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September 18, 2020

File: MV2020L8-0004

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: Government of the Northwest Territories – Department of Infrastructure – Notice of Preliminary Screening Determination – Applications for Water Licence – Miscellaneous – Fort Providence, NT

The Mackenzie Valley Land and Water Board (Board) met on September 17, 2020 and considered the Application from the Government of the Northwest Territories – Department of Infrastructure Water Licence (Licence) MV2020L8-0004 for the Dehcho Bridge Remediation 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 reasons for decision, as required by section 121 of the MVRMA, are attached.

If the Board does not receive notice of referral to environmental assessment, it can proceed with issuance of Licence MV2020L8-0004 on Tuesday, September 29, 2020.

The Board and staff look forward to continued communications throughout the pause period. Please contact Shelagh Montgomery at (867) 766-7457 with any questions or concerns regarding this letter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mavis Cli-Michaud".

Mavis Cli-Michaud
Mackenzie Valley Land and Water Board, Chair

Copied to: Dehcho Distribution List
Alexis Campbell, GNWT - INF

Attached: Preliminary Screening Reasons for Decision

Preliminary Screening Report Form

Preliminary screener: MVLWB Reference / File number: MV2020L8-0004 TITLE: Miscellaneous – Riverbank Rehabilitation, Dehcho NT ORGANIZATION: GNWT – Department of Infrastructure MEETING DATE: September 17, 2020	EIRB Reference number:
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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:

The Government of the Northwest Territories – Department of Infrastructure (GNWT – INF) submitted an application to place clean armor stone to protect the road embankments at the North ferry landing from ice scour, the South ferry landing is to be cover to prevent exposed reinforcing steel and concrete from further erosion into the river.

There is a large stockpile of clean armor stone stored near the Dehcho Bridge which will be utilized. The project involves loading the stone in a dump truck, hauling it to the roadway, then placing the stone with an excavator. Each stone will be picked up and placed individually by the excavator which will have a thumb on the bucket to hold the stones while placing. The placing of the stones will begin with the largest stones (over 1 m in diameter) being placed at the toe of the embankment. The larger stone will act as a base then work up toward the roadway, covering the rest of the embankments with smaller stone. Only a portion of the larger stone will be below the waterline. Covering the concrete vault (south side) will proceed in a similar fashion.

Scope:

The scope includes the following:

- a) Depositing of Waste; and
- b) Construction, operation, and maintenance of bank rehabilitation.

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

Type of Disposition

Disposition Number(s)

- Mineral Claims
- Prospecting Permit (s)
- Mineral Leases
- Oil and Gas: EL/SDL/PL
- Quarry Permit
- Timber Permit
- Other:

Identified under the *Public Highways Act* as Commissioners Land.

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

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Exploration | <input type="checkbox"/> Decommissioning |
| <input checked="" 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 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: | | |

water quality changes

There is the potential for fuel to contaminate the ground water. The risk of spills is reduced by using proper handling, storage and disposal techniques. The impact of spills can be reduced by having an appropriate Spill Contingency Plan and spill kits in place and by training personnel in spill responses.

infiltration changes

other:

N/A

Impact

Mitigation

2) Surface Water

flow or level changes

water quality changes

There is the potential for fuel to contaminate the surface water. The risk of spills is reduced by using proper handling, storage and disposal techniques. The impact of spills can be reduced by having an appropriate Spill Contingency Plan and spill kits in place and by training personnel in spill responses.

There is the potential for silt deposition associated with crib removal and rock deposition. Conditions in the draft licence have been proposed to mitigate the concerns.

water quantity changes

drainage pattern changes

temperature

wetland changes/loss

other:

N/A

Impact

Mitigation

3) Noise

noise in/near water

There will be increased noise during removal of the crib structure, drilling and infilling. This impact will be for a short duration of time, and therefore no mitigations are proposed.

noise increase

There will be an increase in noise in the area, however the impact is minimal in duration therefore, no mitigation is required.

other:

N/A

Impact

Mitigation

4) Land

geologic structure changes

soil contamination

There is the potential for fuel to contaminate soil. The risk of spills is reduced by using proper handling, storage and disposal techniques. The impact of spills can be reduced by having an appropriate Spill Contingency Plan and spill kits in place and by training personnel in spill responses.

buffer zone loss

- | | |
|--|---|
| <input checked="" type="checkbox"/> soil compaction and settling | Heavy equipment and vehicle movements have the potential to increase localized soil compaction and settling. |
| <input checked="" type="checkbox"/> destabilization/erosion | There is the potential for erosion to occur. The impact of erosion and sediment can be reduced by having an appropriate Sediment and Erosion Control Plan |
| <input type="checkbox"/> permafrost regime alteration | |
| <input type="checkbox"/> explosives/scarring | |
| <input type="checkbox"/> other: | |
| <input type="checkbox"/> N/A | |

Impact	Mitigation
5) Non-renewable natural resources	

- resource depletion
- other:
- N/A

Impact	Mitigation
6) Air/climate/atmosphere	

- other:
- N/A

BIOLOGICAL ENVIRONMENT

Impact	Mitigation
1) Vegetation	

- species composition
- species introduction
- toxin/heavy accumulation
- other: Linear Migration routes, habitat fragmentation
- N/A

Impact	Mitigation
2) Wildlife and Fish	

- effects on rare, threatened or endangered species
- fish population changes

	The implementation of preventative measures such as the silt curtain or other measures to control the dispersion of various sediments.
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- 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

Mitigation

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
- other:
- N/A

Wildlife may avoid the area of activity where equipment is being used. The project is of short duration, as such, these impacts will be temporary in nature.

Impact

Mitigation

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
- other:
- N/A

Impact

Mitigation

3) Cultural and Heritage

- effects to historic property
- increased economic pressure 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 (DCFN)** Interim Measures Agreement, the MVLWB 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.

Preliminary Screener / Referring Body Information

Acho Dene Koe First Nation	GNWT – MACA (Municipal and Community Affairs)
Canadian Northern Economic Development Agency – NWT Region	GNWT – PPCA (Policy, Planning, Communications and Analysis (w/in ITI)
CIRNAC – Inspector	GNWT – PWNHC (Prince of Wales Northern Heritage Centre (w/in ECE)
CIRNAC – CARD	Hamlet of Fort Liard
Dehcho Land Use Planning Committee	Hamlet of Fort Providence
Dehcho First Nation	Ka’a’gee Tu First Nation
Dene Nation	Kátt’odeeche First Nation
Dene Tah First Nation	Fort Liard First Nation (Yukon)
Deninu K’ue First Nation	Liidii Kue First Nation (Fort Simpson)
Digaa Enterprises Ltd.	Mackenzie Valley Environmental Impact Review Board
Environment and Climate Change Canada	Nahᓂᓴ Dehé Dene Band
Fisheries and Oceans Canada	North Slave Métis Alliance
Fort Providence Métis Council #57	Kátt’odeeche First Nation
Fort Providence Resource Management Board	Fort Liard First Nation (Yukon)
Fort Simpson Métis Local 52	Liidii Kue First Nation (Fort Simpson)
Forward Mining	NWT – OROGO
GLWB	Pehdzéh Kǰ First Nation
GNWT – ENR (Environment and Natural Resources)	Ross River Dena Council
GNWT – ENR – Dehcho	Sambaa k’e First Nation
GNWT – ENR – EAM (Environmental Assessment and Monitoring)	Snap Lake Environmental Monitoring Agency
GNWT – ENR – North Slave	Tǰchǰ Government
GNWT – ENR – South Slave Region – Fort Smith	Town of Hay River
GNWT – Executive and Indigenous Affairs	Transport Canada
GNWT – HSS (Health and Social Services)	Tthetsekehdeli First Nation
GNWT – ITI (Industry, Tourism and Investment)	Wek’èezhì Renewable Resource Board
GNWT – Lands	West Point First Nation
GNWT – Lands – Dehcho Region	WLWB
GNWT- Lands Hay River Region	Wood PLC
GNWT – Lands – North Slave Region	
GNWT – Lands – South Slave Region – Fort Smith	

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 MV2020L8-0004 – GNWT- Department of Infrastructure – Miscellaneous – Riverbank Rehabilitation – Dehcho NT 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 conditions of a water licence.

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

September 17, 2020

Signatures

Mavis Cli-Michaud, Chair