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December 5, 2024

File: MV2024S0032

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: Fort Simpson Airport Geotech Drilling – Issuance Package – Land Use Permit MV2024S0032 – Geotechnical – Fort Simpson, NT**

The Mackenzie Valley Land and Water Board (Board) met on November 28, 2024, and considered the Application Package from Government of Northwest Territories Department of Infrastructure (GNWT-INF) for Land Use Permit MV2024S0032 for the Airport Geotechnical Drilling Project – Fort Simpson, NT (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board conducted a preliminary screening based on the public record for the proceedings. 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 MV2024S0032 on **Monday December 16, 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.

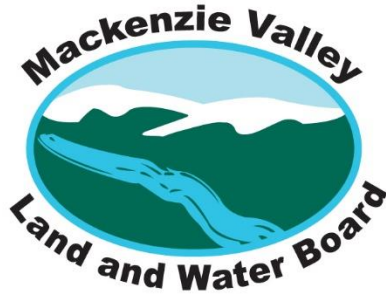
Yours sincerely,

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:     Dehcho Distribution List  
                  Cesar Concepcion – South Slave Regional Manager, GNWT-INF  
                  Richard Hoos (contact) – Tetra Tech Canada Inc.  
                  Rick Walbourne – Director, Regulatory and Permitting – GNWT-ECC  
                  Scott Stewart – GNWT-ECC  
                  Danielle Rogers – Inspector – GNWT-ECC

Attached:     Preliminary Screening Determination and Reasons for Decision



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## Preliminary Screening Determination and Reasons for Decision

Land Use Permit Application	
<b>File Number</b>	MV2024S0032
<b>Company</b>	Government of Northwest Territories – Department of Infrastructure (GNWT-INF)
<b>Project</b>	Fort Simpson Airport Geotech Drilling
<b>Location</b>	Fort Simpson, NT
<b>Activity</b>	Geotechnical
<b>Date of Decision</b>	November 28, 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 (Board) met on November 28, 2024, to make a preliminary screening determination on the Application from Government of Northwest Territories – Department of Infrastructure (GNWT-INF) (Applicant) for Land Use Permit MV2024S0032 (Permit)<sup>1</sup> for the Fort Simpson Airport Geotech Drilling Project – Fort Simpson, 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 will not have a significant adverse impact on the environment or be a cause of public concern.

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

<sup>2</sup> The Project is the Fort Simpson Airport Geotech Drilling, which is the proposed development, where “development” is defined in Part 5 of the [MVRMA](#) as:

“any undertaking, or any part or extension of an undertaking, that is carried out on land or water and includes an acquisition of lands pursuant to the *Historic Sites and Monuments Act* and measures carried out by a department or agency of government leading to the establishment of a park subject to the *Canada National Parks Act* or the establishment of a park under a territorial law.”

## 2.0 List of Defined Terms and Acronyms

Applicant	Government of Northwest Territories Department of Infrastructure (GNWT-INF)
Application	The complete application package submitted by the Applicant for Land Use Permit MV2024S0032.
Board	Mackenzie Valley Land and Water Board
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	Fort Simpson Airport Geotech Drilling Project, 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 Licence Conditions	LWB <a href="#">Standard Water Licence Conditions Template</a>

## 3.0 Background and Scope of Screening

GNWT-INF has submitted a complete application for a type A land use permit. The purpose of the Application is to conduct a geotechnical assessment for the Fort Simpson Air Tanker Base Resurfacing Project at the local airport. Tetra Tech has been retained to manage the work – namely, the drilling of boreholes to investigate subsurface conditions before apron repair.

Prior to submission, Tetra Tech engaged with local First Nations to ensure there were no objections to the proposed scale and nature of project activities. According to the Applicant’s Engagement records, written notification was sent out via email in September and October, along with follow-up phone calls. Additional documentation would be provided upon request. There are no issues raised to date.

Affected parties identified in the Engagement Plan are:

- Dehcho First Nations, Fort Simpson
- Fort Simpson Metis52
- Łíídlıı Kúęé First Nation, Fort Simpson
- Village of Fort Simpson

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 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:

The project scope includes drilling, use of heavy machinery, vehicles and equipment, storage and use of fuel, and closure related activities. Tetra Tech proposes to use Enviro-Tech Drilling Solutions (Enviro-Tech) from Yellowknife to complete the drilling program. The plan is to drill four boreholes, two to a depth of 10m and two to 6m to look at soil conditions and the potential presence of permafrost beneath the apron. Samples will be collected at 1.5m intervals. The drilling is expected to take place over two days. Borehole locations and elevations will be recorded with a handheld GPS device. The boreholes will be backfilled with cuttings and/or gravel at completion.

The project site is in an already disturbed area (see Figure 1). No overburden, organic soil, trees, or vegetation will need to be removed. No fuel transfer will occur during the drilling program and no camp will be required. Daily generated garbage, anticipated to consist of food scraps and packing waste, will be disposed in community garbage cans. Before mobilizing to the site, Tetra Tech will develop a project-specific safety plan, in consultation with the drilling contractor so that the safety features and any potential hazards of the equipment being used on the project are included in the Plan.

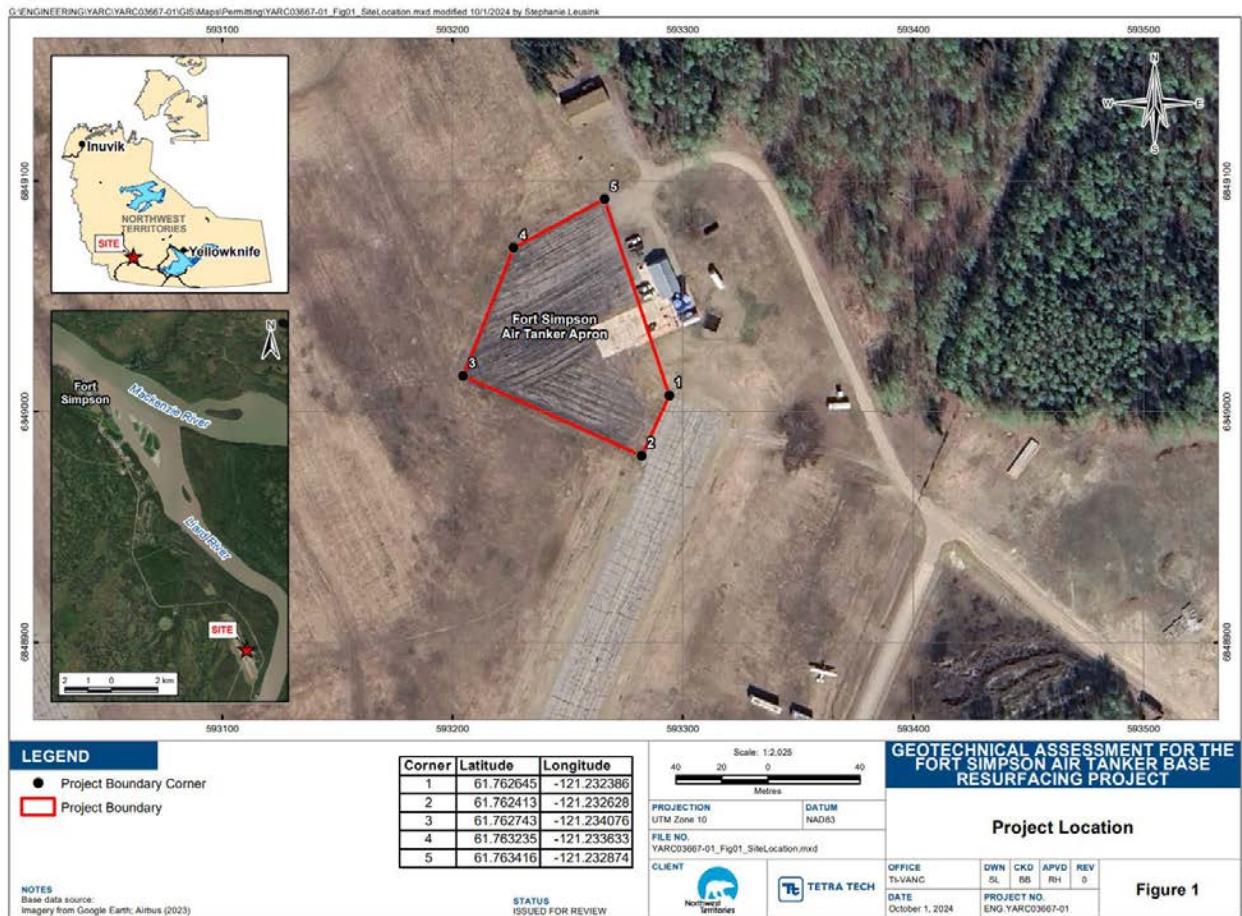


Figure 1: Site of proposed geotechnical assessment.

### **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 18, 2024, inviting reviewers to provide comments and recommendations on the Application and the preliminary screening (e.g., on impacts and mitigation measures) using the Online Review System (ORS). Comments were due on November 8, 2024, with responses from the Applicant due November 15, 2024. The Board received comments from the Government of Northwest Territories – Department of Education, Culture and Employment – Prince of Wales Northern Heritage Centre (GWNT-ECE-PWNHC) and Department of Fisheries and Oceans Canada (DFO).

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

Pursuant to section 27, paragraphs (a) and (b) of the [Dehcho First Nations \(DCFN\) Interim Measures Agreement](#),<sup>4</sup> 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.

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<sup>4</sup> 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
Soil Contamination	Use of machinery has potential for hydrocarbon spills.	<ul style="list-style-type: none"> <li>• The Applicant indicated that soil contamination from hydrocarbon spills is a potential impact, given the use of machinery onsite. To mitigate, the Applicant has noted spill containment and clean up measures will be in place.</li> <li>• The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>5</sup> <ul style="list-style-type: none"> <li>○ <b>SECONDARY CONTAINMENT – REFUELING</b></li> <li>○ <b>FUEL CONTAINMENT</b></li> <li>○ <b>SPILL RESPONSE</b></li> <li>○ <b>DRIP TRAYS</b></li> <li>○ <b>CLEAN UP SPILLS</b></li> <li>○ <b>REPORT SPILLS</b></li> </ul> </li> </ul>	<p>Based on the described mitigations, it is the Board’s opinion that the proposed activities are not likely to have significant adverse impact on the environment and/or will not be a cause of public concern.</p> <p>The proposed Project involves a small footprint and there will be no stored fuel or fuel transfer onsite.</p>
Soil Compaction	Use of heavy machinery.	<ul style="list-style-type: none"> <li>• The Applicant has noted this potential impact, but has further indicated, that tracked equipment will minimize soil compaction.</li> </ul>	<p>Based on the described Project, it is the Board’s opinion that the proposed activities are not likely to have significant adverse impact on the environment and/or will not be a cause of public concern.</p> <p>Tracks on machinery generally increase the surface contact area of a load, effectively leaving less strain on topsoil.</p>

<sup>5</sup> See the MVLWBT Policies and Resources webpage to access the MVLWB [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.

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 December 15, 2024, the Board can issue the Permit on December 16, 2024.

SIGNATURE



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

December 5, 2024

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**Date**