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March 24, 2026

File: MV2023L8-0007
MV2025E0026

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: Mackenzie Valley Winter Road – Notice of Preliminary Screening Determination – Applications for Land Use Permit and Water Licence – Public Highway, NT

The Mackenzie Valley Land and Water Board (Board) met on March 19, 2026, and considered the Application Packages from Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) for Land Use Permit (Permit) MV2025E0026 and Water Licence (Licence) MV2023L8-0007 for the Mackenzie Valley Winter Road (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board conducted a preliminary screening based on the public record for the proceedings. 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 will continue with the regulatory proceedings.

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.

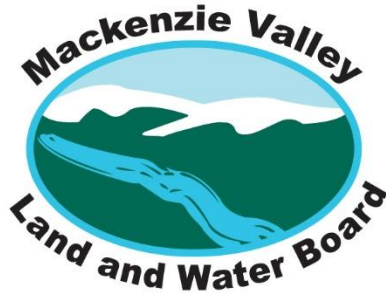
Yours sincerely,



Tanya MacIntosh
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Dehcho Distribution List
 SLWB – Déljñę, District
 SLWB – Tulit'a District
 SLWB – K'ahsho Got'ine District
 Alexis Campbell – Environmental Analyst, GNWT-INF

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	MV2023L8-0007 and MV2025E0026
Company	Government of the Northwest Territories – Department of Infrastructure
Project	Mackenzie Valley Winter Road
Location	Mackenzie Valley Winter Road, NT
Activity	Miscellaneous and Public Road
Date of Decision	March 19, 2026

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 March 19, 2026, to make a preliminary screening determination on the new Applications from the Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) (Applicant) for Land Use Permit MV2025E0026 (Permit)¹ and Water Licence MV2023L8-0007 (Licence)² for the Mackenzie Valley Winter Road (Project).³ 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

¹ See MVLWB Online Registry for [GNWT-INF - Winter Road - Updated Permit Application - Jan19 26](#).

² See MVLWB Online Registry [GNWT-INF - Winter Road - Updated Project Description Report - Jan19 26](#).

³ The Project is the Mackenzie Valley Winter Road, 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.”

Board’s opinion that the proposed Project will not have a significant adverse impact on the environment or be a cause of public concern.

The Board’s determinations, including reasons for its decisions, are 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
Applications	The complete application package submitted by the Applicant for Water Licence MV2023L8-0007 and Land Use Permit MV2025E0026.
Board	Mackenzie Valley Land and Water Board
DGG	Délı̄nɛ Got’ı̄nɛ Government
DIAND	Department of Indian Affairs and Northern Development
EA/EIR	Environmental Assessment/Environmental Impact Review
EIRB	Environmental Impact Review Board
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
GNWT-ECE-PWNHC	Government of the Northwest Territories – Education, Culture, and Employment - Prince of Wales Northern Heritage Centre
GNWT-INF	Government of the Northwest Territories – Department of Infrastructure
Inspector	An Inspector designated under subsection 65(1) of the Waters Act
Licence	Water Licence MV2023L8-0007
LWBs	Land and Water Boards of the Mackenzie Valley
MVEIRB	Mackenzie Valley Environmental Impact Review Board
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	Mackenzie Valley Resource Management Act
MVWR	Mackenzie Valley Winter Road
OHWM	Ordinary High-Water Mark
ORS	Online Review System (www.new.onlinereviewssystem.ca)
Permit	Land Use Permit MV2025E0026
Project	Mackenzie Valley Winter Road which is the proposed development (as defined in Part 5 of the MVRMA). ⁴
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
SLWB	Sahtú Land and Water Board
Standard Licence Conditions	LWB Standard Water Licence Conditions Template
Standard Permit Conditions	LWB Standard Land Use Permit Conditions Template
TK	Traditional Knowledge
WMP	Waste Management Plan

⁴ “development” is defined in Part 5 of the [MVRMA](#) as:

“any undertaking, or any part or extension of an undertaking, that is carried out on land or water and includes an acquisition of lands pursuant to the *Historic Sites and Monuments Act* and measures carried out by a department or agency of government leading to the establishment of a park subject to the *Canada National Parks Act* or the establishment of a park under a territorial law.”

3.0 Background and Scope of Screening

On July 14, 2023, Government of the Northwest Territories – Department of Infrastructure (the Applicant/GNWT-INF) submitted a water licence application to use water to construct the Mackenzie Valley Winter Road (MVWR) annually.⁵ On October 20, 2023, the Board requested more information from GNWT-INF.⁶

On December 19, 2025, GNWT-INF submitted additional information.⁷ On December 24, 2025, the Board requested for more information.⁸ On January 19, 2026, GNWT-INF submitted a complete application for a type A water licence (licence) and a type A land use permit (permit)⁹. The purpose of these Applications is to obtain and use water from the proposed water sources, and construct, operate and maintain the Mackenzie Valley Winter Road.

Engagement

A Pre-submission Engagement Record completed between 2022-2023 and an Engagement Record completed in winter 2025-2026 was included in the Applications. GNWT-INF engaged with the Parties listed in their Engagement Plan (Version 1). As indicated in the Engagement Plan, the engagement groups for the annual construction work are limited to the local community governments and the GNWT water resources inspector. The GNWT-INF may engage with other Parties on a case-by-case basis as appropriate.

The organizations contacted included:

- Ayoni Keh Land Corporation
- Behdzi Ahda' First Nation
- Behdzi Ahda' Renewable Resource Council
- Charter Community of Fort Good Hope
- Community of Délıne
- Community of Wrigley
- Dehcho First Nation
- Délıne Got'ine Government
- Délıne Renewable Resources Council
- Fort Good Hope Dene Band
- Fort Good Hope Métis National Land Corp
- Fort Good Hope Renewable Resource Council
- Fort Norman Métis Community
- Hamlet of Tulit'a
- K'asho Got'ine District Land Corporation
- Norman Wells Renewable Resource Council
- Pehdzéh Kí First Nation
- Sahtú Dene Council
- Sahtú Land Use Planning Board
- Sahtú Renewable Resource Board
- Sahtú Secretariat Incorporated
- Tłegòhı́ Got'ıne Government
- Town of Norman Wells
- Tulit'a Dene Band
- Tulit'a Land Corporation
- Tulit'a Renewable Resource Council
- Yamoga Land Corporation

⁵ See MVLWB Online Registry for [GNWT-INF - Winter Road - Cover Letter - Jul14 23](#); [GNWT-INF - Winter Road - Type A Water Licence Application - Jul14 23](#)

⁶ See MVLWB Online Registry for [GNWT-INF - Winter Road - Additional Information Required for Completeness - Oct 20 23](#).

⁷ See MVLWB Online Registry for [GNWT - INF - Winter Road - Cover Letter - Dec19 25](#)

⁸ See MVLWB Online Registry for [GNWT-INF - Winter Road - Application - Incomplete Letter - Dec 24 25](#)

⁹ See MVLWB Online Registry for [GNWT-INF - Winter Road - Cover Letter - Additional Information - Jan 16 26](#).

No concerns were noted in the pre-submission engagement, except for written responses received from Délı̨nę Got'ı̨nę Government (DGG) and the Fort Norman Métis. The DGG replied that:

...emails in English do not work for the Elders and true consultation can only be done in person with the five Elders with mandated translation into North Slavey of correspondence and translation services for in-person meetings. Information must be sent ahead of time and work with translators so they understand what we mean in layperson's terms so it can be translated into North Slavey.

The Fort Norman Métis responded that they wanted Traditional Knowledge done before a decision is made.

There was a meeting held on October 25, 2022, to discuss water sources and Traditional Knowledge related to the Project.¹⁰ Participants included the Water monitors from Fort Good Hope, Tulit'a, Norman Wells, and Colville Lake.

As well, the following representatives attended this October 25, 2022, meeting:

- Sahtú Renewable Resource Board
- Sahtú Land and Water Board
- Sahtú Secretariat Inc.
- Fort Good Hope Métis Local #54
- Sahtú Land Use Planning Board
- Behdzi Ahda' First Nation
- Tulit'a Land Corporation
- Fort Norman Métis
- Norman Wells Renewable Resource Council
- Environment and Natural Resources
- GNWT-INF.

On December 16, 2025, and again on January 12, 2026, the GNWT-INF notified the parties that a water licence and land use permit application would be submitted for the MVWR. The engagement log indicated no response from any of the organizations contacted.

As evidenced through the Engagement Record, GNWT-INF engaged with parties about the Project. The Board did not identify outstanding engagement concerns in the Engagement Record.

How GNWT-INF incorporated TK

GNWT-INF submitted the following with the Applications:

- a 2004 and 2008 MVWR Traditional Ecological Knowledge and Consultation Report¹¹, and
- report from the Tulit'a Renewable Resource Council Traditional Knowledge Questionnaires 2022/23.¹²

GNWT-INF indicated water sources and areas of importance, such as Lac Belot, will not be used.

¹⁰ See MVLWB Online Registry for [GNWT-INF - Winter Road - Engagement Record - Pre-Submission - Jul14 23](#). P 63-67.

¹¹ See MVLWB Online Registry for [2004 and 2008 MVWR Traditional Ecological Knowledge and Consultation - Jul14 23](#).

¹² See MVLWB Online Registry for [Tulit'a Renewable Resource Council Traditional Knowledge Questionnaires 2022/23 - Jul14 23](#).

Previous Authorizations and Screenings

The Mackenzie Valley Winter Road (MVWR) has been in operation since the late 1970's. The MVWR is constructed and operated annually from November to March connecting Wrigley to Tulit'a, Déljñę, Norman Wells, Fort Good Hope, and Colville Lake. It provides seasonal access for re-supply and travel to and from these communities in the Sahtú.

Dating back to 1995, there have been land use permits and water licences issued for the MVWR under the Department of Indian Affairs and Northern Development (DIAND), the Sahtú Land and Water Board (SLWB), and the Mackenzie Valley Land and Water Board (MVLWB). These issuances are available on the Land and Water Boards Public Registry. It is possible the Environmental Impact Review Board (EIRB) also had files for the MVWR (EIRB #00-139 and #PS0405-065), but the Board could not locate these files at this time.

Sections of the MVWR were previously licenced or permitted under the following authorizations:

N95E474 – This permit was issued by DIAND. This permit was for the Off Right-Of-Way repairs and maintenance from Fort Good Hope to Déljñę Winter Road.¹³ There was no preliminary screening file available for review, but there is an application that outlines a summary of the operation.¹⁴

N1998E0948 – This permit was issued by DIAND. This permit was for the repairs and maintenance Off Right-of-Way along the Winter Road from Blackwater River, Déljñę, and Fort Good Hope, as stated on the permit cover page.¹⁵ There was no preliminary screening file available for review. This permit application states the nature and location of activities being for:

annually constructing and maintaining winter roads, from the Blackwater River north to Junction access road to Déljñę, thence from access road to Déljñę north to Fort Good Hope and Junction Access road to Déljñę. This permit is Land Use outside the right-of-way in the event we have to change this alignment on Crown land.¹⁶

S00E-002 – This Type A permit issued by the SLWB, was for the construction of the road between Fort Good Hope and Colville Lake. A preliminary screening was completed for this permit on February 11, 2002.¹⁷ The type of development checked for the Preliminary Screening was for an amendment to Environmental Impact Review Board (EIRB) file Reference number 00-139. The Board could not locate this file on the EIRB Registry.¹⁸

S02E-001 – This Type A permit issued by the SLWB, was marked as being a renewal of the DIAND N1998E0948 permit. The activities were for the construction of the road between kms 800 – 1172.2, which

¹³ See SLWB Online Registry for [N95E474 - Land Use Permit - Jan7 96.](#)

¹⁴ See SLWB Online Registry for [N95E474 - Application - Dec07 95.](#)

¹⁵ See SLWB Online Registry for [N1998E0948 - Land Use Permit - Jan21 99.](#)

¹⁶ See SLWB Online Registry for [N1998E0948 - Application - Dec08 98.](#)

¹⁷ See SLWB Online Registry for [S00E-002 - Preliminary Screening - Jan25 01.](#)

¹⁸ See EIRB website [eirb.ca] for [Registry - Environmental Impact Review Board](#)

is approximately past Wrigley, from Tuli't'a to Norman Wells to Fort Good Hope, and the Déljñę access road from 0 – 107km. A preliminary screening was completed for this permit on March 11, 2003¹⁹.

S04L8-013 – A Type B licence issued by the SLWB. The preliminary screening indicated it was for the Winter Road 794-1083 km; and at km 914 starts the Déljñę access road 0-45 km (Bennett Field).²⁰ The issued permit was for the Winter Road 795- 1083 km and 0-45 km (Déljñę). There is also an EIRB file Reference number PS0405-065 listed on the preliminary screening. The Board could not locate this file on the EIRB Registry²¹.

S04L8-014 – A Type B licence issued by the SLWB. Both the preliminary screening and the licence issuance scope were for the Winter Road 1083-1172 km and 0-165 km (Colville section) on December 15, 2004.²²

The GNWT-INF in their application also list amendments for the water licences S04L8-013 and S04L8-014, but the Board could not locate these amendments on the Public Registry.

GNWT-INF also has a current Type A permit MV2023E0012 that includes Highway 1 operations from kms 278 (Fort Simpson) up to km 800 (Wrigley and to the border of the Sahtú Settlement Area).²³ The preliminary screening for this permit was previously conducted under permit MV2008E0033 ²⁴

The LWB recognizes that since 1995, the MVWR operation has been permitted or licenced in segments, with varying scopes and activities that were previously screened under SLWB files S00E-002, S02E-001, S04L8-013 and S04L8-014. Although select project areas and activities have already been screened and subject to Part 5 of the MVRMA, for this application, the MVWR is being considered in its entirety as a new project to consider the cumulative impacts. Therefore, the Board will screen the MVWR 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 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.

The Applications do not include abandonment, decommissioning, or significant alterations to the Project.

¹⁹ See SLWB Online Registry for [S02E-001 - Preliminary Screening - Jan11 02](#).

²⁰ See SLWB Online Registry for [S04L8-013 - Preliminary Screening - Dec15 04](#).

²¹ See EIRB website [eirb.ca] for [Registry - Environmental Impact Review Board](#)

²² See SLWB Online Registry for [S04L8-014 - Preliminary Screening - Dec15 04](#).

²³ See MVLWB Online Registry for [GNWT-INF - Issuance - Type A Land Use Permit - May 31 23](#)

²⁴ See MLWB Online Registry for [GNWT - INF - Preliminary Screening and RFD - June5 09; MV2008E0033 - GNWT - Department of Transportation - Amendment - Preliminary Screening - Sep 2-14](#)

Timeline Pause for Land Use Permit application

The Mackenzie Valley Land and Water Board (Board) met on January 22, 2026, and considered the Land Use Permit Application Package MV2025E0026 for the MVWR in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).²⁵ The Board decided to invoke paragraph 22(2)(b), of the Mackenzie Valley Land Use Regulations, which is a timeline pause on the Land Use Permit application. The Board determined under paragraph 103(1)(a) of the MVRMA that there are clear linkages between this Land Use Permit Application and the Application for the Licence MV2023L8-0007. The Board will be coordinating the proceedings for these Permit and Licence Applications. As well, since the expiry of the Type B water licences in December 2014, the MVWR has been identified as transboundary between the Mackenzie Valley Dehcho and Sahtú regions, and requires a Type A water licence.

3.1 Scope of Screening

The scope for the water licence and land use permit applications is for the seasonal construction and maintenance of the MVWR from Wrigley, NT to Colville Lake, NT, including the approximate 107 km access road to Déljñę.

Although the Board has previously considered impacts and mitigations of the Project in previous screenings under SLWB files S00E-002, S02E-001, S04L8-013, and S04L8-014, the Board has decided to complete a more comprehensive screening of the entire Project. This is because there are proposed water sources for water withdrawal, and select activities, that were not screened previously. This includes the use of water for the construction of ice-bridges, and for it to align with the Board's Water Use Reference Bulletin²⁶. The water use limit for all water sources will exclude constructing and maintaining ice bridges, and water used may be higher than previously screened. Therefore, the Board needs to consider the impacts and mitigations of overall water usage for all water sources. As well, the project has not been reviewed as a whole, previously. After review of the applications and previous screenings, the Board considered the scope of the screening Project area to include the entire MVWR from:

- km 690 at Wrigley to km 800 (Sahtú Settlement Area border) to km 1180 (Fort Good Hope);
- the approximately 165 km access road to Colville Lake; and
- the approximate 107 km access road to Déljñę.

The scope of the water licence is intended to be limited to obtaining and using water from the proposed water sources. The Land Use Permit is required to construct spur roads to access proposed water sources for the construction and maintenance of the MVWR. There has been an increase in heavy truck traffic throughout the years. Therefore, GNWT-INF has increased maintenance activities and procedures to accommodate the heavy traffic and other public users of the winter road system. Increased maintenance activities include:

²⁵ See MVLWB Online Registry for [GNWT-INF - Winter Road - Notification - Timeline Pause - Jan26 26](#).

²⁶ See MVLWB website for Resources → Reference Bulletins for [LWB Reference Bulletin - Water Use - Jul 22 24](#)

- placing additional water on top of the compacted snow to accommodate heavier traffic/truck loads, and
- to extend the operating season of the winter road system.

GNWT-INF may require additional spur roads to access water sources, which will be located as close to the MVWR alignment as possible to limit environmental impacts.

The winter roads will be constructed and maintained along the existing winter road corridor. The Project occurs annually from approximately November to March, with most water usage taking place in November and December. Winter roads are typically constructed by compacting and smoothing out a layer of snow to a minimum thickness of 10 cm. Throughout the winter road season, snow is continually added, compacted and graded into the roadbed. These waterbodies and courses are accessed during the overland construction phase, where the ground is frozen. Snow making machines are not used on the MVWR. Brush clearing from the right of way will occur during the winter road season as required to increase visibility and safety for the public.

When constructing ice bridges, if natural ice is not thick enough to support the construction, GNWT-INF will flood or spray those sections.

Small, mobile camps may be required for the construction of the winter road. These camps will not exceed 200 person days and if fuel is stored it will be in containers less than 2,000 L; total fuel stored will not exceed 4,000 L. If a camp is required, it will be staged at a previously cleared location such as a quarry site and will be communicated with the GNWT-ECC Inspector.

Previously Screened or Assessed Areas and Activities:

For information purposes, the activities that the Board understands to have been previously considered and screened are listed below.

Table 1: showing the previously screening activities and areas

Screened Section of the Winter Road	Previous Authorizations			
	Fort Good Hope and Colville Lake	Tulit'a to Norman Wells to Fort Good Hope, and the Déljñę access road	Tulit'a to Norman Wells and the Déljñę access road	Norman Wells to Fort Good Hope, and Colville Lake access road
Screened Activities	S00E-002 ²⁷	S02E-001 ²⁸	S04L8-013 ²⁹	S04L8-014 ³⁰ :
Construction			✓	✓
Maintenance	✓	✓	✓	✓
Expansion	✓			
Operation		✓	✓	✓
Repair		✓	✓	✓
Water Intake		✓	✓	✓
Linear/Corridor		✓	✓	✓
Access Road - Modification (widening, straightening)	✓	✓	✓	✓
Automobile, aircraft or vessel movements	✓	✓	✓	✓
Waste Management – waste generation		✓		
Sewage – disposal of sewage		✓		
Camp	✓ ₃₁	✓ ₃₂		
Cut and fill	✓			
Cutting of trees or removal of vegetation	✓	✓		
Slashing and removal of vegetation		✓		

²⁷ See SLWB Online Registry for [S00E-002 - Preliminary Screening - Jan25 01](#).

²⁸ See SLWB Online Registry for [S02E-001 - Preliminary Screening - Jan11 02](#).

²⁹ See SLWB Online Registry for [S04L8-013 - Preliminary Screening - Dec15 04](#).

³⁰ See SLWB Online Registry for [S04L8-014 - Preliminary Screening - Dec15 04](#).

³¹ The screening mentioned the possible use of small temporary camps but did not select camps as one of the screening activities

³² The screening mentioned the possible use of small temporary camps but did not select camps as one of the screening activities

Screened Section of the Winter Road	Previous Authorizations			
	Fort Good Hope and Colville Lake	Tulit'a to Norman Wells to Fort Good Hope, and the Déljñę access road	Tulit'a to Norman Wells and the Déljñę access road	Norman Wells to Fort Good Hope, and Colville Lake access road
Screened Activities	S00E-002 ²⁷	S02E-001 ²⁸	S04L8-013 ²⁹	S04L8-014 ³⁰ :
Excavation	✓			
Fuel storage	✓	✓		
Topsoil, overburden or soil removal	✓			
Site restoration - fertilization			✓	✓
Site restoration - planting/seeding	✓	✓	✓	✓
Site restoration - recontouring)	✓		✓	✓
Stream crossing/bridging	✓ ³³	✓ ³⁴	✓	✓
Water sources listed?		✓	✓	✓

New Areas and Activities:

As the project is now being considered as a whole, the entire scope is being considered for the preliminary screening. The scope is to conduct land-use operations for a public road and use Water and deposit Waste for miscellaneous activities on the Mackenzie Highway Winter Road from Wrigley, NT to Colville Lake, NT, including the Winter Road to Déljñę, NT and includes:

- a) Construction, operation, and maintenance of Winter Roads;
- b) Construction, operation, and maintenance of camps;
- c) Withdrawal of Water for Winter Road construction and maintenance;
- d) Withdrawal of Water for camp consumption;
- e) Deposit of Waste from camps;
- f) Use and storage of fuel;
- g) Use of equipment, vehicles and machines; and
- h) Progressive Reclamation and associated Closure and Reclamation activities.

³³ The watering of the road was limited to snow fillings at stream crossings.

³⁴ The watering of the road was limited to snow fillings at stream crossings.

3.2 Public Record and Regulatory Proceeding

To assist the Board in its preliminary screening determination for the Project, the Board distributed the Applications for public review on January 19, 2026, 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 February 20, 2026, with responses from the Applicant due March 2, 2026.

The Board received comments and recommendations from:

- Déłıne Got'ıne Government (DGG);
- Government of the Northwest Territories – Education, Culture, and Employment – Prince of Wales Northern Heritage Centre (GNWT-ECE-PWNHC);
- the Department of Fisheries and Oceans (DFO); and
- Government of the Northwest Territories – Infrastructure (GNWT-INF) (attached).³⁵

Board staff with the SLWB, also submitted comments and questions for the purposes of clarification.

Since there were no requests to extend the reviewer comment deadlines, 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](#),³⁶ 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 Applications.

Pursuant to subsection 1.6, paragraphs (a) and (b) of the [Akaitcho Territory Dene First Nations \(ATDFN\) Interim Measures Agreement](#),³⁷ the Board determined that written notice was given to the ATDFN and that a reasonable period of time was allowed for ATDFN to make representations with respect to the Applications.

Pursuant to section 27, paragraphs (a) and (b) of the [Dehcho First Nations \(DCFN\) Interim Measures Agreement](#),³⁸ 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 Applications.

³⁵ See MVLWB Online Review System for [MV Winter Road - New Type A Land Use Permit and Type A Water Licence - Review Summary - Mar2 26](#).

³⁶ See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Northwest Territory Métis Nation Interim Measures Agreement](#).

³⁷ See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Akaitcho Territory Dene First Nations Interim Measures Agreement](#).

³⁸ See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Dehcho First Nations Interim Measures Agreement](#).

The Board is also satisfied that notice of the Application was provided to the Ghotelnene K'odtjneh Dene (formerly Manitoba Denesuline) and that a reasonable period of time was provided for the Ghotelnene K'odtjneh Dene to make representations to the Board in accordance with section 63 of the [MVRMA](#).

The Board is also satisfied that notice of the Application was provided to the Athabasca Denesųfiné and that a reasonable period of time was provided for the Athabasca Denesųfiné to make representations to the Board in accordance with section 63 of the [MVRMA](#).

The Board is also satisfied that notice of the Application was provided to the Déljneę Got'ine Government (DGG) and that a reasonable period of time was provided for the DGG to make representations to the Board in accordance with section 63 of the [MVRMA](#).

4.0 Potential Impacts and Proposed Mitigations

Table 2 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.

Table 2: 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
<p>Soil Contamination</p> <p>Soil Compaction</p> <p>Destabilization and Erosion</p>	<p>Leaks from heavy equipment, leaks during fuel transfer, storage and/or handling</p> <p>Heavy machinery on the road and access roads for road development and obtaining water</p> <p>Moving heavy machinery over the same area</p>	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ The Spill Contingency Plan will be implemented to reduce instances of soil contamination and to clean up any spills that occur on land. ○ Construction and operation during frozen conditions will reduce destabilization, erosion, and changes in soil structure. ○ The Erosion and Sedimentation Management Plan will be implemented. • The Board has standard permit or licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:³⁹ <p>PERMIT CONDITIONS</p> <ul style="list-style-type: none"> ○ USE APPROVED EQUIPMENT ○ PROGRESSIVE EROSION CONTROL ○ REPAIR EROSION ○ REPAIR LEAKS ○ FUEL CACHE SECONDARY CONTAINMENT ○ SECONDARY CONTAINMENT – REFUELING ○ FUEL CONTAINMENT ○ FUEL ON LAND ○ SPILL CONTINGENCY PLAN ○ CLEAN UP SPILLS ○ TRAILS RESTORATION <p>LICENCE CONDITIONS</p> <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ EROSION AND SEDIMENTATION MANAGEMENT PLAN 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The geographic size of the area likely to be affected by the impacts is limited; ○ The cumulative impacts that could result from the impacts of the Project combined with those of any other project that has been carried out, is being carried out, or is likely to be carried out, is considered minimal; • Project factors: <ul style="list-style-type: none"> ○ Infrastructure requirements for the Project are a vital link for the Sahtú; • Impact factors: <ul style="list-style-type: none"> ○ The nature, magnitude, and complexity of these impacts are expected to be minimal in the winter

³⁹ See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#) and LWB [Standard Land Use Permit 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
		<ul style="list-style-type: none"> ○ SPILL PREVENTION AND RESPONSE EQUIPMENT ○ PROGRESSIVE RECLAMATION 	<p>months;</p> <ul style="list-style-type: none"> ○ The probability of the impact occurring is limited; ○ The frequency and duration of the impact is limited to winter months, when the ground is frozen; ● The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for the project.

Potential Impact	Activity	<p align="center">Proposed Mitigations</p> <p align="center"><i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i></p>	Board Analysis and Determination
<p>Water flow and water level changes that are permanent, temporary or seasonal</p> <p>Water temperature changes</p> <p>Changes in water quality</p>	<p>Water withdrawal from lakes and rivers for the road construction, temporary camps, and ice bridge construction</p>	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ Short term and near-term effects to flow changes will be mitigated through the implementation of the DFO allowances of 10% of the available water volume calculated in the Water Withdrawal Plan and the LWB's Method for Determining Available Winter Water Use Capacity for Small-Scale Projects (2021). ○ All water sources are assessed to ensure adequate storage volumes (for waterbodies) and water flow (for watercourses) are available to allow the water to be withdrawn. ○ Most of the water is withdrawn during the first two weeks at the start of the construction season. Once the road is constructed, sources are accessed minimally for maintenance; very little water is withdrawn after construction. ○ Pumps are not run continuously and monitored for water flowrates and volumes removed. • The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <p>LICENCE CONDITIONS</p> <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ MEASURE WATER USE AND WASTE DISCHARGED ○ WATER SOURCES AND MAXIMUM VOLUME ○ LENTIC WATER SOURCE – MINIMUM DEPTH ○ WATER SOURCE DEPTH VERIFICATION ○ WATER INTAKE SCREEN ○ OBJECTIVE – WASTE AND WATER MANAGEMENT ○ EROSION CONTROL ○ DAILY INSPECTIONS OF DISCHARGE LOCATIONS ○ OBJECTIVE – PREVENT WASTE INTO WATER 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The volumes of water to be used will be managed as per the DFO allowance; ○ The ecological sensitivity of the affected area is of importance for Great Bear Lake. Licence conditions and conformity to the Sahtú Land Use Plan will be in effect; ○ Cumulative impacts are expected to be low; • Project factors: <ul style="list-style-type: none"> ○ Involvement of hazardous chemicals (fuel, lubricants) is limited and managed through Conditions; • Impact factors: <ul style="list-style-type: none"> ○ The nature, magnitude, and complexity of the impact is limited in scope and duration; ○ The probability of the impact occurring is low; ○ The frequency and duration of the

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
			<p>impact is limited to winter months;</p> <ul style="list-style-type: none"> • The potential effects of climate change on the impact are possible and associated mitigation measure(s) and conditions will be in place; • The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for 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
Direct loss or removal of habitat, dens or nests on land	Road construction and spur roads	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ Minimal clearing is expected for the road and spur roads. ○ Work occurs in the winter months. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: PERMIT CONDITIONS <ul style="list-style-type: none"> ○ HABITAT DAMAGE ○ PERMAFROST PROTECTION ○ PROGRESSIVE EROSION CONTROL ○ MINIMIZE AREA CLEARED ○ FINAL CLEANUP AND RESTORATION ○ NATURAL VEGETATION ○ TRAILS RESTORATION ○ CARIBOU DISTANCE ○ MIGRATORY BIRD NEST DISTURBANCE 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The geographic size of the area likely to be affected by the impacts is limited; • Impact factors: <ul style="list-style-type: none"> ○ The probability of the impact occurring is low; ○ The frequency and duration of the impact is limited to winter months; • The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for 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
<p>Disturbances to aquatic habitat and species including:</p> <p>Breeding disturbances</p> <p>Changes in species diversity</p> <p>Effects on health</p> <p>Changes to migratory movement patterns</p> <p>Changes to predator-prey relationships</p> <p>Effects on population abundance</p>	<p>Water withdrawal from lakes and rivers for the road construction, temporary camps, and ice bridge construction</p>	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ Short term and near-term effects to flow changes will be mitigated through the implementation of the DFO allowances of 10% of the available water volume calculated. ○ All water sources are assessed to ensure adequate storage volumes (for waterbodies) and water flow (for watercourses) are available to allow the water to be withdrawn. ○ Most of the water is withdrawn during the first two weeks at the start of the construction season. Once the road is constructed, sources are accessed minimally for maintenance; very little water is withdrawn after construction. ○ Pumps are not run continuously and monitored for water flowrates and volumes removed. • The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ MEASURE WATER USE AND WASTE DISCHARGED ○ WATER SOURCES AND MAXIMUM VOLUME ○ LENTIC WATER SOURCE – MINIMUM DEPTH ○ WATER SOURCE DEPTH VERIFICATION ○ WATER INTAKE SCREEN ○ OBJECTIVE – WASTE AND WATER MANAGEMENT ○ EROSION CONTROL ○ DAILY INSPECTIONS OF DISCHARGE LOCATIONS ○ OBJECTIVE – PREVENT WASTE INTO WATER ○ EROSION AND SEDIMENTATION MANAGEMENT PLAN ○ PROGRESSIVE RECLAMATION 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The volumes of water to be used will be managed as per the DFO allowance; ○ The ecological sensitivity of the affected area is of importance for Great Bear Lake. Licence conditions and conformity to the Sahtú Land Use Plan will be in effect; ○ Cumulative impacts are expected to be low; • Project factors: <ul style="list-style-type: none"> ○ Involvement of hazardous chemicals (fuel, lubricants) is limited and managed through Conditions; • Impact factors: <ul style="list-style-type: none"> ○ The nature, magnitude, and complexity of the impact is limited in scope and duration; ○ The probability of the impact occurring is low;

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
			<ul style="list-style-type: none"> ○ The frequency and duration of the impact is limited to winter months. ● The potential effects of climate change on the impact are possible and associated mitigation measure(s) and conditions will be in place; ● The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for 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
Wildlife harvesting Effects on traditional land use, subsistence, and harvesting rights	Road construction and maintenance	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ The Spill Contingency Plan will be implemented to reduce instances of soil contamination and to clean up any spills that occur on land. ○ Construction and operation during frozen conditions will reduce destabilization, erosion, and changes in soil structure. The Erosion and Sedimentation Management Plan will be implemented. • The Board has standard permit or licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <p>PERMIT CONDITIONS</p> <ul style="list-style-type: none"> ○ LOCATION OF ACTIVITIES ○ USE APPROVED EQUIPMENT ○ HABITAT DAMAGE ○ SPILL CONTINGENCY PLAN ○ CARIBOU DISTANCE ○ MIGRATORY BIRD NEST DISURBANCE ○ TRAILS RESTORATION <p>LICENCE CONDITIONS</p> <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ INCORPORATE SCIENTIFIC INFORMATION AND TRADITIONAL KNOWLEDGE ○ IDENTIFY TRADITIONAL KNOWLEDGE ○ OBJECTIVE – CONSTRUCTION ○ EROSION AND SEDIMENTATION MANAGEMENT PLAN 	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 and will not be a cause of public concern. The Board includes the following rationale: <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The historical, cultural, and archaeological significance of the area and impacts to traditional wildlife harvesting are expected to be nominal; • Project factors: <ul style="list-style-type: none"> ○ Infrastructure requirements for the Project are needed to connect the Sahtú communities; gives better access to the land; • Impact factors: <ul style="list-style-type: none"> ○ Supports community social structure, social services, allowing travel and supplies in/out of the Sahtú; • The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for 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
Economic opportunities	Local contractors hired for the work	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ Creates opportunities and economic benefits for the communities along the MVWR. 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Project factors: <ul style="list-style-type: none"> ○ Infrastructure requirements for the Project are needed to connect the Sahtú communities; • Impact factors: <ul style="list-style-type: none"> ○ Supports community social structure, social services, allowing employment, travel and supplies in/out of the Sahtú.

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
<p>Impacts on watercourse downstream during water truck fills:</p> <p>Localized turbidity increase</p> <p>Bank destabilization</p> <p>Flow alteration</p> <p>Noise and vibration</p> <p>Sediment deposition</p> <p>Aquatic habitat disruption</p> <p>Cumulative flow reduction</p> <p>Water quality changes</p>	<p>Water withdrawal from lakes and rivers for the road construction, temporary camps, and ice bridge construction</p>	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ Accessing the site during frozen conditions when there is adequate snow coverage to protect the ground and prevent bank erosion and soil compaction. ○ Implement Erosion and Sedimentation Management Plan. ○ Monitor speed of which the water is pumped and the amount taken. ○ Water withdrawal will not exceed the DFO 10% maximum withdrawal amount. ○ Water trucks are equipped with vacuum pumps with an in-line rotary flow measuring device. ○ Spill Contingency Plan will be always followed. • The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ MEASURE WATER USE AND WASTE DISCHARGED ○ WATER SOURCES AND MAXIMUM VOLUME ○ LENTIC WATER SOURCE – MINIMUM DEPTH ○ WATER SOURCE DEPTH VERIFICATION ○ WATER INTAKE SCREEN ○ OBJECTIVE – WASTE AND WATER MANAGEMENT ○ EROSION CONTROL ○ DAILY INSPECTIONS OF DISCHARGE LOCATIONS ○ OBJECTIVE – PREVENT WASTE INTO WATER ○ DISPOSAL LOCATION – ORDINARY HIGH-WATER MARK ○ EROSION AND SEDIMENTATION MANAGEMENT PLAN ○ PROGRESSIVE RECLAMATION ○ SPILL CONTINGENCY PLAN 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The volumes of water to be used will be managed as per the DFO allowance; ○ The ecological sensitivity of the affected area is of importance for Great Bear Lake. Licence conditions and conformity to the Sahtú Land Use Plan will be in effect; ○ Cumulative impacts are expected to be low; • Project factors: <ul style="list-style-type: none"> ○ Involvement of hazardous chemicals (fuel, lubricants) is limited and managed through Conditions; • Impact factors: <ul style="list-style-type: none"> ○ The nature, magnitude, and complexity of the impact is limited in scope and duration; ○ The probability of the impact occurring is low;

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
			<ul style="list-style-type: none"> ○ The frequency and duration of the impact is limited to winter months; ● The potential effects of climate change on the impact are possible and associated mitigation measure(s) and conditions will be in place; ● The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for 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
Impacts on watercourse upstream during water withdrawal: Water level changes Flow alteration Temperature and Oxygen Habitat disruption Sediment transport Species migration Climate change	Water withdrawal from lakes and rivers for the road construction, temporary camps, and ice bridge construction	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ No snow making machines are used. ○ Pumps do not run continuously and are monitored by workers while in use. ○ Effects to flow and water levels will be mitigated through the speed of which the water is pumped and the amount taken. ○ Water withdrawal will not exceed the DFO 10% maximum withdrawal amount. Water trucks are equipped with vacuum pumps with an in-line rotary flow measuring device. ○ Ensuring pump intakes do not disturb the stream bottom sediments during water withdrawal. • The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ MEASURE WATER USE AND WASTE DISCHARGED ○ WATER SOURCES AND MAXIMUM VOLUME ○ LENTIC WATER SOURCE – MINIMUM DEPTH ○ WATER SOURCE DEPTH VERIFICATION ○ WATER INTAKE SCREEN ○ OBJECTIVE – WASTE AND WATER MANAGEMENT ○ EROSION CONTROL ○ DAILY INSPECTIONS OF DISCHARGE LOCATIONS ○ OBJECTIVE – PREVENT WASTE INTO WATER ○ DISPOSAL LOCATION – ORDINARY HIGH-WATER MARK ○ EROSION AND SEDIMENTATION MANAGEMENT PLAN ○ PROGRESSIVE RECLAMATION ○ SPILL CONTINGENCY PLAN 	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 and will not be a cause of public concern. The Board includes the following rationale: <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The volumes of water to be used will be managed as per the DFO allowance; ○ The ecological sensitivity of the affected area is of importance for Great Bear Lake. Licence conditions and conformity to the Sahtú Land Use Plan will be in effect; ○ Cumulative impacts are expected to be low; • Impact factors: <ul style="list-style-type: none"> ○ The nature, magnitude, and complexity of the impact is limited in scope and duration; ○ The probability of the impact occurring is low; ○ The frequency and duration of the impact is limited to winter months; • The potential effects of climate change on the impact are possible and associated

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
			mitigation measure(s) and conditions will be in place; <ul style="list-style-type: none"> • The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for 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
Withdrawal of water to cause excessive drawdown and expose beavers	Water withdrawal from lakes and rivers for the road construction, temporary camps, and ice bridge construction	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ Effects to flow and water levels will be mitigated through the speed of which the water is pumped and the amount taken. ○ Water withdrawal will not exceed the DFO 10% maximum withdrawal amount. ○ Water trucks are equipped with vacuum pumps with an in-line rotary flow measuring device. ○ Ensure pump intakes do not disturb the stream bottom sediments during water withdrawal. • The Board has standard permit or licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <p>PERMIT CONDITIONS</p> <ul style="list-style-type: none"> ○ HABITAT DAMAGE ○ LOCATION OF ACTIVITIES ○ NATURAL DRAINAGE <p>LICENCE CONDITIONS</p> <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ MEASURE WATER USE AND WASTE DISCHARGED ○ WATER SOURCES AND MAXIMUM VOLUME 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The geographic size of the area likely to be affected by the impacts is limited; • Impact factors: <ul style="list-style-type: none"> ○ The nature, magnitude, and complexity of the impact is limited in scope and duration; ○ The probability of the impact occurring is low; ○ The frequency and duration of the impact is limited to winter months; • The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for 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
<p>Traditional Knowledge reports land is drier, lake levels are lower, watercourses freeze to bottom in some areas, others have higher levels. Climate change is altering seasonal patterns, permafrost is melting</p>	<p>Water withdrawal from lakes and rivers for the road construction</p> <p>Road construction</p> <p>Ice bridge construction</p>	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Applications: <ul style="list-style-type: none"> ○ Avoid select water sources if possible. ○ Effects to flow and water levels will be mitigated through the speed of which the water is pumped and the amount taken. ○ Water withdrawal will not exceed the DFO 10% maximum withdrawal amount. ○ Water trucks are equipped with vacuum pumps with an in-line rotary flow measuring device. ○ Ensuring pump intakes do not disturb the stream bottom sediments during water withdrawal will mitigate sediment deposition. ○ Spill Contingency Plan will be always followed. • The Board has standard permit or licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include: <p>LICENCE CONDITIONS</p> <ul style="list-style-type: none"> ○ PRECAUTION TO PROTECT ENVIRONMENT ○ INCORPORATE SCIENTIFIC INFORMATION AND TRADITIONAL KNOWLEDGE ○ IDENTIFY TRADITIONAL KNOWLEDGE ○ WATER SOURCE AND MAXIMUM VOLUME ○ OBJECTIVE – WASTE AND WATER MANAGEMENT <p>PERMIT CONDITIONS</p> <ul style="list-style-type: none"> ○ HABITAT DAMAGE ○ LOCATION OF ACTIVITIES ○ PERMAFROST PROTECTION ○ NATURAL DRAINAGE 	<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 and will not be a cause of public concern.</p> <p>The Board includes the following rationale:</p> <ul style="list-style-type: none"> • Location factors: <ul style="list-style-type: none"> ○ The geographic size of the area likely to be affected by the impacts is limited; ○ The historical, cultural, and archaeological significance of the area and impacts to traditional wildlife harvesting are expected to be nominal; • Project factors: <ul style="list-style-type: none"> ○ Changes to access are not expected; • Impact factors: <ul style="list-style-type: none"> ○ The frequency and duration of the impact is limited to winter months; ○ The potential effects of climate change on the impact are possible and associated mitigation measure(s) and conditions will be in place;

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
			<ul style="list-style-type: none"> The effectiveness and reliability of the proposed mitigation measures, including conditions, are expected for the project.

4.1 Consideration of Potential Impacts

Based on the potential impacts and proposed mitigations identified above in Table 2, the Board considered whether the Project might have a significant adverse impact on the environment. In general, impacts of the Project on the environment can be mitigated through the use of standard permit and 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.

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.

The conditions will be discussed in further detail by all Parties through the regulatory proceeding and will be finalized by the Board following completion of 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.

The Délı̄ne Got'ine Government (DGG) stated (comment #2) that the DGG does not have objections to a permit or license amendment for the current year (2025/26) winter road, as the community depends on the winter road. However, they also state (comment #3 through #5):

The current route crosses Great Bear Lake. As the GNWT is aware... the residents and leadership of Délı̄ne have deep, long-standing concerns that this route is becoming increasingly unsafe. Fundamentally, it puts at risk the environmental well-being of Great Bear Lake, and the economic, social, and cultural livelihoods and lifeways of our people.

... due to its pristine nature and critical importance, Great Bear Lake is a UNESCO recognized site. This designation means it has been identified as a natural area of importance to all of humanity.

...Great Bear Lake is the heart of our people. The ongoing risks posed by the winter road route to the health and utility of Great Bear Lake has not been acceptable to DGG for many years...our two governments must collaboratively advance the effort to adjust the Délı̄ne Winter Road so that it is no longer across Great Bear Lake. Your government is in possession of information about an alternative route acceptable to the community. Continuing to impose the Lake-based route must be considered in the context of the significance of the risks this poses, and their expected consequences, and the probability of occurrence.

The GNWT-INF responded that:

The safety of the Déljñę Winter Road remains a top priority for INF. Monitoring ice thickness and regulating the weight of commercial vehicles are critical to ensuring safe winter road operations, including ice crossings. INF actively monitors ice conditions using modern technologies and follows established safe work-on-ice practices to reduce risk and ensure the winter road is built, maintained, and operated as safely as possible. Realignment of the Déljñę Winter Road is a consistent agenda item at the DGG-GNWT bilateral meetings. INF acknowledges the concern identified...INF has worked with the community to explore options that avoid crossing Great Bear Lake, but no viable alternative has been identified to date. INF remains committed to continued dialogue on any emerging options.

The DGG stated their concerns with the routing of the winter road but acknowledged their support of the licence and permit, as the road supports the community. It is expected that GNWT-INF will continue to work with DGG on this issue. Based on the evidence provided during the regulatory proceeding thus far, although there is public concern from DGG on the routing of the road across Great Bear Lake, the Board did not identify any further 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 and will resume the regulatory proceeding.

SIGNATURE



Tanya MacIntosh, Chair
Mackenzie Valley Land and Water Board

March 24, 2026

Date