



PO Box 32, Wekweètì NT X0E 1W0  
Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife NT X1A 3S3  
Tel: 867-765-4592 Fax: 867-765-4593  
[www.wlwb.ca](http://www.wlwb.ca)

February 29, 2024

File: W2023J0005

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

Sent by email

Dear Mark Cliffe-Phillips,

**Re: Government of the Northwest Territories Environment and Climate Change – Notice of Preliminary Screening Determination – Renewal Application for Land Use Permit – Camp – Daring Lake, NT**

The Wek'èezhì Land and Water Board (Board) met on February 29, 2024 and considered the Application Package from Government of the Northwest Territories Environment and Climate Change (GNWT-ECC) for Land Use Permit (Permit) W2023J0005 for the Tundra Ecosystem Research Station (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board conducted a 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 of the MVRMA and has decided **not to refer** the changes to the Project to environmental assessment. The Board's Preliminary Screening Determination and Reasons for Decision, as required by section 121 of the MVRMA, is attached.

If the Board does not receive notice of referral to environmental assessment, it can proceed with issuance of Permit W2023J0005 on **Monday, March 11, 2024**.

The Board and staff look forward to continued communications throughout the pause period. Please contact Ryan Fequet via [email](#) or at (867) 765-4589 with any questions or concerns regarding this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mason Mantla', written in a cursive style.

Mason Mantla  
Chair, Wek'èezhì Land and Water Board

BCC'd to:     Wek'èezhì Distribution List  
                  Heather Sayine-Crawford, GNWT-ECC  
                  Colid Modeste-Burgin, GNWT-ECC

Attached:     Preliminary Screening Determination and Reasons for Decision



PO Box 32, Wekweètì NT X0E 1W0  
 Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife NT X1A 3S3  
 Tel: 867-765-4592 Fax: 867-765-4593  
 www.wlwb.ca

## Preliminary Screening Determination and Reasons for Decision

Land Use Permit Application	
<b>File Number</b>	W2023J0005
<b>Company</b>	Government of the Northwest Territories Environment and Climate Change
<b>Project</b>	Tundra Ecosystem Research Station
<b>Location</b>	Daring Lake, NT
<b>Activity</b>	Camp
<b>Date of Decision</b>	February 29, 2024

### Decision

In accordance with subsection 124(1) of the [Mackenzie Valley Resource Management Act](#) (MVRMA), the Wek'èezhì Land and Water Board (WLWB or Board) met on February 29, 2024 to make a preliminary screening determination on the renewal Application from Government of the Northwest Territories Environment and Climate Change (GNWT-ECC)(Applicant) for Land Use Permit W2023J0005 (Permit)<sup>1</sup> for the Tundra Ecosystem Research Station (TERS) at Daring Lake (Project).<sup>2</sup>

The Board has determined that some Project activities and/or areas are exempt from preliminary screening, because they were previously screened. The Applicant has proposed new Project activities, however, and the Board has decided not to refer the proposed changes to the Project to the Mackenzie

<sup>1</sup>See WLWB Online Registry [[www.wlwb.ca](http://www.wlwb.ca)] for [GNWT-ECC – TERS – LUP Application – Dec 19 23](#).

<sup>2</sup> The Project is the Tundra Ecosystem Research Station (TERS) Project, which is the proposed development, where “development” is defined in Part 5 of the [MVRMA](#) as:

“any undertaking, or any part or extension of an undertaking, that is carried out on land or water and includes an acquisition of lands pursuant to the *Historic Sites and Monuments Act* and measures carried out by a department or agency of government leading to the establishment of a park subject to the *Canada National Parks Act* or the establishment of a park under a territorial law.”

Valley Environmental Impact Review Board (the Review Board) for Environmental Assessment because, based on the evidence, it is the Board’s opinion that the proposed changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern.

The Board’s determination, including reasons for its decision, are detailed in sections [3.0](#) and [4.0](#).

### **List of Defined Terms and Acronyms**

Applicant	Government of the Northwest Territories Environment and Climate Change
Application	The complete application package submitted by the Applicant for Land Use Permit W2023J0005.
Board	Wek’èezhìi Land and Water Board
CRP	Closure and Reclamation Plan
EA	Environmental Assessment
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
MVRMA	<a href="#">Mackenzie Valley Resource Management Act</a>
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System ( <a href="http://www.new.onlinereviewssystem.ca">www.new.onlinereviewssystem.ca</a> )
Party	As per the LWB <a href="#">Rules of Procedure</a> , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Project	Tundra Ecosystem Research Station (TERS) Project, which is the proposed development (as defined in Part 5 of the MVRMA). <sup>3</sup>
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	LWB <a href="#">Standard Land Use Permit Conditions Template</a>
TG	Tłıchq Government
TK	Traditional Knowledge
WMP	Waste Management Plan

### **Background and Scope of Screening**

The WLWB originally issued Land Use Permit W2009J0006 for the TERS Project on November 11, 2009 for a term of five years, with the expiry date of November 10, 2014. The Board also completed a preliminary screening of the Project on November 6, 2009.<sup>4</sup> On October 29, 2014, the Board approved a two-year

<sup>3</sup> “development” is defined in Part 5 of the [MVRMA](#) as:

“any undertaking, or any part or extension of an undertaking, that is carried out on land or water and includes an acquisition of lands pursuant to the *Historic Sites and Monuments Act* and measures carried out by a department or agency of government leading to the establishment of a park subject to the *Canada National Parks Act* or the establishment of a park under a territorial law.”

<sup>4</sup> See WLWB Online Registry for [W2009J0006 – GNWT-ENR – Preliminary Screening – Daring Lake Research Camp – Nov 6 09](#)

extension to the Permit (W2009J0006) setting the expiry date to November 10, 2016. The Permit was for the Operation and Maintenance of a Research Camp, including Fuel Storage at Daring Lake, NT.

On November 4, 2016, the Board issued a renewal to the Permit (W2016J0008) with the expiry date of November 3, 2021. On November 17, 2021, the Board approved a two-year extension to the Permit (W2016J0008) setting the expiry date to November 3, 2023. Land Use Permit W2016J0008 has reached the term normally applied to a Permit and can no longer be extended.

On September 21, 2023, prior to the expiring date of the Permit, GNWT-ECC applied for a Storage Authorization. The Board approved the Storage Authorization effective November 4, 2023 and expiring May 3, 2024.

The purpose of this Application (W2023J0005) is to continue the use of a campsite and establishment of a petroleum fuel storage facility at Daring Lake, NT. The GNWT has operated the Tundra Ecosystem Research Station (TERS) at Daring Lake near the Yamba Lake area, NT since 1994. These activities are located within the Wek'èezhìi Resource Management Area.

The Application includes proposed changes to the Project. Under Part 1, Schedule 1, section 2.1 of the Exemption List Regulations to the [MVRMA](#), project areas and activities that have already been subject to Part 5 of the MVRMA are exempt from preliminary screening. The new Project activities require screening by the Board in accordance with subsection 124(1) of the MVRMA.

In accordance with paragraph 125(1)(a) of the [MVRMA](#), the Board must conduct a preliminary screening of the proposed changes to the Project to determine and report to the Review Board whether, in its opinion, the proposed changes to the Project might have a significant adverse impact on the environment, or might be a cause of public concern. The details of the Board's analysis are set out in section [4.0](#) below.

### **3.1 Scope of Screening:**

#### Previously Screened or Assessed Areas and Activities:

Activities that the Board understands to have been previously considered,<sup>5</sup> and which therefore do not require preliminary screening at this time, are listed below.

- Operation, Maintenance, Research, Camp
- Waste Management and Waste Generation
- Sewage, disposal of sewage
- Ecological Surveys
- Fuel Storage
- Groundwater quality changes
- Soil Contamination
- Air quality changes

---

<sup>5</sup> See WLWB Online Registry for [W2009J0006 – GNWT-ENR – Preliminary Screening – Daring Lake Research Camp – Nov 6 09](#).

- Wildlife, population reduction, behavioural changes
- Increase in urban facilities or services and human health hazard
- Change to or loss of archaeological resources

Nearest Community and Water Bodies: Tłı̨chq̓ Community of Wekweètì, Daring Lake, and Yamba Lake, NT.

#### New Activities:

The new activity that is being screened at this time is the increase in the volume of petroleum products that can be stored on site.

### **3.2 Public Record and Regulatory Proceeding**

To assist the Board in its preliminary screening determination for the Project, the Board distributed the Application and a draft Permit for public review on January 12, 2024, inviting reviewers to provide comments and recommendations on the Applications and the preliminary screening (e.g., on impacts and mitigation measures) using the Online Review System (ORS). Comments were due February 5, 2024, with responses from the Applicant due February 12, 2024. The Board received comments and recommendations from Government of the Northwest Territories Environment and Climate Change (GNWT-ECC)'s Inspector.<sup>6</sup> Board staff also submitted comments and questions for the purposes of clarification.

Since there were no requests to extend the reviewer comment deadline, the Board is satisfied that a reasonable period of notice was given to affected communities and First Nations, as required by subsection 63(2) of the [MVRMA](#).

The Board is also satisfied that notice of the Application was provided to the Tłı̨chq̓ Government (TG) and that a reasonable period of time was provided for the TG to make representations to the Board in accordance with section 63 of the [MVRMA](#).

### **Potential Impacts and Proposed Mitigations**

Table 1 below summarizes:

- the potential impacts of the proposed changes to the Project;
- the concerns that were identified during the regulatory proceeding and how the Applicant addressed those concerns;
- the proposed and potential mitigations for the potential impacts; and
- the Board's analysis of the potential impacts and proposed mitigations.

---

<sup>6</sup> See WLWB Online Review System for [GNWT-ECC – TERS – Land Use Permit Renewal Application – Jan 12 24](#).

**Table 1: Potential Impacts and Proposed Mitigations for the Proposed Changes to the Project**

Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
Soil Contamination and changes in water quality	Transfer, storage, and use of petroleum products and/or chemicals	<ul style="list-style-type: none"> <li>• The Board has standard permit conditions that are typically used to mitigate the potential impacts. These standard conditions include:               <ul style="list-style-type: none"> <li>○ CLEAN WORK AREA</li> <li>○ CHEMICALS</li> <li>○ WASTE PETROLEUM DISPOSAL</li> <li>○ WASTE MANAGEMENT</li> <li>○ REPAIR LEAKS</li> <li>○ FUEL STORAGE SETBACK</li> <li>○ FUEL CACHE SECONDARY CONTAINMENT</li> <li>○ SECONDARY CONTAINMENT – REFUELING</li> <li>○ FUEL CONTAINMENT</li> <li>○ FUEL ON LAND</li> <li>○ MARK CONTAINERS AND TANKS</li> <li>○ MAXIMUM FUEL ON SITE</li> <li>○ SEAL OUTLET</li> <li>○ SPILL CONTINGENCY PLAN</li> <li>○ SPILL RESPONSE</li> <li>○ DRIP TRAYS</li> <li>○ CLEAN UP SPILLS</li> <li>○ REPORT SPILLS</li> </ul> </li> </ul>	Based on the described mitigations, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment and will not be a cause of public concern.

#### **4.1 Consideration of Potential Impacts**

Based on the potential impacts and proposed mitigations identified above in Table 1, the Board considered whether the changes to the Project might have a significant adverse impact on the environment. In general, impacts of the changes to the Project on the environment can be mitigated through the use of permit conditions of two general types:

1. conditions in the existing Permit, including requirements for management and monitoring plans, with revisions where necessary; and
2. new or unique conditions that may be needed to mitigate potential impacts of the changes to the Project that may not be addressed by the conditions in the existing Permit, and which may be from the Board's standard conditions list or established by the Board as per the LWB [Standard Process for Creating New Conditions](#).

These conditions may include requirements for management and monitoring plans that provide detailed information regarding the implementation of mitigation measures and the evaluation of their effectiveness.

A draft Permit was circulated for review during the regulatory proceeding, and all Parties were given the opportunity to provide comments and recommendations on the draft conditions. In finalizing the conditions, the Board will consider all of the evidence provided through the regulatory proceeding.

#### **4.2 Consideration of Public Concern**

In addition to considering the potential impacts of the changes to the Project, the Board considered whether the changes to the Project might be a cause of public concern. Based on the evidence provided during the regulatory proceeding the Board did not identify any comments or issues that indicate that the Project is a cause of public concern.

#### **Conclusion**

The Board completed a preliminary screening of the Project on November 6, 2009;<sup>7</sup> however, the Application include proposed changes to the Project. Accordingly, the Board has determined that Project activities that have already been subject to Part 5 of the [MVRMA](#) are exempt from preliminary screening under Part 1, Schedule 1, section 2.1 of the Exemption List Regulations to the MVRMA. The Board has conducted a preliminary screening of the proposed changes to the Project. The Board has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed changes to the Project. Based on the evidence, it is the Board's opinion that the proposed changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern, as set out in paragraph 125(1)(a) of the [MVRMA](#). The Board has therefore decided not to refer the proposed changes to the Project to Environmental Assessment. If the Board does not receive a notice of referral to environmental assessment by March 10, 2024, the Board can issue the Permit on Monday, March 11, 2024.

---

<sup>7</sup> See WLWB Online Registry for [W2009J0006 – GNWT-ENR – Preliminary Screening – Daring Lake Research Camp – Nov 6\\_09](#)





---

**Mason Mantla, Chair**  
**Wek'èezhìi Land and Water Board**

February 29, 2024

---

**Date**