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August 2, 2023

File: S22A-002/S22L1-002

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: MGM Energy – Notice of Preliminary Screening Determination – I-78 East Mackay Well Abandonment and Site Reclamation and Closure Project – Applications for Land Use Permit and Water Licence – Industrial – Oil and Gas Exploration/Abandonment – Tuli'ta District, NT

The Sahtu Land and Water Board (Board) met on August 2, 2023, and considered the Preliminary Screening update for the new applications submitted by MGM Energy for Land Use Permit (Permit) S22A-002 and Water Licence (Licence) S22L1-002 for the East Mackay I-78 Abandonment and Final Closure Project in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board conducted a preliminary screening on the proposed changes to the Project because:

- The original screening did not check Abandonment activities.
- The original screening did not check Waste generation and disposal activities.
- The Project required different pieces of equipment, changes to the amount of fuel, number of persons required, size of camps, and amount of water required, and
- Project mitigation measures for some activities were updated to reflect best practices for 2023, and new techniques to further minimize impacts and negative effects to the environment.

Based on all the evidence provided during the regulatory process, it is the Board's opinion that the proposed changes to the Project that will make use of new technologies and/or enhanced mitigation measures, 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 mitigation measures 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 August 13, 2023, the Board will consider the applications on August 14, 2023 for issuance of Permit S22A-002 and Licence S22L1-002.

The Board and staff look forward to continued communications throughout the pause period. Please contact Paul Dixon via email [Paul Dixon](mailto:Paul.Dixon@sahtu.ca) or at (867) 598-2413 with any questions or concerns regarding this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read "P. di Pizzo". The signature is stylized with a large loop at the top and a double loop at the bottom.

Philippe di Pizzo
Interim Chair, Sahtu Land and Water Board

CC: Terrence Hughes, MGM Energy
BCC'd to: Tulit'a Distribution List

Attached: Preliminary Screening Determination and Reasons for Decision



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Preliminary Screening Determination and Reasons for Decision

Water Licence and Land Use Permit Applications	
File Number	S22L1-002 and S22A-002
Company	MGM Energy
Project	I-78 East Mackay Well Abandonment and Site Closure and Reclamation
Location	110 km SE of Norman Wells, 10 km south of Tulit'a
Activity	Industrial Oil and Gas Exploration
Date of Decision	August 2, 2023

Decision

In accordance with subsection 124(1) of the *Mackenzie Valley Resource Management Act* (MVRMA), the Sahtu Land and Water Board (SLWB or Board) met on August 2, 2023 to make a preliminary screening determination on the new Applications from MGM Energy (Applicant) for Land Use Permit S22A-002 (Permit)¹ and Water Licence S22L1-002² for the I-78 East Mackay Well Abandonment and Site Closure and Reclamation Project (Project) located 110 km southeast of Norman Wells, NWT.

The Board has determined that most Project activities are exempt from preliminary screening because they were previously screened. While the Applicant has proposed new Project activities, and /or new mitigation measures for potential impacts previously screened, 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 mitigation measures 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 the sections 3 and 4.

¹See SLWB Online Registry www.slwb.com for [S22A-002 – MGM Energy – Land Use Permit Application – Jun29 22.pdf](#)

² See SLWB Online Registry [S22L1-002 – MGM Energy – Water Licence Application – Jun 29 22.pdf](#)

1.0 List of Defined Terms and Acronyms

Applicant	MGM Energy
Applications	The complete application package submitted by the Applicant for Water Licence S22L1-002 and Land Use Permit S22A-002
Board	Sahtu Land and Water Board
CRP	Closure and Reclamation Plan
DGG	Deline Got'ine Government
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
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>
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System (www.new.onlinereviewssystem.ca)
Party	As per the MVLWB Rules of Procedures , an applicant, a person, or an organization participating in the regulatory proceeding for the Applications.
Project	I-78 East Mackay Well Abandonment and Site Closure and Reclamation Project which is the proposed development (as defined in Part 5 of the MVRMA) ³
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Licence Conditions	MVLWB Standard Water Licence Conditions Template
Standard Permit Conditions	MVLWB Standard Land Use Permit Conditions Template
TK	Traditional Knowledge
WMP	Waste Management Plan

2.0 Background and Scope of Screening

2.1 Background

Land Use Permit S12A-001 and Water Licence S12L1-001 was issued to MGM Energy by the Board (SLWB) in 2012. In 2017 a two-year extension of the Permit and Licence was granted by the Board.

The SLWB conducted a preliminary screening for the activities associated with the vertical exploratory drilling of I-78 East Mackay using horizontal fracturing to estimate the extent of the resources.. The findings of the preliminary screening indicated that the proposed development might not have a significant adverse impact on the environment or be a cause of public concern.

³ “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.”

2.1.1 Previously Screened or Assessed Areas and Activities:

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 Determination, dated July 24, 2012.⁴

The July 2012 Preliminary Screening Report included potential impacts and mitigation measures for the following Principal Activities and Development components:

- Construction – winter access road, ice road on Mackenzie River, staging area, well pads, temporary laydowns, camp pads, drainage alteration, overburden removal and storage, stream crossings.
- Exploration – Drilling, testing, and completion, including hydraulic fracturing of one oil well.
- Decommissioning – 3 groundwater wells, reclamation, abandonment of I-78 wellhead, campsites, access road.
- Industrial – water intake / withdrawal.
- Maintenance – winter access road, temporary campsite and lease area.
- Reclamation and remediation of lease area and staging area by soil testing, removal or treatment of any contaminated soils, recontouring, and planting/seeding if necessary.
- Operation - fuel storage.
- Camp – operation.
- Linear/Corridor - vehicle movement, cutting of trees and vegetation removal.
- Sewage – disposal (to Norman Wells).
- Air Emissions – may include flaring.

Missing from the Screening were Principal activities related to:

- Abandonment – I-78 well.
- Solid Waste - waste generation, disposal of hazardous waste.

2.2 Scope of Screening

2.2.1 Application Areas and Activities

October 26, 2022, MGM Energy submitted a complete application for a new 5-year term Land Use Permit and 5-year term Water Licence for the abandonment and closure of I-78 East McKay Project. The Project includes a Wellsite Area (Lease) and Staging Area. The Wellsite Area is located 110 km southeast of Norman Wells, on the southwest side of the Mackenzie River across from Tulit'a, 2.4 ha in size, and includes a Wellhead, Recovered Wellhead Bare Area, and three groundwater monitoring wells. The Staging Area, 0.8 ha in size, is located approximately 22 km north of the wellsite along the bank of the Mackenzie River. A

⁴ See SLWB Online Registry for S12A-001 – [Land Use Permit – July 24 12.pdf – Preliminary Screening and RFD](#)

third-party trailer is in the southwest corner of this area. An overgrown seismic line was reopened to provide access to the lease.

Construction and drilling activities for the well occurred in the 2012-2013 winter season, and the well has remained suspended since. Groundwater monitoring was undertaken as part of the Project. Environmental monitoring and inspections of the location and wellhead have been conducted periodically over the years. In the current applications, MGM is planning on abandoning the wellbore and removing the wellhead, decommissioning the groundwater wells, and completing reclamation activities.

Reclamation, remediation, and monitoring activities are expected to occur during the entire term of the Land Use Permit (2023-2028). Winter construction, camp usage, and abandonment and decommissioning activities are expected to occur in a one-year timeframe. MGM is planning for this winter 2023/2024 to complete the wellsite abandonment, groundwater wells decommissioning, and remediation activities that require large equipment. Following abandonment, any other reclamation, remediation, and monitoring activities will occur during summer to fall with a small helicopter based team.

Activities associated with the current Application include:

- Staging and mobilization - movement of equipment to the project area or region.
- Construction and operation of ice road and ice pad.
- Abandonment and decommissioning operations.
- Reclamation and remediation – scarification, seeding, recontouring, in-situ remediation and soil removal if necessary.
- Demobilization of equipment and material from staging area, well site, camps, and other associated infrastructure, and
- Monitoring site conditions post abandonment and reclamation activities.

The following section presents information as updated by MGM Energy in their response to reviewer comments.

2.2.2 Equipment

Construction of the ice road and pads will require vacuum and water trucks, front end loader, grader, plough/auger truck, pickup trucks, bulldozers, trackhoe, snowcats, dump trucks, snowmobiles, snow making machines, 10-person sleigh camp, accessory and support equipment, radios.

Abandonment of the well will require a 20-person camp, service rig and the rig pump and tank, spare rig pump, catwalk and pipe racks, boilers, wellsite shacks, Eline/Slick line unit, P-tank with flare stack, bed and pickup trucks to haul equipment, water tank truck for produced fluid, potable water truck, vacuum truck, cement pumper and bulker, heated tanks, snowmobiles, secondary containment for tanks, water well rig.

All equipment will be sourced primarily from Norman Wells, with some from Fort Nelson and other locations in B.C. as required.

2.2.3 Fuel

Total fuel requirements for the Project will include 225,000 litres of diesel fuel, 8,200 litres propane, and 1,000 litres gasoline. Fuel will be stored on the lease, camp and/or staging area (diesel), trucked in as required (propane) or on the lease and camp (gasoline).

2.2.4 Camps

Construction Approximately 10 personnel will be required for the 60-day construction phase (600 person days) and a small crew of 3 to operate and maintain the road (87 person days).

Abandonment is expected to take 10 days with a crew of 17 (170 person days) and the reclamation, remediation and demobilization will require 7 persons over 12 days (41 person days).

2.2.5 Exemption Request

MGM Energy believes that the Project is exempt from Preliminary Screening as a screening was completed and approved for the original Land Use Permit and Water Licence for an exploratory oil and gas (drilling) project in 2012 and included decommissioning with activities related to well abandonment and reclamation of camp sites, drill site, groundwater wells and access prior to expiry of the authorizations in 2019.

Under Part 1, Schedule 1, section 2.1 of the Exemption List Regulations of the *Mackenzie Valley Resource Management Act* (MVRMA) Project areas and activities already subject to Part 5 of the MVRMA are exempt from preliminary screening. The new Permit and Licence Applications (S22A-002 / S22L1-002) include some new activities, equipment, and additional fuel to support construction and operations of the Abandonment project.

The application documents submitted by MGM include:

- Applications for Permit and Licence.
- Project Description Report.
- Maps and Cross-sections.
- Proof of Eligibility.
- Traditional Ecological Knowledge Study.
- Heritage Impact Assessment.
- Sahtu Land Use Plan Conformity Table.
- Camp Layout
- RECLAIM Security Estimate
- Environmental Protection Plan/Waste Management Plan.
- Spill Contingency Response Plan.
- Engagement Plan and Record.
- Closure and Reclamation Plan.

Other background and/or supporting documents included:

- 2020 Environmental Site Monitoring Report.
- Pre-site development Photos.

A draft Permit and a draft Licence were developed by Board staff based on the LWB's current Standard Land Use Permit Conditions and Standard Water Licence Conditions and Schedules Templates, as well as the recent approval for a similar Well Abandonment Program granted to MGM in the Tweed Lake area (S22A-001 and S22L1-001). These draft conditions were posted to the ORS to allow reviewers to comment on possible conditions.

2.2.6 New Activities and updated mitigation measures:

The new are Well Abandonment and Waste Management.

The original 2017 screening did not check the Abandonment and Waste Generation Principal Activity Components on the form. These Project activities require confirmatory screening by the Board in accordance with subsection 124(1) of the MVRMA to ensure these activities have been sufficiently assessed for potential impacts.

The Project was screened for Decommissioning activities which contemplated abandonment of the well and reclamation activities, although the impact and mitigations were not assessed in depth.

While Waste generation and disposal were also not checked as a principal activity, conditions in the authorizations required the submission of a **Waste Management Plan** for approval.

Board staff review of the original screening in relation to the new applications, noted that changes were mostly related to use of different pieces of equipment, changes to the amount of fuel, number of persons required, size of camps, and amount of water required as well as some updates and new techniques proposed for mitigation measures to minimize impacts and negative effects to the environment.

2.3 Public Record and Regulatory Proceeding

To assist the Board in its preliminary screening determination for the Project, the Board distributed the complete Applications for public review on October 26, 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 November 9, 2022, with responses from the Applicant due November 15, 2022. The Board received comments and recommendations from the three divisions of Government of the Northwest Territories (GNWT) – Environment and Natural Resources and Environmental Assessment and Monitoring (ENR-EAM), Lands, and Lands -Sahtu Region (attached).⁵

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.

⁵ See SLWB Online Registry for [S22A-002 – Reviewer Comments and Proponents Responses – Jul24 23](#)

The Board is also satisfied that the Déljné Got'ine Government has been consulted in accordance with section 63 of the MVRMA.

The SLWB received three requests from MGM Energy for extension to prepare responses:

1. **November 10, 2022**, for an extension to January 6, 2023 – on December 7, 2022 the Board granted a 22.2.b decision⁶ on Permit S22A-002, to allow the applicant additional time to prepare responses and submissions to reviewer comments with a new deadline February 15, 2023.
2. **February 8, 2023**, MGM requested additional time until May 31, 2023
3. **June 2, 2023**, MGM requested additional time until June 30, 2023.

3.0 Potential Impacts and Proposed Mitigations

Table 1 below summarizes the updated mitigation measures for the Abiotic, Biotic and Cultural components that have the potential to be affected by the development activities, including:

- 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>
ABIOTIC		
Land Disturbance	Clearing of land	<ul style="list-style-type: none"> • Temporary campsites will coincide with previously disturbed land, on relatively level terrain 100m from any watercourse, where possible. • Depending on the infrastructure required (e.g., trailers, sewage sumps, welding shop, vehicle parking, etc.), an area 40m x 70m to 100m x 100m will be cleared for temporary camps. • Slash will be windrowed at the camp boundaries and used for rollback during site reclamation. • Snow will be used to level minor irregularities on the surface as much as possible.

⁶ See SLWB online registry for [S22A-002 – MGM – Additional Time Granted – 22.2.b – Issuance – Dec 7 22.pdf](#)

Soil Contamination	Fuel Transfer and storage	<ul style="list-style-type: none"> • Drip trays, proper fuel transfer, spill contingency plan, and good housekeeping will be practiced. • The target date for final cleanup will be immediately after the project is complete, when feasible, or as directed by the Land Use Inspector.
Soil Compaction / damage to ground vegetation	Heavy equipment operation	<ul style="list-style-type: none"> • Proper snow depth on roads, camps and well site. • Drip trays, proper fuel transfer, spill contingency plan and good housekeeping will be practiced.
Destabilization / Erosion	Winter water crossings	<ul style="list-style-type: none"> • Use of appropriate stream crossing techniques, including removal of any ice bridges prior to snowmelt. • Site stability at temporary campsites will be assessed within one year after construction. • If unstable, appropriate corrective action will be undertaken as soon as practical to stabilize the site, thereby minimizing erosion. • Erosion will be mitigated in areas disturbed by Project activities by various methods, as appropriate (e.g., check dams, contouring, cross ditches, cross berms, ditch plugs, diversion berms, positive drainage, seeding, silt fence, slash rollback, swales, etc.).
Contaminated soil	Revegetation success	<ul style="list-style-type: none"> • Soil will be removed and recontoured. Proper techniques will be used to promote vegetation regrowth.
Permafrost regime alteration	Drilling, road construction	<ul style="list-style-type: none"> • On work areas free of timber, snow will be packed onto the rough, natural surface with lightweight tracked vehicles to drive frost into the ground. To achieve sufficient snow-pack depth, thus a protective surface barrier, corduroy may be added to the snow. As well, water may be used to build-up the protective surface barrier. • When working on wet, muskeg or permafrost terrain, ensure sufficient frost penetration is present to avoid terrain damage. Recommended minimum frost depths are: <ul style="list-style-type: none"> a. muskeg – 45 cm; b. loam soils – 15 cm; c. saturated silts or clays – 30 cm; and d. sloughs or shallow water – 90 cm • Vehicles will be used to compact the insulating snow cover to promote deep frost penetration.
Greenhouse gases	Equipment Operation	<ul style="list-style-type: none"> • Short term increase in industrial activity. No mitigation noted. • MGM will require any incineration at camps to follow Environment Canada and Climate Change Canada’s Technical Document for Batch Waste Incineration: Executive Summary and Overview of the Six-Step Process for Batch Waste Incineration January 2010. In addition to any requirements in the LUP and/WL or the project

BIOTIC		
Non-native or invasive species introduction	Scarification, contouring, seeding, use of unclean equipment	<ul style="list-style-type: none"> • Construction and reclamation equipment (i.e., equipment used to “break ground”) will be cleaned before entering the I-78 Project area to ensure weed free conditions. Similarly, materials such as pipe should be sourced from storage yards free of weeds. • Equipment passing through areas identified as having a weed problem will be cleaned (e.g., steam/high pressure water, compressed air, etc.) prior to continuing work.
Effects on Plant health (dust, metals, toxins)	Equipment use	<ul style="list-style-type: none"> • Drip trays, proper fuel transfer, spill contingency plan and good housekeeping will be practiced.
Species at Risk - Woodland and Boreal Caribou habitat	Noise	<ul style="list-style-type: none"> • Caribou are occasionally present in the area; however, the primary habitat of the surrounding area is muskeg and wetland lakes, more supportive of moose. Restoration of the site will encourage species present prior to construction. • Pre-disturbance assessments of terrain, vegetation, soils and wildlife were completed in 2011 and 2012, with photographic evidence and can be used to assess final site conditions.
Fish population changes / water and aquatic species	Introduction of foreign matter, grading, water withdrawals	<ul style="list-style-type: none"> • Trees will not be purposely felled into water bodies. Likewise, slash, debris, rocks, and soil will not be knowingly introduced into a water body. • Grade away from watercourses to minimize introduction of soil and organic debris. No windrowed or fill material shall be placed in the watercourses during grading. • MGM will observe setback distances of 100m from the edge of a disturbance to the edge of a watercourse / water body, except when a watercourse / water body is being crossed (see DFO Measures to Avoid Causing Harm to Fish and Fish Habitat). Where necessary, alternative setbacks will be determined through consultation with the Sahtu Land and Water Board. • Water will be withdrawn from watercourses, as per DFO Measures to Avoid Causing Harm to Fish and Fish Habitat: The withdrawal of any water will not exceed 10% of the instantaneous flow, to maintain existing fish habitat and water flow is maintained under the ice, where this naturally occurs. • Equipment used for water withdrawal will employ fish screens.
Removal of wildlife corridor or buffer zone	Piling of snow blocking movement	<ul style="list-style-type: none"> • Should snow be removed from access corridors, windrows at the edges of the road will be constructed. The windrows will have gaps (8 m) at regular intervals (every 300 to 500 m) to allow animal movement and to provide escape routes.
Breeding Disturbances	Noise	<ul style="list-style-type: none"> • Program activities (ice road construction and well decommissioning) will not take place during the time periods when migratory birds are present in the area for nesting, rearing, and feeding.

		<ul style="list-style-type: none"> • Dens and nests, even if inactive, will not be knowingly disturbed if it can be avoided. • If bear dens are encountered within the Project area, GNWT, ENR will be notified. • If caribou are spotted in the area, operations will temporarily slow down to minimal as much as is possible during winter.
Population reductions	Human – Wildlife conflicts	<ul style="list-style-type: none"> • Project personnel will be instructed to avoid wildlife when using roads. • Vehicle and equipment operators will be instructed to maintain appropriate speeds and to be aware of potential encounters with wildlife. If wildlife is encountered, it will not be fed or harassed and will be given an opportunity to disperse at its own rate. Pet dogs will be prohibited. • To minimize impact on wildlife species abundance, snow removal will be limited to only that necessary for safe and efficient work. • Any incidents with nuisance wildlife or collisions with wildlife will be reported to GNWT, ENR. • Project personnel are forbidden to carry firearms (except with written permission from MGM) and to hunt. • To minimize bear conflicts MGM will employ local wildlife monitors during all program activities. • Motorized vehicles will travel on approved routes. The creation of ancillary access will be minimized. The recreational use of all-terrain vehicles (ATVs) and snowmobiles by construction personnel will not be permitted in the project area.
Wildlife behavioural changes	Noise, presence of people in the area	<ul style="list-style-type: none"> • The windrows will have gaps (8 m) at regular intervals (every 300 to 500 m) to allow animal movement and to provide escape routes.
CULTURAL		
Effects on traditional land use, subsistence, and harvesting rights.	Work during harvesting times	<ul style="list-style-type: none"> • Single season of increased project activity will not unduly affect users. • Construction schedule will be provided in advance and a minimum two weeks notification given to land users to clearly identify any traditional access routes and equipment (e.g., remove their traps and snares, etc.) in the vicinity of the right of way prior to clearing to ensure that they are protected during construction. • Trails will not be blocked.
Human Health Hazard and risk	Movement of vehicles	<ul style="list-style-type: none"> • There will be increased traffic on the Mackenzie Valley Winter Road for a single season.
Potential to Affect other land use operators	Timing of construction and operations	<ul style="list-style-type: none"> • The appropriate government and indigenous representatives will be notified by MGM of the construction schedule as soon as the schedule is determined. Ideally, this should be at least two (2) weeks prior to approved clearing. If

		possible, arrangements will be made with land users to clearly identify access routes and equipment (e.g., remove their traps and snares, etc.) in the vicinity of the right of way prior to clearing to ensure that they are protected during construction.
Quality of life changes / Economic Opportunities	Work tenders and local equipment contracting	• Single season of increased contracting opportunities.

3.1 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 mitigations might have a significant adverse impact on the environment. In general, the changes to the Project mitigation measures on the environment are positive, with any potential negative impacts mitigated through the use of standard permit and licence conditions and project-specific conditions 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 Licence and Permit were 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 the evidence provided through the regulatory proceeding.

3.2 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. The Project will be a positive activity for the environment as it entails the abandonment of the suspended well and reclamation of the land to a pre-development state.

4.0 Conclusion

The Board completed an updated preliminary screening of the Project on August 2, 2023, because:

- The original screening did not check Abandonment activities, and Waste generation and disposal activities.
- The Project required different pieces of equipment, changes to the amount of fuel, number of persons required, size of camps, and amount of water required, and

- Project mitigation measures for some activities were updated to reflect best practices for 2023, and new techniques to further minimize impacts and negative effects to the environment.

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.

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 mitigation measures. Based on the evidence, it is the Board's opinion that the proposed changes to the Project mitigation measures 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 mitigation measures to Environmental Assessment.

If the Board does not receive a notice of referral to environmental assessment by August 13, 2023, the Board will issue the Permit and Licence on August 14, 2023.

SIGNATURE



Philippe di Pizzo
Interim Chair, Sahtu Land and Water Board

Date August 2, 2023