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August 8, 2022

File: MV2022X0008

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

[mailto:](#)Sent by email

Dear Mark Cliffe-Phillips:

Re: Parsons – Notice of Preliminary Screening Determination – Application for Land Use Permit – Miscellaneous Undertaking (Geotechnical Drilling) – Fort Simpson, NT

The Mackenzie Valley Land and Water Board (Board) met on August 4, 2022, and considered the Application from Parsons Inc. (Parsons) for Land Use Permit (Permit) MV2022X0008 for a Miscellaneous Undertaking - a Geotechnical Drilling (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 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 MV2022X0008 on Friday August 19, 2022.

The Board and staff look forward to continued communications throughout the pause period. Please contact [Shelagh Montgomery](#), MVLWB Executive Director, at (867) 766-7457 with any questions or concerns regarding this letter.

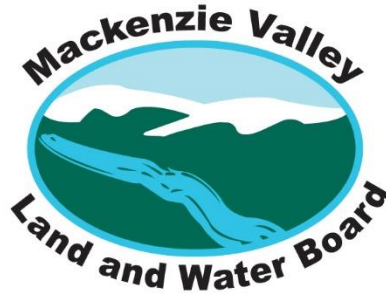
Yours sincerely,



Mavis Cli-Michaud
Chair, MVLWB

BCC'd to: Dehcho Distribution List
Madison Hornbeck – Parsons Inc.
Gary Karp – Parsons Inc.

Attached: Preliminary Screening Determination and Reasons for Decision



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Preliminary Screening Determination and Reasons for Decision

Land Use Permit Application	
File Number	MV2022X0008
Company	Parsons Inc.
Project	Fort Simpson - Geotechnical Drilling Program
Location	Dehcho Region
Activity	Miscellaneous Undertaking - Geotechnical Drilling
Date of Decision	August 4, 2022

1.0 Decision

In accordance with subsection 124(1) of the *Mackenzie Valley Resource Management Act* (MVRMA), the Mackenzie Valley Land and Water Board (MLWB or Board) met on August 4, 2022, to make a preliminary screening determination on the new Application from Parsons Inc. (Licensee or Applicant) for Land Use Permit MV2022X0008 (Permit)¹ for Miscellaneous Undertaking or a Geotechnical Drilling Program (Project).²

The Board has decided not to refer the proposed Project to the Mackenzie 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 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](#).

¹See MLWB Online Registry www.mvlwb.com for Parsons Inc. – [Permit Application - June28 22](#).

²The Project is the Geotechnical Drilling Program, 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."

2.0 List of Defined Terms and Acronyms

Applicant	Parsons Inc.
Application	The complete application package submitted by the Applicant for Water Land Use Permit MV2022X0008.
Board	Mackenzie Valley Land and Water Board
CRP	Closure and Reclamation Plan
EA	Environmental Assessment
GNWT	Government of the Northwest Territories
GNWT-ENR	Government of the Northwest Territories – Environment and Natural Resources
GNWT-Lands	Government of the Northwest Territories – Lands
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	<i>Mackenzie Valley Resource Management Act</i>
Minister	Minister of the Government of the Northwest Territories – Lands (GNWT-Lands)
ORS	Online Review System (www.new.onlinereviewssystem.ca)
Party	As per the MVLWB Rules of Procedures , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Project	Miscellaneous – Geotechnical Drilling, which is the proposed development (as defined in Part 5 of the MVRMA). ^[1]
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Licence Conditions	MVLWB Standard Water Licence Conditions Template
Standard Permit Conditions	MVLWB Standard Land Use Permit Conditions Template
TG	Tłıchq Government
TK	Traditional Knowledge
WMP	Waste Management Plan

^[1] “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.”

3.0 Background and Scope of Screening

Description of Application

On 17, 2022, Parsons Inc. applied for a Type A Land Use Permit to undertake a Miscellaneous Undertaking - a geotechnical drilling program, aimed at assessing soil and groundwater conditions beneath and adjacent to a former Imperial Oil bulk plant/terminal, located in Fort Simpson, in the Northwest Territories. The project is scheduled to occur during the period September 17 - 26, 2022, and will included the following activities:

- Private and public utility locates;
- Daylighting;
- Drilling of 14 boreholes locations as monitoring wells;
- Subsurface excavation;

- Installation of monitoring wells; and
- Soil and groundwater sampling.

The following or similar pieces of equipment will be utilized in carrying out the project:

- Hydrovac;
- Mobile B54X Drill; and
- Case 210 Excavator.

An Engagement Record and Engagement Plan were included in the Application, which indicated that Parsons Inc. engaged the following parties:

- Fort Simpson Landfill;
- KBL Environmental Ltd.;
- Secure Energy;
- GNWT – Land Inspector;
- Dehcho First Nations;
- Village of Fort Simpson;
- Tłıchǫ Government;
- Fort Simpson Metis Nation – Local 52;
- Łı́dł ı́Kúę First Nation;
- Fort Simpson Metis;
- North Slave Metis Alliance;
- Akaitcho; and
- Northwest Territory Metis Nation.

Engagement activities was completed during the period April - June 2022 by way of initial and follow-up emails. No concerns were raised by the parties engaged.

In accordance with paragraph 125(1)(a) of the MVRMA, the Board must conduct a preliminary screening of the proposed Project to determine and report to the Review Board whether, in its opinion, the proposed 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:

Activities:

- Subsurface drilling to assess soil and groundwater conditions beneath and adjacent to a former oil bulk plan terminal;
- Installing of monitoring wells to monitor ground water quality;
- Soil and groundwater sampling;
- Subsurface excavation to determine the presence or absence of underground storage tanks; and
- Private and public utility locates and daylighting

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 June 27, 2022, 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 on the application were due July 18, 2022, with responses from the Applicant being due July 21, 2022.

Since there were no further 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.

Pursuant to section 27, paragraphs (a) and (b) of the Dehcho First Nations (DCFN) Interim Measures Agreement, the Board 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.

4.0 Potential Impacts and Proposed Mitigations

All Parties have had an opportunity to provide recommendations to the Board regarding draft conditions. In finalizing the conditions, the Board will consider these recommendations and all of the evidence provided through the regulatory proceeding.

Table 1 below summarizes:

- the potential impacts of the proposed 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.

Table 1: Potential Impacts and Proposed Mitigations for the Proposed Project

Potential Impact	Activity	Proposed Mitigations <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
Soil contamination	Use of heavy equipment	Contaminated material, if encountered, will be placed in a soil bag for pickup by a licensed hauler and disposal at a licensed waste disposal facility. Tools and equipment will be cleaned with water and/or Alconox biodegradable soap solution prior to transport to new location/borehole to avoid spread of contamination.	Board concur with the mitigation measures proposed.
Soil compaction	Use heavy equipment	Topsoil compaction may occur through the use of heavy equipment and vehicles on and off Site (i.e., from tracks or large tires). Compaction will be reduced by minimizing the travel paths used for vehicles/heavy equipment. A common pathway will be established for travel and vehicles will only be moved as necessary.	Board concurs with the mitigation measures proposed.
Other – Borehole Drilling (subsurface disturbance)	Drilling	Boreholes will have a PVC monitoring well installed with annular space backfilled with silica sand, bentonite, and capped with material to match the surrounding surface (i.e. asphalt patch, soil, gravel, concrete, etc). Private and public utility locates will be conducted prior to ground disturbance to ensure utility lines are not struck.	Board concurs with the mitigation measures proposed
Other – Borehole Drilling (subsurface disturbance)	Excavation	Excavation (to confirm tank presence) will be backfilled with excavation spoil and capped with material to match the surrounding surface (i.e. asphalt patch, soil, gravel, concrete, etc.). Private and public utility locates will be conducted prior to ground disturbance to ensure utility lines are not struck.	Board concurs with the mitigation measures proposed

Potential Impact	Activity	Proposed Mitigations <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
Other – Borehole Drilling (subsurface disturbance)	Excavation	Excavation (to confirm tank presence) will be backfilled with excavation spoil and capped with material to match the surrounding surface (i.e. asphalt patch, soil, gravel, concrete, etc.). Private and public utility locates will be conducted prior to ground disturbance to ensure utility lines are not struck. Hydrovac slurry will be contained in hydrovac vehicle and will be transported to a licensed waste disposal facility. Private and public utility locates will be conducted prior to ground disturbance to ensure utility lines are not struck.	Board concurs with the mitigation measures proposed.
Other – Borehole Drilling (subsurface disturbance)	Use of heavy equipment	Hydrovac slurry will be contained in hydrovac vehicle and will be transported to a licensed waste disposal facility. Private and public utility locates will be conducted prior to ground disturbance to ensure utility lines are not struck.	Board staff concur with the mitigation measures proposed.
Changes in water quality	Potential Environment Incidents	Potential for changes in surface water quality may exist if an environmental incident, spill, or accidental release occurs. A Site-specific Spill Contingency Plan (attached) has been developed for the Project to mitigate any potential environmental risks or incidents that could occur. A spill kit and incident response tools will be available on Site (refer to the Spill Contingency Plan for details).	Board concurs with the mitigation measures proposed.
Compaction of vegetation	Use of heavy equipment	Equipment travel will be conducted on municipal roads and designated vehicle pathways wherever possible. Vehicles will travel a single path to and from the work area to minimize vegetation disturbance.	Board concurs with the mitigation measures proposed.
Human-wildlife conflicts	Site activities	Any wildlife that enters the project area will be allowed to leave without being harmed or harassed. If injured or dead wildlife is encountered, the Dehcho Wildlife Emergencies Branch will be contacted.	Board concurs with the mitigation measures proposed.

Potential Impact	Activity	Proposed Mitigations <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
Effects on health (toxins, metals, sediment, etc.)	Drilling	All drill cuttings and excess soil will be collected immediately via shovel and placed into a soil bag on Site for pickup by a licensed hauler and disposal at a licensed waste disposal facility. Soil will be managed to avoid sediment washing into watercourses or other environmentally-sensitive areas. Note no sensitive areas or watercourses are located on the Imperial property. Any spills and/or accidental releases shall be reported to the NT Environment and Natural Resources Spill Line immediately (refer to the attached Spill Contingency Plan for details).	Board concurs with the mitigation measures proposed

4.1 Consideration of Potential Impacts

Based on the potential impacts and proposed mitigations identified above in Table 1, the Board considered whether the Project might have a significant adverse impact on the environment. In general, impacts of the Project on the environment can be mitigated through the use of standard permit conditions and/or project-specific conditions established by the Board as per the MVLWB [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.

4.2 Consideration of Public Concern

In addition to considering the potential impacts of the Project, the Board considered whether 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.

5.0 Conclusion

The Board has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed Project. Based on the evidence, it is the Board's opinion that the proposed 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 Project to Environmental Assessment.

If the Board does not receive a notice of referral to environmental assessment by Thursday August 18, 2022, the Board can issue the Permit on Friday August 18, 2022.

SIGNATURE



Mavis Cli-Michaud, Chair
Mackenzie Valley Land and Water Board

August 8, 2022

Date