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November 21, 2024

File: MV2024F0031

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: Lupin Mines Incorporated – Notice of Preliminary Screening Determination – Application for Land Use Permit – Road – Lac de Gras Area**

The Mackenzie Valley Land and Water Board (Board) met on November 14, 2024 and considered the Application Package from Lupin Mines Incorporated (Lupin) for Land Use Permit (Permit) MV2024F0031 for the Road – Lac de Gras Area (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 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 MV2024F0031 on **Monday December 2, 2024**.

The Board and staff look forward to continued communications throughout the pause period. Please contact Kathy Racher via [email](#) or at (867) 766-7454 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  
TG-Monfwi Distribution List  
Kelly Leedham - Falkirk

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	MV2024F0031
Company	Lupin Mines Incorporated
Project	Winter Road
Location	Ekati Diamond Mine to the NWT/NU Border, NT
Activity	Road
Date of Decision	November 14, 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 November 14, 2024 to make a preliminary screening determination on the Application from Lupin Mines Incorporated (Lupin)(Applicant) for Land Use Permit MV2024F0031 (Permit)<sup>1</sup> for the Winter Road from Ekati Diamond Mine to the NWT/NU Border, 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 Project is not likely to have a significant adverse impact on the environment [and/or] might be a cause of public concern.

<sup>1</sup>See MVLWB Online Registry [www.mvlwb.com](http://www.mvlwb.com) for Lupin – [Permit Application – Oct9 24](#)

<sup>2</sup> The Project is the Winter Road – Ekati Diamond Mine to the NWT/NU Border, 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	Lupin Mines Incorporated
Application	The complete application package submitted by the Applicant for Land Use Permit MV2024F0031.
Board	Mackenzie Valley Land Water Board
CRP	Closure and Reclamation Plan
EA	Environmental Assessment
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	Winter Road – Ekati Diamond Mine to NWT/NU Border, which is the proposed development (as defined in Part 5 of the MVRMA). <sup>3</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	Tłı̨chǫ Government
TK	Traditional Knowledge
WMP	Waste Management Plan

## 3.0 Background and Scope of Screening

On October 9, 2024, an Application was submitted by Lupin Mines Incorporated (Lupin), the Application was deemed complete on the same day. Comments and recommendation were due October 30, 2024 with responses submitted November 1, 2024.

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

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<sup>3</sup> “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.”

proposed Project is not likely to have a significant adverse impact on the environment, or 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:**

Lupin Mines Incorporated (Lupin Mines), a wholly owned subsidiary of Mandalay Resources Corporation, wishes to build a winter road from the diamond mines in Lac de Gras to the Lupin Mine in Nunavut to transport equipment and supplies to the Lupin mine site necessary for ongoing reclamation and closure activities. Currently, the winter road is only built to Lac de Gras, not all the way to the Lupin mine site. Lupin Mines wants to use the existing winter road to the diamond mines (Ekati and Divak), and then build the rest of the road to the Lupin mine.

Lupin Mines plans to need the road for two to five years. They will build it in December and January each year, and move the required equipment and supplies between the Lupin mine site and Yellowknife from January to April. The winter road will close in April once the ice becomes unsafe.

The Winter Road from Lac De Gras to the Nunavut Border has existed historically. The winter road has been authorized under land use permits (Nahanni, RTL, Echo Bay Mines, etc.) and under the License of Occupation for the Tibbitt to Contwoyto Winter Road (TCWR) Joint Venture (075M/11-001). The Tibbitt to Contwoyto Winter Road Joint Venture (TCWR) currently holds a Licence of Occupation (NIRB # 02RN037) for the winter road route from the NT/NU border to Lupin (TCWR).

The Applicant wishes to access this winter road corridor occupied by the TCWR Licence. Conversations with the TCWR have occurred to discuss any immediate plans to construct, operate and decommission the winter road and whether there are any schedule conflicts related to this aspect of the proposed land use operation.

Water will be sourced from various lakes along the route, including Lac de Gras, Lac du Sauvage, Hardy Lake, and other unnamed lakes. At no time will greater than 10% of under ice volume be withdrawn and not more than 99m<sup>3</sup>/day will be withdrawn. Source water quality is expected to be characteristic of typical Arctic lakes. Water used for ice road construction on lakes will remain on the lakes as ice cover.

The NWT portion of the road is 89.5km. With a Right of Way for the winter road of 12m, the disturbance is 107.4ha. However, it is requested that a total of 30m ROW be considered with this application to account for snow removal, making the total disturbance 2,685ha.

Up to two (2) portable, temporary camps may be used to support seasonal construction. Each camp may house up to 15 persons, is towable by skid, and is self-contained.

The first camp location will be adjacent to Portage 55 of the TCWR. The camp will follow the construction and maintenance crews along the length of the winter road. All camps will be located adjacent to the winter road and will be established on durable ground. Proper setbacks from the nearest watercourses

will be maintained. The Inspector will be notified of the campsite locations and the construction and land use operations progress.

Garbage will be incinerated onsite (mobile camps) or transported to the Lupin mine for incineration or disposal as per the Waste Management Plan. Camp water for operations (cooking, utilities) will come from a local sump, drinking water for workers will be trucked as required. A portable sewage treatment system will be used to treat sewage from the camp and from the crew during the operation. Grey water from this operation will be trucked to Lupin Mine and treated and disposed of in accordance with the Lupin Mine Waste Management Plan.

### **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 October 9, 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). Comments were due October 30, 2024, with responses from the Applicant due November 1, 2024. The Board received comments and recommendations from Fisheries and Oceans Canada, Government of the Northwest Territories – Environment and Climate Change – Inspector, Government of the Northwest Territories – Environment and Climate Change – Analyst – Government of the Northwest Territories – Education Culture and Employment – Prince of Wales Northern Heritage Centre, Environment and Climate Change Canada, Tłıchǵ Government and North Slave Métis Alliance (attached).<sup>4</sup>

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](#),<sup>5</sup> 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 subsection 1.6, paragraphs (a) and (b) of the [Akaitcho Territory Dene First Nations \(ATDFN\) Interim Measures Agreement](#),<sup>6</sup> 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.

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<sup>4</sup> See MVLWB Online Registry for [Lupin – Application – Review Comment Table – Nov21 24](#).

<sup>5</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Northwest Territory Métis Nation Interim Measures Agreement](#).

<sup>6</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Akaitcho Territory Dene First Nations Interim Measures Agreement](#).

The Board is also satisfied that notice of the Application was provided to the Tłıchǫ 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 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
Abiotic Components – Land – Soil Contamination	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:               <ul style="list-style-type: none"> <li>○ Spill Contingency Plan</li> <li>○ Use of drip trays and mitigation measures</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>7</sup> <ul style="list-style-type: none"> <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>○ Report Fuel Location</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> </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 <b>or</b> be a cause of public concern.

<sup>7</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).



<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
Abiotic Components – Land – Soil Compaction	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigation(s) in the Application: <ul style="list-style-type: none"> <li>○ Project will utilize existing route</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>8</sup> <ul style="list-style-type: none"> <li>○ Prevention of Rutting</li> <li>○ Suspend Overland Travel</li> <li>○ Vehicle Movement Freeze-up</li> <li>○ Minimize Approach</li> <li>○ Location of Activities</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 <b>or</b> be a cause of public concern.
Abiotic Components – Water – Changes in Water Quality	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ Spill Contingency Plan</li> <li>○ Use of drip trays and mitigation measures</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>9</sup> <ul style="list-style-type: none"> <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>○ Report Fuel Location</li> <li>○ Seal Outlet</li> <li>○ Spill Contingency Plan</li> <li>○ Spill Response</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 <b>or</b> be a cause of public concern.

<sup>8</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

<sup>9</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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>○ Drip Trays</li> <li>○ Clean Up Spills</li> <li>○ Report Spills</li> <li>○ Sump Setback</li> <li>○ Storage on Ice</li> <li>○ Natural Drainage</li> <li>○ Progressive Erosion Control</li> <li>○ Construct Ice Bridges Snowfills</li> <li>○ Sewage Disposal – Sump Setback</li> </ul>	
Abiotic Components – Surface Water – Changes in Water Quality	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ Existing Road</li> <li>○ Remove Snow fills</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>10</sup> <ul style="list-style-type: none"> <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>○ Report Fuel Location</li> <li>○ Seal Outlet</li> <li>○ Spill Contingency Plan</li> <li>○ Spill Response</li> <li>○ Drip Trays</li> <li>○ Clean Up Spills</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 <b>or</b> be a cause of public concern.

<sup>10</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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>○ Report Spills</li> <li>○ Sump Setback</li> <li>○ Storage on Ice</li> <li>○ Natural Drainage</li> <li>○ Progressive Erosion Control</li> <li>○ Construct Ice Bridges Snowfills</li> <li>○ Sewage Disposal – Sump Setback</li> <li>○ Remove Ice Bridges/Snowfills</li> </ul>	
Abiotic Components – Surface Water – Drainage Pattern Changes	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ Existing Road</li> <li>○ Remove Snow fills</li> <li>○ Spill Contingency Plan</li> <li>○ Proper storage of fuel</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>11</sup> <ul style="list-style-type: none"> <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>○ Report Fuel Location</li> <li>○ Seal Outlet</li> <li>○ Spill Contingency Plan</li> <li>○ Spill Response</li> <li>○ Drip Trays</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 <b>or</b> be a cause of public concern.

<sup>11</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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>○ Clean Up Spills</li> <li>○ Report Spills</li> <li>○ Sump Setback</li> <li>○ Storage on Ice</li> <li>○ Natural Drainage</li> <li>○ Progressive Erosion Control</li> <li>○ Construct Ice Bridges Snowfills</li> <li>○ Sewage Disposal – Sump Setback</li> <li>○ Remove Ice Bridges/Snowfills</li> </ul>	
Abiotic Components – Surface Water – Changes in Water Quality	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ Existing Road</li> <li>○ Remove Snow fills</li> <li>○ Spill Contingency Plan</li> <li>○ Proper storage of fuel</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>12</sup> <ul style="list-style-type: none"> <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>○ Report Fuel Location</li> <li>○ Seal Outlet</li> <li>○ Spill Contingency Plan</li> <li>○ Spill Response</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 <b>or</b> be a cause of public concern.

<sup>12</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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>○ Drip Trays</li> <li>○ Clean Up Spills</li> <li>○ Report Spills</li> <li>○ Sump Setback</li> <li>○ Storage on Ice</li> <li>○ Natural Drainage</li> <li>○ Progressive Erosion Control</li> <li>○ Construct Ice Bridges Snowfills</li> <li>○ Sewage Disposal – Sump Setback</li> <li>○ Remove Ice Bridges/Snowfills</li> </ul>	
Biotic Components – Vegetation – Direct loss vegetation	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ Existing Road follow route</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 <b>or</b> be a cause of public concern.
Biotic Components – Terrestrial Wildlife habitat – Direct loss or removal of habitat, dens or nests	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ Inspector will be called if crews identify any potential habitat dens or nests while building the road.</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>13</sup> <ul style="list-style-type: none"> <li>○ Habitat</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 <b>or</b> be a cause of public concern.

<sup>13</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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
Biotic Components – Terrestrial Wildlife habitat – Direct injury or mortality	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:               <ul style="list-style-type: none"> <li>○ Remind workers to be conscious of wildlife when driving.</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 <b>or</b> be a cause of public concern.
Biotic Components – Terrestrial Wildlife habitat – Effects on wildlife health (toxins, metals, ect.)	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:               <ul style="list-style-type: none"> <li>○ Maintaining equipment</li> <li>○ Spill Contingency Plan</li> </ul> </li> <li>• The Board has standard permit condition(s) that are typically used to mitigate the identified potential impact(s). These standard conditions include:<sup>14</sup> <ul style="list-style-type: none"> <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>○ Report Fuel Location</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> <li>○ Sump Setback</li> <li>○ Storage on Ice</li> <li>○ Natural Drainage</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 <b>or</b> be a cause of public concern.

<sup>14</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

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>○ Progressive Erosion Control</li> <li>○ Construct Ice Bridges/Snowfills</li> <li>○ Sewage Disposal – Sump Setback</li> <li>○ Remove Ice Bridges/Snowfills</li> </ul>	
Biotic Components – Terrestrial Wildlife habitat – Human – wildlife conflicts	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ Workers will primarily be inside vehicles, minimizing conflict</li> <li>○ Wildlife may avoid area of activity where equipment is being used on the winter road. The project is of a short duration, as such, these impacts will be temporary in nature.</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 or be a cause of public concern.
Cultural Components – Social and Economic Well-being – Economic opportunities or losses (employment, training)	Project	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> <li>○ The road construction will create employment opportunities and provide economic benefit for industry in the NWT.</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 or 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 Project is likely to have a significant adverse impact on air, water, and/or renewable resources. In general, impacts of the Project on the air, water, and/or renewable resources] 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 and will resume the regulatory proceeding.

If the Board does not receive a notice of referral to environmental assessment Sunday December 1, 2024, the Board can issue the Permit on Monday December 2, 2024.

SIGNATURE



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

November 21, 2024

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**Date**