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October 16, 2023

File: MV2023C0013

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: CALI Lithium Project – Notice of Preliminary Screening Determination – Application for Land Use Permit – Mining Exploration – Little Nahanni River, NT

The Mackenzie Valley Land and Water Board (Board) met on October 12, 2023 and considered the Application Package from EREX International Ltd. (EREX) for Land Use Permit (Permit) MV2023C0013 for the CALI Lithium Project (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 MV2023C0013 on **Friday, October 27, 2023**.

The Board and staff look forward to continued communications throughout the pause period. Please contact Kathy Racher via [email](#) or at (867) 766-7457 with any questions or concerns regarding this letter.

Yours sincerely,

A handwritten signature in blue ink that reads "Tanya MacIntosh". The signature is written in a cursive, flowing style.

Tanya MacIntosh
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Dehcho Distribution List
Carl Verley – EREX International Ltd.
April Hayward – Chief Sustainability Officer – Li-FT Power Ltd.

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	MV2023C0013
Company	EREX International Ltd.
Project	CALI Lithium Project
Location	Little Nahanni River, NT
Activity	Mining Exploration
Date of Decision	October 12, 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 (MVLWB or Board) met on October 12, 2023 to make a preliminary screening determination on the Application from EREX International Ltd. (EREX or Applicant) for Land Use Permit MV2023C0013 (Permit)¹ for the CALI 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.

¹ See MVLWB Online Registry www.mvlwb.com for EREX International Ltd - [Permit Application - July 21 23](#).

² The Project is the CALI Lithium 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."

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

2.0 **List of Defined Terms and Acronyms**

Applicant	EREX International Ltd.
Application	The complete application package submitted by the Applicant for Land Use Permit MV2023C0023.
Board	Mackenzie Valley Land and Water Board
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	Mackenzie Valley Resource Management Act
ORS	Online Review System (www.new.onlinereviewssystem.ca)
Party	As per the LWB Rules of Procedure , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Project	CALI Lithium Project, which is the proposed development (as defined in Part 5 of the MVRMA).
Review Board	Mackenzie Valley Environmental Impact Review Board
Standard Permit Conditions	LWB Standard Land Use Permit Conditions Template

3.0 **Background and Scope of Screening**

On April 20, 2023, the Applicant submitted an application for a new Permit MV2023C0013 (the Application) that were deemed incomplete on April 28, 2023.³ Additional information was provided on July 21, 2023, and the Application was deemed complete on July 26, 2023.⁴ The Application is to investigate the potential lithium resources within the mineral lease and claim areas, known as the CALI Lithium Project (the Project).

Specific activities that are proposed for the Project include diamond and reverse circulation drilling, trenching, and use of explosives.⁵ EREX intends to access the sites by either helicopter, float plane, winter roads, or an existing road. A small, temporary camp may be constructed to accommodate Project personnel and to support drill operations. Currently, the camp is expected to operate seasonally during the summer months but may also be used in the winter on an as needed basis. Should EREX use any roads or staging sites within the Nahanni National Park Reserve, which is being complimented for the future, Parks Canada has jurisdiction and will be contacted. Should EREX use any federal lands in the future, additional information would be required to be submitted prior to usage (access agreement with Crown Indigenous Relations and Northern Affairs Canada).

EREX intends to use a helicopter or float plane during summer operations to access the Project claim and leases. Water will be used for drilling, core sampling/cutting, and domestic uses will be drawn from water sources at a volume less than 99m³ per day. Winter trails may also be established to facilitate exploration

³ See MVLWB Online Registry for [EREX International Ltd - Permit Application - April 20 23](#).

⁴ See MVLWB Online Registry for [EREX International Ltd - Permit Application - July 21 23](#).

⁵ See MVLWB Online Registry for [EREX International Ltd - Project Description - July 21 23](#).

activities, including drilling. These activities are located within non-federal, and in the future, federal, areas of the Dehcho Region.

Any waste generated by the Project will be managed in accordance with the Project Waste Management Plan. In the unlikely event of a spill incident, the spill will be responded to and cleaned up in accordance with the Project Spill Contingency Plan. All equipment, infrastructure, and fuel will be removed from the Project site at closure. Sumps and other excavations will be backfilled. Disturbed areas will be recontoured, if necessary, to ensure that they are safe for humans and wildlife and allowed to revegetate naturally.

An Engagement Plan,⁶ which contained an engagement log, was included. EREX noted they engaged with the following Parties:

- Dehcho First Nations
- Nahᓃᓴ Dehé Dene Band
- Łíídlıı Kúé First Nation
- Fort Simpson Métis Nation #52
- Acho Dene Koe First Nation
- Kaska Dena Council
- Ross River Dena Council
- Liard First Nation
- Hamlet of Fort Liard
- Dehcho Land Use Planning Committee

As evidenced through the log, EREX commenced engagement in January of 2023 and concluded in July of 2023, which included sending a copy of the project description to Parties. Issues discussed through engagement included employment and business opportunities, details on ore processing and storage methods, and waste management. EREX's responses to engagement, as demonstrated through the log, indicate a willingness to work with Parties to alleviate concerns and consider the Parties recommendations.

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.

⁶ See MVLWB Online Registry for EREX International Ltd - [Engagement Plan Version 1.2 - Sept 22 - 23](#).

3.1 Scope of Screening:

The area impacted by the Project is shown in Figure 2 of the Project Description (CALI Project Mineral Tenure). Activities scoped for the Project include:

- Drilling, including diamond and reverse circulation drilling;
- Use of explosives;
- Use of equipment, vehicles, and machines;
- Use and storage of fuel;
- Construction and maintenance of winter trails (clearing of land, snowplowing); and
- Construction, operation, and maintenance of camps.

EREX anticipates that approximately 100 holes may be drilled over the life of the Permit, though the number of holes may increase if exploration results are favourable. Blasting may occur on site using pre-packaged explosives, estimated to be less than 500 kg at any one time, to support exploration activities (e.g., trenching) in the future. Drilling and other mineral exploration activities will occur over the winter and summer months. Exploration activities include surface sampling, drilling, and ground and aerial surveys. Equipment to support the Project generally includes drills, a bulldozer, water truck, water pumps, grader, snow cats, snow machines, trucks, excavator, core saws, generators, oil heaters, an ice auger, and various other small power tools. Drill cuttings will be deposited into sumps.

Initially the camp will be designed to support approximately 24 people and may be expanded to house additional personnel depending on exploration results. The exact location and layout of the camp will be determined in the field, as approved by an Inspector. Currently, the camp is expected to operate seasonally during the summer months but may also be used in the winter on an as needed basis.

A maximum of 73,300 litres of fuel will be stored for the Project. Jet fuel, diesel fuel, gasoline, propane, and lubricants will be stored on site in secondary containment at least 100 m from the ordinary highwater mark of the nearest watercourse. Fuel caches consisting of 205 L drums or equivalent will be established on stable ground near camp, drill, and staging locations. Water for drilling, core sampling/cutting, and domestic uses will be drawn from water sources at a volume less than 99m³ per day. Should EREX require more than 99m³ per day of Water, a Water Licence would be required.

All equipment, infrastructure, and fuel will be removed from the Project site at closure. Sumps and other excavations will be backfilled. Disturbed areas will be recontoured, if necessary, to ensure that they are safe for humans and wildlife and allowed to revegetate naturally.

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 July 26, 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). On August 9, 2023, the review comment and response

deadlines were extended by Board staff as an incorrect document was linked to the Online Review System. On August 22, 2023, the review comment and response deadlines were extended again by Board staff due to the wildfires and evacuations of communities.

Comments were due September 8, 2023, with responses from the Applicant due September 22, 2023. The Board received comments and recommendations from Nahą Dehé Dene Band (NDDDB), Prince of Wales Northern Heritage Centre, Government of the Northwest Territories-Environment and Climate Change (GNWT-ECC), Crown-Indigenous Relations and Northern Affairs Canada, Environment and Climate Change Canada (ECCC), Transport Canada, and Parks Canada (attached).⁷ 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](#).

Pursuant to Schedule 4.1 of [Northwest Territory Métis Nation \(NWTMN\) Interim Measures Agreement](#),⁸ the Board 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](#),⁹ 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

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.

⁷ See MVLWB Online Registry for CALI Project - New Land Use Permit - [Review Summary Table - Sept 22 23](#).

⁸ See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Northwest Territory Métis Nation Interim Measures Agreement](#).

⁹ See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Dehcho First Nations Interim Measures Agreement](#).

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
Contamination of soil, groundwater, and waterbodies	Drilling activities, use of explosives, and use of equipment	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations: <ul style="list-style-type: none"> ○ The approved Spill Contingency Plan will be adhered to. ○ Spill kits and equipment will be in place and readily available. ○ Personnel will be trained in proper spill procedures. ○ Fuel containers will be labelled and fuel drums will be stored with bungs at the 3 and 9 o'clock positions. ○ Fuel will be stored in secondary containment at least 100 m from the Ordinary Highwater Mark of the nearest watercourse unless otherwise approved by an Inspector. ○ Fuel caches and fueling stations will be inspected regularly. ○ The approved Waste Management Plan will be adhered to, and proper waste management practices will be abided by. ○ Secondary containment will be utilized for fuel caches. ○ Mineral waste from core cutting will be placed in a sump (excavated into the overburden) at camp at least 100 m from the nearest watercourse, unless otherwise authorized by an Inspector, to limit potential for contamination. ○ Should artesian conditions be encountered, the affected drill hole will be sealed. ○ Explosives will be stored in designated areas at least 100 m from the ordinary highwater mark of any watercourse unless otherwise authorized by an Inspector. ○ Best practices will be followed for blasting, including minimizing the quantity of explosives used to minimize the quantity of ammonia nitrate residue. ○ An Explosives Management Plan will be developed for Board approval and all personnel who will be working with explosives are appropriately trained. 	<p>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.</p> <p>The Board's opinion is based on the relatively small size of each drill site likely to be affected by the impacts and the small disturbance associated with the camps and winter roads. The size of the fuel storage infrastructure was also considered. The reliability of the proposed mitigations and conditions were also considered by the Board for this opinion.</p>

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"> • 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"> ○ SUMP SETBACK ○ STORAGE ON ICE ○ FLOWING ARTESIAN WELL ○ DRILLING NEAR WATER OR ON ICE ○ DRILLING WASTE ○ DRILLING WASTE DISPOSAL ○ DRILLING WASTE CONTAINMENT ○ RECLAIM NON-OIL AND GAS SUMPS ○ WASTE CHEMICAL DISPOSAL ○ WASTE PETROLEUM DISPOSAL ○ EXPLOSIVES MANAGEMENT PLAN ○ WASTE MANAGEMENT PLAN ○ FUEL STORAGE SETBACK ○ FUEL CACHE SECONDARY CONTAINMENT ○ SECONDARY CONTAINMENT – REFUELING ○ FUEL CONTAINMENT ○ FUEL ON LAND ○ MARK CONTAINERS AND TANKS ○ MARK FUEL LOCATION ○ SPILL CONTINGENCY PLAN ○ SPILL RESPONSE ○ DRIP TRAYS ○ CLEAN UP SPILLS ○ REPORT SPILLS 	

¹⁰ See the MVLWB 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, settling, and erosion	Drilling activities, use of equipment, camp establishment, use of explosives, and winter road construction	<ul style="list-style-type: none"> • The proposed the following mitigations: <ul style="list-style-type: none"> ○ Drilling rig will be helicopter portable and hand built lumber drill pads will be utilized at each drilling site to minimize disturbance. ○ Areas where drilling occurs, including sumps, will be restricted to a small footprint. These areas will be allowed to revegetate naturally. ○ Camp infrastructure will be located on durable land and whenever possible on previously cleared areas to limit vegetation disturbance. ○ Winter trails will be constructed and maintained in a manner that minimizes potential for compaction (i.e., a minimum of 10 cm of packed snow or ice will be maintained on any overland portions). ○ The ground surface beneath all camp structures will be insulated to help prevent permafrost degradation. ○ Best practices will be followed with respect to blasting to minimize disturbance. ○ Any overburden that has been disturbed will be recontoured, if necessary, to ensure that it is safe for wildlife and humans. ○ Disturbed areas will be allowed to revegetate naturally. ○ Overland transport will cease prior to spring break-up or when conditions are not conducive to preventing rutting or gouging. ○ Sumps will be of sufficient capacity to accept the expected volume of drill cuttings and monitored to ensure there is no erosion during placement. ○ At the end of the operation the sumps will be backfilled. ○ Sumps will be backfilled and restored to limit their potential for localized erosion. ○ Drill casings will be removed or cut off and sealed at ground level. 	<p>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. The proposed work involves drilling on a mineral lease and several mineral claims. A small, temporary camp may be constructed to accommodate Project personnel and to support drill operations.</p> <p>The Board’s opinion is based on the relatively small size of each drilling site likely to be affected by the impacts and the small disturbance associated with the camps and winter roads. The use of existing technology, the reversibility of the impacts, and the reliability of the proposed mitigations and conditions were also considered by the Board for this opinion.</p>

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"> • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <ul style="list-style-type: none"> ○ CAMP SETBACK ○ PARALLEL ROADS ○ USE APPROVED EQUIPMENT ○ MINERAL EXPLORATION DRILL CASINGS ○ WINTER ROADS ○ PERMAFROST PROTECTION ○ PROGRESSIVE EROSION CONTROL ○ OFF-ROAD VEHICLE TRAVEL ○ PREVENTION OF RUTTING ○ SUSPEND OVERLAND TRAVEL ○ VEHICLE MOVEMENT FREEZE-UP ○ MINIMIZE AREA CLEARED ○ FINAL CLEANUP AND RESTORATION ○ PROGRESSIVE RECLAMATION ○ TRAILS RESTORATION 	
Impacts to wildlife and fish habitat	Drilling activities, camp construction, fuel storage, and use of explosives	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations: <ul style="list-style-type: none"> ○ Abide by all applicable legislation to prevent impacts on fish and fish habitat. ○ Minimize potential for wildlife attraction through appropriate waste management practices. ○ The approved Waste Management Plan will be adhered to, and proper waste management practices will be abided by. ○ Avoid disturbing wildlife, including nesting birds and mammals. ○ Nest sweeps will be conducted before any infrastructure is erected and alternative locations will be selected if suspected nest sites are identified. Locations of all known or suspected nests or dens shall be made known to all personnel and shall be avoided at all times. 	<p>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.</p> <p>The Board's opinion is based on the relatively small size of each drilling site likely to be affected by the impacts, and the small disturbances associated with the camps. The size of the fuel storage infrastructure was also considered. The</p>

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"> ○ Prohibit feeding wildlife. ○ Record wildlife sightings. ○ Place drilling waste in a natural depression at least 100 m from the ordinary highwater mark of any water course unless otherwise authorized by an Inspector. ○ Explosives will be stored in designated areas at least 100 m from the ordinary highwater mark of any watercourse unless otherwise authorized by an Inspector. ○ Potential wildlife attractants such as greases, gasoline, and glycol-based antifreeze will be stored either in animal proof containers or in animal proof structures at the main camp. ○ Scan for the presence of wildlife in active exploration areas and avoid initiating new activities that generate mechanical noise when large mammals are within 500 m. ○ Adjust flight paths to reduce potential disturbance to large mammals when present. ○ EREX submitted a Wildlife Monitoring and Mitigation Plan with their application package and is committed to updating the plan in response to reviewer comments.¹¹ • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <ul style="list-style-type: none"> ○ HABITAT DAMAGE ○ MIGRATORY BIRD NEST DISTURBANCE 	<p>Board's final opinion is based on the limited duration and magnitude of the impacts, and the reliability of the proposed mitigations and conditions.</p>

¹¹ See MVWLB Online Review System for EREX International Ltd. – [CALI Project – New Land Use Permit – Sept 22_23](#); NDDDB, comments 5-6, Parks Canada, comments 3-4, and ECCC comments 2-7.

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
Damage to vegetation	Drilling activities, including use of equipment, camp establishment, and winter road construction	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations: <ul style="list-style-type: none"> ○ Camp infrastructure will be located on durable land and whenever possible on previously cleared areas to limit vegetation disturbance. ○ Vegetation clearing will occur only when necessary and the extent of clearing will be minimized. ○ Winter trails will be constructed and maintained in a manner that minimizes potential for compaction or changes in ground temperature (i.e., a minimum of 10 cm of packed snow or ice will be maintained on any overland portions). • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <ul style="list-style-type: none"> ○ CAMP SETBACK ○ USE APPROVED EQUIPMENT ○ WINTER ROADS ○ PERMAFROST PROTECTION ○ OFF-ROAD VEHICLE TRAVEL ○ MINIMIZE AREA CLEARED ○ FINAL CLEANUP AND RESTORATION ○ NATURAL VEGETATION ○ PROGRESSIVE RECLAMATION 	<p>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.</p> <p>The Board's opinion is based on the relatively small size of each drilling site likely to be affected by the impacts and the small disturbance associated with the camps and winter roads. The use of existing technology, the reversibility of the impacts, and the reliability of the proposed mitigations and conditions were also considered by the Board for this opinion.</p>
Disturbances to archaeological sites	Drilling activities, camp establishment, and winter road construction	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations: <ul style="list-style-type: none"> ○ An Archeological Overview Assessment and an Archeological Investigation Assessment, as needed, will be conducted prior to disturbance. ○ All personnel will be trained in recognizing and responding to potential archaeological sites/chance finds. ○ EREX will engage with local Indigenous organizations to identify potential archaeological sites and areas of cultural significance. 	<p>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.</p> <p>The Board's opinion is based on the relatively small size of each drilling site likely to be affected by the impact and the</p>

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"> • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <ul style="list-style-type: none"> ○ ARCHAEOLOGICAL BUFFER ○ SITE DISTURBANCE ○ SITE DISCOVERY AND NOTIFICATION ○ ARCHAEOLOGICAL OVERVIEW ○ AIA – HIGH POTENTIAL ○ ENGAGEMENT PLAN 	<p>small disturbance associated with the camps and winter roads. In forming the Board’s opinion, the Board considered EREX’s willingness to inform parties of planned archaeological investigations and to provide opportunities for participation to occur. The reliability of the proposed mitigations and conditions were also considered by the Board for this opinion.</p>
Noise level increases	Drilling activities, establishment of camp, and use of explosives	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations: <ul style="list-style-type: none"> ○ Scan for the presence of wildlife in active exploration areas and avoid initiating new activities that generate mechanical noise when large mammals are within 500 m. ○ Adjust flight paths to reduce potential disturbance to large mammals when present. ○ EREX submitted a Wildlife Monitoring and Mitigation Plan with their application package and is committed to updating the Wildlife Monitoring and Mitigation Plan in response to reviewer comments. • The Project will be discontinuous, short term, and limited to small individual areas. 	<p>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.</p> <p>The Board’s opinion is based on the duration and frequency of the impact. The reliability of the proposed mitigations was also considered by the Board for this opinion.</p>
Emissions	Drilling activities and operation of a camp	<ul style="list-style-type: none"> • Increases in greenhouse gases from the burning of fuels are expected as a result of project activities. Efficient loading of equipment and coordinated logistics will help minimize greenhouse gas production related to exploration activities. 	<p>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.</p> <p>The Board’s opinion is based on the magnitude of the impact.</p>

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.

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 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 October 26, 2023, the Board can issue the Permit on October 27, 2023.

SIGNATURE



Tanya MacIntosh, Chair
Mackenzie Valley Land and Water Board

October 16, 2023

Date