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December 21, 2021

File: W2021Q0011

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: Snare Hydroelectric Facility – Notice of Preliminary Screening Determination – Application for Land Use Permit – Quarrying – Snare River, NT

The Wek'èezhì Land and Water Board (Board) met on December 21, 2021 and considered the Application from the Northwest Territories Power Corporation (NTPC) for Land Use Permit (Permit) W2021Q0011 for the Snare Hydroelectric Facility 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 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 by December 31, 2021, it can proceed with issuance of Permit W2021Q0011 on Tuesday January 4, 2022.

The Board and staff look forward to continued communications throughout the pause period. Please contact Ryan Fequet at (867) 765-4589 with any questions or concerns regarding this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mason Mantla', written in a cursive style.

Mason Mantla
Chair, Wek'èezhii Land and Water Board

BCC'd to: Wek'èezhii Distribution List
Matthew Miller, NTPC

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	W2021Q0011
Company	Northwest Territories Power Corporation (NTPC)
Project	Snare Hydroelectric Facility
Location	Snare Lake, NT
Activity	Quarrying
Date of Decision	December 21, 2021

1.0 Decision

In accordance with subsection 124(1) of the *Mackenzie Valley Resource Management Act* (MVRMA), the Wek'èezhì Land and Water Board (WLWB or Board) met on December 21, 2021 to make a preliminary screening determination on the Application from the Northwest Territories Power Corporation (the Applicant or NTPC) for Land Use Permit W2021X0011 (Permit)¹² for the Snare Hydroelectric Facility at Snare River, NT (the Project).

The Board has determined that some Project activities and areas are exempt from preliminary screening because they were previously screened;^{3,4,5,6} however, the Applicant has proposed new Project activities and areas. The Board has decided not to refer the proposed changes to the 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 changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern.

The Board's determination, including reasons for its decision, are detailed in sections [3.0](#) and [4.0](#).

¹ See WLWB Online Registry (www.wlwb.ca) for [NTPC – Permit – Application – Cover Letter – Nov 13 21](#)

² See WLWB Online Registry for [NTPC – Permit – Application – Application Form – Nov 13 21](#)

³ See WLWB Online Registry for [MV2000F0058 – NTPC – Preliminary Screening – Mar 1 01](#)

⁴ See WLWB Online Registry for [W2018Q0003 – NTPC – LUP Application – Borrow Pit – Preliminary Screening – July 12 18](#)

⁵ See WLWB Online Registry for [MV2003F0029 – Fax letter regarding LUP Amendment – Preliminary Screening – Feb 4 08](#)

⁶ See WLWB Online Registry for [W2008F0017 – NTPC – Land Use Permit – Preliminary Screening – Feb 23 09](#)

2.0 List of Defined Terms and Acronyms

Applicant	Northwest Territories Power Corporation (NTPC)
Application	The complete application package submitted by the Applicant for Water Licence W2021Q0011
Board	Wek'èezhii Land and Water Board
CRP	Closure and Reclamation Plan
EA	Environmental Assessment
ECCC	Environment and Climate Change Canada
GNWT	Government of the Northwest Territories
GNWT-ENR	Government of the Northwest Territories – Environment and Natural Resources
GNWT-Inspector	Government of the Northwest Territories – Lands Inspector
GNWT-Lands	Government of the Northwest Territories – Lands
GNWT-PWNHC	Government of the Northwest Territories – Prince of Wales Northern Heritage Centre
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	<i>Mackenzie Valley Resource Management Act</i>
Minister	Minister of the Government of the Northwest Territories – Environment and Natural Resources (GNWT-ENR)
ORS	Online Review System (www.new.onlinereviewsystem.ca)
Party	As per the MVLWB Rules of Procedures , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Project	Snare Hydroelectric Facility which is the proposed development (as defined in Part 5 of the MVRMA). ⁷
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	MVLWB Standard Land Use Permit Conditions Template
TG	Tłıchǫ Government
TK	Traditional Knowledge
WMP	Waste Management Plan
WRRB	Wek'èezhii Renewable Resources Board

3.0 Background and Scope of Screening

Northwest Territories Power Corporation (NTPC) submitted a complete application for a Type A Land Use Permit W2021Q0011 on November 17, 2021, for the Snare Hydroelectric Facility.^{8,9} Additionally, NTPC submitted multiple management plans including: an Operations and Maintenance Plan,¹⁰ a Vegetation

⁷ “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.”

⁸ See WLWB Online Registry (www.wlwb.ca) for [NTPC – Permit – Application – Cover Letter – Nov 13 21](#)

⁹ See WLWB Online Registry for [NTPC – Permit – Application – Application Form – Nov 13 21](#)

¹⁰ See WLWB Online Registry for [NTPC – Permit – Operations and Maintenance Plan – Version 1.0 – Nov 13 21](#)

and Wildlife Management and Monitoring Plan,¹¹ an Engagement Plan,¹² an Erosion and Sediment Control Plan,¹³ a Spill Contingency Plan,¹⁴ and a Waste Management Plan.¹⁵ NTPC operates the Snare Hydroelectric Facility (the Facility) located on the Snare River, northwest of Yellowknife, NT. Currently, the Facility operates under three separate Land Use Permits: W2014F0002, W2018Q0003, and W2019W0003.^{16,17,18} To reduce the regulatory burden on NTPC, stakeholders, and the Board, NTPC has applied to amalgamate the existing Permits. The activities NTPC is proposing to include in the amalgamated Permit include the following activities:

- construction, maintenance, and use of winter roads;
- quarrying, crushing, and stockpiling of granular material;
- use of legacy borrow pits for the Snare Hydroelectric Facility near Snare Falls Plant;
- establishment and use of petroleum storage facilities;
- establishment and use of temporary satellite camps with a maximum total capacity of 49 people for the entire Project;
- use of vehicles and equipment; and
- use of explosives.

The Application includes proposed changes to the Project. Under Part 1, Schedule 1, section 2.1 of the Exemption List Regulations to the MVRMA, project areas and activities that have already been subject to Part 5 of the MVRMA are exempt from preliminary screening. The new Project activities require screening by the Board in accordance with subsection 124(1) of the MVRMA.

In accordance with paragraph 125(1)(a) of the MVRMA, the Board must conduct a preliminary screening of the proposed changes to the Project to determine and report to the Review Board whether, in its opinion, the proposed changes to the 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 below.

3.1 Scope of Screening:

Previously Screened or Assessed Areas and Activities:

A number of preliminary screenings have been conducted to screen activities and areas related to the Snare Hydroelectric Facility. The Board completed a preliminary screening of the Project on March 1,

¹¹ See WLWB Online Registry for [NTPC – Permit – Vegetation and Wildlife Management and Monitoring Plan – Version 2.0 – Nov 13 21](#)

¹² See WLWB Online Registry for [NTPC – Permit – Engagement Plan – Version 3.0 – Nov 13 21](#)

¹³ See WLWB Online Registry for [NTPC – Permit – Erosion and Sediment Control Plan – Version 1.0 – Nov 13 21](#)

¹⁴ See WLWB Online Registry for [NTPC – Permit – Spill Contingency Plan – Version 4.0 – Nov 13 21](#)

¹⁵ See WLWB Online Registry for [NTPC – Permit – Waste Management Plan – Version 3.0 – Nov 13 21](#)

¹⁶ See WLWB Online Registry for [W2014F0002 – NTPC – Land Use Permit – Nov 18 21](#)

¹⁷ See WLWB Online Registry for [W2018Q0003 – NTPC – Land Use Permit – Borrow Pit – July 20 18](#)

¹⁸ See WLWB Online Registry for [W2019Q0003 – NTPC – Land Use Permit – Jul 9 20](#)

2001,¹⁹ July 12, 2018,²⁰ February 4, 2008,²¹ and February 23, 2009;²² the Project was not referred to EA in any of the previous preliminary screenings.

Activities and areas included in the Permit Application that the Board understands to have been previously considered, and which therefore do not require preliminary screening at this time, include the following:

- construction, maintenance, and use of winter roads;
- use of a legacy borrow pit for the Snare Hydroelectric Facility near Snare Falls Plant;
- use of vehicles and equipment for quarrying, crushing, and stockpiling of granular material;
- use of vehicles for construction, use, and maintenance of winter roads; and
- establishment of a petroleum fuel storage

New Activities and Areas:

In the Application, NTPC is applying for new activities and areas that have not been screened. These include:

- establishment, use, and maintenance of multiple petroleum storage facilities;
- establishment, use, and maintenance of temporary satellite camps; and
- expansion of the Snare Winter Road laydown area.

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 November 13, 2021, 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).²³ Comments were due December 8, 2021, with responses from the Applicant due December 10, 2021. The Board received comments and recommendations from the GNWT-Inspector, GNWT-Lands, ECCC, and GNWT-PWNHC; Board staff also submitted comments.²⁴ The TG submitted comments after the reviewer deadline. The WRRB and GNWT-ENR indicated they had no comments or recommendations at this time.

Since no concerns regarding timelines were received during the public review and no requests to extend the reviewer comment deadline were received, 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 *Mackenzie Valley Resource Management Act* (MVRMA). The Board is also satisfied that the Tłı̨çhǫ Government has been consulted in accordance with section 63(3) of the MVRMA.

¹⁹ See WLWB Online Registry for [MV2000F0058 – NTPC – Preliminary Screening – Mar 1 01](#)

²⁰ See WLWB Online Registry for [W2018Q0003 – NTPC – LUP Application – Borrow Pit – Preliminary Screening – July 12 18](#)

²¹ See WLWB Online Registry for [MV2003F0029 – Fax letter regarding LUP Amendment – Preliminary Screening – Feb 4 08](#)

²² See WLWB Online Registry for [W2008F0017 – NTPC – Land Use Permit – Preliminary Screening – Feb 23 09](#)

²³ See WLWB Online Registry for [NTPC – Permit – Application – Draft Permit – Nov 17 21](#)

²⁴ See WLWB Online Review System for [Snare Hydroelectric Facility – Type A Land Use Permit Application](#)

4.0 Potential Impacts and Proposed Mitigations

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.

In the Impacts and Mitigations Table provided by NTPC with its Application, NTPC identified several mitigations that were not clearly linked to potential impacts. Based on the Board's review, these potential impacts do not appear to be linked to the proposed changes to the Project that are subject to preliminary screening and are therefore not included in Table 1.

Table 1 below summarizes:

- the potential impacts of the proposed changes to the 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.

Table 1: Potential Impacts and Proposed Mitigations for the Proposed Changes to the 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	Additional temporary fuel storage and associated use.	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Adhering to the Spill Contingency Plan for spill prevention and response measures (e.g., transfer methods, type of storage container, and spill response measures) • During the public review, NTPC was asked if all fuel storage containers would be above-ground storage tanks (ASTs), which have built in secondary containment (Board staff comment 2). <ul style="list-style-type: none"> • In its response, NTPC confirmed that all fuel will be stored in ASTs • The draft Permit included the following standard conditions that are typically used to mitigate the described impacts:²⁵ 	Based on the described mitigations and lack of concern raised by Parties, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.

²⁵ See the WLWB Policies and Resources webpage to access the MVLWB [Standard Land Use Permit Conditions Template](#).

		<ul style="list-style-type: none"> • CHEMICALS • SPILL CONTINGENCY PLAN • SPILL RESPONSE • DRIP TRAYS • CLEAN UP SPILLS • REPORT SPILLS 	
Soil destabilization/erosion	Operation of satellite camps; additional vehicle travel	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Adhering to the Erosion and Sediment Control Plan; • Adhering to the Vegetation and Wildlife Management and Monitoring Plan • During the public review, NTPC was asked to describe how many temporary camps would be operational at any given time (Board staff comment 3). <ul style="list-style-type: none"> • NTPC responded that a maximum of four camps would be operational at one time and would not exceed the total site capacity of 49 people. • The draft Permit included the following standard conditions that are typically used to mitigate the described impacts: <ul style="list-style-type: none"> • CAMP SETBACK • USE APPROVED 	Based on the described mitigations and, it is the Board's opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.

		<p>EQUIPMENT</p> <ul style="list-style-type: none"> • PROGRESSIVE EROSION CONTROL • REPAIR EROSION 	
Change in soil structure	Operation of additional equipment	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Avoid using equipment when soils are highly saturated; and • Use suitable ground equipment to prevent soil damage. • The draft Permit included the following standard conditions that are typically used to mitigate the described impacts: <ul style="list-style-type: none"> • PREVENTION OF RUTTING • SUSPEND OVERLAND TRAVEL • VEHICLE MOVEMENT FREEZE-UP 	Based on the described mitigations and lack of concern raised by Parties, it is the Board's opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.
Changes in water quality	Establishment and use of temporary petroleum storage facilities; establishment and use of temporary camps	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Adhere to the Spill Management Plan, Erosion and Sediment Control Plan, and Vegetation and Wildlife Management and Monitoring Plan • The draft Permit included the 	Based on the described mitigations and lack of concern raised by Parties, it is the Board's opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.

		<p>following standard conditions that are typically used to mitigate the described impacts:</p> <ul style="list-style-type: none"> • CHEMICALS • SPILL CONTINGENCY PLAN • SPILL RESPONSE • DRIP TRAYS • CLEAN UP SPILLS • REPORT SPILLS • GARBAGE CONTAINER • WASTE MANAGEMENT 	
Changes in air quality and other impacts to air	Increased use of equipment; increase fuel being consumed; expansion of Snare Laydown area	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Adhere to the Erosion and Sediment Control Plan which includes dust suppression techniques • Limit idling vehicles 	Based on the described mitigations and lack of concern raised by Parties, it is the Board's opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.
Direct loss of vegetation	Establishment and use of temporary camps and fuel storage locations; expansion of the Snare Laydown area	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Adhere to the Vegetation and Wildlife Management and Monitoring Plan • During the public review, ECCC asked NTPC to clarify the extent to which the area will be cleared in support of activities (ECCC comment 4). <ul style="list-style-type: none"> • NTPC responded that the 	Based on the described mitigations and lack of concern raised by Parties, it is the Board's opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.

		<p>areas to be used for quarrying and borrow locations are described in the Erosion and Sediment Control Plan.</p> <ul style="list-style-type: none"> • The draft Permit included the following standard conditions that are typically used to mitigate the described impacts: <ul style="list-style-type: none"> • TREE SCREEN • NATURAL VEGETATION • CAMP SETBACK • MINIMIZED AREA CLEARED 	
Direct loss or removal of habitat, dens, or nests	Establishment and use of temporary camps and fuel storage locations; expansion of the Snare Laydown area	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Complete a wildlife survey to confirm the absence of migratory bird nests, bear dens, and other wildlife before vegetation clearing and/or quarrying • Adhere to the Vegetation and Wildlife Management and Monitoring Plan • The draft Permit included the following standard conditions that are typically used to mitigate the described impacts: <ul style="list-style-type: none"> • HABITAT DAMAGE • MINIMIZE AREA CLEARED 	Based on the described mitigations and lack of concern raised by Parties, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.

Direct injury or mortality	Establishment and use of temporary camps and fuel storage locations; expansion of the Snare Laydown area	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application that were related to wildlife and wildlife habitat: <ul style="list-style-type: none"> • Adhere to the Vegetation and Wildlife Management and Monitoring Plan • The draft Permit included the following standard conditions that are typically used to mitigate the described impacts: <ul style="list-style-type: none"> • HABITAT DAMAGE • MIGRATORY BIRD NEST DISTURBANCE • The draft Permit also included the following non-standard condition that has been used in previous Permits for the Project to mitigate the described impacts: <ul style="list-style-type: none"> • CARIBOU DISTANCE 	Based on the described mitigations and lack of concern raised by Parties, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.
Changes to migratory movement patterns	Establishment and use of temporary camps and fuel storage locations; expansion of the Snare Laydown area	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Construct roads within the same alignment of the previously constructed road to access the expanded Snare Laydown area and temporary camps to prevent habitat fragmentation 	Based on the described mitigations and lack of concern raised by Parties, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.

		<ul style="list-style-type: none"> • Vehicles will travel in a convoy to minimize disturbance • Adhere to the Vegetation and Wildlife Management and Monitoring Plan • The draft Permit included the following standard conditions that are typically used to mitigate the described impacts: <ul style="list-style-type: none"> • HABITAT DAMAGE • MIGRATORY BIRD NEST DISTURBANCE • The draft Permit also included the following non-standard condition that has been used in previous Permits for the Project to mitigate the described impacts: <ul style="list-style-type: none"> • CARIBOU DISTANCE 	
<p>Changes to the use of the area by other non-Indigenous people (e.g., trappers, outfitters, residents, hunters, forest harvesters, other authorized projects)</p>	<p>Establishment and use of temporary camps and fuel storage locations; expansion of the Snare Laydown area</p>	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> • Hunting, trapping, and fishing will be prohibited by all Project staff and contractors • The GNWT-PWNHC recommended the condition ARCHAEOLOGICAL BUFFER be updated to reflect the archaeological sites that are 	<p>Based on the described mitigations and NTPCs response to GNWT-PWNHCs and the TGs recommendation, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on the environment or be a cause of public concern.</p>

		<p>known to exist in proximity to the Snare Hydroelectric Facility (GNWT-PWNHC comment 1).</p> <ul style="list-style-type: none"> • NTPC supported the recommendation to update this Permit condition. • The TG recommended that the Manager of Research Operations be notified of the discovery of any artifacts, heritage sites, or burial sites (TG comment 2). • NTPC responded indicating it will ensure the TG is notified in this scenario. The Board can consider modifying the SITE DISCOVERY AND NOTIFICATION standard condition to address this recommendation. • The TG recommended (TG comment 2) the inclusion of standard permit conditions for archaeological overviews and assessments (i.e., ARCHAEOLOGICAL OVERVIEW; AIA-HIGH POTENTIAL; AIA). The Board can consider whether the inclusion of these conditions are required to mitigate impacts. 	
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4.1 Consideration of Potential Impacts

Based on the potential impacts and proposed mitigations identified above in Table 1, the Board considered whether the changes to the Project might have a significant adverse impact on the environment. In general, impacts of the changes to the Project on the environment can be mitigated through the use of permit conditions of two general types:

1. Conditions in the existing Permits, including requirements for management and monitoring plans, with revisions where necessary; and
2. New or unique conditions that may be needed to mitigate potential impacts of the changes to the Project that may not be addressed by the conditions in the existing Permit, and which may be from the Board's standard conditions list or established by the Board as per the MVLWB [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 changes to the Project, the Board considered whether the changes to 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 completed a preliminary screening of the Project on March 1, 2001,²⁶ July 12, 2018,²⁷ February 4, 2008,²⁸ and February 23, 2009;²⁹ however, the Application includes proposed changes to the Project. Accordingly, the Board has determined that Project activities that have already been subject to Part 5 of the MVRMA are exempt from preliminary screening under Part 1, Schedule 1, section 2.1 of the Exemption List Regulations to the MVRMA. The Board has conducted a preliminary screening of the proposed changes to the Project.

²⁶ See WLWB Online Registry for [MV2000F0058 – NTPC – Preliminary Screening – Mar 1 01](#)

²⁷ See WLWB Online Registry for [W2018Q0003 – NTPC – LUP Application – Borrow Pit – Preliminary Screening – July 12 18](#)

²⁸ See WLWB Online Registry for [MV2003F0029 – Fax letter regarding LUP Amendment – Preliminary Screening – Feb 4 08](#)

²⁹ See WLWB Online Registry for [W2008F0017 – NTPC – Land Use Permit – Preliminary Screening – Feb 23 09](#)

The Board has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed changes to the Project. Based on the evidence, it is the Board's opinion that the proposed changes to the 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 changes to the Project to Environmental Assessment. If the Board does not receive a notice of referral to environmental assessment by December 31, 2021, the Board can issue the Permit on January 4, 2022.

SIGNATURE



December 21, 2021

Mason Mantla, Chair
Wek'èezhii Land and Water Board

Date