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February 14, 2020

File: S20S-002

Mr. Mark Cliffe-Phillips  
Mackenzie Valley Environmental Impact Review Board  
200 Scotia Centre  
Box 938, 5102-50th Avenue  
Yellowknife, NT X1A 2N7

Sent by email

Dear Mr. Cliffe-Phillips,

**Re: Notice of Preliminary Screening Determination – Application for Land Use Permit – Geotechnical Investigation at 12 Mile Creek, Sahtu Region, NT**

The Sahtu Land and Water Board (Board) met on February 14, 2019 and considered the Application from Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) for Type A Land Use Permit (Permit) S20S-002 for the Geotechnical Investigation for the proposed 12 Mile Creek Bridge replacement at the existing watercourse crossing along the Mackenzie Valley Winter Road in accordance with the *Mackenzie Valley Resource Management Act (MVRMA)*.

The Board reviewed the preliminary screening based on the public record for the proceeding. Based on the evidence provided, the Board is satisfied the screening has been completed according to section 125(2)(a) of the MVRMA and has decided **not to refer** the project to environmental assessment. The Board's reasons for decision, as required by section 121 of the MVRMA, are attached.

If the Board does not receive notice of referral to environmental assessment, it can proceed with issuance of Permit S20S-002 on Tuesday February 25, 2020.

Our Board and staff look forward to continued communications throughout the pause period. If you have any questions or concerns regarding this letter, please contact Paul Dixon at (867) 598-2413 ext. 225 or email at [Paul.dixon@slwb.com](mailto:Paul.dixon@slwb.com).

Yours sincerely,

Larry Wallace  
Chair, Sahtu Land and Water Board

Copied to: Tulita Distribution Lists  
Patricia Coyne ( [patricia\\_coyne@gov.nt.ca](mailto:patricia_coyne@gov.nt.ca) )

Attached: Preliminary Screening and Reasons for Decision

## PRELIMINARY SCREENING REPORT FORM

<p><b>PRELIMINARY SCREENER:</b> Sahtu Land and Water Board, Bonnie Bergsma</p> <p><b>REFERENCE / FILE NUMBER:</b> S20S-002</p> <p><b>APPLICANT:</b> GNWT - Department of Infrastructure</p> <p><b>TITLE:</b> 12 Mile Creek Bridge Geotechnical Assessment</p> <p><b>MEETING DATE:</b> February 14, 2020</p>	<p><b>EIRB REFERENCE NUMBER:</b></p>
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**Type of Development:** (S) – Geotechnical

- Type of Development:**
- New Development
  - Amend, EIRB Ref. #
  - Renew, EIRB Ref. #
  - Requires permit, licence or authorization
  - Does not require permit, licence or authorization

**Project Summary:**

The purpose of this Project is to conduct a geotechnical assessment at the 12 Mile Creek Bridge to characterize subsurface conditions near the existing water crossing to inform the engineering design and construction of the proposed bridge replacement. The activities will take place within the alignment of the Mackenzie Valley Winter Road located 14 km east of Tulita, NWT. A track or truck mounted auger or core drill will be used to advance a minimum of two boreholes on each side of 12 Mile Creek, outside of the ordinary high water mark. During the drilling, stratigraphy will be documented, and samples of the embankment may be collected. Upon completion, each borehole will be immediately backfilled with drill cuttings. Water use will be minimal, no vegetation removal is anticipated, and no camp is required. The Project is expected to be completed within one week and will take place upon approval of the permit in March of 2020.

**Scope:**

The scope of activities includes use of equipment for geotechnical borehole drilling and fuel transfer and storage.

**Principal Activities (related to scoping)**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Construction                                | <input type="checkbox"/> Exploration       | <input type="checkbox"/> Decommissioning                  |
| <input type="checkbox"/> Installation                                | <input type="checkbox"/> Industrial        | <input type="checkbox"/> Abandonment                      |
| <input type="checkbox"/> Maintenance                                 | <input type="checkbox"/> Recreation        | <input type="checkbox"/> Aerial                           |
| <input type="checkbox"/> Expansion                                   | <input type="checkbox"/> Municipal         | <input type="checkbox"/> Harvesting                       |
| <input type="checkbox"/> Operation (re-suspension)                   | <input type="checkbox"/> Quarry            | <input type="checkbox"/> Camp                             |
| <input type="checkbox"/> Repair                                      | <input type="checkbox"/> Linear / Corridor | <input checked="" type="checkbox"/> Scientific / Research |
| <input type="checkbox"/> Water Intake                                | <input checked="" type="checkbox"/> Sewage | <input checked="" type="checkbox"/> Solid Waste           |
| <input checked="" type="checkbox"/> Other: fuel transfer and storage |  |   |

**Principal Development Components (related to scoping)**

- Access Road
  - construction
  - abandonment/removal
  - modification e.g., widening, straightening
- Automobile, Aircraft or Vessel Movement
- Blasting
- Building
- Burning
- Burying
- Channeling
- Cut and Fill
- Cutting of Trees or Removal of Vegetation
- Dams and Impoundments
  - construction
  - abandonment/removal
  - modification
- Ditch Construction
- Drainage Alteration
- Drilling other than Geoscientific
- Ecological Surveys
- Excavation
- Explosive Storage
- Fuel Storage (in tidy tanks on trucks)
- Topsoil, Overburden or Soil
  - fill
  - disposal       removal
  - storage
- Waste Management
  - disposal of hazardous waste
  - waste generation
  - drilling wastes
- Sewage
  - disposal of sewage
- Geoscientific Sampling
  - trenching
  - diamond drill
  - borehole core sampling – auger or core drill
- Bulk soil sampling
- Gravel
- Hydrological Testing
- Site Restoration
  - fertilization
  - grubbing
  - planting/seeding
  - reforestation
  - scarify
  - spraying
  - recontouring – backfill boreholes
- Slashing and removal of vegetation
- Soil Testing
- Stream Crossing/Bridging
- Tunneling/Underground
- Water Intake
- Other

**NTS Topographic Map Sheet Numbers**      096C14

**NTS Map Sheet #s:**

Latitude/Longitude and UTM System:      Minimum Latitude: 64°53'43"N      Maximum Latitude: 64°53'46"N  
 Minimum Longitude: 125°16'33"W      Max. Longitude: 125°17'7"W

**Nearest Community and Water Body:**      Hamlet of Tulita; 12 Mile Creek and Mackenzie River

**Land Status (consultation information)**

(CHECK ALL THAT APPLY)

- Free Hold / Private       Commissioner's Land       Federal Crown Land       Municipal Land

**Transboundary Implications**

- British Columbia       Alberta       Saskatchewan       Yukon  
 Nunavut       Wood Buffalo National Park       Inuvialuit Settlement Region

N/A

**Type of Transboundary Implication:**       Impact / Effect       Development

Public Concern \_\_\_\_\_

N/A

## PHYSICAL - CHEMICAL EFFECTS

### **IMPACT**

### **MITIGATION**

#### **1. Groundwater**

Water table alteration

Groundwater is not expected to be encountered during the project but, will be noted on the field reports if encountered. Mitigation measures include:

1. The augers used for the drilling will be decontaminated so that the intersection of the boreholes with groundwater will not introduce any contaminants to the groundwater. Further, each of the boreholes will be backfilled with drill cuttings that came from that borehole, so, there will be no introduction of contaminants through backfilling.
2. The Spill Contingency Plan (SCP) will be in place to protect against spills and if any spills were to occur, they would be cleaned up (as per SCP). This will help prevent groundwater contamination via spills.
3. A Standard Condition for "Flowing Artesian Well" is added in the draft land use permit to address the event of encountering an aquifer during the drilling process.

Water quality changes

Infiltration changes

Other:

N/A

### **IMPACT**

### **MITIGATION**

#### **1. Surface Water**

Water flow or level changes

Water quality changes

A limited quantity of surface water may be used to complete the core drilling during the Project (less than 0.5 m<sup>3</sup> of water per borehole). Any water required will be sourced from water bodies on the cleared alignment and will be less than 100 m<sup>3</sup> per day (the trigger for a water licence).

Mitigation measures include:

1. Drilling activities will be completed greater than 30 m from the ordinary high-water mark of 12 Mile Creek;
2. Any spills will be cleaned up and reported in accordance with the SCP;
3. Fuel transfer will occur at least 100 m from any water body;
4. DFO protocols for the withdrawal of water will be applied.

Water quantity changes

Drainage pattern changes

Temperature

Wetland changes / loss

Other:

N/A

### **IMPACT**

### **MITIGATION**

## 2. Noise

Noise increase

Noise in/near water

Project related noise will be localized and non-persistent given the short duration of the Project (2-3 days) and small number of vehicles.

Mitigation methods will include:

1. Vehicles and equipment will be maintained in proper operating condition to reduce noise;
2. Unnecessary idling will be discouraged;
3. Project activities will be completed > 30 m from the ordinary high water mark of the watercourse

Other:

### **IMPACT**

### **MITIGATION**

## 3. Land

Geologic structure changes

Soil contamination

Ground disturbance

Buffer zone loss

Soil compaction & settling

Destabilization / erosion

There is potential for water to pool in the backfilled boreholes and cause erosion. Mitigation measures include:

1. All project activities will take place in the winter under frozen conditions;
2. Sand will be placed in a slight mound over the divot holes so if there is settling, a divot will be less likely to develop;
3. Snow will be placed over the backfilled holes to provide insulation.
4. A site-specific sediment and erosion contingency plan will be developed that outlines contingencies in the event of permafrost degradation.

Permafrost regime alteration

The project is located within the zone of discontinuous permafrost zone with ice rich soils anticipated. Disturbance to the permafrost may result in changes in the active layer depth and melting of ground ice which would result in surface water ponding, erosion, settlement, etc.

Mitigation measures include:

1. The project is confined to the existing winter road during winter months, when the soil is frozen;
2. No additional clearing of vegetation or land is required;
3. After sampling, boreholes will be immediately backfilled with the frozen drill cuttings;
4. Sand will be placed in a slight mound over the divot holes so if there is settling, a divot will be less likely to develop;
5. Snow will be placed over the backfilled holes to provide insulation.
6. A site-specific permafrost protection contingency plan will be developed that outlines contingencies in the event of permafrost degradation.

Other:

**IMPACT**

**MITIGATION**

**4. Non Renewable Natural Resources**

- Resource depletion
- Other
- N/A

**IMPACT**

**MITIGATION**

**5. Air / Climate / Atmosphere**

Air Quality

Emissions from gasoline and/or diesel combustion engines used during the Project will be generated. However, given the small number of vehicles/equipment and short duration (2-3 days) of the project, impacts will be localized and non-persistent.

Mitigation measures include:

1. Vehicles and equipment will be maintained in proper operating condition;
2. Unnecessary idling will be discouraged;
3. No waste incineration or burning will be completed at the work sites during the Project.

Climate Change

Based on the short duration of the Project, it is not expected that the use of fossil fuels will have a consequential effect upon climate change. Mitigation measures are the same as for Air Quality in terms of minimizing emissions into the atmosphere.

Another aspect of climate change is the potential for exposure of permafrost during drilling to create conditions that result in pooling of water in divots created by the drilling and subsequent erosion.

Mitigation measures include:

1. Requiring the applicant to develop contingency plans for Permafrost Protection and Erosion Control that outline specific solutions to any unforeseen degradation following the drilling activity.

**BIOLOGICAL ENVIRONMENT**

**IMPACT**

**MITIGATION**

**1. Vegetation**

Species composition

Species introduction

Equipment and vehicles entering the area will be cleaned to minimize or prevent the transport and spread of non-native/invasive plant species.

Toxin / heavy accumulation

- Loss of timber along seismic lines
- Damage to ground vegetation and permafrost
- Increased fire hazard
- N/A

**IMPACT**

**MITIGATION**

**2. Wildlife & Fish**

✓ Effects on rare, threatened or endangered species

The areas adjacent to 12 Mile Creek Bridge support wildlife including some species with special conservation status, such as Caribou and Grizzly Bear. Although sensory and visual disturbances can occur, based on the short duration of the project, GNWT-ENR has confirmed that the likelihood of significant negative impacts to NWT- listed or pre-listed species at risk is minimal.

Mitigation measures include:

1. Minimize Project footprint to the extent possible.
2. Wildlife monitor will be present during the Project to monitor the location of overwintering caribou. Project activities will be ceased if caribou are identified within 500 m;
3. In order to minimize sensory and visual disturbances, vehicles and equipment will be maintained in proper operating condition, including the use of mufflers;
4. Observations of wildlife by Project personnel will be reported to ENR;
5. Traffic volumes and speeds will be kept low.

✓ Fish population changes

All of the boreholes will be drilled > 30 m from the ordinary high water mark of 12 Mile Creek and during the winter. Impacts to fish or fish habitat were not anticipated by Department of Fisheries and Oceans.

Mitigation includes:

1. All refueling > 100 m from watercourse
2. All spills cleaned up per SCP
3. Work areas will be kept clean

○ Waterfowl population

✓ Breeding disturbances

As the Project will be completed during the winter months, migratory birds will not be within the Project area.

Mitigation includes:

1. If required by GNWT-ENR, a raptor nest survey will be completed before the Project. If raptor nests are identified, horizontal setbacks will be established in accordance with the Sahtu Land Use Plan (1 km between early March to early August; 500 m between early August to late February) (SLUPB 2013).

✓ Population reduction

Owing to the brief timeline of the Project (2-3 days) and minimal equipment and vehicles, population reduction of wildlife is not anticipated, having enough precautionary measures in place.

Mitigations for potential wildlife population reduction and mortality from human-wildlife interactions include:

1. Equipment and vehicle movements and speeds will be kept low, which should minimize risk of collisions;
2. Any wildlife injury or mortality will be immediately reported to INF which will then inform ENR and the SLWB. The cause will be



- investigated with potential new mitigation developed and applied;
3. Maintenance measures to reduce attraction of wildlife will be employed;
  4. Additional mitigation, if required, to minimize effects on wildlife will be developed;
  5. Wildlife will have the right-of-way during the Project;
  6. Project related employees and contractors will be prohibited from feeding, harassing, or approaching wildlife;
  7. Hunting will not be allowed during the Project;
  8. All sightings of caribou will be reported to wildlife monitors or environmental monitors;
  9. The locations of the caribou will be recorded and provided to ENR upon completion of the Project;
  10. The Project will comply with the NWT *Wildlife Act*.

Species diversity change

Health changes (identify)

Behavioral changes (identify)

The Project will be of short duration (2-3 days) along existing winter road alignment. Sensory disturbance effects from project activities (e.g. noise and visual disturbances) are expected to be short-term and localized.

Mitigation measures include:

1. Minimize Project footprint to the extent possible;
2. Wildlife monitor will be present during the Project to monitor the location of overwintering caribou. Project activities will be ceased if caribou are identified within 500 m (GNWT 2015);
3. Drilling activities will not be completed within 800 m of bear, wolverine or wolf dens. If during the drilling activities, dens are identified, work will cease at that location;
4. If raptor nests are identified, horizontal setbacks will be established in accordance with the Sahtu Land Use Plan (1 km between early March to early August; 500 m between early August to late February) (SLUPB 2013);
5. Vehicles and equipment will be maintained in proper operating condition, including the use of mufflers;
6. Unnecessary idling will be discouraged;
7. Traffic along the alignment will be minimized (when possible). Observations of wildlife by Project personnel will be reported to ENR;
8. Traffic volumes and speeds will be kept low.

Habitat changes / effects

Game species effects

Toxins / heavy metals

Spills of hydrocarbons or other toxic substances may result in injury to wildlife or wildlife habitat.

Mitigation measures to reduce the risk include:

1. Pre-project and tailgate safety meetings will be held on a regular basis throughout the Project schedule to minimize accidents and malfunctions in the field;
2. All contaminants will be stored at a designated storage area more than 100 m from the high-water mark of any waterbody;
3. All fuel storage vessels will have secondary containment such as containment trays, berms, and/or double-walled tanks designed to hold 110% of total volume of stored fuel;
4. Other contaminants will be stored within a containment berm

- with capacity to hold 110% or more of the stored contaminants;
5. All fuel storage and transfer operations will take place at a designated area, a minimum of 100 m from any waterbody or watercourse, and will be conducted by trained personnel;
  6. An emergency spill response kit will be kept in vehicles and wherever fuel is stored;
  7. Spill mats and/or drip pans/trays will be placed under all mobile fuelling containers and under equipment when not in use;
  8. All equipment used for operations will be in good working order and free of leaks;
  9. Regular inspection and maintenance will be conducted for all heavy equipment and vehicles, including fuel transfer hoses and fuel/oil lines, associated with the Project;
  10. Identified equipment or vehicle deficiencies will be repaired Drips will be cleaned up immediately;
  11. Comply with fuel storage and handling guidelines and best practices including personnel training, fuel storage setbacks, secondary containment, etc. Any spills will be cleaned up and reported in accordance with the SCP.

Forestry changes

Agricultural changes

Other: Wildlife Incidents Any wildlife injury or mortality will be immediately reported to INF which will then inform ENR and the SLWB. The cause will be investigated with potential new mitigation developed and applied.

N/A

## **INTERACTING ENVIRONMENT**

### **1. Habitat & Communities**

Predator-prey

Wildlife habitat / ecosystem composition changes

Reduction / removal of keystone or endangered species

Removal of wildlife corridor or buffer zone

Other: Canadian Important Bird Areas

### **1. Social & Economic**

Planning / zoning changes or conflicts

Rental house

Airport operations / capacity changes

Human health hazard

Impair the recreational use of water or aesthetic quality

Affect water use for other purposes

- Affect other land use operations
- ✓ Quality of life changes      It is the GNWT mandate to support the Mackenzie Valley Highway which has been a long-deserved connection for Sahtu residents to reduce the cost of living.
- Public concern
- ✓ Other: Employment Opportunities      As this project is of a brief time frame, there are unlikely to be any significant or long-term impacts on employment and business in local communities. However, there may be short-term employment opportunities for residents of Tulita or Norman Wells and other nearby communities as labourers, wildlife monitors, and/or drillers.

## 1. Cultural & Heritage

- Affects to historic property
- Increased economic pressure
- Changes to or loss of historic resources
- ✓ Changes to or loss of archeological resources      The MVWR is located within the Zone 63 Deh Cho (Mackenzie River) which is a Special Management Zone (SMZ) within the Sahtu Land Use Plan (SLUPB 2013). This SMZ was developed to protect cultural/heritage areas, as well as water quality, riparian habitat, and wildlife. The MVWR is also recognized within this zone. This zone has been identified to have the potential to have traditional land use sites. An Archaeological Overview Assessment (AOA) for the Project identified certain areas with high archaeological potential that would require completion of an AIA (Archaeological Impact Assessment) in advance of any land-altering Project activities. However, as this Project will be completed within the current winter road alignment, on previously disturbed lands, archaeological features are not anticipated to be encountered during the Project, and an AIA would not be required.  
  
Mitigation measures include:
  1. If during the Project, archaeological sites are identified, INF and its Contractor will adhere to the conditions outlined in the LUP including but not limited to contacting the SLWB and the Prince of Wales Northern Heritage Centre.
- Increased pressure on archeological resources
- ✓ Effects to aboriginal lifestyle      There is the potential for the Project to disrupt hunting or trapping activities. However, given the short duration of the Project (2-3 days), this potential impact is minimal.
- ✓ Other: Incorporation of local knowledge/community consultation      A TK Study was not conducted for this Project as the scope and potential to impact traditional uses in a previously disturbed area along the MVWH is very low.

**PRELIMINARY SCREENER / REFERRING BODY INFORMATION**  
(CHECK ALL THAT APPLY)

	<b>RA or DRA</b>	<b>ADVISE</b>	<b>PERMIT REQUIRED</b>
<b>Federal</b>			
ATOMIC ENERGY CONTROL BOARD	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CANADIAN HERITAGE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CANADIAN TRANSPORTATION AGENCY	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ENVIRONMENT CANADA	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
FISHERIES & OCEANS	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT CANADA	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
INDUSTRY CANADA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
NATIONAL DEFENSE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
NATIONAL ENERGY BOARD	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
NATURAL RESOURCES	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
PUBLIC WORKS & GOVERNMENT SERVICES	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
TRANSPORT CANADA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CANADIAN NUCLEAR SAFETY COMMISSION	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Territorial</b>			
MUNICIPAL & COMMUNITY AFFAIRS	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
PUBLIC WORKS & GOVERNMENT SERVICES	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ENVIRONMENT & NATURAL RESOURCES	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
TRANSPORTATION	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
DEPARTMENT OF HEALTH AND SOCIAL SERVICES	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
PRINCE OF WALES NORTHERN HERITAGE CENTRE	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
INDUSTRY, TOURISM AND INVESTMENT LANDS	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
OFFICE OF THE REGULATOR OF OIL AND GAS OPERATIONS	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Boards</b>			
GWICH'IN LAND & WATER BOARD	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SAHTU LAND & WATER BOARD	<input checked="" type="checkbox"/>	<input type="radio"/>	<input checked="" type="checkbox"/>
MACKENZIE VALLEY LAND & WATER BOARD	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
MACKENZIE VALLEY ENVIR. IMPACT REVIEW BOARD	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
SAHTU LAND USE PLANNING BOARD	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
SAHTU RENEWABLE RESOURCES BOARD	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
SAHTU HEALTH BOARD	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Aboriginal / First Nation</b>			
SAHTU SECRETARIAT INCORPORATED	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
NORMAN WELLS LAND CORPORATION	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
TULITA RENEWABLE RESOURCES COUNCIL	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
TULITA DISTRICT LAND CORPORATION	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
FORT NORMAN METIS LOCAL #60 LAND CORPORATION	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
TULITA LAND CORPORATION	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
NORMAN WELLS RENEWABLE RESOURCES COUNCIL	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
<b>Local Government</b>			
TULITA HAMLET INCORPORATED	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
TOWN OF NORMAN WELLS	<input type="radio"/>	<input checked="" type="checkbox"/>	<input type="radio"/>
<b>Communities</b>			
Hamlet of Tulita, Town of Norman Wells			

## REASONS FOR DECISION

The Sahtu Land and Water Board met on February 14, 2020 to consider the land use permit (Permit) application S20S-002 from the Government of the Northwest Territories Department of Infrastructure (GNWT-INF) for a Geotechnical Drilling Program at the 12 Mile Creek Bridge water crossing near Tulita, NWT. The Board conducted a Preliminary Screening of this application based on the public record for the proceeding. Based on the evidence provided, the Board is satisfied that the screening has been completed in accordance with the Section 125 (2) of the *Mackenzie Valley Resource Management Act* (MVRMA) and has decided that, in their opinion, there is no reasonable likelihood that the proposed application might have a significant adverse impact on the environment and that the proposed application is not a cause for public concern as set out in paragraph 125(2)(a).

The Board has therefore decided the following:

1. Not to refer the Project to Environmental Assessment;
2. To approve the GNWT-INF's Application for 12 Mile Creek Bridge Geotechnical Assessment;
3. If no referral to Environmental Assessment is received by the end of the day February 24, 2020, it will issue the S20S-002 Permit on February 25, 2020.

To assist the Board in completing a Preliminary Screening of this Application, the Board distributed the Application for public review on Jan 14, 2020, inviting Parties to provide comments and recommendations (e.g., on impacts and mitigation measures) using the Online Review System (ORS). Comments were due by February 5, 2020, with proponent (Applicant) responses due by Feb 7, 2020. The Board received comments from:

- Department of Fisheries and Oceans Canada (DFO) – the activity as proposed will not require an authorization under the *Fisheries Act*;
- Fort Norman (Tulita) Renewable Resource Council (TRRC) – offered comments on Traditional Knowledge Study, Bear Den Study and Environmental Monitors;
- Government of the Northwest Territories – Environment and Natural Resources (GNWT-ENR) – offered comments and recommendations for protection of Species at Risk and supported the wildlife mitigation and monitoring measures outlined in the application and supporting documents;
- Government of the Northwest Territories – Lands, Sahtu Region (GNWT-Lands, Sahtu) - offered comments and recommendations on updates to the Spill Contingency Plan and the Waste Management Plan, need for contingency plans for potential permafrost and erosion impacts, updates to equipment list, types, storage and amount of fuel, and protocol for fuel transfer methods; and
- Government of the Northwest Territories – Prince of Wales Northern Heritage Centre (PWNHC) – offered comments on permit conditions and need for an approval letter from them for the Archaeological Overview Assessment report.

No additional comments or concerns were raised by reviewers from the public review. Responses to comments by the Applicant and additional recommendations from Board staff adequately addressed and acknowledged any remaining concerns.

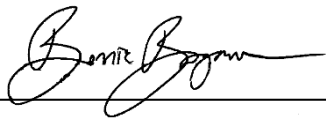
Since no concerns were raised during the public review and no requests to extend reviewer comment deadline were received, the Board is satisfied that communities and First Nations affected by the Application have been notified and provided adequate time to provide comment on the Application as required by the land claim and self-government agreements subsection 63(2) of MVRMA, and any other applicable legislation and agreements.

The Board is also of the opinion that the Application can proceed through the regulatory process and that any impacts of the development on the environment can be mitigated through the terms and conditions in the Land Use Permit. As a result, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope and intent of the MVRMA and the Mackenzie Valley Land Use Regulations, has decided that this Land Use Permit S20S-002 be issued subject to the terms and conditions contained therein.

- Adequate time has been given to Reviewers to provide environmental impacts and mitigation measures on information as requested from the Applicant during the initial review period.
- The effects of the Project on the environment can take place in an environmentally responsible manner provided that mitigation measures outlined in the Project documents and Permit conditions are followed.

<b>PRELIMINARY SCREENING DECISION</b>	
○	<b>Outside Local Government Boundaries</b>
○	The development proposal might have a significant adverse impact on the environment, <i>refer it to the EIRB.</i>
○	<i>Proceed with regulatory process and/or implementation.</i>
○	The development proposal might have public concern, <i>refer it to the EIRB.</i>
○	<i>Proceed with regulatory process and/or implementation.</i>
○	<b>Wholly within Local Government Boundaries</b>
○	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, <i>refer it to the EIRB.</i>
✓	<i>Proceed with regulatory process and/or implementation.</i>
○	The development proposal might have public concern, <i>refer it to the EIRB.</i>
✓	<i>Proceed with regulatory process and/or implementation.</i>

Signed on the 14<sup>th</sup> Day of February 2020, on behalf of the Sahtu Land and Water Board



Witness

Chair, Sahtu Land and Water Board