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Parks Canada
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July 20, 2022

Re: Notification of Completion of Preliminary Screening of Replacement Dock on Lease No. 75L\9-1-10

To: Distribution List (including Review Board)

In accordance with s. 125 of the *Mackenzie Valley Resource Management Act*, Parks Canada has conducted a preliminary screening of potential impacts associated with the construction of a replacement dock on Lease No. 75L\9-1-10 in Thaidene Nene National Park Reserve. Parks Canada has decided **not** to refer the development (i.e., application for a building permit) to environmental assessment.

If Parks Canada does not receive notice of referral to environmental assessment, it will proceed with the issuance of a building permit to the holder of Lease No. 75L\9-1-10 on **July 30, 2022**.

Attached is the preliminary screening of the proposed cabin in Thaidene Nene National Park Reserve. I will continue to be available throughout this 10-day pause period to answer any questions or concerns that you may have.

With kind regards,

Danielle Thompson
Assistant Implementation Manager, Thaidene Nene National Park Reserve
Parks Canada
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Parks Canada Preliminary Screening under the *Mackenzie Valley Resource Management Act*

TYPE OF DEVELOPMENT:

- New
- Amended
- Requires a permit, licence or authorization under the *Preliminary Screening Requirement Regulations* (issuance of a building permit pursuant to the *National Parks Building Regulations* s. 5(1))
- Does not require permit, licence or authorization and is proposed by PCA

1. DEVELOPMENT TITLE & LOCATION

Replacement dock on Lease No. 75L\9-1-10

2. PROPOSANT INFORMATION

The holder of Lease No. 75L\9-1-10

3. PROPOSED DEVELOPMENT DATES

Planned commencement: July 30, 2022
Planned completion: October 31, 2022

4. INTERNAL FILE #

TDN2022-004

5. DEVELOPMENT DESCRIPTION (as posted on the preliminary screening section of the Mackenzie Valley Review Board's public registry)

Thaidene Nene National Park Reserve is located on the East Arm of Great Slave Lake, in the Northwest Territories. The park reserve is part of Thaidene Nëné Indigenous Protected Area (IPA), which also includes a Territorial Protected Area and a Wildlife Conservation Area. There are currently three leases within the national park reserve (see Map 1.) that were originally managed by Indigenous and Northern Affairs Canada (INAC) and the Government of the Northwest Territories (GNWT). These leases were transferred over to Parks Canada, with fixed terms and conditions – including renewal clauses, in 2019 when Thaidene Nene National Park Reserve was established.

The holder of Lease No. 75L\9-1-10, hereby referred to as the leaseholder, has requested a permit to replace a dock that was lost in the fall/winter of 2019/20. The project location is within the boundaries of Thaidene Nene National Park Reserve and, therefore, requires a



development permit¹. As the dock's location is not on the lease itself, a licence of occupation is required to allow for non-exclusive tenure for the dock. The proposed length of tenure for the non-exclusive licence of occupation is 10 years; the size will mirror the footprint of the dock. As per the *Mackenzie Valley Resource Management Act*, Parks Canada is legally required, before issuing permits and licences, to conduct preliminary screenings to determine any public concern, or adverse environmental, social or cultural impacts.

The proposed dock will be constructed during the summer when Great Slave Lake is ice-free and site conditions are favourable. As with the previous dock, the replacement will be used for recreation only (boats / float plane drop-off). The leaseholder has submitted the following activities and location for building a replacement dock:

Activities

- Transportation and delivery of building materials, which will occur by small boat.
- Off-loading of the building materials by hand at the construction site.
- Construction of one wooden 20'x5' dock, with an 8'x4' plywood deck flanked by 2"x6" boards on either side. The two posts at the end of the dock will be reinforced with 2"x4" or 2"by 6" cross-crossed pieces and supported at the base with the same boulders that were used for the old dock.

Locations

The proposed construction site for the dock is located in Tochatwi Bay at the East Arm of Great Slave Lake in Thaidene Nene National Park Reserve (see Map 1-3).

6. VALUED COMPONENTS THAT MAY BE AFFECTED

Indigenous Peoples, and the Social and Cultural Environment

The national park reserve is part of Thaidene Nënë Indigenous Protected Area (IPA). Management of the national park reserve is shared between Parks Canada and Indigenous Governments: Łutsël Ké Dene First Nation, Northwest Territory Métis Nation, Deninu Ké First Nation, and Yellowknives Dene First Nation. Establishment/Impact and Benefit agreements support the formation of two management boards. Work is conducted collaboratively with consensus-based decisions with Thaidene Nënë xá dá yálти (Operational Management Board).

Thaidene Nene National Park Reserve is a living legacy for all: a place where Indigenous peoples can continue to practice their ways of life, while also coming together to welcome the world.

Here, Indigenous peoples continue resource harvesting, cultural, and spiritual practices in accordance with their constitutionally protected Aboriginal and treaty rights.

¹ National Parks Building Regulations, s. 5(1).



Thaidene Nene National Park Reserve not only protects the ecological integrity, but also the cultural continuity of its unique landscape for the benefit, education and enjoyment of future generations and visitors from around the world.

- Indigenous Peoples

The lands now within Thaidene Nene National Park Reserve have provided sustenance and have been travelled by Indigenous peoples since time immemorial. The national park reserve encompasses numerous sites of spiritual and cultural importance to Łutséł K’é Dene First Nation, Deninu Kujé First Nation, Yellowknives Dene First Nation, the Northwest Territory Métis Nation, and the North Slave Métis Alliance who also assert traditional territory within the area.

Use of the land continues today, as articulated above, including harvesting, travelling, spiritual gatherings, and monitoring. Thaidene Nene National Park Reserve is a living landscape where culture thrives. Thaidene Néné Indigenous Protected Area, declared by Łutséł K’é Dene First Nation under Dene Law, encompasses the national park reserve.

- Heritage Resources

Heritage resources are defined as a human work, an object, or a place that is determined, on the basis of its heritage value, to be directly associated with an important aspect or aspects of human history and culture of a heritage area. Examples of heritage resources include archaeological or historic sites, burial sites, artifacts and other objects of historical, cultural, or religious significance, and historical or cultural records.

Heritage resources exist throughout Thaidene Nene National Park Reserve. Several known cultural sites, cabins and graveyards are located within the Lockhart River – Artillery Lake corridor, and at Fort Reliance – now recognized as a National Historic Site. Fort Reliance was built as a base of operations for expeditions in 1833, and briefly operated as a fur trade post in the 1850s. The Métis have a history of involvement in the fur trade and as expedition guides in the region.

Heritage resources may also exist in Tochatwi Bay at the East Arm of Great Slave Lake. There are currently no known heritage resources in Tochatwi Bay at the proposed dock location. However, there may be items present in the project areas that have not yet been documented.

- Visitor Experience

It is currently estimated that approximately 500 people visit Thaidene Nene National Park Reserve on an annual basis. A wide variety of recreational activities are currently enjoyed throughout the area, including: sailing, kayaking, canoeing and motor-boating, hiking, snowmobiling, dog-sledding, cross-country skiing, fishing and berry picking. Visitation is expected to increase with new service offers from guide outfitter operations and greater promotion of the national park reserve.



Natural Environment

Thaidene Nene National Park Reserve protects approximately 14,000 km² of nationally significant boreal forest, freshwater and tundra ecosystems, and represents the Northwestern Boreal Uplands Natural Region in the National Parks System Plan. The area exemplifies the transition from the Taiga Shield Ecoregion to the Southern Arctic Ecoregion – the boundary of which is defined by tree line. It is characterized as having low to moderate relief with innumerable interlocking lakes and large areas of exposed bedrock. Glacial erosion and deposition created these and other unique landscape features, including archipelagos, steep eskers, gorges and waterfalls. The national park reserve is situated within the sub-Arctic climate zone and, to a lesser extent, the Boreal climate zone. The western half of the area is underlain by isolated permafrost patches, while the eastern half is underlain by continuous permafrost. Overall, Thaidene Nene National Park Reserve represents an outstanding example of an intact, remote wilderness area.

- Soil

Soil development and nutrient availability are significant factors influencing the distribution and abundance of vascular plants (e.g., trees, shrubs, flowering herbs etc.). Soil development is dependent on regional source materials, climate and hydrology. The source materials found in and around Thaidene Nene National Park Reserve include granite bedrock, marine clays, and glacial till. Soils within the region are Cryosolic, which is a term used to describe soil development in areas with permafrost. Soil development is considered to be very slow (i.e., a few millimeters per century), with the exception of peat materials that tend to accumulate more quickly.

- Air

No formal observations of air/noise quality have occurred in Thaidene Nene National Park Reserve. However, it is expected that these valued components are representative of their natural state as Łutsél Kéé is the only nearby community, and industrial activity in the surrounding area is relatively low. Reduced air quality from regional/national forest fires may seasonally occur.

- Water

Thaidene Nene National Park Reserve overlaps the east arm of Great Slave Lake, which is the deepest (and fifth largest) lake in North America. The national park reserve encompasses Artillery Lake and several freshwater tributaries including the Lockhart and Snowdrift Rivers. Ts'akui Theda (Parry Falls) and the Lockhart River have great cultural and spiritual importance.

Water quality within the national park reserve is expected to be pristine as relatively low inputs of industrial and community-related pollutants potentially come from the surrounding area. The Water Survey of Canada (Environment and Climate Change Canada) operates one monitoring station in Thaidene Nene National Park Reserve. The station is located on the Lockhart River at the southern end of Artillery Lake and is dedicated to providing only hydrometric information (water level and flow). Data available from 2000 to 2005 indicate no



abnormal flow conditions for the site. The Ni Hat’ni Dene Guardians have been monitoring water quality in and around the community of Łutsél K’é, Macleod Bay and Christie Bay since 2008, and have periodically shared this data with the Government of Northwest Territories (GNWT) and Environment and Climate Change Canada (ECCC). Data analysis can be used to detect any changes in water quality over time.

- Vegetation

The shores of lakes and rivers within the forested parts of Thaidene Nene National Park Reserve are lined with dense stands of black spruce, white spruce, and white birch. Southern inland areas are occupied by stands of white spruce and jack pine, with understories consisting of blueberries and cranberries, feather moss and lichens. Northern inland areas are occupied by open stands of black spruce covering thick understories of lichen. In areas that transition from the boreal forest to the barrens, stunted black spruce and tamarack sparsely cover dwarf tundra vegetation and exposed bedrock. Greater detail about the distribution and status of vascular plants in the national park reserve will be determined with species inventories. Historical records indicate that one ‘At Risk’ species may occur in the area. The Canadian Museum of Nature retains a sample of Mackenzie Hairgrass (*Deschampsia mackenzieana*), a plant listed as Special Concern on Schedule 1 of the *Species at Risk Act*, that was collected near Fort Reliance in 1927.

- Wildlife

Thaidene Nene National Park Reserve is home to plethora of wildlife species. Information, particularly traditional knowledge, is most abundant for large bodied mammals and fur bearers because of their cultural and social importance within Indigenous cultures. Hunting and trapping of caribou, moose, muskox, wolf, lynx, wolverine, beaver, red fox, otter, marten, muskrat, mink, snowshoe and Arctic hare provide food and economic benefit to Indigenous peoples. In total, 42 species of mammals are known to inhabit the national park reserve. Of those, 4 species are listed on Schedule 1 of the *Species at Risk Act*: Little Brown Myotis (*Myotis lucifugus*), and Northern Myotis (*Myotis septentrionalis*) are listed as Endangered; and Grizzly Bear (*Ursus arctos*) and Wolverine (*Gulo gulo*) are listed as Special Concern. Four herds of Barren-ground Caribou (*Rangifer tarandus*) – the Bathurst, Beverly, Ahiak, and Qamanirjuaq - are of vital importance to Indigenous peoples and are known to occur in Thaidene Nene National Park Reserve. Although not yet listed on Schedule 1, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) has assessed Barren-ground Caribou as Threatened. All three herds are listed as Threatened under NWT species at risk legislation, with the Bathurst herd being intensely managed after a continued and significant decline in numbers. In light of this, Łutsél K’é Dene First Nation has recently approved a Caribou Stewardship Plan (called *Yúnethé Xá ɻetthén Hádi*) that includes a self-imposed moratorium on hunting caribou from the Bathurst herd. Other plans (e.g., Bathurst Caribou Plan), co-management boards and harvest restrictions have also been established to protect and manage these herds.

Thaidene Nene National Park Reserve is also home to approximately 171 bird species; however, species inventories and consistent monitoring are needed to confirm the numbers and status of landbirds, waterfowl and shorebirds. Of note, ten species of hawks and falcons, two eagle



species, osprey and six owl species also occur in the area. Islands and cliffs in the area are known to be important nesting habitat for breeding birds and many rocky islands host colonies of gulls and terns. Several species thought to be present in the national park reserve are listed on Schedule 1 of the *Species at Risk Act*: Bank Swallow (*Riparia riparia*), Barn Swallow (*Hirundo rustica*), Common Nighthawk (*Chordeiles minor*), and Olive-sided Flycatcher (*Contopus cooperi*) are listed as Threatened; and Horned Grebe (*Podiceps auritus*), Short-eared Owl (*Asio flammeus*), Red-necked Phalarope (*Phalaropus lobatus*), and Rusty Blackbird (*Euphagus carolinus*) are listed as Special Concern. Harris's Sparrow (*Zonotrichia querula*) is not listed on Schedule 1, but it has been assessed by COSEWIC as a species of Special Concern.

Although not yet confirmed, 5 amphibian species (i.e., frogs, toads and salamanders) are expected to occur in Thaidene Nene National Park Reserve. Of these, only one species is considered to be 'At Risk'. The Northern Leopard Frog (*Lithobates pipiens*) is listed as Endangered on Schedule 1 of the *Species at Risk Act*.

There are 28 species of freshwater and anadromous fish known to occur in Great Slave Lake and its tributaries. Sport and subsistence fishing activities occur throughout the area. Fish species of particular importance within Thaidene Nene National Park Reserve include: Lake Trout, Lake Whitefish, Burbot, Northern Pike, Walleye and Arctic Grayling.

7. ASSESSMENT OF POTENTIAL IMPACTS

Indigenous Peoples, and the Social and Cultural Environment

- Indigenous People

Given that the proposed dock is located adjacent to a recreational lease the pre-dates the national park reserve, and is replacing a previously existing structure with the purpose of re-establishing access, potential impacts are expected to be minimal.

- Heritage Resources

Recognizing the potential historical and cultural history of the area, an Archaeological Impact Assessment (AIA) was conducted at the proposed site by Park's Canada Cultural Resources Management staff on July 14, 2022. No features or artifacts were encountered during the assessment. However, the Change of Scope Protocol and Accidental Finds Protocol, described in more detail in the Mitigation Measures section of this document, will apply to the proposed cabin build.

- Visitor Experience

The proposed dock will have minimal impact on visitor experience. The leaseholder is responsible for ongoing dock upkeep and maintenance, including the removal and proper disposal of garbage and other discarded materials.



Natural Environment

- Soil

Impacts from off-loading building materials and human foot traffic at the proposed site is expected to be minimal during and post construction of the proposed dock.

- Air

The proposed dock is not expected to impact overall air quality in Thaidene Nene National Park Reserve or the Tochatwi Bay area.

- Water

The proposed dock is not expected to impact water quality in Thaidene Nene National Park Reserve or the Tochatwi Bay area. In order to minimize disturbance in the water and preserve water quality, terms and conditions proposed for the development permit, if approved, will outline construction practices and materials, following guidance from Fisheries and Oceans.

- Vegetation

The proposed dock is not expected to impact vegetation in Thaidene Nene National Park Reserve or the Tochatwi Bay area.

- Wildlife

The proposed dock is not expected to impact wildlife in Thaidene Nene National Park Reserve or the Tochatwi Bay area.

8. MITIGATION MEASURES

The construction of the proposed dock at Tochatwi Bay may have negative impacts on heritage resources, visitor experience and the natural environment.

Potential negative impacts on heritage resources will be mitigated through:

- I. If features or artifact concentrations are encountered during construction, then the *Accidental Finds Protocol* will be employed. This involves implementing a stop work order until advice is provided by the Parks Canada Terrestrial Archaeological section about how to proceed. Photographs of the artifact and GPS waypoints of the artifact location will be well-documented, and
- II. A *Change of Scope* protocol will be employed if there are any changes to the development description, including the project footprint.

Potential negative impacts on the natural environment and visitor experience will be mitigated through the following ways:

- III. The dock will be used by the holder of Lease No. 75L\9-1-10 for recreational purposes only, and



IV. Use of the park is subject to the *Canada National Parks Act* (CNPA) and the regulations that serve to leave ecological and commemorative integrity of national parks unimpaired for the enjoyment of future generations. Park Wardens will be making regular patrols in the national park reserve to enforce the CNPA and the regulations.

9. SIGNIFICANCE OF RESIDUAL ADVERSE EFFECTS

Given the limited magnitude of effects and the application of mitigation measures, the construction of the proposed dock adjacent to Lease No. 75L\9-1-10 is not expected to cause residual adverse effects to natural, social or cultural environments.

10. ENGAGEMENT AND CONSULTATION

The permit application was reviewed and approved by Thaidene Nënë xá dá yálti (Operational Management Board), which consists of appointees from Łutséł K’é Dene First Nation and Northwest Territory Métis Nation. The Development Description was posted on the Mackenzie Valley Review Board’s public registry between June 6 - 27, 2022. There were no comments about the Development Description, with the exception of some general questions about the preliminary screening process that were received on June 27th.

11.1 Bibliography

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12. DECISION

Parks Canada has conducted this preliminary screening of "Replacement dock on Lease No. 75L\9-1-10" (the proposed development) pursuant to the Mackenzie Valley Resource Management Act (ss. 124(2) and 125(1)), and has concluded that it is **not** referring the proposal to the Mackenzie Valley Review Board for environmental assessment.

Reason for Preliminary Screening Decision

There is no reasonable likelihood that the construction of the proposed dock might have significant adverse impact on the environment (natural environment, social and cultural



resources, or heritage resources). The *Canada National Parks Act* (CNPA) requires the maintenance or restoration of ecological integrity to be the first priority when considering the management of national parks and national park reserves. The shared management of the national park reserve requires collaboration between Indigenous Governments and Parks Canada, and consensus-based decisions by the Thaidene Nëné Management Boards. The construction of a dock adjacent to Lease No. 75L\9-1-10 will re-establish boat and float plane access to enhance existing recreational use.

Taking into account the analysis and implementation of mitigation measures outlined in the analysis, the development:

- Might have a significant adverse impact on the environment, and the proposal should be referred to the *Mackenzie Valley Environmental Impact Review Board* for environmental assessment.
- Does not have a likelihood of causing significant adverse impact on the environment.
- Might be a cause for public concern, and the proposal should be referred to the *Mackenzie Valley Environmental Impact Review Board* for environmental assessment.
- Does not have a likelihood of causing public concern.

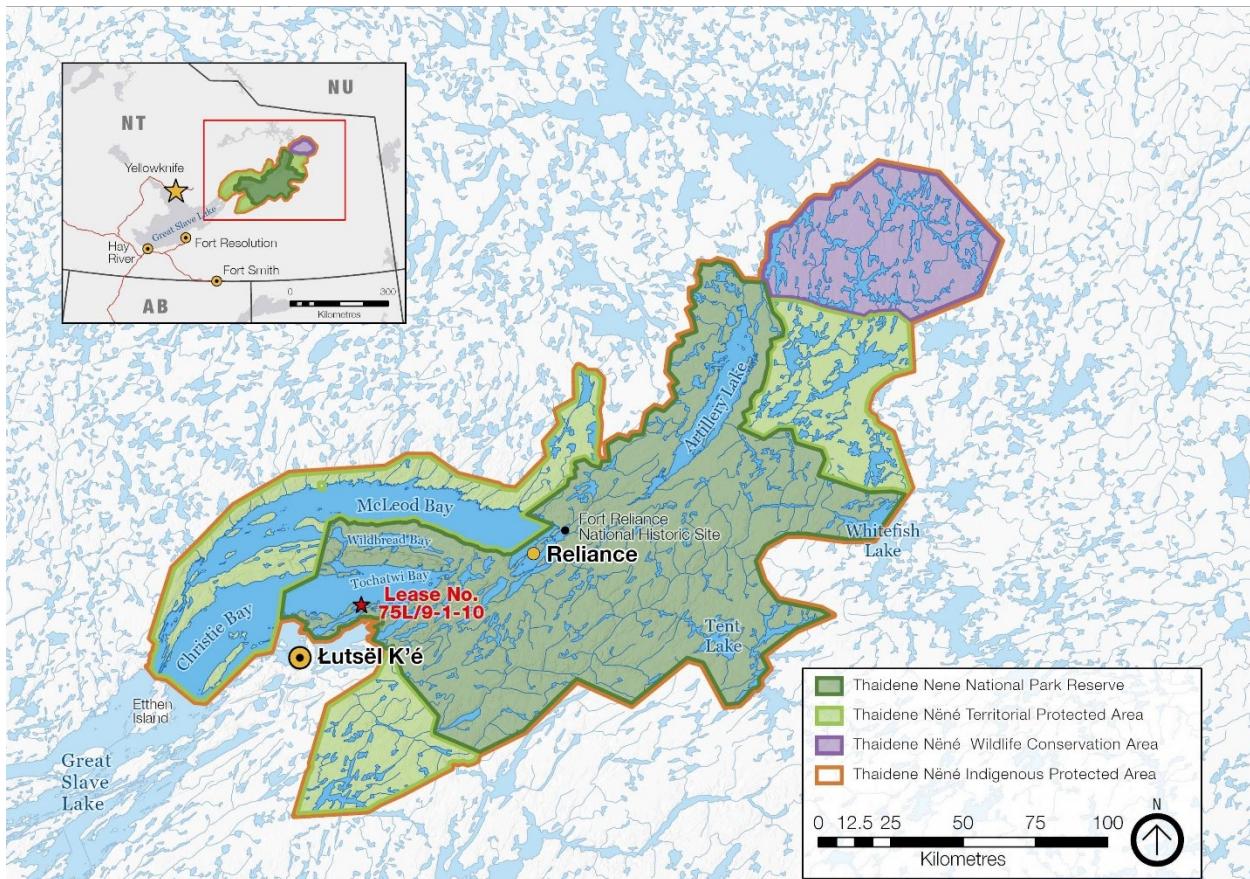


13. APPROVAL

Prepared by: <i>Danielle Thompson</i> Ecosystem Scientist, SWNWT Field Unit	Date: July 20, 2022
Permit application reviewed by: Thaidene Nënë xá dá yálti (Operational Management Board)	Date: May, 2022
Approved by:  <hr/> <i>Laani Uunila</i> Implementation Manager, Thaidene Nene National Park Reserve	Date: July 20, 2022



Map 1: Location of lease 75L\9-1-10 within Thaidene Nene National Park Reserve, in relation to Thaidene Néné Indigenous Protected Area, Territorial Protected Area, and the Wildlife Conservation Area.





Map 2: The location of the Lease No. 75L\9-1-10 in Tochatwi Bay, Great Slave Lake within Thaidene Nene National Park Reserve.



Map 3: The approximate location of the dock in Tochatwi Bay, Great Slave Lake within Thaidene Nene National Park Reserve.

