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www.mvlwb.com

April 25, 2023

File: MV2023C0009

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: RGV Lithium Explorations Inc. – Notice of Preliminary Screening Determination – Application for Land Use Permit– Mineral Exploration– Ingraham Trail, NT

The Mackenzie Valley Land and Water Board (Board) met on April 20, 2023 and considered the Application Package from RGV Lithium Explorations Inc. (RGV) for Land Use Permit (Permit) MV2023C0009 for the Ingraham Trail (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 MV2023C0009 on **Monday, May 8, 2023**.

The Board and staff look forward to continued communications throughout the pause period. Please contact Kathy Racher via [email](#) or at (867) 7766-7457 with any questions or concerns regarding this letter.

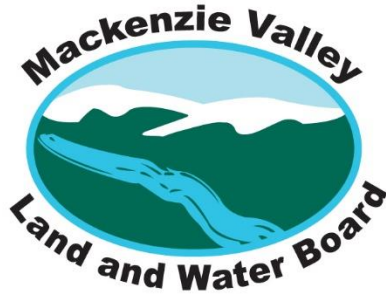
Yours sincerely,



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

BCC'd to: Akaitcho Distribution List
William Cronk – RGV Lithium Explorations Inc.
Damian Panayi – Fireweed Consulting

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	MV2023C0009
Company	RGV Lithium Explorations Inc.
Project	Muskox Pegmatite Lithium Project
Location	Ingraham Trail, NT
Activity	Mineral Exploration
Date of Decision	April 20, 2023

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 April 20, 2023 to make a preliminary screening determination on the Applications from RGV Lithium Explorations Inc. (RGV) (Applicant) for Land Use Permit MV2023C0009 (Permit)¹ for the Muskox Pegmatite Lithium Project (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.

¹See MLWB Online Registry www.mvlwb.com for RGV Lithium – [Permit Application – Mar9-23](#)

² The Project is the Mineral Exploration, 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."

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

2.0 List of Defined Terms and Acronyms

Applicant/Permittee	RGV Lithium Explorations Inc.
Application	The complete application package submitted by the Applicant for Land Use Permit MV2023C0009
CRP	Closure and Reclamation Plan
DFO	Fisheries and Oceans Canada
Distribution List	The list of individuals and organizations to whom materials from this regulatory proceeding were circulated. ³
EA	Environmental Assessment
ECCC	Environment and Climate Change Canada
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
IR	Information request
Inspector	An Inspector designated under subsection 84(1) of the Mackenzie Valley Resource Management Act
LWBs	Land and Water Boards of the Mackenzie Valley
MVEIRB	Mackenzie Valley Environmental Impact Review Board
MVLUR	Mackenzie Valley Land Use Regulations
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	Mackenzie Valley Resource Management Act
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System (https://new.onlinereviewssystem.ca/reviews)
Party	As per the LWB Rules of Procedures , an applicant, a person, or an organization participating in this regulatory process.
Permit	Land Use Permit MV2023C0009
Project	Muskox Pegmatite Lithium Project, the undertaking as described in Part A of the Permit.
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	LWB Standard Land Use Permit Conditions Template
TG	Tłı̨chǫ Government
WMP	Waste Management Plan

³ To access the Distribution List, see the LWBs’ Online Review System for RGV Lithium – [Land Use Permit – Mar10 23](#)

3.0 Background and Scope of Screening

On March 10, 2023, the Applicant submitted the Application and the Application was subsequently deemed complete and circulated to the Distribution List for public review on the Online Review System (ORS).⁴

As part of the public review, Board staff requested comments and recommendations to assist with the Board's preliminary screening determination. To assist the Board in making its decision on the Permit, Board staff also circulated a draft Permit for review with the Application to allow all Parties the opportunity to comment on the specific wording of the draft conditions.

By April 3, 2023, the Board received comments and recommendations regarding the Application and the draft Permit from the following Parties: Fisheries and Oceans Canada (DFO), GNWT – ECE Prince of Wales Northern Heritage Centre, GNWT Lands, GNWT – Lands (Inspector), Łutselk'e First Nation, Tłıchq Government, Environment and Climate Change Canada (ECCC), GNWT – Environment and Natural Resources (GNWT-ENR) and Yellowknives Dene First Nation. On April 6, 2023, the Applicant responded to the Parties' comments and recommendations.⁵

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:

RGV Lithium is planning the Muskox Pegmatite Lithium Project to further investigate lithium deposits within the Mineral Claim areas. The Project will include continued surface geological mapping, channel and rock sampling, and a small drill program. It is anticipated that drilling will occur in up to six locations during the summer of 2023, using up to two drills.

Drilling is anticipated to require two to six weeks to complete, starting after July and ending before November. The drill will be transported to the drill sites by helicopter or dragged in on skid if there is suitable access from the Ingraham Trail. Clearing of vegetation will be required on drill pads and on skid trails.

Water for drilling will be drawn from local water sources. Water use will be below 99 cubic meters per day, so a water licence is not required.

⁴ See MLWB Online Review System for RGV Lithium – [Item For Review – Mar10 23](#).

⁵ See MLWB Online Registry for RGV Lithium – [Review Summary Table – Mar10 23](#)

Project staff during drilling will include up to six people, working days and returning to Yellowknife each night. A camp is not required, and all drilling will take place during summer. Additional drilling may occur in future years.

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 March 10, 2023, 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 April 3, 2023, with responses from the Applicant due April 6, 2023. The Board received comments and recommendations from Fisheries and Oceans Canada, GNWT – ECE – Prince of Wales Northern Heritage Centre, GNWT - Lands (Inspector), GNWT Lands, Łutselk'e First Nation, Tłıchq Government, Environment and Climate Change Canada, GNWT – Environment and Natural Resources and Yellowknives Dene First Nation (attached).⁶

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.

Pursuant to subsection 1.6, paragraphs (a) and (b) of the Akaitcho Territory Dene First Nations (ATDFN) Interim Measures Agreement, the Board determined that written notice was given to the ATDFN and that a reasonable period of time was allowed for ATDFN 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.

⁶ See MLWB Online Registry for RGV Lithium – [Review Summary Table – Apr6 23](#)

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	Drilling Operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application implementation of the Spill Contingency Plan. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:⁷ <ul style="list-style-type: none"> ○ Chemicals ○ Drilling near Water or on Ice ○ Drilling Waste ○ Drilling Waste Disposal ○ Drilling Waste Containment ○ Waste Chemical Disposal ○ Waste Petroleum Disposal ○ Fuel Storage Setback ○ Fuel Cache Secondary Containment ○ Secondary Containment – Refuelling ○ Fuel Containment ○ Fuel on Land ○ Report Fuel Location ○ Seal Outlet ○ Spill Contingency Plan ○ Drip Trays ○ Clean Up Spills ○ Report Spills 	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 will not be a cause of public concern.

⁷ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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 Compaction	Drilling Operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, operation of the drill on an elevated platform, and following the Permit conditions that require scouting of the route before cutting a trail, avoiding rutting and gouging, not obstructing natural drainages, and accompanying an Inspector during an inspection prior to start of operations. Overland drill moves will follow the Erosion Management Plan • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:⁸ <ul style="list-style-type: none"> ○ Inspect Locations ○ Natural Drainage ○ Repair Erosion ○ Prevention of Rutting ○ Suspend Overland Travel ○ Progressive Reclamation ○ Trails Restoration 	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 will not be a cause of public concern.
Destabilization/ erosion	Drilling Operations	*Same as above	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 will not be a cause of public concern.
Water Table Operations	Drilling Operations	<ul style="list-style-type: none"> • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:⁹ 	Based on the described mitigations, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on

⁸ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

⁹ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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
		<ul style="list-style-type: none"> ○ Flowing Artesian Well 	the environment will not be a cause of public concern.
Changes in water quality	Drilling Operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, only water and non-toxic additives will be used to lubricate the drill bits. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹⁰ <ul style="list-style-type: none"> ○ Chemicals ○ Drilling Near Water or on Ice ○ Drilling Waste ○ Drilling Waste Disposal ○ Drilling Waste Containment ○ Reclaim Sumps ○ Waste Chemical Disposal ○ Waste Petroleum Disposal 	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 will not be a cause of public concern.
Loss or change in extent - permafrost	Drilling operation	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, following the Permit conditions that require scouting the route before cutting a trail, avoiding rutting and gouging, not obstructing natural drainages, and accompanying an Inspector prior to the start of operations and following the Erosion Management Plan. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹¹ <ul style="list-style-type: none"> ○ Inspect Locations 	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 will not be a cause of public concern.

¹⁰ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

¹¹ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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
		<ul style="list-style-type: none"> ○ Natural Drainage ○ Repair Erosion ○ Prevention of Rutting ○ Suspend Overland Travel ○ Progressive Reclamation ○ Trails Restoration 	
Water flow or level changes (permanently, temporary, seasonal) – Surface Water		<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, drawing water from nearby waterbodies for drilling. Water use will be below the trigger for a water licence and will be drawn from sources that are capable of supporting the withdrawal (to be reviewed with the Inspector prior to commencement of operations. Drilling will be limited to daytime only. The Project may use reverse-circulation drilling which does not require a water source. 	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 will not be a cause of public concern.
Compaction of vegetation	Drilling Operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, operation of the drill on an elevated platform, and following the Permit conditions that require scouting of the route before cutting a trail, avoiding rutting and gouging, not obstructing natural drainages, and accompanying an Inspector during an inspection prior to start of operations. Overland drill moves will follow the Erosion Management Plan • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹² <ul style="list-style-type: none"> ○ Inspect Locations ○ Natural Drainage ○ Repair Erosion 	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 will not be a cause of public concern.

¹² See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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
		<ul style="list-style-type: none"> ○ Prevention of Rutting ○ Suspend Overland Travel ○ Progressive Reclamation ○ Trails Restoration 	
Direct loss or removal of habitat, dens, or nests	Drilling operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, the project will focus on areas of exposed bedrock rather than forest. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹³ <ul style="list-style-type: none"> ○ Habitat Damage ○ Migratory Bird Nest Disturbance 	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 will not be a cause of public concern.
Loss or removal of keystone species and/or Species at Risk	Drilling Operations	*same as above	
Effects on wildlife health (toxins, metals, etc.)	Drilling operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, the project will implement the Spill Contingency Plan. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹⁴ <ul style="list-style-type: none"> ○ Habitat Damage ○ Migratory Bird Nest Disturbance ○ Chemicals ○ Drilling Near Water or on Ice ○ Drilling Waste 	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 will not be a cause of public concern.

¹³ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

¹⁴ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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
		<ul style="list-style-type: none"> ○ Drilling Waste Disposal ○ Drilling Waste Containment ○ Reclaim Sumps ○ Waste Chemical Disposal ○ Waste Petroleum Disposal 	
Human Wildlife Conflicts	Drilling Operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, the project will implement the Waste Management Plan. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹⁵ <ul style="list-style-type: none"> ○ Waste Management ○ Garbage Container 	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 will not be a cause of public concern.
Change to or loss of heritage resources	Drilling operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, an AOA is underway to guide the Project activities. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹⁶ <ul style="list-style-type: none"> ○ Archaeological Buffer ○ Site Disturbance ○ Site Discovery and Notification ○ Archaeological Overview ○ AIA – High Potential 	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 will not be a cause of public concern.

¹⁵ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

¹⁶ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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
Economic opportunities or losses (employment, training)		<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, RGV Lithium will hire and contract Yellowknife where possible adding to the local economy. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹⁷ <ul style="list-style-type: none"> ○ Location of Activities ○ Private Property Setback 	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 will not be a cause of public concern.
Impairment of the aesthetic quality of the land or water	Drilling operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, RGV Lithium will hire and contract Yellowknife where possible adding to the local economy. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹⁸ <ul style="list-style-type: none"> ○ Location of Activities ○ Private Property Setback ○ Equipment Watercourse Buffer ○ Meander Lines ○ Parallel Watercourse Setback ○ Parallel Roads 	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 will not be a cause of public concern.
Changes to the use of the area by other non-indigenous	Drilling operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, RGV Lithium is undertaking engagement to identify other users of the area in hopes to jointly resolve any issues that are identified. 	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 will not be a cause of public concern.

¹⁷ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

¹⁸ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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
people (e.g. trappers, outfitters, residents, hunters, forest harvesters, other authorized projects)		<ul style="list-style-type: none"> • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:¹⁹ <ul style="list-style-type: none"> ○ Engagement Plan 	concern.
Impairment of the recreational or traditional use of the land or water	Drilling operations	<ul style="list-style-type: none"> • The Applicant proposed the following mitigation in the Application, RGV Lithium will avoid the Hidden Lake Territorial Park 	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 will not be a cause of public concern.

¹⁹ See the MLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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 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.

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 thus far, 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 Friday May 5, 2023 the Board can issue the Permit on Monday May 8, 2023.

SIGNATURE



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

April 25, 2023

Date