of Canadian Zinc. Alan, as -- as you're aware,  
24 we prepared a more detailed response specifically  
25 related to noise issues in response to Information

1 Request 32 and 33.

2                   And in there, we -- we covered what we  
3 considered to perhaps be some worst-case conditions.  
4 In -- in deriving those worst-case conditions we were  
5 drawing on knowledge and understanding gained from --  
6 from assessments conducted at Snap Lake and Gahcho  
7 Kue, I believe -- no, no, Snap Lake, and -- and Ekati,  
8 as well.

9                   But the -- but the conditions there are  
10 generally more barren -- barren land conditions, as --  
11 as -- in other words, not as many trees as we would  
12 typically experience in connection with this road  
13 project.

14                   And the -- the worst-case type  
15 construction noise predictions that they were making  
16 were that noise levels would be at -- at less than 40  
17 DBA, which is basically almost natural background  
18 within a distance of about a kilometre and a half from  
19 the site for most noises generated by activities.

20                   And we, essentially, accepted that kind  
21 of a prediction. And we also did note, however, that,  
22 you know, Golder, for instance, in 2010, they had  
23 predicted that the typical levels of noise generated  
24 by a truck might hit the 35 DB level within about a  
25 half a kilometre distance of the road.

1                   So in general, I guess we were saying  
2   that for most sounds generated by the activities, they  
3   would be reaching background levels between about a  
4   half a kilometre to a kilometre and a half distance  
5   away from -- from the activity.

6                   And we would surmise that if that was  
7   the case, that wildlife beyond those distance would,  
8   in most cases, probably not hear the act -- hear the  
9   noises. The question is, if they were closer than  
10   that would they avoid -- would they move away from  
11   those sounds? That's not something we specifically  
12   address, but we certainly have -- we know of many,  
13   many circumstances where -- where wildlife are in very  
14   close proximity to significant volumes of road traffic  
15   occurring within 50 -- 50 metres of the road right-of-  
16   way.

17                  You can -- you can relate that to any  
18   number of existing highways in southern Canada for,  
19   you know, elk, and deer, and things, and other  
20   animals. The reality is that we know of many  
21   circumstances where the wildlife they either habituate  
22   to the sound or they don't care about the sound, but  
23   they don't necessarily react negatively to the kind of  
24   sounds generated by these kinds of activities.

25                  MR. ALAN EHRLICH:   Thanks.   Alan

1 EHRLICH, from the Review Board. And as we heard you  
2 point out earlier, adaptive management is an approach  
3 that you're planning to use if there's disturbance of  
4 wildlife from the project.

5                   So picking up a bit on -- on what -- on  
6 what LKDFN was mentioning before -- LKDFN? No, sorry,  
7 it was Dehcho First Nations, I'm sorry. I've -- I've  
8 got the wrong mental gear on here. They asked about  
9 your plan for detecting changes so that you know when  
10 you want to adapt and you pointed out if there's  
11 wildlife on the road, well, that's a problem.

12                   If it's a loss of effective habitat  
13 from wildlife avoiding the area, we've heard from  
14 Parks that the area they view as significant from  
15 northern mountain caribou, right.

16                   How do you propose to detect in your  
17 adaptive management situation if there's a loss of  
18 effective habitat by wildlife avoiding the area?

19

20                   (BRIEF PAUSE)

21

22                   MR. ALAN EHRLICH: It's Alan EHRLICH.  
23 I mean, just to be more clear, you know, part of the  
24 discrepancy is you mentioned during construction the -  
25 - or during some -- some earlier work in the area

1 you've seen almost no caribou in the area, yet the  
2 collars suggest caribou are in the area, which, again,  
3 suggests possibly they're avoiding it because there's  
4 work going on in the area.

5                   And this proposed project involves much  
6 more human activity in that activity -- in -- as part  
7 of the development. So to manage it adaptively you  
8 have to know when something's going on. I -- I get  
9 it, if you see the animals on the road you realize  
10 that could be a problem. But you can't detect the  
11 absence of the animals and tell that there's a lower  
12 density.

13                   In the case of the diamond mines  
14 there's complicated flyover processes where you do  
15 surveys of density. They found a zone of avoidance 12  
16 kilometres away from the mine from various sensory  
17 things, including dust.

18                   I'm not suggesting the road's going to  
19 have a 12 kilometre barrier around it. Although, if  
20 so, the ecological footprint would be a lot more than  
21 40 some odd hectars. Even at one and a half  
22 kilometres around that may be so.

23                   But my point is, if there is avoidance  
24 and you're relying on adaptive management, you need a  
25 mechanism to detect if something's going wrong.

1                   So what would that mechanism be?

2                   MR. RICK HOOS:   Rick Hoos.   With  
3   respect, I don't think we have a specific answer to  
4   that question.

5                   We would expect that most of the  
6   mitigation measures and adaptive management activities  
7   that the Company would be entertaining and -- and  
8   applying for the operation of the road would relate to  
9   visual presence, absence of -- of animals within the  
10   vicinity of the road.

11                  There's no road in Canada that is --  
12   that is -- has got systems in place to try and detect  
13   whether wildlife within several kilometres of the road  
14   are or not -- or are not being impacted by the  
15   presence of the road that I know of.

16                  MR. ALAN EHRLICH:   Alan Ehrlich, with  
17   the Review Board.   I -- I was thinking more along the  
18   lines of:

19                  Is there a drop in the predicted -- in  
20   the density of observed populations of wildlife in the  
21   road?   If so, that's something that might be worth  
22   managing adaptively.   But I think that that's --  
23   that's the answer you're -- you're able to give now,  
24   and I -- I thank you for it.

25                  Mr. Harpley...?



1                   MR. DAVID HARPLEY:    It's Dave Harpley.  
2   I -- I guess, yeah.  I've just got a follow-up.  To my  
3   way of thinking, the first test should be:  Are we  
4   really talking about significant numbers of a  
5   particular species in the corridor?

6                   And with respect to caribou, as we said  
7   earlier, I don't think we are.  So, to me, that's the  
8   first test as to whether it's really necessary to  
9   consider kind of population-level impacts.

10                  But to go beyond that, even if we did  
11   want to consider it, I could see all sorts of issues  
12   trying to decipher impacts from avoidance versus some  
13   other impacts such as increased predation or disease  
14   or whatever it might be.  I think that's just a  
15   minefield in terms of trying to determine what's  
16   actually the cause of what you're seeing, even if you  
17   were to go and collect that data.

18                  MR. ALAN EHRLICH:    Thank you.  Given  
19   that, do you still think adaptive management is the  
20   right way to deal with it?

21                  MR. DAVID HARPLEY:    Adaptive  
22   management is the right way to deal with what?

23                  MR. ALAN EHRLICH:    With issues like  
24   reduced population in the vicinity of the road.  I was  
25   under the impression that that was part of your plan

1 for dealing with impacts on wildlife in the vicinity  
2 of the road.

3 And I agree with you, it is very  
4 complicated to try to figure out what's causing what.  
5 But that kind of careful monitoring is usually an  
6 important part of adaptive management, knowing when  
7 you need to change what you do to avoid certain  
8 impacts.

9 MR. DAVID HARPLEY: It's Dave Harpley.  
10 I can only say that I think the monitoring we've  
11 proposed is appropriate for what we see out there,  
12 which is to note the numbers that we're encountering  
13 on the roadway, either proximal to the road or at some  
14 distance, and see if -- first of all, just to make  
15 sure we don't have the collision situation but,  
16 secondly, just as a -- a means of collecting  
17 information on a more frequent basis.

18 Beyond that kind of man -- monitoring,  
19 I -- I just don't see the justification based on what  
20 we see out there in terms of species and numbers.

21 MR. ALAN EHRLICH: Okay. Thanks very  
22 much.

23 CO-FACILITATOR BARB SWEAZEY: Very  
24 good. So I'm assuming there are no other questions on  
25 wildlife at this time. So I suggest that we break

1 now. It's quarter after 3:00. If we could aim to be  
2 back just shortly after -- really, a five (5) minute  
3 break? Ten (10). You can thank me later. So 3:25,  
4 ready to go. Thank you.

5

6 --- Upon recessing at 3:15 p.m.

7 --- Upon resuming at 3:31 p.m.

8

9 CO-FACILITATOR BARB SWEAZEY: Okay,  
10 folks. Good thing I didn't give you a five (5) minute  
11 break.

12

13 (BRIEF PAUSE)

14

15 CO-FACILITATOR BARB SWEAZEY: Okay,  
16 folks. If you can take your seats, we'll do an  
17 introduction for the new folks that have joined us  
18 once everyone is settled.

19 So we're making our way through the  
20 agenda quite nicely. You will note that the one (1)  
21 item that we didn't fully cover during our  
22 conversations since this morning is traditional  
23 harvesting.

24 However, I imagine that when the  
25 Nahanni Butte joins us at 4:00 there may be some

1 questions that they raise at that time. And  
2 additionally with the upcoming community technical  
3 sessions on cultural impacts that the Review Board is  
4 currently working on organizing, that will be another  
5 opportunity for questions related to traditional  
6 harvesting to come up.

7                   So if I could actually just get the new  
8 folks in the room to introduce themselves, their names  
9 and their organizations, for the benefit of those  
10 around the table. So perhaps I could turn to the  
11 folks from CanZinc that have new folks joining us.  
12 Introduce yourselves, please.

13                   MR. ERNIE KROGT: Hello. I'm Ernie  
14 Krogt, with Allnorth Consultants.

15                   MR. BRAD MAJOR: Hello. Brad Major,  
16 with Allnorth Consultants.

17                   CO-FACILITATOR BARB SWEAZEY: And then  
18 that's it from CanZinc, new folks?

19                   And GNWT, do you have someone new to --  
20 that's joined the conversation to introduce? No,  
21 okay.

22                   And folks that are on the consulting  
23 side from the Review Board, could you introduce  
24 yourselves, please?

25                   MR. JAMES HALEY: It's James Haley,

1 from Knight Piesold

2 MR. TOBY PERKINS: And I'm Toby  
3 Perkins, with Knight Piesold.

4 CO-FACILITATOR BARB SWEAZEY: Thank  
5 you. And just to be clear, they are consultants to  
6 the Review Board, correct?

7

8 (BRIEF PAUSE)

9

10 CO-FACILITATOR BARB SWEAZEY: Okay.  
11 And for those of you who have just joined us, we -- we  
12 did set a few ground rules up at the front yesterday  
13 in terms of making our questions clear and concise,  
14 being respectful in our responses and our questioning  
15 of one another, trying to prepare our responses in a -  
16 - in a somewhat timely fashion so if it's possible to  
17 prepare your responses in -- just in a couple of  
18 minutes so we can keep the momentum.

19 And if there are any other  
20 conversations that happen on the sidelines that would  
21 be helpful for the plenary to know about afterwards,  
22 we invite those to be reported back so that everyone  
23 can benefit from the conversations that may have  
24 advanced some of our undertakings, and some of our  
25 commitments that we are continuing to build together

1 each day.

2 I think that's it. Okay. So we're  
3 going to start -- we're just going to do a little bit  
4 of progress on the project description, particularly  
5 around road design and alignment. We'll probably only  
6 have about time for one (1) or two (2) questions  
7 because we'll need to call in folks at four o'clock.

8 So perhaps could I ask Parks Canada  
9 whether or not you have a question that you would like  
10 to start the conversation with?

11

12 (BRIEF PAUSE)

13

14 CO-FACILITATOR BARB SWEAZEY: Barb,  
15 from Stratos. While you're actually formulating the  
16 question I think I maybe heard a voice from the  
17 ceiling.

18 Is there someone else that's joined us  
19 from the phone line that would like to introduce  
20 themselves?

21 It may be voices in my head. Okay.  
22 All right, we'll go to you, Parks Canada. Thank you.

23 MR. GILLES LUSSIER: Hi. Gilles  
24 Lussier, Parks Canada. We did have an IR, IR-10,  
25 regarding the alignment generally and the accuracy

1 known to this point. So currently -- or -- or  
2 previously proposed in the DAR was a alignment  
3 accuracy known to plus or minus 50 metres.

4                   There seem to be some question as to  
5 whether that accuracy was there in -- in some of the  
6 latest information that came through, so we're just  
7 looking for clarification on -- on whether that's the  
8 case. And if not, are there sections that the  
9 Proponent knows at this point that might not be known  
10 to that degree?

11                   And if that's the case, what additional  
12 buffer might one want to include as far as being able  
13 to make an assessment?

14                   MR. DAVID HARPLEY: It's Dave Harpley.  
15 I think we've -- we've given an indication of where we  
16 think the alignment is going to be on the ground to  
17 the -- to the -- kind of the -- based on the  
18 information we currently have available.

19                   And in certain sections specifically  
20 through the park, for example, parts of Sundog, I  
21 think we know pretty accurately where that road's  
22 going to be, and it's not going to deviate once we get  
23 into a detail design too much.

24                   However, other sections, such as  
25 crossing the Ram Plateau, for example, where there's a

1 little bit more latitude to shift the alignment  
2 slightly just to take advantage of a specific contour  
3 of the ground or, you know, a bump -- you know, a bump  
4 in the road literally, that kind of finetuning will  
5 still occur through the detailed design process when  
6 the line's actually being laid down on the ground by a  
7 survey crew.

8                   But, I mean, I -- I wouldn't expect  
9 that the deviation is going to be more than 50 metres,  
10 certainly no more than a hundred metres, unless a  
11 specific issue arises that would -- would cause us to  
12 come back to the regulator, which in the park  
13 obviously is yourselves, and make the case that, you  
14 know, a specific change might -- we -- we suggest a  
15 specific change is -- is a better approach and give  
16 the reasons, and we can have that discussion then.

17                   But from -- from the perspective of  
18 your assessment of effects, I can't imagine that those  
19 changes are going to be so significant that they would  
20 invalidate what you would do.

21

22                   (BRIEF PAUSE)

23

24                   MR. GILLES LUSSIER:    Sorry, Gilles  
25 Lussier, Parks Canada. Just for clarification, and so



1 you said likely in most cases it should be within the  
2 -- the plus or minus fifty (50) at this point.

3 Are there any particular segments or  
4 stationings that we should be aware of where there's a  
5 suspicion that the -- that it might be plus or minus  
6 one hundred (100) instead at this point?

7

8 (BRIEF PAUSE)

9

10 MR. DAVID HARPLEY: Dave Harpley. No,  
11 we're not aware of any section right now that's still  
12 of a nature that we're concerned about, so I wouldn't  
13 expect that that's going to be the case.

14 CO-FACILITATOR BARB SWEAZEY: Barb,  
15 from Stratos. Are there other questions around the  
16 table on the road design and alignment? Okay, go  
17 ahead, Cesar.

18 DR. CESAR OBONI: Cesar Oboni. Is it  
19 possible to have provided the file containing the most  
20 updated road design and reports covering the whole 184  
21 kilometres?

22 I find the whole -- I would like a  
23 consolidated file if it was possible to have that.

24 MR. DAVID HARPLEY: It's Dave Harpley.  
25 I thought we provided that and it was posted to the

1 registry. We -- we provided the shape (phonetic) file  
2 and also other imagery, the KNZ (phonetic) files, I  
3 think it was, so that you could basically take the  
4 file and just plunk it into Google Earth. So I  
5 thought we had already done that.

6 MR. CESAR OBONI: So just to confirm,  
7 that -- that's the most updated, and this is what it  
8 is?

9 MR. DAVID HARPLEY: Dave Harpley.  
10 That's correct.

11 CO-FACILITATOR BARB SWEAZEY:  
12 Additional questions related to the -- the road design  
13 and alignment? Yes, Cesar...?

14 MR. CESAR OBONI: Cesar Oboni. Is  
15 there a clear map list of segments with steeper  
16 grades, sharper ridges of horizontal curves for all  
17 the length of the project?

18 MR. DAVID HARPLEY: Dave Harpley. Not  
19 -- not for the whole alignment at this point. We --  
20 we have it on specific locations, but for the entire  
21 route, that would come at the detailed design stage.

22 But having said that, I mean, all the -  
23 - all the areas of significant grade have likely  
24 already been covered in the specific sections that we  
25 did pay more attention to, because those are the

1 sections we're trying to -- we're trying to minimize  
2 grade and keep it consistently at a reasonable number.

3 MR. CESAR OBONI: Cesar Oboni. So  
4 they're -- they're not going any surprise of suddenly  
5 another part of the road with a steeper grade,  
6 correct?

7 MR. DAVID HARPLEY: Dave Harpley.  
8 That's correct.

9

10 (BRIEF PAUSE)

11

12 CO-FACILITATOR BARB SWEAZEY: I'm  
13 opening the floor to other questions. Yes, from DFO  
14 and then from GNWT. DFO...?

15 MS. JULIE MARENTETTE: Julie  
16 Marentette, with Fisheries and Oceans Canada. In  
17 Table 1-1, which was provided as part of the IR  
18 responses, it identified crossings that were part of a  
19 revised alignment and ones that would be not part of a  
20 revised alignment.

21 Can you confirm whether revised  
22 alignment is the same as the preferred alignment?

23 MR. DAVID HARPLEY: Dave Harpley.  
24 That's correct, they're one (1) and the same.

25 MS. JULIE MARENTETTE: Julie

1 Marentette, with Fisheries and Oceans Canada. And one  
2 (1) more followup question. There's a -- an image up  
3 that's up on the screen. If you could go forward  
4 about three (3) slides to show the major water courses  
5 low lands. That's the one.

6 Can you just please explain to me again  
7 what the difference is between the dashed and solid  
8 gold components of the preferred alignment? Thanks.

9 MR. DAVID HARPLEY: Yeah, it's Dave  
10 Harpley. So when we ground truth the -- the yellow  
11 line in the field, at that point we were proposing an  
12 alignment where it's dashed. And subsequent to that,  
13 based on terrain mapping, an adjustment was made,  
14 because on the -- where that dashed portion is, where  
15 the -- the label is KP1190 and you can see the arrow.

16 Right where the arrowhead is was  
17 identified as unstable. So that caused us to -- to  
18 modify that alignment to the solid yellow line just  
19 further to the south.

20 CO-FACILITATOR BARB SWEAZEY: Thank  
21 you. Veronique from GNWT...?

22 MS. VERONIQUE D'AMOURS GAUTHIER: Hi,  
23 this is Veronique D'Amours Gauthier, from GNWT  
24 Department of Land.

25 Canadian Zinc in response to DFN's

1 Information Request number 2, it is mentioned in their  
2 response that occasionally a flight may be diverted to  
3 Nahanni Butte followed by personal busing to the mine.

4                   There may also be very personal mine  
5 tours via mini bus, assume an average of one (1) trip  
6 per month. I just want to confirm that this will be  
7 done during winters, considering that Nahanni Butte  
8 only have a winter road access to their community?

9

10                   (BRIEF PAUSE)

11

12                   MR. DAVID HARPLEY: It's Dave Harpley.  
13 So if we contemplated a situation of bussing people in  
14 perhaps because there's been a -- an extended period  
15 where the mine site is weathered in, and we're not  
16 able to access by aircraft, a -- a backup  
17 consideration may be that we land in Nahanni Butte and  
18 transfer those people to the mine.

19                   In order to do that outside of the  
20 winter period, we would need cooperation from locals  
21 to provide transport across the river using the  
22 Nahanni Butte all-season access road to gain access to  
23 our road, and -- and then they would also cross the  
24 Liard River by the -- the barge that we would have at  
25 the crossing point.

1                   So we're -- we're not restricted to  
2 just winter, if that's the situation.

3                   MR. ALAN EHRLICH:   It's Alan Ehrlich,  
4 from the Review Board. David, how -- how often do you  
5 guys get sort of weathered in, or -- or rough weather  
6 there?

7                   MR. ALAN TAYLOR:   It's Alan Taylor  
8 here. Could you clarify your question? As far as  
9 what, flyable days, or...?

10                  MR. ALAN EHRLICH:   Sure, days where  
11 flying would -- would be a problem. I remember on one  
12 (1) site visit where I was going, we didn't make it  
13 there because of poor visibility on the landing strip,  
14 fog, that kind of thing. How frequent is that?

15                  MR. ALAN TAYLOR:   It's Alan Taylor --

16                  MR. ALAN EHRLICH:   I mean a ballpark.  
17 I'm not looking for, you know, an exact number.

18                  MR. ALAN TAYLOR:   Yeah. It's Alan  
19 Taylor. Probably 30 percent of the time is down time.

20                  MR. ALAN EHRLICH:   Okay, thanks.

21                  MR. DAVID HARPLEY:   So it's Dave  
22 Harpley. Just to follow up. In addition to that, if  
23 we try then to correlate that 30 percent with how long  
24 we would have to wait until we are flyable, then it's  
25 probably a -- a day or two. It's not usual that we

1 would have a situation where we're basically weathered  
2 out for a week.

3                   So we're implying that that would be  
4 kind of an extreme case that might force us into  
5 thinking about diverting the plane and bussing people  
6 in, because you can appreciate when we're doing a crew  
7 change, you've got a whole bunch of people that want  
8 to get out, and then you've got a whole bunch of  
9 people sitting at the airport trying to get in. So at  
10 some point, you want to try and resolve the situation,  
11 and that may be one (1) way to do it. But it's -- we  
12 don't expect it's going to be a common occurrence.

13                   MR. ALAN EHRLICH:    Okay, thank you.

14                   CO-FACILITATOR BARB SWEAZEY:    Barb,  
15 from Stratos. I wonder if I can go back to GNWT to  
16 see if you have any follow-up questions?

17                   MS. VERONIQUE D'AMOURS GAUTHIER:    This  
18 is Veronique D'Amours Gauthier, with GNWT, Department  
19 of Land. When you look -- probably people won't be  
20 able to see it.

21                   Can you com -- can you confirm that  
22 this is what you fer -- refer to the all-season winter  
23 road, because --

24

25                   (BRIEF PAUSE)

1 MS. VERONIQUE D'AMOURS GAUTHIER: Oh,  
2 sorry. Sorry. We only have the map, because from our  
3 understanding there's only a winter road that is  
4 accessed to the community, but Canadian Zinc referred  
5 to a all-season road. So we're wondering what is  
6 referred as the all-season road to the community.

7 CO-FACILITATOR BARB SWEAZEY: It's  
8 Barb here. Dave, which -- which map would be best?  
9 Is it one that we could refer to? Keep going forward.

10

11 (BRIEF PAUSE)

12

13 MR. DAVID HARPLEY: It's Dave Harpley.  
14 No, the -- the -- sorry, I was hoping that there would  
15 be a suitable slide there, but there isn't, so I'll  
16 try and describe it for you, but we can certainly  
17 point it out later on a map.

18 But the -- the Nahanni access road  
19 leaves the Liard Highway and heads towards the Liard  
20 River, and at 10 kilometres, it reaches the river.  
21 But just before the river, where we propose to branch  
22 off would be our access road. There is the river  
23 crossing for Nahanni at that location. And on the  
24 other side of the river, that road into the community  
25 is also all-season, so they're not only -- they're not



1 just winter access.

2 The only reason there's winter access  
3 is because there's no scheduled ferry service across  
4 the river.

5

6 (BRIEF PAUSE)

7

8 MS. VERONIQUE D'AMOURS GAUTHIER: No  
9 further question.

10 CO-FACILITATOR BARB SWEAZEY: Thank  
11 you. Okay. Yes, Parks Canada.

12 MR. GILLES LUSSIER: Gilles Lussier.  
13 We spoke earlier about the indicative segments that do  
14 have some planned profile data attached to them. And  
15 it was good to see the horizontal curve data added to  
16 that. But for the segment near Sundog Creek,  
17 kilometre 34 -- or station 34 plus eight (8), 39, the  
18 horizontal curves are absent from -- for those plans.

19 So if those could be updated, that --  
20 that would be good. The others were updated, but the  
21 horizontal curve data didn't appear on those ones.

22 And in addition to that, so for those  
23 sections that don't have the planned profile data with  
24 the horizontal vertical curves or -- or aren't at that  
25 design stage yet, is it safe to make the assumption

1 that they will be meeting the design standards that  
2 you've laid out in the table?

3 CO-FACILITATOR BARB SWEAZEY: It's  
4 Barb here. I wonder if we can just deal with that as  
5 two (2) separate questions. Let's deal with the first  
6 one first. And that may end up -- I'm not sure if you  
7 would like to phrase that as a -- as an undertaking,  
8 or if it's something that can be responded to here.

9 MR. GILLES LUSSIER: Gilles Lussier.  
10 It's -- in all likelihood, it'll be an undertaking.  
11 It was just, I -- I think, just some notations that  
12 were omitted from -- from a plan.

13 MR. DAVID HARPLEY: It's Dave Harpley.  
14 Before we jump to an undertaking, it's my  
15 understanding, and my colleague confirms here, that  
16 the section 34 to 39 referred to is basically a  
17 straight section. There's -- there's literally no  
18 curve in it. It's the section that -- where we're  
19 proposing to realign the creek to -- to basically  
20 provide room for the road.

21 And on the second part, that's what my  
22 colleague is just checking right now.

23

24 (BRIEF PAUSE)

25

1                   MR. DAVID HARPLEY:    It's Dave Harpley.  
2    So I'll do a reboot on the first part of that answer.  
3    Apparently there are a couple of spots where it might  
4    not be entirely straight, and could be approaching  
5    what might be considered a -- a radius not optimal.  
6    So we will undertake to calculate them and provide  
7    that information.

8  
9    --- UNDERTAKING NO. 15:       CanZinc to calculate the  
10                                    curve radius of road  
11                                    section 34 through 39

12  
13                   MR. DAVID HARPLEY:    On the second part  
14    of the question regarding other areas, would they fall  
15    within the tolerances indicated in the table?  Yes,  
16    they would.

17                   CO-FACILITATOR BARB SWEAZEY:    Thank  
18    you.  Additional questions?

19  
20                                    (BRIEF PAUSE)

21  
22                   CO-FACILITATOR BARB SWEAZEY:    Pardon  
23    me?  Oh, sorry.  Sachi, and then I'll come back to  
24    Parks.

25                   MS. SACHI DE SOUZA:    It's Sachi de

1 Souza, with the Board. CanZinc, in your responses to  
2 a couple of Parks Canada's questions about design  
3 standards, you referenced that the need for runaway  
4 lanes and safety railings would be determined during  
5 detail design.

6 My first question is: Under what  
7 conditions would you consider the need for guard rails  
8 or runaway lanes to be needed?

9

10 (BRIEF PAUSE)

11

12 MR. DAVID HARPLEY: It's Dave Harpley.  
13 So just kind of summarize what we're discover --  
14 discussing in our little huddle here is, in -- in the  
15 first aspect, there are no specific guidelines to help  
16 us determine when and when not to have security  
17 railings and runaway lanes.

18 What we can say at this point is that  
19 the engineers have considered the road in terms of the  
20 grades and the curves involved and -- and looked at  
21 these on -- on the ground, and basically come to a  
22 professional judgment that they don't consider they're  
23 necessary.

24 As far as what kind of process they  
25 would go through during the detailed design phase to

1 reassess that, that's a little difficult to get our  
2 heads around at this point, and it's going to need  
3 some more thought.

4 CO-FACILITATOR BARB SWEAZEY: Sachi,  
5 are there any follow-up questions?

6 MS. SACHI DE SOUZA: Sachi, with the  
7 Board. I can appreciate that it's professional  
8 judgment, and that it's determined they're not  
9 necessary. Runaway lanes and safety railings would be  
10 used as a -- a mitigation to -- to manage traffic or  
11 to prevent a -- a truck going over, or a truck having  
12 an accident.

13 Is -- am I right in making that assump  
14 -- assumption here is that's the -- the need -- that  
15 would be the need for a runaway lane or safety  
16 railings being put in place as to mitigate or to help  
17 prevent a potential accident with a truck or any  
18 vehicle on the road that could be -- at this point in  
19 time in our understanding, there's still the potential  
20 for that to be a public person.

21

22 (BRIEF PAUSE)

23

24 MR. DAVID HARPLEY: It's Dave Harpley.  
25 That's kind of a complicated answer, but what weighs

1 heavily in the assessment, I think, is speeds of the  
2 vehicles that we're anticipating on this road.

3                   Certainly the -- the laden trucks, if I  
4 can use that term, are not going to be belting along.  
5 We're -- we're talking top speed of maybe 60  
6 kilometres an hour. But for the -- for -- for the  
7 most part, certainly the difficult sections, it's  
8 going to be considerably less than that.

9                   And -- and that's going to be pre-  
10 determined by, you know, road controllers and -- and  
11 would be the basis for posting signs of speed limits.  
12 The purpose of our runaway lanes is basically to  
13 decelerate.

14                   So you can appreciate if the vehicle is  
15 not actually travelling at a significant speed, then  
16 you wonder how there would be a need to dec -- to  
17 decelerate. In that -- that respect, some other  
18 thoughts that I think come into play is the specific  
19 areas where you would want to potentially consider a  
20 runaway lane, or exactly the locations where it's  
21 actually difficult to build them, because you're in a  
22 mountainous section with, you know, some topo --  
23 topographic constraints.

24                   So that -- all those things, I think,  
25 are playing into this professional decision at this

1 point that they're -- they're not needed and they're  
2 kind of impractical.

3 MS. SACHI DE SOUZA: Sachi De Souza,  
4 with the Board. I can appreciate the professional's  
5 judgment in that you're constrained by topography.  
6 Something that would be helpful for the Board, and I  
7 think for parties to understand, is where those  
8 potential high risk areas are.

9 There are certain areas that have  
10 steeper slopes, steeper grades. I'm thinking of the -  
11 - the Wolverine Pass section with the switchbacks, for  
12 example. If we could get something that explains the  
13 professional's judgment a little bit better beyond  
14 just 'it is the professional's judgment'.

15 So why the professional reached that  
16 conclusion, what assumptions it's based on, that would  
17 be very helpful for us to understand why at this point  
18 during the project in the environmental assessment,  
19 this mitigation is not being proposed.

20 Could CanZinc commit to getting their  
21 profess -- to providing that professional judgment in  
22 writing as an undertaking?

23 MR. DAVID HARPLEY: Dave Harpley.  
24 Okay.

25

1 --- UNDERTAKING NO. 16: CanZinc to report on the  
2 reasons why their  
3 professional does not find  
4 runaway lanes and safety  
5 railings necessary on the  
6 road

7  
8 CO-FACILITATOR BARB SWEAZEY: Barb,  
9 from Stratos. I'm -- thank you. I'm looking at the  
10 time and realizing this is the time that the Nahanni  
11 Butte are to call in.

12 So I realize there are still several  
13 questions related to road design and alignment, which  
14 we are going to definitely cover tomorrow. So we have  
15 a big chunk of time in our agenda tomorrow to continue  
16 this conversation.

17 We just wanted to make a little dent in  
18 it today. Yes, go ahead, Dave.

19 MR. DAVID HARPLEY: It's Dave Harpley.  
20 You might just want to see if they're on the line.

21 CO-FACILITATOR BARB SWEAZEY: I will.

22 MR. DAVID HARPLEY: Because sometimes  
23 they're late. We could cont -- could continue.

24 CO-FACILITATOR BARB SWEAZEY: Yeah,  
25 that will be my next thing. I'll check and see if



1 they're there. And if not, we'll just continue our  
2 conversation here.

3 So I will open up the lines to see  
4 whether or not there are folks that have joined us  
5 from Nahanni Butte.

6

7 (BRIEF PAUSE)

8

9 CO-FACILITATOR BARB SWEAZEY: Okay.

10 So no one's on the line yet, so we will continue our  
11 conversation on the road design and alignment. So,  
12 Sachi, I -- I'm assuming you're finished with your  
13 train of questioning. Parks, I know that you had  
14 another question.

15 So there's a few over here. So I may  
16 stop here first and come back to you. So we'll go to  
17 the Deh -- Dehcho.

18 MS. CARRIE BRENEMAN: Carrie Breneman,  
19 Dehcho First Nations. Just following up on Sachi's  
20 line of questioning. I feel like when you're  
21 providing that justification on the slope and why  
22 runaway lanes aren't needed, if there's roads that you  
23 could use as proxies, like other projects maybe that  
24 you've worked on of similar road design and that those  
25 roads have been effective without runaway lanes, I

1 feel like that would be really helpful as a reviewer.

2 MR. DAVID HARPLEY: Dave Harpley.

3 Yeah, I was actually going to add in my comment that I  
4 think part of the reasoning of the professionals here  
5 is -- is based on their experience of similar resource  
6 roads in BC, so, yeah, that's -- that's part and  
7 parcel of the reply.

8 CO-FACILITATOR BARB SWEAZEY: Thank  
9 you. And we've added that to the undertaking and,  
10 Cesar, did you have something additional to add?

11 DR. CESAR OBONI: Yes. Cesar Oboni.  
12 So it's on top of that is the reply from Allnorth to  
13 our Information Request was that Allnorth have noted  
14 that Prairie Creek road is not atypical of resource  
15 roads in parts of northern BC. So our risk assessment  
16 can take BC road statistics for accidents. And do you  
17 guys have any statistics regarding accidents for  
18 northern BC roads?

19

20 (BRIEF PAUSE)

21

22 MR. DAVID HARPLEY: Dave Harpley. I -  
23 - I -- if I understand your question, could you use  
24 stati -- statistics from BC resource roads as a proxy?  
25 I -- I think you could use them, but I -- I think we

1 would also caution to make sure we're comparing apples  
2 with apples, because we're talking BC resource roads.  
3 Logging trucks typically would go a lot faster than  
4 we're proposing, and also there would be likely a lot  
5 more traffic on those roads than we're proposing on  
6 our road.

7 DR. CESAR OBONI: I understand that,  
8 but in Allnorth's response was that the Prairie Creek  
9 Road is not atypical of resource roads in parts of  
10 northern BC. So as long as we take the caveat of  
11 comparing apples and apples, it is similar, correct?

12

13 (BRIEF PAUSE)

14

15 MR. DAVID HARPLEY: Dave Harpley.  
16 Yeah, that's fine.

17 CO-FACILITATOR BARB SWEAZEY: Barb,  
18 from Stratos. I just have a note -- thank you very  
19 much -- that the Nahanni Butte are just waiting for  
20 quorum, and they've told us to carry on and that they  
21 will call in. So thank you for that heads up.

22 So we took the two (2) questions here.  
23 Environment Canada? DFO? GNWT? Parks?

24 MR. GILLES LUSSIER: Gilles Lussier.  
25 Again, we appreciate that there was a provision and

1 modification of the table of design parameters, which  
2 was quite useful. We would -- we are hopeful that  
3 Canadian Zinc might revisit the reduction to a 4 metre  
4 wide road top in some sections.

5 In particular, kilometre 36/37 adjacent  
6 to the toe of a talus slope, whether that road width  
7 should get revisited along with -- in similar  
8 sections, a -- a rock catchment area at the toe to  
9 slope.

10

11 (BRIEF PAUSE)

12

13 MR. DAVID HARPLEY: Dave Harpley.  
14 This is, I believe, a location where we're trying very  
15 hard to get off the flood plain and avoid further  
16 interaction with the creek, if I can describe it that  
17 way. And to do that necessitates likely a little bit  
18 of blasting on the inside to do that.

19 So that's why we're reluctant to go to  
20 a full 5 metre width, because it will mean  
21 considerably more rock work, and we'd prefer to avoid  
22 that. Also considering that this specific -- this  
23 specific location would be flagged as a -- as a spot  
24 where we would need to impose a -- a much slower  
25 speed, and -- and other warnings to mitigate the fact

1 that the road is not as wide as it is elsewhere.

2 MR. GILLES LUSSIER: Gilles Lussier.

3 So at this point, though, would -- can one assume that  
4 it's still preliminary and -- and the final design may  
5 -- may include a revisiting of -- of those road  
6 widths?

7 MR. DAVID HARPLEY: Yes, you -- Dave  
8 Harpley. You can -- you can assume that, yes.

9 MR. GILLES LUSSIER: And further to  
10 that, there was also a reduction from the quoted BC  
11 forest road standards in the road pullouts going from  
12 a 4 metre width down to 3 metre. Which, considering  
13 that in some locations, there'll be chain off and  
14 chain on areas with operators outside their vehicles,  
15 potentially soft shoulders, again, an area where we  
16 thought it would be good to revisit that reduction  
17 down to 3 metres, as it just accommodates a -- a  
18 truck?

19 MR. DAVID HARPLEY: It's Dave Harpley.  
20 I -- I think we made that change because we're --  
21 we're not talking about a -- a huge amount of traffic  
22 here. We're -- we're talking, on average, fifteen  
23 (15) trucks a day, and going in one (1) direction and  
24 coming back again at relatively slow speeds and on  
25 radio, so they're communicating to coordinate passing.

1 If -- if necessary, we would minimize the -- the need  
2 to passing.

3 In addition to that, regarding the  
4 chain on and chain off, we -- we previously designated  
5 the area we believe is -- is best to do that at  
6 approximately a kilometre, or 29 to thirty 30, in that  
7 area.

8 It -- it's basically a -- a flat piece  
9 of the -- the flood plain just before it gets into the  
10 narrower section, so it's -- it's fairly broad. And  
11 while you may consider nominally the -- the passing to  
12 be 3 metres wide, in reality, the -- the surface  
13 available at that location could be made considerably  
14 wider than that. It's -- it's already all-season  
15 grade, because it's a gravel substrate.

16 And we could make the chain off area  
17 wider to accommodate stopping, but... So I don't see  
18 that as an issue.

19 MS. SACHI DE SOUZA: Sachi, with the  
20 Board. Parks Canada, you just asked questions about  
21 wanting the road width to be potentially wider than 4  
22 metres or 3 metres in the pull outs. Could I ask  
23 specifically why you think this is important?

24 MR. GILLES LUSSIER: Just using the  
25 same BC --

1 CO-FACILITATOR BARB SWEAZEY: Name,  
2 please.

3 MR. GILLES LUSSIER: Oh, Gilles  
4 Lussier, sorry. Using the same BC force to road  
5 example in speaking with those in the industry there  
6 and from other truck haul experiences, given adverse  
7 weather, these shoulders can often soften, and so the  
8 usable road top is often less than what was originally  
9 constructed. At least that is -- that is stable.

10 And -- and, therefore, you know, a  
11 typical lane width is often in the order of 3 to 4  
12 metres. So if what is constructed is only 4 metres  
13 and you -- there is some deterioration or softening of  
14 the -- of the slopes, there's really no room for error  
15 as far as a -- a driver staying on the centre and, you  
16 know, catching a -- a soft edge.

17 MS. SACHI DE SOUZA: All right, thank  
18 you. So just to confirm, then. The -- the biggest  
19 concern is, with a narrow -- a -- a narrower road  
20 width, your concern is that during the duration of  
21 this road of potentially twenty (20) years, that 4  
22 metres is going to become 3 metres. And then the  
23 likelihood or the chance of a -- of a road not staying  
24 on the actual roadbed increases. And there -- or the  
25 likelihood of an accident or something along those

1 lines is higher as a result of the potential  
2 deterioration of the road?

3 MR. GILLES LUSSIER: Generally, it's -  
4 - it's not -- Gilles Lussier. It's not a -- a given  
5 that -- that the shoulders will soften. In other  
6 areas, it will flatten out and, in fact, widen. But  
7 the -- the narrower you are and -- and with less of a  
8 buffer on either side of the -- of the truck's  
9 footprint, there is just less room for area -- error,  
10 should there be debris on the road, wildlife on the  
11 road, et cetera.

12 MR. DAVID HARPLEY: It's Dave Harpley.  
13 Just a follow-up to that answer is that we wouldn't  
14 anticipate narrowing of the road because of  
15 deterioration of the shoulder. That would be a  
16 maintenance issue that would be addressed.

17 And I think this has more to do with  
18 the width of the running surface and trucks  
19 negotiating it without going off to the side, which is  
20 why, for that situation and any other situation where  
21 we're not able to go to the full 5 metre width, we  
22 would adopt other measures to compensate, such as  
23 reduced speed.

24 MS. SACHI DE SOUZA: It's Sachi De  
25 Souza, with the Board. So the sole mitigation for



1 risks on the narrower sections right now from Canadian  
2 Zinc is reduced speeds. And in your undertaking,  
3 you're potentially going to explain why safety  
4 railings in those sections are not being considered.

5 Is that right? Is that correct?

6

7 (BRIEF PAUSE)

8

9 MR. DAVID HARPLEY: Dave Harpley. I  
10 don't think we've specifically thought of safety  
11 railings in terms of narrower sections. But -- and  
12 maybe this needs a little more thought, but just an  
13 off-the-cuff consideration.

14 Right now would be -- we -- in that  
15 particular location we were talking about, kilometre  
16 34, for example, to put a safety railing which would  
17 literally be on the bank of the creek would probably  
18 make it even more complicated and more difficult to  
19 safely navigate that section.

20 In other words, it would further become  
21 an impediment to the actual running surface width  
22 available to a truck. So I -- I kind of think a  
23 safety railing would be more of a -- a problem at that  
24 location than of any assistance.

25 MS. SACHI DE SOUZA: Sachi, with the

1 Board. If we could add to the undertaking that you  
2 just committed to, just to provide the professional's  
3 opinion on the narrower sections and the -- the need  
4 or the -- the lack of a need for safety railings in  
5 those sections and why and explaining that, that would  
6 be useful for the Board to understand potential  
7 mitigations or the -- the lack of a need for  
8 mitigations for accidents or the potential for a --  
9 yeah, the potential for an accident in those narrower  
10 section.

11 Could CanZinc -- is CanZinc comfortable  
12 with that being added to the previous undertaking?

13 MR. DAVID HARPLEY: Dave Harpley.  
14 Okay.

15  
16 --- UNDERTAKING NO. 17: CanZinc to provide their  
17 professional's opinion on  
18 the lack of need for  
19 safety railings along  
20 narrower sections

21  
22 CO-FACILITATOR STEFAN REINECKE:  
23 Stefan, from Stratos. So it's been added to the  
24 undertaking.

25 CO-FACILITATOR BARB SWEAZEY: Okay.

1 Additional questions? Do you have any more questions,  
2 Parks Canada? Okay. And -- yeah. Go ahead.

3 MR. GILLES LUSSIER: This question  
4 relates to road design, but is also -- oh, sorry,  
5 Gilles Lussier, Parks Canada -- as it relates to the  
6 borrow construction. There are a number of locations  
7 where -- in fact, most of them -- where the borrows  
8 are identified as adjacent to the road -- roadway.

9 And what would be useful is a  
10 description of the different types of borrows, whether  
11 they are intended as landscape borrows -- i.e.,  
12 flattening of back slopes, et cetera -- and which --  
13 in which cases, if any, there are below-grade  
14 excavations proposed within that corridor.

15 So one could then see whether that  
16 borrow pit is, in fact, just an extension of a road  
17 cut, or is it, in fact, a -- a separate, below-grade  
18 excavation, et cetera.

19

20 (BRIEF PAUSE)

21

22 CO-FACILITATOR STEFAN REINECKE:  
23 Stefan Reinecke, from Stratos.

24 Gilles, if you could -- perhaps to  
25 assist the Proponent in their answer, is there

1 anything you can add in terms of the relevance of your  
2 question to the assessment of impacts or determination  
3 of mitigation?

4 MR. GILLES LUSSIER: Yes. Gilles  
5 Lussier. Depending on the cross section, or shape of  
6 the borrow, one could then assess what type of  
7 standard should be applied. For example, if it's just  
8 an extension of the road cut or -- or landscape of the  
9 back slope, then in some cases it might just be an  
10 addition to the road construction.

11 But where it starts to take on a  
12 separate defined footprint as a quarry, or excavates  
13 below grade into water table, or below a high water  
14 mark, et cetera, then one might apply different  
15 parameters to assess, or different guidelines.

16 MR. DAVID HARPLEY: It's Dave Harpley.  
17 So we've had our little huddle here, and the answer  
18 seems to be that this -- this -- the engineers really  
19 feel this is a question more for detailed design  
20 because the information we have at this point doesn't  
21 allow for a definitive answer in terms of what the  
22 approach would be.

23 But what I think is -- is applicable to  
24 comment is the intent would be to minimize cuts and  
25 below grade excavations, and so in -- in the detailed

1 design phase when you're investigating the borrows and  
2 then finalizing the alignment, you're specifically  
3 trying to avoid those situations and -- and optimize  
4 both the -- the borrow and the -- and the road bed.

5

6 (BRIEF PAUSE)

7

8 MR. GILLES LUSSIER: Gilles Lussier.

9 Thank you for that. Just something for consideration,  
10 and I guess a commitment we'd be hoping for is that in  
11 those cases where it starts to take on a separate  
12 footprint or it's going below grade or within, you  
13 know, flood plain and going below high watermark, et  
14 cetera, that in those cases one would apply the --  
15 more of a quarry type assessment, and following the  
16 northern guidelines, et cetera, rather than just a  
17 simple extension of a back slope type situation.

18 MR. BRAD MAJOR: Brad Major, from  
19 Allnorth.

20 What we would typically do if we're --  
21 if we're looking to gain some extra material from --  
22 from one of -- from that scenario, it might be a great  
23 place to pull in and pullout, right. So we'd make the  
24 wide -- the road just that much wider and gain that  
25 extra 3 metres with the material. Not to the extent

1 where we would basically make it a quarry, so that  
2 would be one (1) of the things we did in the material  
3 balance through the detailed design.

4 MR. GILLES LUSSIER: Gilles Lussier.  
5 Yeah, I -- I think what I was more referring to though  
6 is -- is where it -- it is taking on the -- the  
7 characteristics of a dugout, or a separate excavation,  
8 that -- that that would likely trigger some further  
9 design and -- and reclamation type processes, or -- or  
10 approvals and -- and guidelines.

11 MR. DAVID HARPLEY: It's Dave Harpley.  
12 Yeah, I -- I think we're comfortable with that  
13 approach.

14 Each one of these borrow pits will be  
15 subject to a specific development plan, and if we got  
16 into that situation then, clearly, we would need to  
17 adjust our approach in terms of guidelines and proceed  
18 as you've described.

19 CO-FACILITATOR STEFAN REINECKE:  
20 Stefan Reinecke, from Stratos. So we will attempt to  
21 craft a commitment related to this.

22 Is there any wording you can provide  
23 very quickly? Otherwise, we can work it out during a  
24 break. Is there, for example, a specific guideline  
25 that can be referred to that CanZinc could commit to

1 following, or what's your suggestion? Thank you.

2 MR. DAVID HARPLEY: Dave Harpley. I  
3 would suggest you should have a shot and we'll modify  
4 it.

5

6 (BRIEF PAUSE)

7

8 CO-FACILITATOR BARB SWEAZEY: I'm just  
9 going to double-check to see whether or not the folks  
10 have -- Wilbert, have you heard if there's anyone  
11 else? They're still not quite ready to join us or you  
12 don't know?

13 Okay. And I'll just ask. Is there  
14 anyone joining us yet on the phone from the Nahanni  
15 Butte? No.

16 MR. MARK POCKLINGTON (BY PHONE): Yes,  
17 we just -- we just called in just now. It's Mark  
18 Pocklington, Band Manager of Nahanni Butte Dene Band.

19 CO-FACILITATOR BARB SWEAZEY: Hi,  
20 Mark. It's Barb Sweazey, from Stratos.

21 Mark, I understand you have a few  
22 people with you. Perhaps you could just do a round  
23 table for us so we know who is on the phone from your  
24 group.

25 MR. MARK POCKLINGTON (BY PHONE): Yes,

1 I apologize for getting back to you late, but we were  
2 having some difficulty getting a quorum together here.  
3 There -- there's four (4) councillors here in this  
4 teleconference, Romeo Betsala, one, John Lafferty,  
5 councillor, Lorraine Vital, councillor. And Brian  
6 Ekotla, E-K-O-T-L-A.

7 CO-FACILITATOR BARB SWEAZEY: Barb,  
8 from Stratos. Thank you, Mark. And welcome to the  
9 four (4) -- the councillors that are joining us on the  
10 line.

11 We have -- if you can picture the room  
12 where you're calling into, a round table around us,  
13 and joining us we have Parks Canada. We have a team of  
14 about six (6) or seven (7) people. We have folks from  
15 CanZinc. Both CanZinc representatives and their  
16 supporting consultants. It's a team of about five  
17 (5). We have folks from the Government of Northwest  
18 Territories, probably about five (5) folks from there.  
19 One (1) person from the Department of Fisheries and  
20 Oceans and one (1) from Environment Climate Change  
21 Canada. We have two (2) folks from the Liidlii Kue  
22 First Nation, one (1) from Dehcho. We also have Oboni  
23 Riskope. I haven't said your full name, Cesar from  
24 Risk. And then we have folks from the Review Board,  
25 as well as their supporting consultants/technical



1 advisors.

2 And we have a few additional guests.

3 Darrell, did you want to come up to the table and join  
4 us as well, perhaps, to be part of this conversation?

5 MR. MARK POCKLINGTON (BY PHONE):

6 Excuse me, one (1) -- another councillor just walked  
7 in. It's Earl Hope, for the record.

8 CO-FACILITATOR BARB SWEAZEY: Welcome.

9 I also failed to mention that we have someone from  
10 CanNor. We have Adrian from CanNor joining us as well  
11 here in the room. So thank you for sitting in on the  
12 call.

13 This is your opportunity to ask the  
14 questions that you would -- you would like to ask that  
15 will help to better understand the significant impacts  
16 that you may be worried about, or better understand  
17 proposed mitigation measures or the need for those.  
18 They can range in whatever topic area that is of  
19 importance to you to cover -- to cover.

20 So, Mark, I don't know whether or not  
21 you have a particular list of questions that you'd  
22 like to -- to work through, or if we want to do a  
23 round table of your different councillors. I would  
24 seek your direction on that.

25 MR. MARK POCKLINGTON (BY PHONE):

1 Yeah, we were -- I think our first concern -- is there  
2 some way of summarizing what's -- what's happened up  
3 to now, or -- in -- in -- briefly, so that we can  
4 bring them up to speed, or...?

5 CO-FACILITATOR BARB SWEAZEY: Okay. A  
6 couple technical things. One (1) is, could you just  
7 turn up the volume of the phone a little bit? We're  
8 on it. Okay.

9 Yes, and folks, in the room there, if  
10 you could try and speak right into the phone mic as  
11 much as you can, it will help us to understand your  
12 question a little bit more clearly.

13 And also, before you speak, if you're  
14 able to say your -- your first name that will help us  
15 with the transcription, because we're doing verbatim  
16 transcription of -- of the conversations that we're  
17 having.

18 In terms of a summary... I'm going to  
19 just -- yes, please. Alan is going to go ahead and do  
20 that. Thank you.

21 MR. ALAN EHRLICH: Hello, Nahanni  
22 Butte. My name is Alan EHRLICH. I'm the manager of  
23 environmental assessment for the Review Board. I've  
24 just been asked to give a very short summary about  
25 what this session is. And it's very important to

1 understand that, even though we've got a pile of  
2 people in this room, it's not a hearing. Our Board's  
3 not here.

4                   It's a technical session where we're --  
5 where we're trying to get information that will help  
6 all of the different parties in this environmental  
7 assessment predict what kind of effects the proposed  
8 all-season road is likely to have and describe which  
9 of those are -- are most important to them and look at  
10 ways to try to avoid those effects or reduce those  
11 effects.

12                   So it's been a discussion about mostly  
13 technical information, but that includes socioeconomic  
14 and cultural stuff. And there's going to be more  
15 information moving around before -- before hearings  
16 happen. And hearings won't happen for at least a few  
17 months.

18                   The subjects that we've already talked  
19 about here, we've talked about quite a few of them,  
20 the developer has -- has talked about what the road  
21 project is. My understanding is the developer has  
22 also presented to Nahanni Butte what the road project  
23 looks like.

24                   We've talked about different ways of  
25 controlling access to the proposed road. We've had

1 some talk about fish, water, and wal -- water quality.  
2 Some talk about what kind of impacts this project  
3 might have to vegetation. And we've talked, very  
4 briefly, about some socioeconomic and cultural stuff,  
5 including impacts to Nahanni National Park Reserve and  
6 archeological sites.

7                   We spent most of our morning talking  
8 about wildlife. We saved the discussion of  
9 traditional harvesting for, well, among other things,  
10 now because we realize this is something that Nahanni  
11 Butte has a lot of expert information on, and also has  
12 quite a bit of interest in.

13                   And after lunch, we finished our -- our  
14 discussion on wildlife and we talked about road  
15 engineering and -- and how the road is being built.  
16 So it's mostly been technical questions to different  
17 parties, including the developer, for people to get  
18 information about what impacts they think this all-  
19 season road will cause. These are impacts on the  
20 land, impacts on -- on biophysical stuff, but also  
21 impacts on people, including cultural impacts and  
22 social impacts -- socioeconomic impacts.

23                   And the Board is going to look at the  
24 transcript. Every word is being transcribed here.  
25 And the Board is going to look very carefully at that

1 when it's -- when it's considering the evidence of  
2 what -- what kind of impacts it thinks are likely and  
3 whether or not they're significant, in other words, do  
4 they matter enough to mitigate or to avoid through  
5 measures.

6                   So that's my summary of what's going on  
7 here. If you'll just hold on for one (1) more second.  
8 Of course, I would remind you that the Board has -- is  
9 -- is planning the upcoming community workshop, which  
10 is a technical session in Nahanni Butte on cultural  
11 impacts.

12                   And some other Aboriginal groups have  
13 also expressed interest in that. And we'll -- we  
14 haven't yet figured out the exact date or -- or how  
15 we're going to do it, but the Board is aware that it's  
16 very difficult for people from Nahanni Butte to get  
17 here for five (5) days in Yellowknife, which is why  
18 we're coming to you.

19                   But we -- we're very grateful that  
20 you're able to join us for this part of this technical  
21 session in addition to the one that will be held in  
22 your community.

23                   So do -- do you have any questions  
24 about what we're doing here separate from the project  
25 and its impacts? But any -- any questions for the

1 Review Board staff, or -- or is that -- is that clear  
2 enough?

3 MR. MARK POCKLINGTON (BY PHONE):  
4 Questions anyone? Oh, thank you very much. I think  
5 it was clear enough for everyone here.

6 CO-FACILITATOR BARB SWEAZEY: It's  
7 Barb, from Stratos. Thank you very much, Alan, for  
8 that overview. So, Mark and the counsellors that are  
9 there, would you like to open up with one (1) of your  
10 first questions?

11 MR. MARK POCKLINGTON (BY PHONE):  
12 Well, I -- with all of the counsellors here, I think  
13 what's more important than the question is just it's  
14 important that the Review Board or the -- the staff  
15 there recognize that in this community today, perhaps  
16 it's different from some other communities, that the  
17 decisions are made by the community in a process that  
18 involves six (6) councillors -- they're family  
19 appointed -- one (1) chief that's elected who  
20 unfortunately couldn't be here today, and ten (10)  
21 Elders that play a very big -- big part in any  
22 decision making. In many cases, they -- they ratify  
23 agreements and almost act like -- like senators, so to  
24 speak.

25 So we -- we try to involve, you know,

1 everyone within the community, and so that's why it's  
2 really important that -- that we have a -- a quorum  
3 when we -- like we have today, but also that you  
4 people come and visit us so that you have a chance to  
5 meet with -- with the Elders and -- and any other --  
6 other members that -- that could be impacted.

7 MR. ALAN EHRLICH: It's Alan Ehrlich,  
8 for the Review Board. Yeah, we -- we definitely get  
9 that, and we say thank you.

10 MR. MARK POCKLINGTON (BY PHONE): I  
11 just want to go on -- I just want to go on record  
12 making sure, you know, that that's understood by  
13 everybody that's there.

14 Is there somebody who'd like to start  
15 with a -- with a question or anything like that to the  
16 Review Board at this point, or...?

17 CO-FACILITATOR BARB SWEAZEY: It's  
18 Barb, from Stratos. Just while you're deciding, just  
19 as a quick reminder to please state your name. It'll  
20 just help us with the transcription.

21 MR. MARK POCKLINGTON (BY PHONE):  
22 Okay. Maybe I'll -- I'll start by -- you mentioned  
23 that the important part was the impacts on people,  
24 like impacts on the community of this road, like the -  
25 - the proposed road as it comes through, it's being

1 planned and proposed by Canadian Zinc, that -- you  
2 know, what -- what impacts are on the -- on -- on the  
3 people.

4 Has there been any positive impacts  
5 expressed to date in -- in your meeting in the last  
6 couple of days?

7 MR. ALAN EHRLICH: Hi, Mark. It's  
8 Alan, for the Review Board again. And I'm going to  
9 say my name every time I speak, not because I'm an  
10 idiot, but just because it's being transcribed and I  
11 have to.

12 So there -- there's been not a lot of  
13 socio-economic and cultural talk yet. There -- there  
14 was a bit this morning, but a lot of it had to do with  
15 Nahanni National Park. We didn't get into a lot of --  
16 of community stuff.

17 At other parts on the record, there  
18 have been Information Requests, many of them in  
19 writing, that -- that did deal with socio-economic  
20 issues. I don't have a summary of them in front of  
21 me.

22 Do you have any questions for Canadian  
23 Zinc about that subject?

24 MR. MARK POCKLINGTON (BY PHONE):  
25 You're -- you're asking us if we have any questions



1 for Canadian Zinc?

2 MR. ALAN EHRLICH: Yes. Most of  
3 what's happening here are the different parties that  
4 are here have an opportunity to get clarification from  
5 Canadian Zinc and from other parties about things that  
6 -- that they want more information on. And I just  
7 want to make sure you've got that opportunity here as  
8 well as when we're in your community.

9 MR. MARK POCKLINGTON (BY PHONE):  
10 Okay. So what I -- this is Mark talking here. If  
11 we're talking about the positive impacts to the  
12 people, the communities of -- of this proposed road,  
13 starting from the mine working backwards, obviously  
14 the first -- I mean, 80 kilometres or so is going to  
15 be within the park.

16 Will this road have a positive impact  
17 for the people in the territory as far as opening it  
18 up to the common person to go in and -- and explore --  
19 explore the region, as -- as the park is meant to be?

20 MR. DAVID HARPLEY: This is Dave  
21 Harpley, Mark, and community members. Hopefully you  
22 can hear me clearly.

23 As I understand your question: Has  
24 there been discussion over the last two (2) days  
25 regarding positive impacts? I would say from my

1 perspective there's been very little discussion on  
2 that.

3                   Most of the discussion has revolved  
4 around impacts and effects, and mostly on the negative  
5 side. We did make mention this morning about access  
6 and that that may provide an opportunity for improved  
7 tourism into the Nahanni National Park Reserve, which  
8 is currently very expensive to access. But we have  
9 not had any detailed discussion regarding the positive  
10 aspects.

11                   I -- I did also note that because of  
12 the concern regarding access control, it has kind of  
13 limited the discussion on the positive effects, and  
14 that now that we have identified collectively the  
15 possibility that we can gate the road crossing the IAB  
16 lands, this may now provide the opportunity for  
17 Nahanni Butte and Parks Canada, and others, to  
18 consider positive uses of the road.

19                   CO-FACILITATOR BARB SWEAZEY:   Mark,  
20 does that answer the question that you were -- you  
21 were raising, or do you require additional  
22 information?

23                   MR. MARK POCKLINGTON (BY PHONE):   No,  
24 I just wanted to make -- I just wanted to ensure that  
25 the positive effects of the road are -- are being

1 addressed because it's -- it's something that's  
2 discussed, you know, within the community here, you  
3 know, quite a lot and it means a lot to the people in  
4 the community.

5                   If you go back historically, I think  
6 the -- the whole idea about having the park was -- is  
7 that it could be made available, you know, to -- to  
8 the people of the country, and -- and, you know, for -  
9 - for positive tourism or -- or for use. And up -- up  
10 to now there's been some -- some concerns expressed  
11 that the use of the park has been limited to -- to a  
12 select few who can afford the expensive flight to go  
13 in.

14                   The idea of -- of the road is -- is  
15 opening up an area, and also recreational  
16 opportunities that could affect people in the region  
17 locally, tourism. And you've probably heard it said  
18 recently where they've -- the chief here has brought  
19 up the fact that we're -- we're planning to -- to take  
20 a good -- a good look at setting up the -- a youth --  
21 a youth camp as a start, and maybe even a wellness  
22 centre.

23                   So I -- I think it's important that  
24 whoever is asking questions about the impact balance  
25 the impact with -- with the positive developments that

1 this road could bring. And I don't think there's  
2 anyone here in the community who wants -- wants to  
3 restrict access. They just want to make sure that  
4 everybody benefits.

5 CO-FACILITATOR BARB SWEAZEY: It's  
6 Barb. Thanks very much, Mark. I'm just going to look  
7 to Parks Canada.

8 Is there anything else that you would  
9 like to add to this thread of conversation? Parks,  
10 anything to add to this -- this conversation?

11

12 (BRIEF PAUSE)

13

14 CO-FACILITATOR BARB SWEAZEY: No?  
15 Okay. Others around the room? Okay. So, Mark, what  
16 additional questions might your -- your group have?

17 MR. MARK POCKLINGTON (BY PHONE): Can  
18 -- can you just give us a minute? We'll just put you  
19 on hold, and we'll have a short discussion here and  
20 we'll get back to you.

21 CO-FACILITATOR BARB SWEAZEY: Sure.  
22 Barb -- it's -- we call those cozy meetings, so we'll  
23 hear from you in a second.

24

25 (BRIEF PAUSE)

1 CO-FACILITATOR BARB SWEAZEY: Barb,  
2 from Stratos. How are you guys getting along there?  
3 No pressure, but just wanted to check in.

4 MR. MARK POCKLINGTON (BY PHONE): Can  
5 you hear us now? It's Mark here. We're back.

6 CO-FACILITATOR BARB SWEAZEY: Yes, we  
7 can hear you perfectly. Go ahead. Thanks, Mark.  
8 We're ready.

9 MR. MARK POCKLINGTON (BY PHONE):  
10 Thank you very much for being patient with us here.  
11 We just had a little discussion. Earl Hope here wants  
12 to have a word for a minute. Go ahead, Earl.

13 MR. EARL HOPE (BY PHONE): Just --  
14 we're just thinking about, like, once that road is  
15 pushed through to the mine and everything is all,  
16 like, the road starts to wind and all that, where do  
17 they keep -- like, past the mine's life. Like, after  
18 the road is put in, there's going to impacts. As soon  
19 as you -- you start knocking trees down you're  
20 starting impacts, and that doesn't change. It's going  
21 to be there for the rest of our generation and the  
22 generation to come.

23 So we're -- we're looking past the mine  
24 for, like, a culture tag or -- or maybe a resort or  
25 something out there, because once you put that road in

1 you're not going to be able to take it out unless --  
2 unless a tree grow back in and that later on. So  
3 that's what we're looking at.

4 CO-FACILITATOR BARB SWEAZEY: Thank  
5 you very much, Earl, for that input and describing  
6 your thought process in your temporal time frame that  
7 you're thinking along.

8 Is there a specific -- is there any  
9 question that you would like to pose, or is that just  
10 more for our contemplation?

11 MR. EARL HOPE (BY PHONE): Just for --  
12 for you guys to think about, like, because it's going  
13 to be there once you -- when you start to make the  
14 road there's going to be impact on everything, all the  
15 wildlife, water, air, everything. It's going to  
16 impact, even -- even humans, everything.

17 MR. ALAN EHRLICH: Hi, Earl. It's --  
18 it's Alan Ehrlich here. We -- we can hear -- we think  
19 we can hear pretty much everything you're saying, but  
20 the phone connection is not great.

21 Can I ask a question? You mentioned,  
22 once you put the road in you can't go back in and dig  
23 it out.

24 Are you saying that you want the road  
25 to be a long-term thing or are you concerned about how

1 they plan to wrap it up when they're done, how they  
2 plan to remediate or reclaim the road?

3 MR. EARL HOPE (BY PHONE): Well, yes,  
4 to remediate, yes. If they're going to remediate it  
5 or are they going to leave it there for the -- the  
6 region to use to get access into the park, you know,  
7 like take it out or leave it there for access to the  
8 park for future development on Nahanni traditional  
9 land.

10 MR. DAVID HARPLEY: We hear -- Earl,  
11 this is probably a discussion we still need to have  
12 with the community. But at this point in time, our  
13 approach as a company is that once we have finished  
14 using the road as a mine, we're duty bound to reclaim  
15 the road so that natural vegetation can re-establish.

16 However, there -- there's an argument  
17 that could be made for continued use of the road, but  
18 that's a discussion that needs to occur between  
19 parties, such as yourself, Parks Canada, and others.  
20 We're amenable to the road continuing to exist beyond  
21 the mine life, but that's really not our decision to  
22 make.

23 MR. EARL HOPE (BY PHONE): Okay.

24 CO-FACILITATOR BARB SWEAZEY: Barb,  
25 here. Thank you very much, Dave and Alan, and Earl

1 for your question and comments. Are there additional  
2 questions or -- or ideas or comments that you would  
3 like to share?

4 MR. MARK POCKLINGTON (BY PHONE): Do  
5 any of you want to bring up about the wildlife? Okay.  
6 Sure.

7 While we were on hold, Lorraine brought  
8 up something -- Mark speaking here. She brought up  
9 something that deserves a -- now, a number of people  
10 within the community have put some serious concerns  
11 about the impact, of course, on the -- on the  
12 wildlife.

13 The wildlife near -- nearby Nahanni  
14 Butte here is -- is relied on for traditional hunting  
15 and that. And once the road comes in, it's -- there's  
16 a genuine concern that it'll open up the -- the area  
17 that's not protected now by any kind of national park  
18 or reserve and to -- to a free for all hunting that  
19 might take place.

20 And this would have a -- a serious  
21 impact on -- on the community here who rely a lot on -  
22 - on the moose harvest, or -- or other -- other  
23 animals to harvest in the areas for themselves, so.  
24 You know, what -- you know, how -- how that will  
25 happen, I think -- you know, how to control that might



1 be -- be a real challenge, but we're hoping that the -  
2 - the IAB lands that -- that the road will move  
3 through, there might be some -- some way of having a  
4 security gate that makes it clear that -- that hunters  
5 can't be just willy nilly going in -- into that, you  
6 know, alongside the road and -- and hunts whenever  
7 they wish.

8 MR. DAVID HARPLEY: It's Dave Harpley,  
9 here again. And, Mark and councillors, yes, you can  
10 remember we've had discussions on this in the  
11 community just recently. And we too are hopeful that  
12 the IAB lands represent a -- a legal basis upon which  
13 to have a gated situation on the road.

14 I -- I would also add that this would  
15 be in addition to the barge crossing, which, of  
16 course, would be private and not available to  
17 unauthorized users. And we've also previously  
18 discussed a -- a control point somewhere halfway  
19 between the crossing and Grainger Gap staffed by your  
20 members.

21 So of course, we haven't come to a  
22 conclusion on these discussions, but we're -- it seems  
23 to me both parties are keen to continue the  
24 discussions and come to a -- a point where we have an  
25 agreed position.

1 MR. MARK POCKLINGTON (BY PHONE):

2 Thank you, David.

3 CO-FACILITATOR BARB SWEAZEY: Thank  
4 you, Mark and Lorraine. Do you have any follow-up  
5 questions, or was the information that Dave provided  
6 what you were looking for?

7 MR. MARK POCKLINGTON (BY PHONE): No,  
8 no, I understand that there's been some presentations  
9 made by -- by what the -- has -- has Parks Canada had  
10 a chance to make some presentations recently, or -- in  
11 -- in the last day or two (2)? Or -- or can I just  
12 ask them questions?

13 CO-FACILITATOR BARB SWEAZEY: It's  
14 Barb here. Can -- first, may I just ask who asked that  
15 question? Was that you again, Mark?

16 MR. MARK POCKLINGTON (BY PHONE):  
17 Yeah, sorry. I'm sorry. Yes, it's Mark.

18 CO-FACILITATOR BARB SWEAZEY: And just  
19 to clarify, were you wondering if Parks Canada made  
20 any formal presentations at the technical session, or  
21 if they've been involved in asking questions related  
22 to -- to wildlife and other topics in the technical  
23 session so far?

24 MR. MARK POCKLINGTON (BY PHONE): You  
25 know, just questions. Have they -- have they asked

1 questions regarding -- about impact on wildlife and  
2 things -- and like that, or have they asked whether  
3 more studies are required, or?

4

5 (BRIEF PAUSE)

6

7 MS. ALLISON STODDART: Hi, this is  
8 Allison Stoddart, with Parks Canada. So, yes, just to  
9 confirm, we definitely have been involved in  
10 discussions throughout yesterday and today. You know,  
11 we've -- we've had various discussions ranging through  
12 from, you know, the request for additional baseline  
13 work around vegetation. We've talked about the  
14 specifics around water quality and sediment and  
15 erosion control.

16 We've talked about -- today, we -- we  
17 had various discussions around wildlife specific to,  
18 you know, bears, mountain caribou, forest birds,  
19 migratory birds, that sort of thing. We've also had  
20 discussions and requests with regards to gathering  
21 information around cultural resources.

22 So that's just a very quick summary for  
23 you. We -- this afternoon, we've -- we've talked  
24 about some of the engineering with regards to the  
25 road, and -- and we will continue to do that tomorrow

1 along with discussions around the realignment of  
2 Sundog Creek. Hope that helps.

3 MR. MARK POCKLINGTON (BY PHONE):

4 Yeah, it's Mark again. No, it does, thank -- thank  
5 you very much. I'm glad that you -- you brought that  
6 up. One (1) concern that -- that I've heard within  
7 the community here is this -- this project, even  
8 though the winter road before has -- has -- a lot of  
9 studies have been involved. We've been involved with  
10 a lot of studies in the last five (5) years.

11 And we were just wondering as the --  
12 the requests are being made for more studies, is there  
13 any kind of a timeline that -- that you can -- you can  
14 inform us as far as how -- how long you think these  
15 studies might take?

16 MR. DAVID HARPLEY: This is Dave  
17 Harpley. Mark and counsellors, to kind of bring you  
18 up to date and -- and to expand on your question, and  
19 also the answer from Parks Canada, some of the  
20 requests made in the room here are relatively  
21 straightforward to answer and respond to, and we've  
22 undertaken to do that. So I don't see those as a  
23 significant barrier to moving forward with the process  
24 expediently.

25 However, a number of requests have been

1 made to Canadian Zinc, primarily from Parks Canada but  
2 not only from Parks Canada, relating to baseline data  
3 for vegetation, baseline data for wildlife, and also  
4 studies regarding heritage resources in terms of  
5 professional archeologists being involved in  
6 identifying areas for further investigation, and then  
7 follow-up field work.

8 I should tell you that if any one (1)  
9 of those three (3) requests are -- basically come --  
10 come to be, there is the potential for there to be a  
11 significant delay in the process. So maybe it would  
12 be helpful for you to provide your comments on that  
13 situation to the Board and parties.

14 MR. MARK POCKLINGTON (BY PHONE):  
15 Thank you, David. It's Mark here again. The -- the  
16 one -- one (1) concern that we have in the community  
17 is that -- we understand the -- the need for these  
18 studies. It's -- it's the timeline that's -- that's  
19 of concern.

20 Is there some way some of these studies  
21 can be -- be done while the road is being built, like  
22 over a two (2) year period? I mean, it's going to  
23 take two (2) years -- our understanding, to -- a year  
24 to two (2) years to -- to build this road. Some of  
25 these studies can be done as -- as the road is being

1 built, or is this a situation -- maybe I don't  
2 understand the process very well, but is this a  
3 situation where you can't even start the road until  
4 these studies are made?

5

6 (BRIEF PAUSE)

7

8 MR. MARK POCKLINGTON (BY PHONE): Or -  
9 - or I should say, these -- these baseline-type  
10 studies, do they all have to be performed and  
11 completed before you even get the permit to even start  
12 the road?

13

14 (BRIEF PAUSE)

15

16 MR. MARK CLIFFE-PHILLIPS: Mark and  
17 counsellors from Nahanni Butte, this is Mark Cliffe-  
18 Phillips, the executive director with the Review  
19 Board. Currently right now, any future requirements  
20 for -- for studies will be -- be put before the Board  
21 at -- at the request of -- of parties, or the -- the  
22 Board themselves may request for additional studies to  
23 be undertaken. That's all within the discretion of  
24 the Board. As staff here, we can't speak on behalf of  
25 the Board.

1                   In terms of timing, again, the -- the  
2 Board has a mandate to understand all the impacts of  
3 the project itself. It's a requirement of the law,  
4 the -- the legislation, and the Board will require the  
5 information that they need to make a meaningful  
6 decision.

7                   MR. MARK POCKLINGTON (BY PHONE):

8 Okay, but I just -- I think, on behalf of the  
9 community here, we -- I've heard it said by -- by many  
10 here, these studies have a funny way of -- of dragging  
11 on for -- for a number of years.

12                  And when you were talking about  
13 potential building this road, Canadian Zinc, sometimes  
14 you have to take advantage of the momentum that comes  
15 when the market presents itself that they -- they want  
16 to open up a mine and the funding is available. And  
17 sometimes that's only a six (6) month or a one (1)  
18 year window.

19                  Studies have a way of -- of dragging  
20 things on past that window, and before you know it,  
21 you've lost the momentum and you'll be sitting idle  
22 for another five (5) years. I think the -- the  
23 community just does not want to see that happen, and  
24 so they would -- they -- they understand the -- the  
25 needs -- you know, need for the study, do it right.

1                   I mean, Earl brought up the fact that  
2 we -- you know, this is a -- a major decision, and  
3 they want to do it right. But how much of it can be  
4 done, you know, in the process of -- of building the  
5 road, or does it all have to be done even before they  
6 -- they start? And this is -- this is the question  
7 that I think we -- we have here.

8                   MR. MARK CLIFFE-PHILLIPS:    Thanks  
9 again, Mark and -- and councillors. So in -- in terms  
10 of the -- the studies that have been put forward  
11 during the technical session so far, any further  
12 information that's being provided or -- or studies  
13 that would be undertaken by Canadian Zinc are only  
14 things that have been committed to by the Developer.  
15 And -- and they'll provide timelines around the  
16 delivery of those particular aspects.

17                  In terms of any future studies, again,  
18 the -- the Board will take into consideration the --  
19 the requirements that they require. At any time  
20 during the process, the Board also hears from com --  
21 the community and -- and other parties on -- on the  
22 requirements around information that is going to be  
23 asked for in front of the Board. And -- and we ask  
24 that Nahanni Butte can provide input at that time.  
25 Thank you.



1 MR. MARK POCKLINGTON (BY PHONE):

2 Thank you.

3

4 (BRIEF PAUSE)

5

6 MR. MARK POCKLINGTON (BY PHONE): Do

7 you want to have some discussion some more? Okay.

8 Can we just put you on hold for a minute?

9 CO-FACILITATOR BARB SWEAZEY: Yes.

10 Please go ahead. We'll check back with you -- you in

11 a moment.

12 MR. MARK POCKLINGTON (BY PHONE):

13 Okay. Thank you.

14

15 (BRIEF PAUSE)

16

17 CO-FACILITATOR BARB SWEAZEY: It's

18 Barb here. So we actually have a couple of additional

19 questions or comments as a follow-up to that thread.

20 So I know CanZinc has one that's in response, as does

21 the Review Board.

22 GNWT, is your question related to the

23 topic that we've just been talking about, or is it a

24 different question?

25 MS. MELISSA PINK: Different question,

1 earlier --

2 CO-FACILITATOR BARB SWEAZEY: Oh.

3 MS. MELISSA PINK: -- earlier

4 discussion.

5 CO-FACILITATOR BARB SWEAZEY: Earlier,

6 okay.

7 MS. MELISSA PINK: Or a different

8 comment, I guess.

9 CO-FACILITATOR BARB SWEAZEY:

10 Different comment. Can I ask you to hold just for one

11 (1) moment?

12 MS. MELISSA PINK: Sure.

13 CO-FACILITATOR BARB SWEAZEY: Thanks.

14 So, Mark and councillors, if we have a

15 -- a couple of additional comments and questions

16 related to the topic of timing, is -- is it okay for

17 us to interject, or do you need a couple more minutes

18 to finish your huddle?

19 MR. MARK POCKLINGTON (BY PHONE):

20 Okay. We're back on. Thank you very much. We're all

21 here. Go ahead.

22 CO-FACILITATOR BARB SWEAZEY: Thank

23 you, Mark. So I'm going to turn to Dave first from

24 CanZinc, and then to Chuck from the Review Board.

25 MR. DAVID HARPLEY: Yeah. It's Dave

1 Harpley. Mark and councillors, just to add to the  
2 reply to your question that Mark from the Board  
3 provided an answer to. You had asked: Can the  
4 studies that have been requested be done during  
5 construction?

6 I think the answer to that is dependent  
7 on the parties who are asking for the information.  
8 However, for quite a number of the studies that have  
9 been requested, they're -- they're baseline studies.  
10 And typically, baseline, you need the information  
11 before any development occurs, so that would tend to  
12 suggest that isn't possible.

13 But further to -- further to that, it's  
14 -- it's not just before construction that the  
15 information is being requested, it's during the EA  
16 process that the information is being requested, which  
17 is why I wanted to make it clear to you that the --  
18 the requests for studies being posed to us have the  
19 potential to cause a significant delay in the EA  
20 process before we even get to the permitting phase and  
21 the construction phase.

22 So, you know, if you have views on  
23 that, then I would kind of encourage you to make them  
24 known.

25 CO-FACILITATOR BARB SWEAZEY: So,

1   okay, Parks is going to add to that.   And then, Mark  
2   and counsellors, I will go back to you.

3                   MS. ALLISON STODDART:   Yeah.   So it's  
4   Allison Stoddart, with Parks Canada.   So I just wanted  
5   to make sure the community understands that the  
6   information that we are asking for today or that we,  
7   you know, have been speaking about today and yesterday  
8   is information that we have already asked for  
9   previously from the Proponent.

10                   So the Proponent was aware of this --  
11   of -- of us requiring this information.   And they've  
12   been aware of this for -- for a while now, so it --  
13   it's not that we've just presented it now.

14                   CO-FACILITATOR BARB SWEAZEY:   So I'll  
15   go to the Nahanni Butte to see if you have any follow-  
16   up questions or responses.   And then I'm going to turn  
17   to the Review Board.

18                   MR. MARK POCKLINGTON (BY PHONE):  
19   Yeah, I can understand the Proponent not being able to  
20   -- this is Mark again, sorry -- get -- get back and do  
21   some of these studies because of the market situations  
22   at the time, where everything was on -- on care and  
23   maintenance or on hold while they waited for -- for  
24   the market to turn around.

25                   But there -- it seems like Parks have a

1 strong input in -- in doing these baseline studies,  
2 and I can -- I -- I can appreciate that on the Parks  
3 side of things. But there's a big area -- half the  
4 road is on Nahanni Butte traditional lands. And I --  
5 I wonder if -- if the same -- the same amount of  
6 studies have to be done on -- on the traditional lands  
7 as what Parks is requesting on their part, their  
8 section.

9                   And you -- you could -- you could  
10 appreciate a small community like Nahanni Butte, every  
11 six (6) months, every year that they're waiting for  
12 studies to be completed cost the community  
13 significantly from the loss earnings potential,  
14 revenue streams to the -- you know, to the -- to the  
15 youth and to the Elders, potential -- you know, the  
16 industrial activity that has revenue sharing programs  
17 that can help build youth centres, wellness centres.

18                   I mean, every six (6) months, every one  
19 (1) year delay, it costs the community significantly.  
20 I can -- I -- I can say that from firsthand experience  
21 living here, that you can -- you -- you continue with  
22 -- with studies, sooner or later, at some point,  
23 you're going to end up with either a ghost town or a  
24 museum for a community.

25                   So the -- I think there's a certain

1 frustration here. And I -- I think the Board should  
2 be well aware of that, that studies have been going on  
3 for a number of years, and we're not quite certain  
4 that -- that they can't be prioritized in some -- in  
5 some sort of way, move forward so that it can be done  
6 in a matter of months rather than years.

7 CO-FACILITATOR BARB SWEAZEY: Thank  
8 you very much -- much, Mark, for your -- for your  
9 explanation and your -- and your comments. And we  
10 have certainly heard and acknowledge what you've been  
11 sharing with us.

12 I'm going to actually turn it back over  
13 to the GNWT. I believe you had a follow-up question  
14 from an earlier thread.

15 MS. MELISSA PINK: Sure. Melissa  
16 Pink, with GNWT. Just a comment. There was a  
17 question from Nahanni Butte about what Canadian Zinc  
18 intended to do with the road after mine closure, and  
19 so there was a little bit of discussion regarding  
20 continued use. And Canadian Zinc mentioned there  
21 would be -- if that was something Nahanni Butte was  
22 interested in, a discussion with Nahanni Butte, Parks  
23 Canada, and CanZinc.

24 And GNWT would like to be involved in  
25 those discussions if that discussion happens, as we'd

1 need to be involved in that, actually.

2 CO-FACILITATOR BARB SWEAZEY:

3 Comments? Thank you. Okay. I'm seeing nods around  
4 the head -- or nods around the room. So I'm very  
5 mindful of the time. I know that the folks from  
6 Nahanni Butte were -- were a little bit -- haven't had  
7 as -- quite as much time as was originally on the  
8 schedule, but I'm wondering whether or not you have  
9 any additional questions to ask at this time?

10 We're also knowing that there's the  
11 community conversation technical session we'll have  
12 someone from the Review Board speaking about that  
13 again in a moment.

14 Are there any additional questions  
15 you'd like to use this opportunity to -- to raise?

16 MR. MARK POCKLINGTON (BY PHONE):

17 We're fine here. Thank you.

18 CO-FACILITATOR BARB SWEAZEY: I'm  
19 going to -- it's Barb, again. I'm just looking around  
20 at the room. Are there any additional comments or  
21 questions that you have? Darrell, you're okay?

22 MR. DARRELL BETSAKA: I have an  
23 additional question regarding spiritual arch --  
24 archeological integrities due to a -- about a -- it's  
25 a hard subject. About a mile -- about a -- about...

1                   About half of my family is buried about  
2 a mile above the crossing. I'd like that to be  
3 addressed, and if there's going to be any negative  
4 impacts, I'm going to be on site.

5                   CO-FACILITATOR BARB SWEAZEY:    Thank  
6 you, Darrell, for that explanation and your -- your  
7 story that you've shared with us. Do you know of the  
8 location?

9                   MR. DAVID HARPLEY:    This is Dave  
10 Harpley. Just for those folks on the telephone there,  
11 that was Darrell Betsaka asking the question.

12                   Darrell, we had a discussion in the  
13 community, I think it was last January, or  
14 January/December, sometime. And we had a number of  
15 the elders in the store there and we had the -- the  
16 road maps out on the table. And I -- my colleagues  
17 can correct me here, but somebody raised the question  
18 about a burial site. It -- it's the -- Wilbert, you  
19 can help me there, the fellow that works for Parks  
20 Canada on a seasonal basis.

21                   But anyway, there was -- the question  
22 came up regarding the burial site and if it was  
23 proximal to the crossing. So we looked over the maps  
24 and confirmed where the crossing actually was and then  
25 the community members were able to see the road in



1 relation to the burial site.

2 And -- and their reaction was that the  
3 crossing was sufficiently distant from the burial site  
4 that they weren't concerned about it. I'm not sure  
5 that's exactly the location you're referring to, but  
6 I'm just relating to you what transpired during that  
7 meeting. And, you know, we can certainly look again  
8 and confirm that, Yes, it's the same location and  
9 you're -- you're okay with that or otherwise.

10 MR. DARRELL BETSAKA: Yeah, that would  
11 be fine.

12 CO-FACILITATOR BARB SWEAZEY: Great.  
13 Thank you very much. I'm continuing around the table.  
14 The Liidlili Kue, any additional questions, comments?

15 MR. DEAN HOLMAN: Not today, thank  
16 you.

17 CO-FACILITATOR BARB SWEAZEY: Anyone  
18 on -- okay. So, Chuck, I think you are just going to  
19 perhaps make a closing comment.

20 MR. CHUCK HUBERT: Thanks. Chuck  
21 Hubert, here with the Review Board. And, Mark, there  
22 on the phone, we've spoken before a little bit about -  
23 - the last couple weeks about a planned technical  
24 session that Board staff will make in -- in Nahanni  
25 Butte.

1                   And we are, you know, continuing to try  
2 to find a date as soon as possible for this. So on  
3 that subject, since you have council members with you  
4 in the room right now, if you could perhaps talk with  
5 each other and suggest a -- a day, or day or two (2)  
6 even -- actually two (2) days is preferable, within  
7 the next few weeks, and -- and get back to -- to me or  
8 -- or the Review Board on when that time would be  
9 preferable, we would much appreciate that.

10                   So we are planning to come to your --  
11 to your community and, please, suggest a time.  
12 Thanks.

13                   MR. MARK POCKLINGTON (BY PHONE):  
14 Chuck, it -- it's Mark here. The one schedule that I  
15 know that might conflict is a -- is the Dehcho First  
16 Nations leadership -- is that what this says -- yeah,  
17 it says leadership conference and that -- that's  
18 taking place in Delmori (phonetic) from June 26th to  
19 30th, and so that's -- that particular week it's been  
20 -- a number of counsellors will be going -- going to  
21 that.

22                   CO-FACILITATOR BARB SWEAZEY: Barb  
23 here. So thank you for that, Mark, and perhaps you  
24 can get back in touch with Chuck on either side of  
25 that one (1) leadership conference window with perhaps

1 a couple of other suggestions.

2                   So with that, I think that we're going  
3 to close. On behalf of the parties that are in the  
4 room here in Yellowknife, I really would like to thank  
5 Mark and the five (5) counsellors for joining the  
6 conversation with us. We appreciate your -- your  
7 input and your time today.

8                   For those that are in the room, we will  
9 reconvene tomorrow morning at 8:30, and if there are  
10 any people that were somewhat involved or implicated  
11 in some of the undertakings or commitments, if you  
12 have a chance to pop in here just to -- to review that  
13 will be great. We will post up like we did this  
14 morning the undertakings and commitments from day 2 at  
15 the beginning of tomorrow morning.

16                   All right. Thank you very much  
17 everyone. Have a good evening. We'll see you  
18 tomorrow.

19

20 --- Upon adjourning at 5:17 p.m.

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2 Certified by,

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5 Robert Keelaghan, Mr.

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