

Preliminary Screening Report Form

<p>Preliminary screener: MVLWB</p> <p>Reference / File Number: MV2018Q0003</p> <p>TITLE: Quarry Operation, Hwy #1, km 100</p> <p>ORGANIZATION: Rowes Construction</p> <p>MEETING DATE: March 29, 2018</p>	<p>EIRB</p> <p>Reference number:</p>
--	--

Type of Development:
(CHECK ALL THAT APPLY)

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | New |
| <input type="checkbox"/> | Amend, EIRB Ref. # |
| <input checked="" type="checkbox"/> | Requires permit, licence, or authorization |
| <input type="checkbox"/> | Does not require permit, licence, or authorization |

Project Summary:

Rowes Construction has applied for a land use permit to conduct a gravel quarry operation at Hwy #1, km 100. Rowes Construction has applied for a five-year term.

No camp will be set up.

The following equipment will be used:

- Dump Truck (2)
- Loader (1)
- Dozer (1)
- Crusher/Screener (1)

A work truck will be used to get personnel and fuel to and from site

There will be no fuel stored on site.

Scope:

The scope for the land use permit is described in the complete application and includes the following:

- a) Operation of a quarry;
- b) Use of equipment;
- c) Use of fuel;
- d) Clearing of brush.

Land Use Eligibility - Section 18 Mackenzie Valley Land Use Regulations:

Rowes Construction is eligible as per subsection 18(a)(i) of the Mackenzie Valley Land Use Regulations:

18 A person is eligible for a permit who

- (a) Where the proposed land-use operation is in the exercise of a right to search for, win or exploit minerals or natural resources,
 - (i) holds the right.

Type of Disposition

Disposition Number(s)

- | | |
|---|------------|
| <input type="checkbox"/> Mineral Claims | |
| <input type="checkbox"/> Prospecting Permit (s) | |
| <input type="checkbox"/> Mineral Leases | |
| <input type="checkbox"/> Oil and Gas: EL/SDL/PL | |
| <input checked="" type="checkbox"/> Quarry Permit | 2018QP0007 |
| <input type="checkbox"/> Timber Permit | |
| <input type="checkbox"/> Other: | |

Principal Activities (related to scoping) (CHECK ALL THAT APPLY)

- | | | |
|---------------------------------------|--|--|
| <input type="checkbox"/> Construction | <input type="checkbox"/> Exploration | <input type="checkbox"/> Decommissioning |
| <input type="checkbox"/> Installation | <input type="checkbox"/> Industrial | <input type="checkbox"/> Abandonment |
| <input type="checkbox"/> Maintenance | <input type="checkbox"/> Recreation | <input type="checkbox"/> Aerial |
| <input type="checkbox"/> Expansion | <input type="checkbox"/> Municipal | <input type="checkbox"/> Harvesting |
| <input type="checkbox"/> Operation | <input checked="" type="checkbox"/> Quarry | <input type="checkbox"/> Camp |
| <input type="checkbox"/> Repair | <input type="checkbox"/> Linear / Corridor | <input type="checkbox"/> Scientific/ |
| <input type="checkbox"/> Research | <input type="checkbox"/> Sewage | <input type="checkbox"/> Solid Waste |
| <input type="checkbox"/> Water Intake | | |
| <input type="checkbox"/> Other: | | |
-

Principal Development Components (related to scoping) (CHECK ALL THAT APPLY)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Access Road <ul style="list-style-type: none"><input type="checkbox"/> construction<input type="checkbox"/> abandonment/removal<input type="checkbox"/> modification e.g., widening, straightening | <input checked="" type="checkbox"/> Waste Management <ul style="list-style-type: none"><input checked="" type="checkbox"/> disposal of hazardous waste<input checked="" type="checkbox"/> waste generation<input type="checkbox"/> sewage<input type="checkbox"/> disposal of sewage |
| <input checked="" type="checkbox"/> Automobile, Aircraft or Vessel Movement | <input type="checkbox"/> Geoscientific Sampling |
| <input type="checkbox"/> Blasting | <input type="checkbox"/> Trenching |
| <input type="checkbox"/> Building | <input type="checkbox"/> Diamond drill |
| <input checked="" type="checkbox"/> Burning | <input type="checkbox"/> Borehole core sampling |
| <input type="checkbox"/> Burying | <input type="checkbox"/> Bulk soil sampling <ul style="list-style-type: none"><input type="checkbox"/> gravel<input type="checkbox"/> hydrological Testing |
| <input type="checkbox"/> Channelling | <input checked="" type="checkbox"/> Site Restoration <ul style="list-style-type: none"><input type="checkbox"/> fertilization<input type="checkbox"/> grubbing<input type="checkbox"/> planting/seeding<input type="checkbox"/> reforestation<input type="checkbox"/> scarify<input type="checkbox"/> spraying<input checked="" type="checkbox"/> re-contouring |
| <input type="checkbox"/> Cut and Fill | <input checked="" type="checkbox"/> Slashing and removal of vegetation |
| <input checked="" type="checkbox"/> Cutting of Trees or Removal of Vegetation | <input type="checkbox"/> Soil Testing |
| <input type="checkbox"/> Dams and Impoundments <ul style="list-style-type: none"><input type="checkbox"/> construction<input type="checkbox"/> abandonment/removal<input type="checkbox"/> modification | <input type="checkbox"/> Stream Crossing/Bridging |
| <input type="checkbox"/> Ditch Construction | <input type="checkbox"/> Tunnelling/Underground |
| <input type="checkbox"/> Drainage Alteration | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Drilling other than Geoscientific | |
| <input type="checkbox"/> Ecological Surveys | |
| <input checked="" type="checkbox"/> Excavation | |
| <input type="checkbox"/> Explosive Storage | |
| <input type="checkbox"/> Fuel Storage | |
| <input checked="" type="checkbox"/> Topsoil, Overburden or Soil <ul style="list-style-type: none"><input type="checkbox"/> fill<input type="checkbox"/> disposal<input checked="" type="checkbox"/> removal<input checked="" type="checkbox"/> storage | |
-

NTS topographic map sheet numbers:

85 C/09

Latitude / longitude and UTM system:

60°38'21.50"N
60°38'47.50"N
116°21'17.87"
116°21'35.75W

Nearest community and water body:

Enterprise, NT
Great Slave Lake

Land Status (consultation information)

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Free Hold/Private | <input checked="" type="checkbox"/> Commissioner's/Territorial Lands | <input type="checkbox"/> Federal Crown Land | <input type="checkbox"/> Municipal Land |
|--|--|---|---|
- Transboundary/Transregional Implications**

- British Columbia
- Nunavut
- Wek'èezhii

- Alberta
- National Park
- Gwich'in

- Saskatchewan
- Inuvialuit Settlement Region
- Sahtu

- Yukon

Type of transboundary implication: Impact / Effect Development

Public concern: _____
(Describe.)

Physical - Chemical Effects

Impact

1) Ground Water

Mitigation

- water table alteration
- water quality changes

As per the proponent's Spill Contingency Plan, the Permittee is required to have adequate spill kits, a spill response plan, and is to report any spills to the NWT Spill Report Line. Conditions will be considered in the Permit to ensure spills are reported in accordance with the GNWT Spill Contingency Planning and Reporting Regulations, and that the Permittee shall clean up all leaks, spills, and contaminated material.

- infiltration changes
- other:

N/A

Impact

2) Surface Water

Mitigation

- flow or level changes
- water quality changes

As per the proponent's Spill Contingency Plan, the Permittee is required to have adequate spill kits, a spill response plan, and is to report any spills to the NWT Spill Report Line. Conditions will be considered in the Permit to ensure spills are reported in accordance with the GNWT Spill Contingency Planning and Reporting Regulations, and that the Permittee shall clean up all leaks, spills, and contaminated material.

- water quantity changes
- drainage pattern changes
- temperature
- wetland changes/loss
- other:

N/A

Impact

3) Noise

Mitigation

- noise in/near water
- noise increase

There is no proposed mitigation. Any noise increases will be temporary and short-term in duration.

other:

N/A

Impact
4) Land

Mitigation

geologic structure changes

soil contamination

As per the proponent's Spill Contingency Plan, the Permittee is required to have adequate spill kits, a spill response plan, and is to report any spills to the NWT Spill Report Line.

buffer zone loss

soil compaction and settling

destabilization/erosion

permafrost regime alteration

explosives/scarring

other:

N/A

Impact
5) Non-renewable natural resources

Mitigation

resource depletion

There will be a depletion of gravel in this area. As this is a quarrying operation, no mitigation is possible or proposed.

other:

There will be an increase in the emissions from machinery operation in this area. This will be temporary and minimal. No mitigation is proposed.

N/A

Impact
6) Air/climate/atmosphere

Mitigation

other:

N/A

BIOLOGICAL ENVIRONMENT

Impact
1) Vegetation

Mitigation

species composition

A Permit condition will be considered requiring the Permittee to store overburden and use it to recontour the site after operations are complete, unless otherwise authorized in writing by an Inspector.

species introduction

toxin/heavy accumulation

other: Linear Migration routes, habitat fragmentation

N/A

Impact

2) Wildlife and Fish

effects on rare, threatened or endangered species

fish population changes

waterfowl population changes

breeding disturbance

population reduction

species diversity change

health changes

behavioural changes

habitat changes / effects

game species effects

toxins/ heavy metals

forestry changes

agricultural changes

other:

N/A

Interacting Environment

Impact

1) Habitat and Communities

predator-prey

wildlife habitat/ecosystem composition changes

reduction/removal of keystone or endangered species

removal of wildlife corridor or buffer zone

Mitigation

Whooping Crane, Wood Bison, Woodland Caribou (Boreal population), Yellow Rail, Rusty Blackbird, Northern Leopard Frog, Peregrine Falcon (anatum subspecies), Short-eared Owl, Common Nighthawk, Olive-sided Flycatcher, Horned Grebe (Western population), and Wolverine (Western population) are in the area. The Permittee has committed to ensuring that its workers and contractors note and report any sightings of species at risk. The Permittee must also adhere to the *Species at Risk Act*, particularly Subsection 79(2). The primary mitigation measure is avoidance. The Permittee should avoid contact with or disturbance to each species, its habitat and/or its residence.

Paragraph 6(a) of the Migratory Bird Regulations, pursuant to the *Migratory Birds Convention Act*, states that no one shall disturb or destroy the nests or eggs of migratory birds. The Permittee has committed to not clear any brush in any wetland areas where migratory birds might be nesting.

Permit conditions will be considered to ensure no petroleum products spread to surrounding lands or into water bodies. A Spill Contingency Plan has also been submitted with this application

Mitigation

other:

N/A

Impact

2) Social and Economic

planning/zoning changes or conflicts

increase in urban facilities or services use

rental house

airport operations/capacity changes

human health hazard

impair the recreational use of water or aesthetic quality

affect water use for other purposes

affect other land use operations

quality of life changes

public concern

Mitigation

Katloodeeche First Nation

- Working with Rowes to clarify the working relationship
- Rowes has been in contact with Katloodeeche First Nation and are working towards formalizing a working agreement

West Point First Nation

- Does not accept this or any further application for lease or for sale of any lands unless they are in accordance with the Deh Cho First Nations Interim Measures Agreement (May 23, 2001);
- The quarry falls within a region of withdrawn lands and is considered a new quarry that did not exist prior to May 23, 2001.

Rowes has had a meeting with Chief and Council of West Point First Nation where there was acknowledgement of the project. West Point First Nation followed up and after they had an internal meeting they are not supporting the project. Rowes is willing and attempting to work with West Point First Nation on establishing their working relationship. The references that are made to the Deh Cho First Nations Interim Measure Agreement refer to the issuance of a quarry permit. The GNWT – Lands department issued the Quarry Permit to Rowes on February 5, 2018 (2018QP0007), which was included in the initial application provided by Rowes.

other:

N/A

Impact

3) Cultural and Heritage

effects to historic property

increased economic pressure

Mitigation

on historic properties

change to or loss of historic resources

change to or loss of archaeological resources

increased pressure on archaeological sites

change to or loss of aesthetically important sites

effects to aboriginal lifestyle

other:

N/A

- Pursuant to Schedule 4.1 of the **Northwest Territory Métis Nation (NWTMN)** Interim Measures Agreement, the MVLWB 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 (DFN)** Interim Measures Agreement, the MVLWB has determined that written notice was given to the DFN, and that a reasonable period of time was allowed for DFN to make representations with respect to the application.

Preliminary Screener / Referring Body Information

Acho Dene Koe First Nation
Athabasca Denesuline Council CO Prince Albert Cou
CanNor NWT Region
Deh Cho Land Use Planning Committee
Deh Gah Got'ie Dene Council
Dehcho First Nations
Dene Nation
Dene Tha' First Nation
Department of Fisheries and Oceans
Digaa Enterprises Ltd.
Environment and Climate Change Canada
Fisheries and Oceans Canada
Fort Providence Metis Council #57
Fort Providence Resource Management Board
Fort Simpson Metis Local 52
General Public
GNWT - ECE
GNWT - ENR
GNWT - INF
NWT - ITI
GNWT - Lands
GNWT - MACA
GNWT- OROGO
Gov of Canada
Hamlet of Fort Liard

Hamlet of Fort Providence
Hay River Metis Council
INAC - Contaminants and Remediation Directorate
INAC - NWT Inspectors
Ka'a'gee Tu First Nation
Katloodeche First Nation
Liard First Nation (Yukon)
Liidlii Kue First Nation (Ft Simpson)
Mackenzie Valley Environmental Impact Review Board
MVLWB
Naha Dehe Dene Band
North Slave Metis Alliance
Northwest Territory Metis Nation
Pehdzeh Ki First Nation (Wrigley)
Ross River Dena Council
Sambaa Ke First Nation (Trout Lake)
Snap Lake Environmental Monitoring Agency - SLEMA
Transport Canada
TthedzehK?edeli First Nation (JMR)
West Point First Nation
WLWB
Workers' Safety and Compensation Commission

Reasons For Decision
(List all reasons and supporting rationales for preliminary screening decision)

DECISION

The Mackenzie Valley Land and Water Board (the Board) is satisfied that the preliminary screening of Application MV2018Q0003 – Rows Construction – Quarry Operation – Highway #1, km 100 has been completed in accordance with section 125 of the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board is satisfied that communities and First Nations affected by the Application have been notified and provided adequate time to provide comment on the Application as required by land claim and self government agreements, the MVRMA, policy directions relating to Interim Measures Agreements, and any other applicable legislation and agreements.

Having reviewed all relevant evidence on the Public Registry, including the submissions of the Applicant, the written comments received by the Board and any Staff Reports prepared for the Board, the Board has decided that in its opinion:

- The proposed development will not have a significant adverse impact on the environment; and
- The proposed development is not a cause of public concern.

The Board is also of the opinion that the Application can proceed through the regulatory process and that any impacts of the development on the environment can be mitigated through the imposition of the term and conditions in the attached Land Use Permit

As a result, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the MVRMA and the Mackenzie Valley Land Use Regulations has decided that this Land Use Permit be issued subject to the term and conditions contained therein.

Preliminary Screening Decision	
<input checked="" type="checkbox"/>	Outside Local Government Boundaries
<input type="checkbox"/>	The development proposal might have a significant adverse impact on the environment, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input checked="" type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	Wholly Within Local Government Boundaries
<input type="checkbox"/>	The development proposal is likely to have a significant adverse impact on air, water or renewable resources, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>
<input type="checkbox"/>	The development proposal might have public concern, <i>refer it to the EIRB.</i>
<input type="checkbox"/>	<i>Proceed with regulatory process and/or implementation.</i>

Preliminary Screening Organization

Mackenzie Valley Land and Water Board

March 29, 2018

Signatures

Mavis Cli-Michaud, Chair