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May 5, 2025

File: MV2025L8-0001

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 – Application for Water Licence – Miscellaneous – Culvert Rehabilitation – Bouvier Creek**

The Mackenzie Valley Land and Water Board (Board) met on May 1, 2025 and considered the Application Package from the Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) for Water Licence (Licence) MV2025L8-0001 for the Bouvier Creek Culvert Rehabilitation 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 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, it can proceed with issuance of Licence MV2025L8-0001 on **Friday, May 16, 2025**.

The Board and staff look forward to continued communications throughout the pause period. Please contact Kathy Racher via [email](#) or at (867) 766-7457 with any questions or concerns regarding this letter.

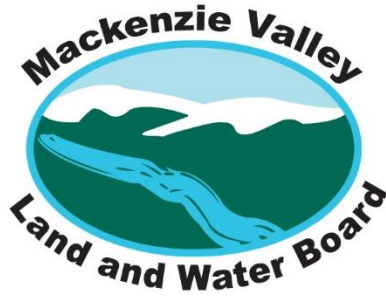
Yours sincerely,

A handwritten signature in blue ink that reads "Tanya MacIntosh". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tanya MacIntosh  
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Dehcho Distribution List  
Dane Cruickshank

Attached: Preliminary Screening Determination and Reasons for Decision



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## Preliminary Screening Determination and Reasons for Decision

Water Licence Application	
<b>File Number</b>	MV2025L8-0001
<b>Company</b>	Government of the Northwest Territories – Department of Infrastructure
<b>Project</b>	Bouvier Creek Culvert Rehabilitation
<b>Location</b>	Bouvier Creek, NT
<b>Activity</b>	Miscellaneous
<b>Date of Decision</b>	May 1, 2025

### 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 May 1, 2025, to make a preliminary screening determination on the Application from the Government of the Northwest Territories – Department of Infrastructure (Applicant) for Water Licence MV2025L8-0001 (Licence)<sup>1</sup> for the Bouvier Creek Culvert Rehabilitation Project (Project).<sup>2</sup>

The Board has decided not to refer the proposed 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 Project will not have a significant adverse impact on the environment or be a cause of public concern.

<sup>1</sup> See MVLWB Online Registry GNWT-INF – Bouvier Creek – [Licence Application – Feb26 25](#)

<sup>2</sup> The Project is Miscellaneous, which is the proposed development, where “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.”

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

## 2.0 List of Defined Terms and Acronyms

Applicant	Government of the Northwest Territories – Department of Infrastructure
Application	The complete application package submitted by the Applicant for Water Licence MV2025L8-0001.
AEMP	Aquatic Effects Monitoring Program
Board	Mackenzie Valley Land and Water Board
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
IR	Information Request
Inspector	An Inspector designated under subsection 65(1) of the <a href="#">Waters Act</a>
Licence	Water Licence MV2025L8-0001
LWBs	Land and Water Boards of the Mackenzie Valley
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	<a href="#">Mackenzie Valley Resource Management Act</a>
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
OHWM	Ordinary High-Water Mark
ORS	Online Review System ( <a href="http://www.new.onlinereviewsystem.ca">www.new.onlinereviewsystem.ca</a> )
Party	As per the LWB <a href="#">Rules of Procedure</a> , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Project	which is the proposed development (as defined in Part 5 of the MVRMA). <sup>3</sup>
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Licence Conditions	LWB <a href="#">Standard Water Licence Conditions Template</a>
WMP	Waste Management Plan

## 3.0 Background and Scope of Screening

On February 20, 2025, GNWT-INF submitted an application for culvert rehabilitation and the installation of riprap armoring. This is being done to improve fish passage and address structural deficiencies. Work will be completed under GNWT-INF existing Permit MV2023E0032. Work is anticipated to include the following, erosion and gully repairs, scour and erosion improvements, abrasive lasting and metalizing of existing structure, removal of debris at culvert inlets, repair of structural components, and fish passage improvements.

<sup>3</sup> “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.”

An Engagement Record and Engagement Plan were included in the Application. GNWT - INF noted they engaged with the following Parties:

- Dehcho First Nation;
- Deh Gah Gotie First Nation;
- Fort Providence Metis Council;
- Hamlet of Fort Providence; and
- Jean Marie River First Nation

Engagement was conducted in November 2023, December 2023, January 2024, November 2024, and December 2024. Engagement included phone calls and emails to the parties.

In accordance with paragraph 125(1)(a) of the [MVRMA](#), the Board must conduct a preliminary screening of the proposed Project to determine and report to the Review Board whether, in its opinion, the proposed 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 in section [4.0](#) below.

### **3.1 Scope of Screening:**

GNWT-INF submitted an application for culvert rehabilitation and the installation of riprap armoring. This is being done to improve fish passage and address structural deficiencies. Work will be completed under GNWT-INF existing Permit MV2023E0032. Work is anticipated to include the following, erosion and gully repairs, scour and erosion improvements, abrasive lasting and metalizing of existing structure, removal of debris at culvert inlets, repair of structural components, and fish passage improvements.

### **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 Licence for public review on March 14, 2025, 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 April 8, 2025, with responses from the Applicant due April 11, 2025. The Board received comments and recommendations from Fisheries and Oceans Canada and GNWT-ECE – Prince of Wales Northern Heritage Centre (attached).<sup>4</sup>

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 [Northwest Territory Métis Nation \(NWTMN\) Interim Measures Agreement](#),<sup>5</sup> 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.

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<sup>4</sup> See MVLWB Online Registry for GNWT-INF – [Bouvier Creek - Application – Review Comment Table – May5 25](#).

<sup>5</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Northwest Territory Métis Nation Interim Measures Agreement](#).

Pursuant to section 27, paragraphs (a) and (b) of the [Dehcho First Nations \(DCFN\) Interim Measures Agreement](#),<sup>6</sup> the Board 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.

#### **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 Licence conditions. For Board licences and permits in general, potential impacts can be mitigated through 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.

Table 1 below summarizes:

- the potential impacts of the proposed 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.

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<sup>6</sup> See the MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Dehcho First Nations Interim Measures Agreement](#).

**Table 1: Potential Impacts and Proposed Mitigations for the Proposed 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
Land – soil contamination, soil compaction, destabilization/erosion, change in soil structure inability to support vegetation and other	Clearing of timber, brush, or vegetation mat	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Erosion and sediment control measures will be installed to mitigate the release of sediment into Bouvier Creek</li> <li>• Placement of riprap will improve the long-term stability of the banks of Bouvier Creek</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>7</sup> <ul style="list-style-type: none"> <li>○ Objective – Waste and Water Management</li> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul> </li> </ul>	Based on the described mitigations, 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.
Land – soil contamination, soil compaction, destabilization/erosion, change in soil structure inability to support vegetation and other	Stripping of overburden	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Erosion and sediment control measures will be installed to mitigate the release of sediment into Bouvier Creek</li> <li>• Placement of riprap will improve the long-term stability of the banks of Bouvier Creek</li> </ul>	Based on the described mitigations, 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.

<sup>7</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
		<ul style="list-style-type: none"> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>8</sup> <ul style="list-style-type: none"> <li>○ Objective – Waste and Water Management</li> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul> </li> </ul>	
Land – soil contamination, soil compaction, destabilization/erosion, change in soil structure inability to support vegetation and other	Transfer, storage, and use of petroleum products and/or chemicals	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• There is no fuel storage on site. Tidy Tanks will be transported to and from the site on the back of pickup trucks</li> <li>• A Spill Contingency Plan has been developed and supports the application.</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>9</sup> <ul style="list-style-type: none"> <li>○ Objective – Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean Up Spills</li> </ul> </li> </ul>	Based on the described mitigations, 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.

<sup>8</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<sup>9</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)



Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
		<ul style="list-style-type: none"> <li>○ Material Storage – Ordinary High Water Mark</li> </ul>	
Land – soil contamination, soil compaction, destabilization/erosion, change in soil structure inability to support vegetation and other	Use of motorized and heavy equipment	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• There is no fuel storage on site. Tidy Tanks will be transported to and from the site on the back of pickup trucks</li> <li>• A Spill Contingency Plan has been developed and supports the application.</li> <li>• Equipment will arrive on site clean and free of dirt and debris.</li> <li>• Equipment will use pre-established points of access (where feasible) to minimize compaction of soils.</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>10</sup> <ul style="list-style-type: none"> <li>○ Objective – Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean Up Spills</li> <li>○ Material Storage – Ordinary High Water</li> </ul> </li> </ul>	Based on the described mitigations, 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.

<sup>10</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
		Mark <ul style="list-style-type: none"> <li>○ Construction Material – Source(s)</li> </ul>	
Land – soil contamination, soil compaction, destabilization/erosion, change in soil structure inability to support vegetation and other	Other	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• The project will address erosion occurring at the culvert as well as along the roadway above the culvert where erosion gullies have been formed.</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. This standard               <ul style="list-style-type: none"> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul> </li> </ul>	Based on the described mitigations, 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.
Water – Groundwater – Water table alteration, infiltration changes, changes in water quality, temperature changes, other	Transfer, storage, and use of petroleum products and or chemicals	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• There is no fuel storage on site. Tidy Tanks will be transported to and from the site on the back of pickup trucks</li> <li>• A Spill Contingency Plan has been developed and supports the application.</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard</li> </ul>	Based on the described mitigations, 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.

Potential Impact	Activity	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
		conditions include: <sup>11</sup> <ul style="list-style-type: none"> <li>○ Objective – Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean Up Spills</li> <li>○ Material Storage – Ordinary High Water Mark</li> </ul>	
Water – Permafrost – loss or change in extent, changes in seasonal fluctuations, change in persistence	Clearing of timber, brush or vegetation mat, stripping of overburden	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Clearing of vegetation is not anticipated to impact permafrost</li> <li>• Stripping of overburden is not anticipated to impact permafrost</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>12</sup> <ul style="list-style-type: none"> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul> </li> </ul>	Based on the described mitigations, 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.
Water – Surface Water – water flow or level changes (permanent, temporary, seasonal), drainage	Retaining, storing, or diverting water	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> </ul>	Based on the described mitigations, it is the Board’s opinion that the proposed activities will not have a significant adverse impact on

<sup>11</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<sup>12</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
pattern changes, temperature changes, changes in water quality, wetland impairment, changes to aquatic habitat (see Biotic Section), other		<ul style="list-style-type: none"> <li>• Diversion of water will be temporary, and continuous downstream flow will be maintained.</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>13</sup> <ul style="list-style-type: none"> <li>○ Objective – Construction</li> <li>○ Construction Material – Source(s)</li> </ul> </li> </ul>	the environment or be a cause of public concern.
Water – Surface Water – water flow or level changes (permanent, temporary, seasonal), drainage pattern changes, temperature changes, changes in water quality, wetland impairment, changes to aquatic habitat (see Biotic Section), other	Clearing of timber, brush, or vegetation mat near a watercourse	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Erosion and sediment control measures will be installed to mitigate the release of sediment into Bouvier Creek</li> <li>• Equipment will arrive on site clean and free of debris</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>14</sup> <ul style="list-style-type: none"> <li>○ Objective – Waste and Water Management</li> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul> </li> </ul>	Based on the described mitigations, 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.

<sup>13</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<sup>14</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
Water – Surface Water – water flow or level changes (permanent, temporary, seasonal), drainage pattern changes, temperature changes, changes in water quality, wetland impairment, changes to aquatic habitat (see Biotic Section), other	Use of motorized or heavy equipment adjacent to, within, or through a watercourse	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Erosion and sediment control measures will be installed to mitigate the release of sediment into Bouvier Creek</li> <li>• Equipment will arrive on-site clean and free of debris</li> <li>• A Spill Contingency Plan has been developed and supports the application</li>   <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>15</sup> <ul style="list-style-type: none"> <li>○ Objective- Waste and Water Management</li> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> <li>○ Objective – Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean Up Spills</li> <li>○ Material Storage – Ordinary High Water Mark</li> </ul> </li> </ul>	Based on the described mitigations, 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.

<sup>15</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
Water – Surface Water – water flow or level changes (permanent, temporary, seasonal), drainage pattern changes, temperature changes, changes in water quality, wetland impairment, changes to aquatic habitat (see Biotic Section), other	Transfer, storage, and use of petroleum products and/or chemicals near a water course.	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• There is no fuel storage on site. Tidy Tanks will be transported to and from the site on the back of pickup trucks.</li> <li>• A Spill Contingency Plan has been developed and supports the application.</li>   <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>16</sup> <ul style="list-style-type: none"> <li>○ Objective – Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean Up Spills</li> <li>○ Material Storage – Ordinary High Water Mark</li> </ul> </li> </ul>	Based on the described mitigations, 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.
Water – Surface Water – water flow or level changes (permanent, temporary, seasonal), drainage pattern changes, temperature changes, changes in water quality, wetland impairment, changes to aquatic habitat (see Biotic Section), other	Other	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• The project will include the removal of debris buildup at the culvert inlets and the construction of features to facilitate fish passage, thereby improving fish passage.</li> </ul>	Based on the described mitigations, 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.

<sup>16</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
		<ul style="list-style-type: none"> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>17</sup> <ul style="list-style-type: none"> <li>○ Objective – Construction</li> <li>○ Construction Material – Source(s)</li> </ul> </li> </ul>	
Air – Changes in air quality, harm to living things, increased greenhouse gasses, other	Mobilization and operation of equipment of construction and operational activities and increased road traffic	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Idling will be minimized to the extent feasible</li> <li>• Equipment will be maintained and in good working condition</li> <li>• The number of vehicles and trips to from site will be minimized to extent feasible</li> </ul>	Based on the described mitigations, 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.
Vegetation – Direct loss of vegetation, loss of Species at Risk or may be at risk pants, change in species composition, introduction of non-native species, effects on plant health, increased risk of fire, compaction of vegetation, other	Clearing of timber, brush, or vegetation mat	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Erosion and sediment control measures will be installed to mitigate the release of sediment into Bouvier Creek</li> <li>• Equipment will arrive onsite clean and free of dirt or debris that could carry seeds for non-native species</li> <li>• The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard</li> </ul>	Based on the described mitigations, 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.

<sup>17</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

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
		conditions include: <sup>18</sup> <ul style="list-style-type: none"> <li>○ Objective- Waste and Water Management</li> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul>	
Vegetation – Direct loss of vegetation, loss of Species at Risk or may be at risk plants, change in species composition, introduction of non-native species, effects on plant health, increased risk of fire, compaction of vegetation, other	Stripping of overburden	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Erosion and sediment control measures will be installed to mitigate the release of sediment into Bouvier Creek</li> <li>• Equipment will arrive onsite clean and free of dirt or debris that could carry seeds for non-native species</li> </ul> <p>The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>19</sup></p> <ul style="list-style-type: none"> <li>○ Objective- Waste and Water Management</li> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul>	Based on the described mitigations, 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.
Vegetation – Direct loss of vegetation, loss of Species at Risk or may be at risk plants, change in species composition, introduction of non-native species, effects on	Use of motorized and heavy equipment	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Motorized equipment will be transported to the site and used to remove vegetation as part</li> </ul>	Based on the described mitigations, 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

<sup>18</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<sup>19</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)



<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
plant health, increased risk of fire, compaction of vegetation, other		of the culvert rehabilitation	concern.
Vegetation – Direct loss of vegetation, loss of Species at Risk or may be at risk plants, change in species composition, introduction of non-native species, effects on plant health, increased risk of fire, compaction of vegetation, other	Burning of fossil fuels	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Burning of fossil fuels for the operation of equipment and vehicles.</li> </ul>	Based on the described mitigations, 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.
Vegetation – Direct loss of vegetation, loss of Species at Risk or may be at risk plants, change in species composition, introduction of non-native species, effects on plant health, increased risk of fire, compaction of vegetation, other	Transfer, storage, and use of petroleum products and/or chemicals	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• There is no fuel stored on site. Tidy Tanks will be transported to and from the site on the back of pick-up trucks. A Spill Contingency Plan has been developed for this project.</li> </ul> <p>The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>20</sup></p> <ul style="list-style-type: none"> <li>○ Objective- Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean up Spills</li> <li>○ Material Storage – Ordinary High Water Mark</li> </ul>	Based on the described mitigations, 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.

<sup>20</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
<p>Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nests., Loss or removal of keystone species and/or SAR habitat, Fragmentation of wildlife corridor, direct injury or mortality, disturbance to key lifecycle stages, breeding, feeding, nesting, staging. Effects on population abundance, changes in species diversity, effects on wildlife health, change to migratory movement patterns, changes to predator-prey relationships, human wildlife conflicts, other.</p>	<p>Clearing of timber, brush, or vegetation mat</p>	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• When clearing of vegetation will occur during the breeding bird window, pre-construction next sweeps will occur prior to vegetation removal. If nests are found, species-specific buffer zones will be established, and work will not occur within the buffer one until the young have fledged.</li> </ul>	<p>Based on the described mitigations, 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>Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nests., Loss or removal of keystone species and/or SAR habitat, Fragmentation of wildlife corridor, direct injury or mortality, disturbance to key lifecycle stages, breeding, feeding, nesting, staging. Effects on population abundance, changes in species diversity, effects on wildlife health, changes to migratory movement patterns, changes to predator-prey relationships, human wildlife conflicts, other.</p>	<p>Stripping of overburden</p>	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Soil stripping is not anticipated to impact wildlife habitat</li> </ul>	<p>Based on the described mitigations, 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>

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nests., Loss or removal of keystone species and/or SAR habitat, Fragmentation of wildlife corridor, direct injury or mortality, disturbance to key lifecycle stages, breeding, feeding, nesting, staging. Effects on population abundance, changes in species diversity, effects on wildlife health, changes to migratory movement patterns, changes to predator-prey relationships, human wildlife conflicts, other	Increased traffic risk to wildlife	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• The number of vehicles and trips to the site will be minimized to the extent feasible.</li> </ul>	Based on the described mitigations, 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.
Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nests., Loss or removal of keystone species and/or SAR habitat, Fragmentation of wildlife corridor, direct injury or mortality, disturbance to key lifecycle stages, breeding, feeding, nesting, staging. Effects on population abundance, changes in species diversity, effects on wildlife health, change to migratory movement patterns, changes to predator-prey relationships, human wildlife conflicts, other	Increased human presence, other	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Human presence will be limited to Project construction. Site personnel will not feed or harass wildlife</li> <li>• A Waste Management Plan will be in place.</li> </ul> <p>The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>21</sup></p> <ul style="list-style-type: none"> <li>○ Waste Management Plan</li> </ul>	Based on the described mitigations, 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.

<sup>21</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nests., Loss or removal of keystone species and/or SAR habitat, Fragmentation of wildlife corridor, direct injury or mortality, disturbance to key lifecycle stages, breeding, feeding, nesting, staging. Effects on population abundance, changes in species diversity, effects on wildlife health, changes to migratory movement patterns, changes to predator-prey relationships, human wildlife conflicts, other	Noise (use of heavy equipment, blasting, crushing, drilling)	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Noise impacts will be limited to Project construction. Noise because of construction activities on site is not anticipated to significantly impact wildlife habitat.</li> </ul>	Based on the described mitigations, 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.
Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nests., Loss or removal of keystone species and/or SAR habitat, Fragmentation of wildlife corridor, direct injury or mortality, disturbance to key lifecycle stages, breeding, feeding, nesting, staging. Effects on population abundance, changes in species diversity, effects on wildlife health, changes to migratory movement patterns, changes to predator-prey	Transfer, storage, and use of petroleum products and/or chemicals	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• In the event of a spill, clean-up will be executed as outlined in the Spill Contingency Plan</li> </ul> <p>The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>22</sup></p> <ul style="list-style-type: none"> <li>○ Objective- Prevent Waste in Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> </ul>	Based on the described mitigations, 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.

<sup>22</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

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
relationships, human wildlife conflicts, other		<ul style="list-style-type: none"> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean up Spills</li> </ul>	
Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nests., Loss or removal of keystone species and/or SAR habitat, Fragmentation of wildlife corridor, direct injury or mortality, disturbance to key lifecycle stages, breeding, feeding, nesting, staging. Effects on population abundance, changes in species diversity, effects on wildlife health, changes to migratory movement patterns, changes to predator-prey relationships, human wildlife conflicts, other	Other	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• A Waste Management Plan has been prepared to support the application.</li> </ul> <p>The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>23</sup></p> <ul style="list-style-type: none"> <li>○ Waste Management Plan</li> </ul>	Based on the described mitigations, 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.
Aquatic Habitat – breeding disturbances, change in species diversity, effects on health (toxins, metals, sediment), changes to migratory movement patterns, changes to predator-prey relationships, effects on population abundance, change in species diversity, other	Clearing of timber, brush, or vegetation mat near a watercourse and Stripping of overburden adjacent to a water course and Use of motorized or heavy equipment adjacent to, within, or through a watercourse	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Erosion and sediment control measures will be installed to mitigate the release of sediment into Bouvier Creek</li> <li>• Equipment will not enter the watercourse</li> </ul> <p>The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard</p>	Based on the described mitigations, 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.

<sup>23</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
		conditions include: <sup>24</sup> <ul style="list-style-type: none"> <li>○ Objective – Waste and Water Management</li> <li>○ Erosion Control</li> <li>○ Sediment and Erosion Control Plan</li> </ul>	
Aquatic Habitat – breeding disturbances, change in species diversity, effects on health (toxins, metals, sediment), changes to migratory movement patterns, changes to predator-prey relationships, effects on population abundance, change in species diversity, other	Other	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• As part of culvert improvements, a fish passage will be constructed. This structure will support the migratory and movement patterns of local fish species.</li> </ul>	Based on the described mitigations, 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.
Wildlife Harvesting – Loss or reduction in game species populations, effects on traditional land use, subsistence, and harvesting rights, other	Noise (Use of heavy equipment, blasting, crushing drilling)	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Noise impacts will be limited to project construction. Noise because of the activities on site is not anticipated to significantly impact any applicable wildlife harvesting.</li> </ul>	Based on the described mitigations, 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.
Wildlife Harvesting – Loss or reduction in game species populations, effects on traditional land use, subsistence, and harvesting rights, other	Increased traffic risk to wildlife	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• The number of vehicles and trips to and from the site will be minimized to the extent feasible.</li> </ul>	Based on the described mitigations, 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.

<sup>24</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
Cultural Integrity and Heritage Resources – change to or loss of cultural integrity, change to or loss of traditional lifestyle, change to or loss of heritage resources, other	Clearing of timber, brush, or vegetation mat.	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Noise impacts will be limited to project construction</li> <li>• Noise because of activities on site is not anticipated to significantly impact cultural integrity or add to the loss of traditional lifestyle.</li> </ul>	Based on the described mitigations, 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.
Cultural Integrity and Heritage Resources – change to or loss of cultural integrity, change to or loss of traditional lifestyle, change to or loss of heritage resources, other	Increased human presence	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• Human presence will be limited to project construction. Human presence associated with this project is not anticipated to significantly impact cultural integrity or add to the loss of traditional lifestyle.</li> </ul>	Based on the described mitigations, 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.
Social and Economic Well-being – increased human health hazard and risk, economic opportunities or loss (employment, training), change in ecological, cultural, social or economic values identified for protection in approved Land Use Plans, Impairment of the recreational or traditional uses of land or water, impairment of the aesthetic quality of the land or water, changes to	Construction (development or alteration, widening, straightening, detours), maintenance and operation of lines, trails, or right of way	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• The repair of structural components will extend the lifespan of the culvert and help maintain remote community access in the NWT along Highway 1.</li> </ul> <p>The Board has standard licence condition(s) that are typically used to mitigate the identified potential impacts. These standard</p>	Based on the described mitigations, 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.

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
the use of the area by other non-indigenous people, other		conditions include: <sup>25</sup> ○ Objective – Construction	
Cultural Integrity and Heritage Resources – change to or loss of cultural integrity, change to or loss of traditional lifestyle, change to or loss of heritage resources, other	Noise (use of heavy equipment, blasting, crushing, drilling)	<ul style="list-style-type: none"> <li>• Approximately 188m2 of vegetation within the banks is anticipated to be removed as part of the project</li> <li>• Clearing of vegetation as a result of activities on site is not anticipated to significantly impact cultural integrity or add or loss of traditional lifestyle</li> </ul>	Based on the described mitigations, 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.
Social and Economic Well-being – increased human health hazard and risk, economic opportunities or loss (employment, training), change in ecological, cultural, social or economic values identified for protection in approved Land Use Plans, Impairment of the recreational or traditional uses of land or water, impairment of the aesthetic quality of the land or water, changes to the use of the area by other non-indigenous people, other	Increased human access and presence, operating in a remote location inaccessible or not easily accessible by emergency aid.	<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application:</li> <li>• The increased human presence will be limited to the construction</li> <li>• Health and safety contingencies will be covered under the Health and Safety Plan which is the responsibility of the contractor to produce and implement.</li> </ul>	Based on the described mitigations, 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.

<sup>25</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#)



#### 4.1 Consideration of Potential Impacts

Based on the potential impacts and proposed mitigations identified above in Table 1, the Board considered whether the Project might have a significant adverse impact on the environment. More detailed consideration of specific potential impacts and associated mitigations related to are discussed below. In general, the impacts of the Project on the environment can be mitigated through the use of standard licence conditions and/or project-specific conditions established by the Board as per the LWB [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 Licence 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 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 has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed Project. Based on the evidence, it is the Board's opinion that the proposed 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 Project to Environmental Assessment

If the Board does not receive a notice of referral to environmental assessment by Thursday, May 15, 2025, the Board can issue the Licence on **Friday, May 16, 2025**.

SIGNATURE



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**Tanya MacIntosh, Chair**  
**Mackenzie Valley Land and Water Board**

May 5, 2025

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**Date**