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www.mvlwb.com

November 21, 2022

File: MV2022J0009

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: True North Safaris– Notice of Preliminary Screening Determination – Renewal Application for Land Use Permit – Lodge/Camp – Mackay Lake, NT

The Mackenzie Valley Land and Water Board (Board) met on November 16, 2022 and considered the Application Package from True North Safaris (TNS) for Land Use Permit (Permit) MV2022J0009 for the Mackay Lake Lodge Project in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board completed a preliminary screening of the Project on November 17, 2022¹ and TNS has not proposed changes to the Project. Accordingly, the Board has determined that the Project is exempt from preliminary screening under Part 1, Schedule 1, section 2 of the Exemption List Regulations to the MVRMA. Consequently, no further preliminary screening was conducted. The Board's Preliminary Screening Determination and Reasons for Decision is attached.

¹ See MVLWB Online Registry www.mvlwb.com for True North Safaris Ltd. – [Preliminary Screening and RFD](#) – Nov17_22.

Please contact Shelagh Montgomery via [email](#) or at (867) 766-7457 with any questions or concerns regarding this letter.

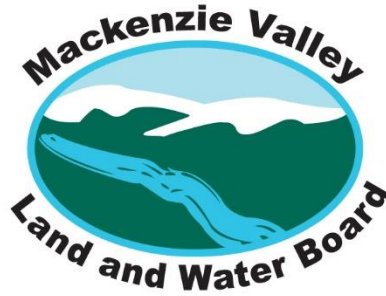
Yours sincerely,



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

BCC'd to: Akaitcho Distribution List
Malcolm Jaeb, TNS

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	MV2022J0009
Company	True North Safaris
Project	Mackay Lake Lodge
Location	Mackay Lake, NT
Activity	Camp/Lodge
Date of Decision	November 17, 2022

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 17, 2022 to make a preliminary screening determination on the Application from True North Safaris Ltd. (TNS) (Applicant) for Land Use Permit MV2022J0009 (Permit)¹ for the MacKay Lake Lodge (Project).

The Board has determined that the Project is exempt from preliminary screening because the Project was previously screened, and the Applicant has not proposed changes to the Project.

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	True North Safaris
Application	The complete application package submitted by the Applicant for Land Use Permit MV2022J0009.
Board	Mackenzie Valley Land and Water Board

¹See MVLWB Online Registry www.mvlwb.com for True North Safaris Ltd. – [Permit Application](#) – Sep27_22.

CRP	Closure and Reclamation Plan
GNWT	Government of the Northwest Territories
GNWT-ENR	Government of the Northwest Territories – Environment and Natural Resources
GNWT-Lands	Government of the Northwest Territories – Lands
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	<i>Mackenzie Valley Resource Management Act</i>
ORS	Online Review System (www.new.onlinereviewsystem.ca)
Project	Mackay Lake Lodge, which is the proposed development (as defined in Part 5 of the MVRMA). ²
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	MVLWB Standard Land Use Permit Conditions Template
TG	Tłı̨chǫ Government
TK	Traditional Knowledge
WMP	Waste Management Plan

3.0 **Background and Scope of Screening**

On June 6, 2022 the Applicant submitted an application for a new Permit MV2022J0009 (the Application). The Application is to allow for the operation and maintenance of an existing lodge/camp and associated facilities, storage of fuel, use of equipment, vehicles and machines, and the use and maintenance of an airstrip. These activities are located within the Akaitcho Region.

The previous Permit MV2013J0006 was issued on September 24, 2013, it was extended on January 17, 2019, for two years and granted two consecutive Storage Authorizations with a final expiration date of September 23, 2022. This is a Renewal Application. The original Preliminary Screening for Permit MV2013J0006 took place on September 24, 2013.³

Mackay Lake Lodge operated under a Territorial Lease administered under the Territorial Lands Act prior to the issuance of Permit MV2013J0006 on September 24, 2013. The grandfathering of the Territorial Lease was removed in 2013 when TNS altered the purpose of the leases from an Outfitting and Fishing Lodge to a Commercial Camp. Because of the alteration the transitional provision section (s. 152) of the Mackenzie Valley Resource Management Act (MVRMA) required TNS to obtain a land use permit for the life of the facility. This was communicated to TNS during the application process and as part of correspondence during the September 2018 extension request. On January 17, 2019, the Board approved a two-year extension of the Permit. The Permit expired on September 23, 2020. On October 8, 2020, the

² “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.”

³ See MVLWB Online Registry for True North Safaris Ltd. – [Preliminary Screening Report](#) – Sep24_13.

Board approved the one-year storage authorization enabling TNS to store buildings, boats, all-terrain vehicles, trucks, a grader, drums containing petroleum-based fuel and propane until September 23, 2021.

The Applicant has not proposed changes to the Project, and under Schedule 1, section 2 of the Exemption List Regulations to the MVRMA, project areas and activities that have already been subject to Part 5 of the MVRMA, and for which no changes are proposed, are exempt from preliminary screening.⁴

The Project areas and activities that have already been subject to Part 5 are listed below. Further information about these Project areas and activities, and associated impacts and mitigations, is detailed in the Board's Preliminary Screening Report, dated September 24, 2013.

3.1 Scope of Screening:

Previously Screened or Assessed Areas and Activities:

Previous scope of Permit:

The operation of a lodge at Mackay Lake to accommodate mining exploration personnel, film crews, and workshop participants, in addition to hunters and fishers. All of the activities and services at the lodge will take place at the existing facilities.

- Mackay Lake Lodge is located adjacent to the Tibbit to Contwoyoto ice road, midway along the south shore of Mackay Lake. The lodge is approximately 150 air miles and 200 ice road miles northeast of Yellowknife.
- Access is along the ice road in the winter and by airplane in summer. • The lodge holds a Tourism Operators Licence that specifies a maximum of 24 guests. Occupancy can range from zero to a maximum of 48 (including staff) at any given time.
- Sewage and greywater are piped into septic fields.
- Boxes and packaging, waste oils and used oil filters are incinerated in a converted 500 gallon fuel tank. Ashes and non-combustibles are buried at a landfill site at the end of the airstrip.
- Food waste is disposed of on an island.
- Recyclables and old batteries and paint cans are shipped to Yellowknife for disposal at the landfill.
- Fuel is stored in 45 gallon (205 L) drums and does not exceed 100 drums on-site at any given time. This includes up to 70 drums of gas and diesel, and 30 drums of aviation fuel.

Activities that the Board understands to have been previously considered,⁵ and which therefore do not require preliminary screening at this time, are listed below.

⁴ As per Schedule 1, section 2.1 of the [Exemption List Regulations](#), no preliminary screening is required for:

"A development, or a part thereof, for which a permit, licence or authorization is requested that

(a) was part of a development that fulfilled the requirements of the environmental assessment process established by the *Mackenzie Valley Resource Management Act*; and

(b) has not been modified since the development referred to in paragraph (a) fulfilled the requirements of the environmental assessment process established by the *Mackenzie Valley Resource Management Act*."

⁵ See MVLWB Online Registry for True North Safaris Ltd. – [Preliminary Screening Report](#) – Sep24_13.

Previously screened activities:

- Operation of camp;
- Sewage;
- Solid Waste;
- Water intake;
- Automobile, Aircraft or vessel movement;
- Waste management – disposal of hazardous waste, waste generation, sewage, disposal of sewage;
- Burning;
- Burying; and
- Fuel storage.

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 7, 2022, 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 28, 2022, with responses from the Applicant due November 4, 2022. The Board received comments and recommendations from:

- GNWT – Lands – North Slave Region
- GNWT – ENR – Environmental Assessment and Monitoring;
- GNWT – ECE – Prince of Wales Northern Heritage Centre; and
- Tłıchǫ Government.

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 the Northwest Territory Métis Nation (NWTMN) Interim Measures Agreement, 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, 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.

4.0 Potential Impacts and Proposed Mitigations

Although the Board has determined that the Project is exempt from preliminary screening, the Board will consider the potential impacts and proposed mitigations in establishing the Permit conditions. For Board licences and permits in general, potential impacts can be mitigated through existing, standard, and/or

project-specific licence and/or permit 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.

All Parties have had an opportunity to provide recommendations to the Board regarding draft conditions. In finalizing the conditions, the Board will consider these recommendations and all of the evidence provided through the regulatory proceeding.

4.1 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 thus far, 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 completed a preliminary screening of the Project on September 24, 2013, and the Applicant has not proposed changes to the Project. Accordingly, the Board has determined that the Project is exempt from preliminary screening under Part 1, Schedule 1, section 2 of the Exemption List Regulations to the MVRMA. Consequently, no further preliminary screening was conducted.

SIGNATURE



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

November 21, 2022

Date