



Mackenzie Valley Land and Water Board
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October 11, 2019

File: MV2019X0020

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

Email: preliminaryscreening@reviewboard.ca
mcliffephillips@reviewboard.ca

Dear Mr. Cliffe-Phillips,

**Re: Notice of Preliminary Screening Determination – Application for Land Use Permit
Miscellaneous – Jean Marie River Area, NT**

The Mackenzie Valley Land and Water Board (Board) met on October 10, 2019 and considered the Application from Valard Construction (Telecom Division) for Type A Land Use Permit (Permit) MV2019X0020 for the installation of a fibre optic line from Jean Marie River NT to an adjoining handhold near the NWT Highway in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board conducted a preliminary screening based on the Application and 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 project to environmental assessment. The Preliminary Screening Report includes the Board's reasons for decision, as required by section 121 of the MVRMA (attached).

If the Board does not receive notice of referral to environmental assessment, it will proceed with the issuance of Permit MV2019X0020 on October 22, 2019.

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 Shelagh Montgomery at (867) 766-7457 or email smontgomery@mvlwb.com.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Wright".

Elizabeth Wright
MVLWB, A/Chair

Copied to: Tyree Mullaney, Regulatory Specialist, MVLWB;
Deh Cho Distribution List;
Luce Paquin – Valard Construction;
Kyle Christiansen– Inspector, GNWT-Lands.

Attached: Preliminary Screening Report, including Reasons for Decision

Preliminary Screening Report Form

Preliminary Screener: MVLWB Reference / File Number: MV2019X0020 TITLE: Miscellaneous ORGANIZATION: Valard Construction MEETING DATE: October 10, 2019	EIRB Reference number:
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Type of Development:
(CHECK ALL THAT APPLY)

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | New |
| <input type="checkbox"/> | Amend, EIRB Ref. # |
| <input checked="" type="checkbox"/> | Requires permit, licence, or authorization |
| <input type="checkbox"/> | Does not require permit, licence, or authorization |

Project Summary:

On July 9, 2019, Valard submitted an application for the installation of a fibre optic line from an existing handhole along Highway #1 into the community of Jean Marie River ending at the NorthwesTel office. The fibre optic line will be installed in the GNWT-Department of Infrastructure right of way, permission has been granted by the Department (attached). The total length of the line is 27 km.

The installation of the fibre optic line will be completed with the use of plowing, drilling, and splicing. There are two areas where the installation will be complete by HDD (horizontal directional drilling), water that is required for the completion of the drilling will be provided by Fort Simpson. Waste will also be deposited within the Fort Simpson facility; waste is expected to be remnants from lunches and worker waste. However, if drilling waste needs to be removed from site it will be taken to a facility outside of the NWT.

No camp is required for the operation and workers will be transported daily from Fort Simpson to the work site. The project is expected to be completed within 30 days, however requesting a longer-term permit would allow Valard to ensure that the remediation work has been complete, and that revegetation is occurring and erosion is not an issue.

Scope:

- a) Use of equipment, vehicles, and machines for the installation of a fibre optic line;
- b) Directional drilling, boring, and dry open cut trenching; and
- c) Use and storage of fuel.

Land Use Eligibility - Section 18 Mackenzie Valley Land Use Regulations:

Type of Disposition

Disposition Number(s)

- Mineral Claims
- Prospecting Permit (s)
- Mineral Leases
- Oil and Gas: EL/SDL/PL
- Quarry Permit
- Timber Permit
- Other:

Permission from the Government of the Northwest Territories – Department of Infrastructure

Principal Activities (related to scoping) (CHECK ALL THAT APPLY)

- | | | |
|--|---|---|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Construction <input checked="" type="checkbox"/> Installation <input type="checkbox"/> Maintenance <input type="checkbox"/> Expansion <input type="checkbox"/> Operation <input type="checkbox"/> Repair <input type="checkbox"/> Research <input type="checkbox"/> Water Intake <input type="checkbox"/> Other: | <ul style="list-style-type: none"> <input type="checkbox"/> Exploration <input type="checkbox"/> Industrial <input type="checkbox"/> Recreation <input type="checkbox"/> Municipal <input type="checkbox"/> Quarry <input checked="" type="checkbox"/> Linear / Corridor <input type="checkbox"/> Sewage | <ul style="list-style-type: none"> <input type="checkbox"/> Decommissioning <input type="checkbox"/> Abandonment <input type="checkbox"/> Aerial <input type="checkbox"/> Harvesting <input type="checkbox"/> Camp <input type="checkbox"/> Scientific/ <input type="checkbox"/> Solid Waste |
|--|---|---|

Principal Development Components (related to scoping) (CHECK ALL THAT APPLY)

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Access Road | <input type="checkbox"/> construction | <input checked="" type="checkbox"/> Waste Management | <input type="checkbox"/> disposal of hazardous waste |
| <input type="checkbox"/> abandonment/removal | <input type="checkbox"/> modification e.g., widening, straightening | <input checked="" type="checkbox"/> waste generation | <input type="checkbox"/> sewage |
| <input checked="" type="checkbox"/> Automobile, Aircraft or Vessel Movement | | <input type="checkbox"/> disposal of sewage | |
| <input type="checkbox"/> Blasting | | <input type="checkbox"/> Geoscientific Sampling | |
| <input type="checkbox"/> Building | | <input type="checkbox"/> Trenching | |
| <input type="checkbox"/> Burning | | <input type="checkbox"/> Diamond drill | |
| <input type="checkbox"/> Burying | | <input type="checkbox"/> Borehole core sampling | |
| <input checked="" type="checkbox"/> Channelling | | <input type="checkbox"/> Bulk soil sampling | |
| <input type="checkbox"/> Cut and Fill | | <input type="checkbox"/> gravel | |
| <input checked="" type="checkbox"/> Cutting of Trees or Removal of Vegetation | | <input type="checkbox"/> hydrological Testing | |
| <input type="checkbox"/> Dams and Impoundments | | <input checked="" type="checkbox"/> Site Restoration | |
| <input type="checkbox"/> construction | | <input type="checkbox"/> fertilization | |
| <input type="checkbox"/> abandonment/removal | | <input type="checkbox"/> grubbing | |
| <input type="checkbox"/> modification | | <input type="checkbox"/> planting/seeding | |
| <input type="checkbox"/> Ditch Construction | | <input type="checkbox"/> reforestation | |
| <input type="checkbox"/> Drainage Alteration | | <input type="checkbox"/> scarify | |
| <input checked="" type="checkbox"/> Drilling other than Geoscientific | | <input type="checkbox"/> spraying | |
| <input type="checkbox"/> Ecological Surveys | | <input checked="" type="checkbox"/> re-contouring | |
| <input type="checkbox"/> Excavation | | <input checked="" type="checkbox"/> Slashing and removal of vegetation | |
| <input type="checkbox"/> Explosive Storage | | <input type="checkbox"/> Soil Testing | |
| <input checked="" type="checkbox"/> Fuel Storage | | <input type="checkbox"/> Stream Crossing/Bridging | |
| <input type="checkbox"/> Topsoil, Overburden or Soil | | <input type="checkbox"/> Tunnelling/Underground | |
| <input type="checkbox"/> fill | | <input type="checkbox"/> Other: | |
| <input type="checkbox"/> disposal | | | |
| <input type="checkbox"/> removal | | | |
| <input type="checkbox"/> storage | | | |

NTS topographic map sheet numbers:

095H

Latitude / longitude and UTM system:

61°19"

61°31"

120°38"

120°40"

Nearest community and water body:

Jean Marie River, NT

Jean Marie Creek

Land Status (consultation information)

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

Transboundary/Transregional Implications

- | | | | |
|---|--|---|--------------------------------|
| <input type="checkbox"/> British Columbia | <input type="checkbox"/> Alberta | <input type="checkbox"/> Saskatchewan | <input type="checkbox"/> Yukon |
| <input type="checkbox"/> Nunavut | <input type="checkbox"/> National Park | <input type="checkbox"/> Inuvialuit Settlement Region | |
| <input type="checkbox"/> Wek'èezhii | <input type="checkbox"/> Gwich'in | <input type="checkbox"/> Sahtu | |

Type of transboundary implication: Impact / Effect Development

Public concern: _____
(Describe.)

Physical - Chemical Effects

Impact **Mitigation**
1) **Ground Water**

water table alteration

water quality changes

The project could potentially affect the water quality through a hydrocarbon spill. The project has submitted a Spill Contingency Plan outlining mitigations and actions to be taken to prevent harm to the environment.

infiltration changes

other:

N/A

Impact

Mitigation

2) Surface Water

flow or level changes

water quality changes

water quantity changes

The project could potentially affect the water quality through a hydrocarbon spill. The project has submitted a Spill Contingency Plan outlining mitigations and actions to be taken to prevent harm to the environment.

drainage pattern changes

temperature

wetland changes/loss

The project will be conducting horizontal directional drilling at two locations which are near wetlands. The project has submitted a Spill Contingency Plan as well as a Sediment and Erosion Control Plan which outlines the mitigations and actions to be taken to prevent harm to the environment.

other:

N/A

Impact

Mitigation

3) Noise

noise in/near water

Horizontal directional drilling will be required to cross two wetlands. The drill will be positioned 80m from the edge of the wetlands. The noise will be minimal and of short duration.

noise increase

other:

N/A

Impact

Mitigation

4) Land

geologic structure changes

soil contamination

The project could potentially affect the soil through a hydrocarbon spill. The project has submitted a Spill Contingency Plan outlining mitigations and actions to be taken to prevent harm to the environment.

buffer zone loss

soil compaction and settling

There will be soil compaction and settling as the operation is required to use heavy equipment and drilling. The project is confined to a relatively small space which assists in reducing the amount of compaction and settling.

- destabilization/erosion
- permafrost regime alteration
- explosives/scarring
- other:
- N/A

Impact

5) Non-renewable natural resources

Mitigation

- resource depletion
- other:
- N/A

Impact

6) Air/climate/atmosphere

Mitigation

- other:
- N/A

BIOLOGICAL ENVIRONMENT

Impact

1) Vegetation

Mitigation

- species composition
- species introduction
- toxin/heavy accumulation
- other: Linear Migration routes, habitat fragmentation
- N/A

Prior to entering the work site, all machinery and equipment will be cleaned in order to avoid introduction of any invasive species.

Impact

2) Wildlife and Fish

Mitigation

- effects on rare, threatened or endangered species
- fish population changes
- waterfowl population changes
- breeding disturbance
- population reduction
- species diversity change

- health changes
- behavioural changes
- habitat changes / effects
- game species effects
- toxins/ heavy metals
- forestry changes
- agricultural changes
- other:
- N/A

Interacting Environment

Impact

Mitigation

1) Habitat and Communities

- predator-prey
- wildlife habitat/ecosystem composition changes
- reduction/removal of keystone or endangered species
- removal of wildlife corridor or buffer zone
- other:
- N/A

Impact

Mitigation

2) Social and Economic

- planning/zoning changes or conflicts
- increase in urban facilities or services use
- 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

public concern

other:

N/A

Impact

Mitigation

3) Cultural and Heritage

effects to historic property

increased economic pressure on historic properties

change to or loss of historic resources

change to or loss of archaeological resources

increased pressure on archaeological sites

change to or loss of aesthetically important sites

effects to aboriginal lifestyle

other:

N/A

- Pursuant to Schedule 4.1 of the **Northwest Territory Métis Nation** (NWTMN) Interim Measures Agreement, the MVLWB determined that written notice was given to the NWTMN and that a reasonable period of time was allowed for NWTMN to make representations with respect to the application.
- Pursuant to section 27, paragraphs (a) and (b) of the **Dehcho First Nations** (DCFN) Interim Measures Agreement, the MVLWB has determined that written notice was given to the DCFN, and that a reasonable period of time was allowed for DCFN to make representations with respect to the application.

Preliminary Screener / Referring Body Information

Acho Dene Koe First Nation
CanNor NWT Region
Deh Cho Land Use Planning Committee
Deh Gah Got'ie Dene Council
Dehcho First Nations
Dene Nation
Dene Tha' First Nation
Deninu K'ue First Nation
Digaa Enterprises Ltd.
Environment and Climate Change Canada
Fisheries and Oceans Canada
Fort Providence Metis Council #57
Fort Providence Resource Management Board
Fort Simpson Metis Local 52
Forward Mining
GLWB
GNWT - ENR (Environment and Natural Resources)
GNWT - ENR - Deh Cho Region
GNWT - ENR - EAM
GNWT - ENR - South Slave Region - Fort Smith
GNWT - Executive and Indigenous Affairs
NWT - HSS (Health and Social Services)
GNWT - INF (Infrastructure)
GNWT - ITI (Industry, Tourism and Investment)
GNWT - Lands
GNWT - Lands - Dehcho Region
GNWT - Lands - Hay River Region
GNWT - Lands - North Slave Region
GNWT - Lands - South Slave Region - Fort Smith
GNWT - MACA (Municipal and Community Affairs)

GNWT - PPCA (Policy, Planning, Communications and Analysis (w/in ITI))
GNWT - PWNHC (Prince of Wales Northern Heritage Centre (w/in ECE))
Hamlet of Fort Liard
Hamlet of Fort Providence
INAC - CARD
INAC - NWT Inspectors
INAC - Yellowknife
Ka'a'gee Tu First Nation
Katloodeeche First Nation
Liard First Nation (Yukon)
Liidlii Kue First Nation (Ft Simpson)
Mackenzie Valley Environmental Impact Review Board
MVLWB
Naha Dehe Dene Band
North Slave Metis Alliance
NWT- OROGO
Pehdzeh Ki First Nation (Wrigley)
Ross River Dena Council
Sambaa Ke First Nation (Trout Lake)
Snap Lake Environmental Monitoring Agency - SLEMA
Tlicho Government
Town of Hay River
Transport Canada
Tthets'ek'ehdeli First Nation (JMR)
Wek' eezhii Renewable Resources Board
Wek' eezhii Renewable Resources Board
West Point First Nation
WLWB

Reasons For Decision

(List all reasons and supporting rationales for preliminary screening decision)

DECISION

The Mackenzie Valley Land and Water Board (the Board) is satisfied that the preliminary screening of Application MV2019X0020 – Valard Construction – Miscellaneous - Jean Marie River Area, NT has been completed in accordance with section 125 of the *Mackenzie Valley Resource Management Act* (MVRMA).

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 land claim and self government agreements, the MVRMA, policy directions relating to Interim Measures Agreements, and any other applicable legislation and agreements.

Having reviewed all relevant evidence on the Public Registry, including the submissions of the Applicant, the written comments received by the Board and any Staff Reports prepared for the Board, the Board has decided that in its opinion:

- The proposed development will not have a significant adverse impact on the environment; and
- The proposed development is not a cause of public concern.

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 conditions of a land use permit

Preliminary Screening Decision	
<input checked="" type="checkbox"/>	Outside Local Government Boundaries
<input type="checkbox"/>	The development proposal might have a significant adverse impact on the environment, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input checked="" type="checkbox"/>	Wholly Within Local Government Boundaries
<input type="checkbox"/>	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>

Preliminary Screening Organization

Signatures

Mackenzie Valley Land and Water Board



October 10, 2019

Elizabeth Wright, A/Chair