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May 17, 2024

File: MV2024C0007

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: Marigold Minerals (Ontario) Inc. – Notice of Preliminary Screening Determination – Application for Land Use Permit – Mineral Exploration – Reid-Aylmer Lake Area, NT**

The Mackenzie Valley Land and Water Board (Board) met on May 9, 2024 and considered the Application Package from Marigold Minerals (Ontario) Inc. for Land Use Permit (Permit) MV2024C0007 for the Reid-Aylmer 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 MV2024C0007 on **Tuesday May 28, 2024**

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.

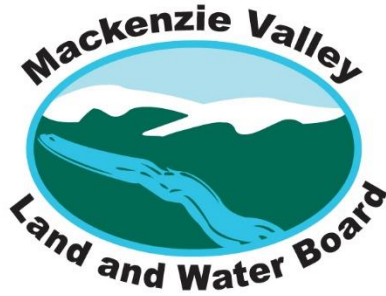
Yours sincerely,

A handwritten signature in blue ink that reads "Tanya MacIntosh". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tanya MacIntosh  
Chair, Mackenzie Valley Land and Water Board

Bcc'd to: Akaitcho Distribution List  
Mark Calderwood (Marigold)

Attached: Preliminary Screening Determination and Reasons for Decision



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## Preliminary Screening Determination and Reasons for Decision

Land Use Permit Renewal Application	
File Number	MV2024C0007
Company	Marigold Minerals (Ontario) Inc.
Project	Reid-Aylmer Project
Location	Reid-Aylmer Lake Area, NT
Activity	Mineral Exploration – Drilling, Fuel Storage and Camp
Date of Decision	May 9, 2024

### 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 May 9, 2024 to make a preliminary screening determination on the Application from Marigold Minerals (Ontario) Inc. (Marigold; the Applicant) for Land Use Permit MV2024C0007 (Permit)<sup>1</sup> for the Reid-Aylmer Project at the Reid-Aylmer Lake Area, NT (Project).<sup>2</sup>

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 changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern.

<sup>1</sup>See MVLWB Online Registry for [Marigold - Permit Application and Cover Letter - Mar 20 24.pdf](#)

<sup>2</sup> The Project is Reid-Aylmer 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 determination, including reasons for its decision, are detailed in sections [3.0](#) and [4.0](#).

## 2.0 Decision

Applicant	Marigold Minerals (Ontario) Inc.
Application	The complete application package submitted by the Applicant for Land Use Permit MV2024C0037
Board	Mackenzie Valley Land and Water Board
CRP	Closure and Reclamation Plan
EA/EIR	Environmental Assessment/Environmental Impact Review
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	<a href="#">Mackenzie Valley Resource Management Act</a>
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System ( <a href="http://www.new.onlinereviewssystem.ca">www.new.onlinereviewssystem.ca</a> )
Party	As per the LWB <a href="#">Rules of Procedure</a> , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Project	Reid-Alymer Project, which is the proposed development (as defined in Part 5 of the MVRMA). <sup>2</sup>
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	LWB <a href="#">Standard Land Use Permit Conditions Template</a>
TG	Tłıchǫ Government
WMP	Waste Management Plan

## 3.0 Background and Scope of Screening

On March 20, 2024 Marigold applied for a Type A Permit for the Reid-Aylmer Project. The Project involves surface and subsurface exploration for lithium and other minerals.

The Project is to be located on lands within the Mqwhì Gogha Dè Njłtłèè, between Aylmer Lake and Lake of the Enemy, and approximately 325 km northeast of Yellowknife. The Applicant requested a five-year permit term.

As per the LWB Engagement Policy, the Applicant conducted Engagement between October 2023 and March 2024. The Following parties were engaged, as described in the Project Engagement Record and Engagement Plan.<sup>3</sup>

- Canadian Wildlife Adventures, Aylmer Lake Lodge;
- City of Yellowknife;
- Lutsel K'e Dene First Nation (LKDFN);
- North Slave Métis Alliance (NSMA);
- NWT Metis Nation (NMN);
- Tłıchq Government (TG); and
- Yellowknives Dene First Nation (YKDFN).

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

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

#### New Areas and Activities

The Reid-Aylmer mineral exploration Project will take place on GNWT Territorial lands, on the following Mineral Leases: M12374, M12375, M12376, M12377, M12378, M12379, M11770, M11771, M11772, M11773, M11774, M11775, M11776, M11777, and M11778. These are lands within the Mqwhì Gogha Dè Njttlèè boundary, between Aylmer Lake and Lake of the Enemy, and approximately 325 km northeast of Yellowknife (see figure 1).

Activities will include:

- Drilling – up to two heli-portable drills (used on land and ice);
- Temporary Camp – 20 to 25 person capacity (location TBD, on a mineral claim on or near Aylmer Lake, with float aircraft access);
- Storage of up to 85,075 Litres fuel – at camp or other cache locations (e.g at a suitable location along the Tibbitt-to-Contwoyto Winter Road);
- Use of equipment, vehicles and machines – helicopter, snowmobiles, ATVs, boats, snowcats, generators, water pumps, incinerator;
- Construction and use of temporary winter access trails – for overland drill moves via skid;
- Water use – Aylmer Lake and other local lakes for camp use, ice pads, drilling use (below 99m<sup>3</sup> per day); and
- Seasonal activities – from approximately February to April, then July to October, (with potential for year-round activity if exploration is successful).

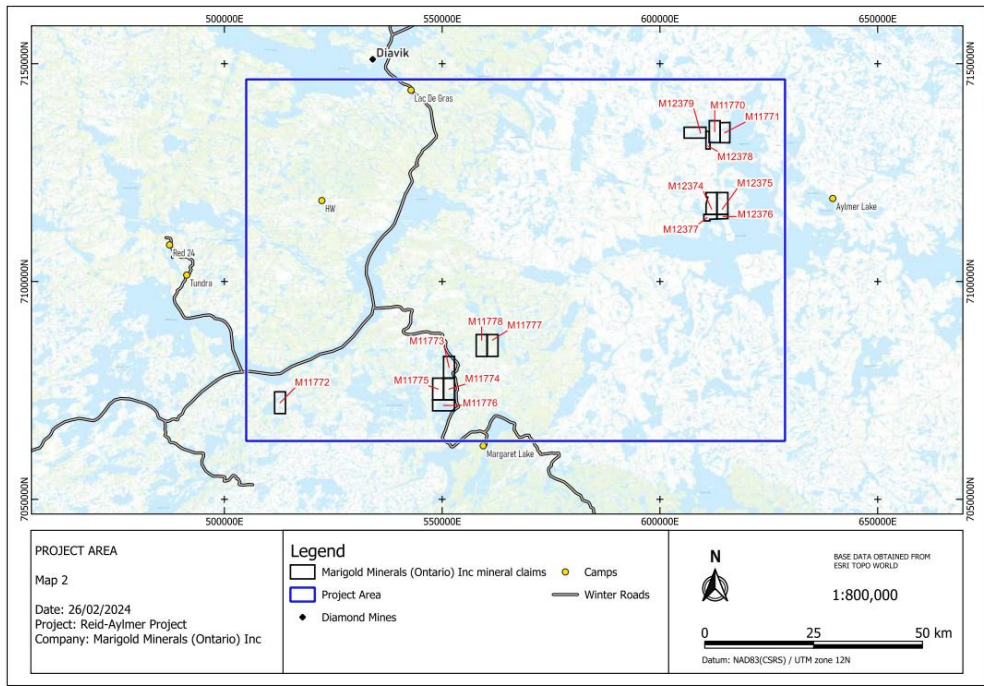
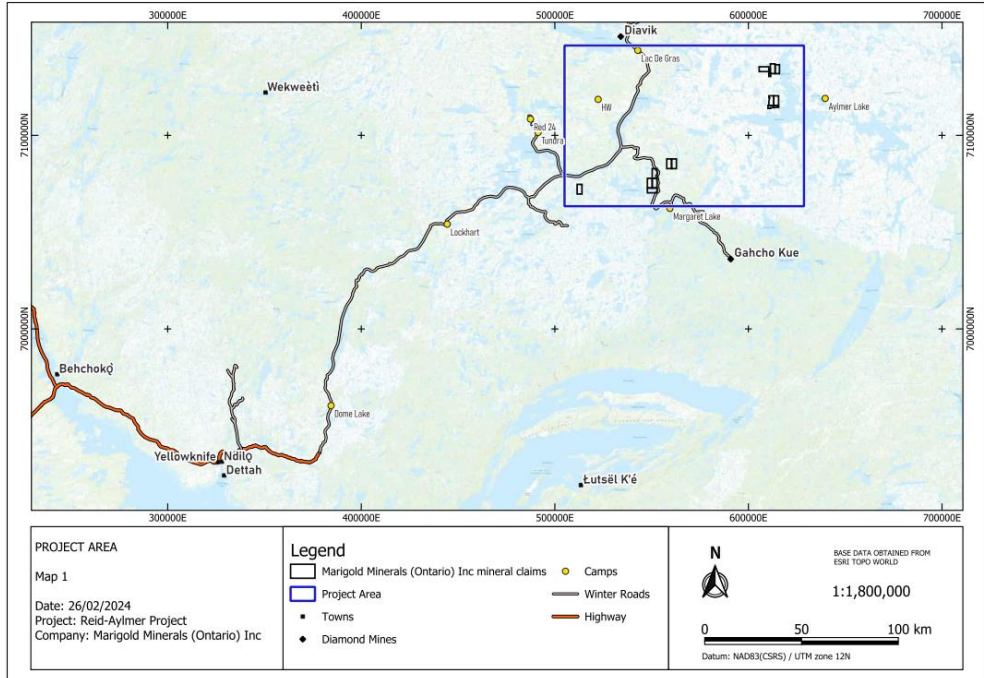


Figure 1 – Project Area Maps

### 3.2 Public Record and Regulatory Proceeding

To assist the Board in its preliminary screening determination for the Project, Board staff distributed the Application and draft Permit for public review on March 28 2024, inviting reviewers to provide comments and recommendations on the Applications and the preliminary screening (e.g., on impacts and mitigation measures) using the Online Review System (ORS).<sup>4</sup> Comments and recommendations were received by the deadline of April 18, 2024 from the following parties:

- the Tłı̨chǫ Government (TG);
- the Government of the Northwest Territories Department of Environment and Climate Change (GNWT-ECC) Regulatory Analyst;
- GNWT-ECC North Slave Region Lands Inspector (Inspector);
- GNWT- ECE Prince of Wales Northern Heritage Centre (PWNHC);
- Environment and Climate Change Canada (ECCC); and
- Fisheries and Oceans Canada (DFO).

Board staff also submitted comments and questions for the purposes of clarification. Applicant responses were received by the deadline of April 25, 2024.

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

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

### 4.0 Potential Impacts and Proposed Mitigations

Table 1 below summarizes:

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

**Table 1: Potential Impacts and Proposed Mitigations for the Proposed Changes to the 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
<p>Soil contamination</p> <p>Changes in water quality</p>	<p>- Transfer, storage, and use of petroleum products and/or chemicals</p> <p>- Waste Disposal</p>	<ul style="list-style-type: none"> <li>• The Applicant has developed spill contingency and waste management plans to prevent spills and waste contamination.</li> <li>• During the public review, ECCC recommended the Applicant provide additional information in the Waste Management Plan, including sewage disposal, open burning, and lead acid batteries (ECC comments 2, 3, 4, and 5). The Applicant has committed to updating the WMP, as required by the Board.</li> <li>• During the public review, ECCC recommended the Applicant provide additional information in the Spill Contingency Plan. This included: details about the type(s) of secondary containments that will be used for storage of fuels, hazardous substances, and hazardous wastes (ECCC comment 6), a step to include “remove sources of ignition” with the response plan (ECCC comment 8) and updated contact information for the Spill Report Line (ECCC comment 9). The Applicant committed to updating the SCP, as required by the Board.</li> <li>• The Board has standard permit conditions that are typically used to mitigate the potential impacts. These standard conditions include:               <ul style="list-style-type: none"> <li>○ SUMP SET BACK</li> <li>○ DRILLING NEAR WATER OR ON ICE</li> <li>○ DRILLING WASTE</li> <li>○ DRILLING WASTE DISPOSAL</li> <li>○ DRILLING WASTE CONTAINMENT</li> </ul> </li> </ul>	<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>



Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
		<ul style="list-style-type: none"> <li>○ WASTE CHEMICAL DISPOSAL</li> <li>○ CHEMICALS</li> <li>○ WASTE PETROLEUM DISPOSAL</li> <li>○ WASTE MANAGEMENT</li> <li>○ REPAIR LEAKS</li> <li>○ FUEL STORAGE SETBACK</li> <li>○ FUEL CACHE SECONDARY CONTAINMENT</li> <li>○ SECONDARY CONTAINMENT – REFUELING</li> <li>○ FUEL CONTAINMENT</li> <li>○ FUEL ON LAND</li> <li>○ MARK CONTAINERS AND TANKS</li> <li>○ MAXIMUM FUEL ON SITE</li> <li>○ SEAL OUTLET</li> <li>○ SPILL CONTINGENCY PLAN</li> <li>○ SPILL RESPONSE</li> <li>○ DRIP TRAYS</li> <li>○ CLEAN UP SPILLS</li> <li>○ REPORT SPILLS</li> </ul>	
Water drawdown  Fish/Fish Habitat disturbance	Water use for drilling, camp, Ice bridge construction	<ul style="list-style-type: none"> <li>• The Applicant estimated that daily water use would be between below the 99 m<sup>3</sup> threshold for a Type B Water Licence.</li> <li>• The Applicant has committed to using fish screens to prevent the impingement of fish.</li> <li>• During the Public review DFO recommended that the Applicant also include the water intake flow rate that will be utilized for the water withdrawal. (DFO comment 1). The Applicant confirmed the of use portable pumps up to 9 hp, which can</li> </ul>	Based on the described mitigations, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment and will not be a cause of public concern.

Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
		<p>pump up to 25 litres per second, far below the threshold of 150.</p> <ul style="list-style-type: none"> <li>• During the Public Review Board Staff requested that the Applicant confirm if and describe how water course crossings would take place (MVLWB comment 1). The Applicant responded that crossings would be a single out and back and conform with permit conditions.</li> </ul>	
Disturbance to ground, permafrost, vegetation	Use of Drills, helicopter  Establishment of Camp  Use of temporary access trails.	<ul style="list-style-type: none"> <li>• Drills will operate from a snow pad or on cribs to limit ground disturbance.</li> <li>• Limited Vegetation disturbance will be limited to the temporary camp foundations.</li> <li>• Temporary winter access trails for drill moves will only be used if there is at least 10 cm of snow. Each trail will be for one-time use only.</li> <li>• Fire suppression supplies will be available at drill sites and at the camp.</li> <li>• Drill and mobile equipment will be cleaned prior to arriving on site to prevent introduction of non-native vegetation and seeds.</li> <li>• The Board has standard permit conditions that are typically used to mitigate the potential impacts. These standard conditions include:               <ul style="list-style-type: none"> <li>○ MINERAL EXPLORATION DRILL CASINGS</li> <li>○ MINIMIZE AREA CLEARED</li> </ul> </li> </ul>	<p>No concerns were brought to the Board’s attention during the application public review periods.</p> <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>

Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
		<ul style="list-style-type: none"> <li>○ FINAL CLEANUP AND RESTORATION</li> <li>○ PERMFROST PROTECTION</li> </ul>	
Wildlife Disturbance	Use of Drills, helicopter  Establishment of Camp  Use of temporary access trails.	<ul style="list-style-type: none"> <li>• The Applicant has developed a Wildlife Monitoring and Mitigation Plan, which was submitted as part of the Application.</li> <li>• During the Public review the Tłıchq Government recommended best practices to protect the Hozii Ekwò (Barren-ground caribou) (TG comment 2)</li> <li>• During the Public review the Tłıchq Government noted that timing of Project activities overlaps the high season for caribou harvesting from the winter road. TG requested Marigold Minerals describe its plans to mitigate potential impacts to Tłıchq harvesting, and the protocol if and when interactions with harvesters occur or are nearby (TG comment 3).</li> <li>• The Tłıchq Government also recommended that “Marigold engage with TG to plan fieldwork in a way that avoids disturbance of critical caribou habitat and avoids disturbance of Tłıchq exercise of constitutionally-protected harvesting rights and cultural practices” (TG comment 4).</li> <li>• The Applicant committed undertaking best practices where possible, and to engaging in further discussion with the Tłıchq</li> </ul>	Based on the described mitigations, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment and will not be a cause of public concern.

Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
		<p>Government regarding the application of the Mobile Caribou Conservation Measures (MCCM) in the Bathurst Caribou Range Plan and fieldwork planning.</p> <ul style="list-style-type: none"> <li>• The Board has standard permit conditions that are typically used to mitigate the potential impacts. The standard conditions include: <ul style="list-style-type: none"> <li>○ HABITAT DAMAGE</li> </ul> </li> </ul>	
Heritage Resources		<ul style="list-style-type: none"> <li>• During the Public Review PWNHC commented that the proposed activities may place recorded and unrecorded archaeological sites at risk of impact and recommended maintaining the AO and AIA – High Potential conditions.</li> <li>• The Board has standard permit conditions that are typically used to mitigate the potential impacts. These standard conditions include: <ul style="list-style-type: none"> <li>○ ARCHAEOLOGICAL BUFFER</li> <li>○ SITE DISTURBANCE</li> <li>○ SITE DISCOVERY AND NOTIFICATION</li> <li>○ ARCHAEOLOGICAL OVERVIEW</li> <li>○ AIA – HIGH POTENTIAL</li> </ul> </li> </ul>	Based on the described mitigations, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment and will not be a cause of public concern

#### 4.1 Consideration of Potential Impacts

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

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

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

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

#### 4.2 Consideration of Public Concern

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

#### 5.0 Conclusion

The Board has conducted a preliminary screening of the Project. The Board has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed changes to the Project. Based on the evidence, it is the Board's opinion that the proposed changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern, as set out in paragraph 125(1)(a) of the [MVRMA](#). The Board has therefore decided not to refer the proposed changes to the Project to Environmental Assessment. If the Board does not receive a notice of referral to environmental assessment by Monday May 27, 2024 the Board can issue the Permit on Tuesday May 28, 2024.



May 17, 2024

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**Tanya MacIntosh, Chair**  
**Mackenzie Valley Land and Water Board**

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**Date**