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July 2, 2026

File: MV2024X0038

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 Highway Geotechnical Investigation – Notice of Preliminary Screening Determination – Amendment Application for Land Use Permit – Mackenzie Valley, NT

The Mackenzie Valley Land and Water Board (Board) met on June 25, 2026, and considered the Amendment Application Package from the Government of Northwest Territories – Department of Infrastructure (GNWT-INF) for Land Use Permit (Permit) MV2024X0038 for the Mackenzie Valley Highway Geotechnical Investigation, along the Mackenzie Valley Winter Road – between Wrigley, Tulita, and Norman Wells, NT (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 changes to the Project to environmental assessment. The Board's Preliminary Screening Determination and Reasons for Decision, as required by section 121 of the MVRMA, is attached.

If the Board does not receive notice of referral to environmental assessment, it can proceed with issuance of Permit MV2024X0038 on **Monday, July 13, 2026**.

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.

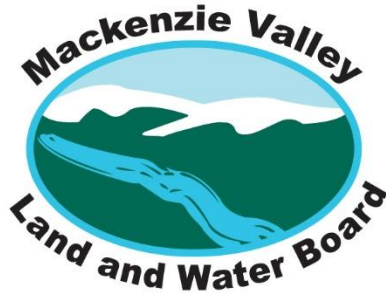
Yours sincerely,



Tanya MacIntosh
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Dehcho Distribution List
 SLWB – Tulita District
 Patricia Coyne – Manager, Mackenzie Valley Highway Environmental Affairs, GNWT-ECC
 Rick Walbourne – Director, Regulatory and Permitting, GNWT-ECC
 Dani Rogers – Manager, Resource Management (Inspector), GNWT-ECC
 Erin Goose – Knowledge Co-Production Specialist (Inspector), GNWT-ECC

Attached: Preliminary Screening Determination and Reasons for Decision



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Preliminary Screening Determination and Reasons for Decision

File Number	MV2024X0038
Company	Government of Northwest Territories – Department of Infrastructure
Project	Mackenzie Valley Highway Geotech Permit Amendment
Location	Mackenzie Valley Winter Road, NT
Activity	Geotechnical Investigation
Date of Decision	June 25, 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 (Board) met on June 25, 2026, to make a preliminary screening determination on the Amendment Request from the Government of Northwest Territories – Department of Infrastructure (GNWT-INF) (Applicant) for Land Use Permit MV2024X0038 (Permit).¹ The subject of this Amendment Request is the introduction of a new corridor, borrow, and quarry sources.

The Board has determined that most Project activities and/or areas are exempt from preliminary screening, because they were previously screened. There is no change being requested to the scope of the land use activities, which include drilling, test-pitting, construction of trails, use of equipment, storage and use of fuel, and closure and reclamation of associated activities. Changes to potential environmental impacts are also not anticipated and mitigation measures associated with the land use activity remain unchanged, with the exception that activities may occur during summer and fall months (May 1 to October 31).

The Board has conducted a preliminary screening of the proposed changes to the Project. Based on the

¹ See MVLWB Online Registry www.mvlwb.com for [MVH – Geotech Permit Amendment – Cover Letter – May 12 26](#).

evidence, it is the Board’s opinion that the proposed changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern. The Board has therefore decided not to refer the proposed changes to the Project to the Mackenzie Valley Environmental Impact Review Board (the Review Board) for Environmental Assessment.

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

2.0 List of Defined Terms and Acronyms

Applicant	Government of Northwest Territories – Department of Infrastructure
CRP	Closure and Reclamation Plan
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
GNWT-INF	Government of Northwest Territories – Department of Infrastructure
MVH	Mackenzie Valley Highway
MVLWB	Mackenzie Valley Land and Water Board
MVRMA	Mackenzie Valley Resource Management Act
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System (www.new.onlinereviewsystem.ca)
Party	As per the LWB Rules of Procedure , an applicant, a person, or an organization participating in the regulatory proceeding for the Amendment Request.
Project	MVH Geotechnical Investigation, which is the development (as defined in Part 5 of the MVRMA) ² subject to proposed changes.
Review Board	Mackenzie Valley Environmental Impact Review Board
Standard Permit Conditions	LWB Standard Land Use Permit Conditions Template

3.0 Background and Scope of Screening

The GNWT-INF is advancing work on the proposed Mackenzie Valley Highway (MVH). In February 2025, the Board issued Permit MV2024X0038 authorizing GNWT-INF to conduct geotechnical investigations over the next 5 years in the Dehcho and Sahtu Regions between Wrigley, Tulita, and Norman Wells. During that initial permitting process, the Project was screened for adverse environmental impacts and sources of public concern.³

In October 2025, GNWT-INF proposed to amend the location of activities within the original application to accommodate geotechnical investigations at two additional potential borrow sources, and along an

² “development” is defined in Part 5 of the [MVRMA](#) as:

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

³ See MVLWB Online Registry www.mvlwb.com for [MVH Geotech Investigation – Notification – Preliminary Screening Determination – Feb7 24](#).

area where the MVH route was changed in response to engagement with community stakeholders. These additional areas were screened by the Board on January 23, 2026, in accordance with subsection 124(1) of the MVRMA.⁴

In May 2026, GNWT-INF proposed to once more amend the location of activities within the original application to accommodate geotechnical investigations. The request to change the permitted area is an outcome of the GNWT-INF's collaboration with the Pehdzeh Ki First Nation (PKFN). In September 2025, GNWT-INF and PKFN agreed to work together to identify a new highway route in the Dehcho Region that would address PKFN's concerns. Through this discussion, GNWT-INF and PKFN identified a preferred highway corridor located approximately 5 km east of the Mackenzie River, as well as potential locations for borrow and quarry sources. Studies are needed to be completed within this new "study area" (which combines the corridor and borrow / quarry sources) to support the design and assessment of a route. This area includes:

1. Approximately 90 kilometers of highway corridor in the Dehcho Region from just south of Wrigley to 5km south of the Blackwater River
2. Thirteen potential quarry and borrow sources in the Dehcho Region
3. One potential borrow source in the Sahtu Settlement Area

Prior to the Amendment Request submission, GNWT-INF engaged with Indigenous Governments and other local stakeholders to ensure there were no objections to the proposed scale and nature of project activities. According to GNWT-INF's Engagement Record, engagement with affected parties took place between March 26, 2026, and May 11, 2026. It consisted of emails sent with notification packages and invitations to engagement sessions, in-person and virtual meetings, emailed copy of information presentations given, and a helicopter-based field program.

Potentially affected Parties contacted included the following:

- Łíídlı́ Kúé First Nation
- Village of Fort Simpson
- Pehdzeh Ki First Nation
- Ayoni Keh Land Corporation
- Behdzi Ahda First Nation, Behdzi Ahda ʔehdzo Got'ı́ nę (Renewable Resources Council)
- Déłı́nę Got'ı́nę Government
- Déłı́nę Renewable Resources Council
- Charter Community of K'asho Got'ı́ne / K'asho Got'ı́nę Dene Band
- Fort Good Hope Renewable Resource Council
- Sahtu Land Use Planning Board
- SSI
- Tłęgóhı́ Got'ı́nę Govt / Norman Wells Land Corp
- Town of Norman Wells
- Norman Wells Renewable Resource Council
- Fort Norman Métis Land Corporation
- Hamlet of Tulita
- Sahtu Renewable Resource Board
- Tulita Dene Band
- Tulita District Land Corporation
- Tulita Land Corporation
- Tulita Renewable Resource Council
- GNWT ECC

⁴ See MVLWB Online Registry for [MVH – Geotech Investigation Amendment – Preliminary Screening Determination – Jan 23_26](#).

The Amendment Request includes proposed changes to the Project. Under Part 1, Schedule 1, section 2.1 of the Exemption List Regulations to the [MVRMA](#), project areas and activities that have already been subject to Part 5 of the MVRMA are exempt from preliminary screening. However, while the Amendment Request does not include abandonment, decommissioning, or significant alterations to the Project, it does introduce changes in timing with the new drilling locations, quarry and borrow sources, that has not yet been screened.

In accordance with paragraph 125(1)(a) of the [MVRMA](#), the Board must conduct a preliminary screening of the proposed changes to the Project to determine and report to the Review Board whether, in its opinion, the proposed changes to the Project might have a significant adverse impact on the environment, or might be a cause of public concern. The details of the Board's analysis are set out in section [4.0](#) below.

3.1 Scope of Screening:

New Areas:

The areas proposed to be added to the permit are identified in Figure 1 below.

Changes to potential environmental impacts are not anticipated and mitigation measures associated with the land use activity remain unchanged, with the exception that activities may occur during summer and fall months (May 1 to October 31).

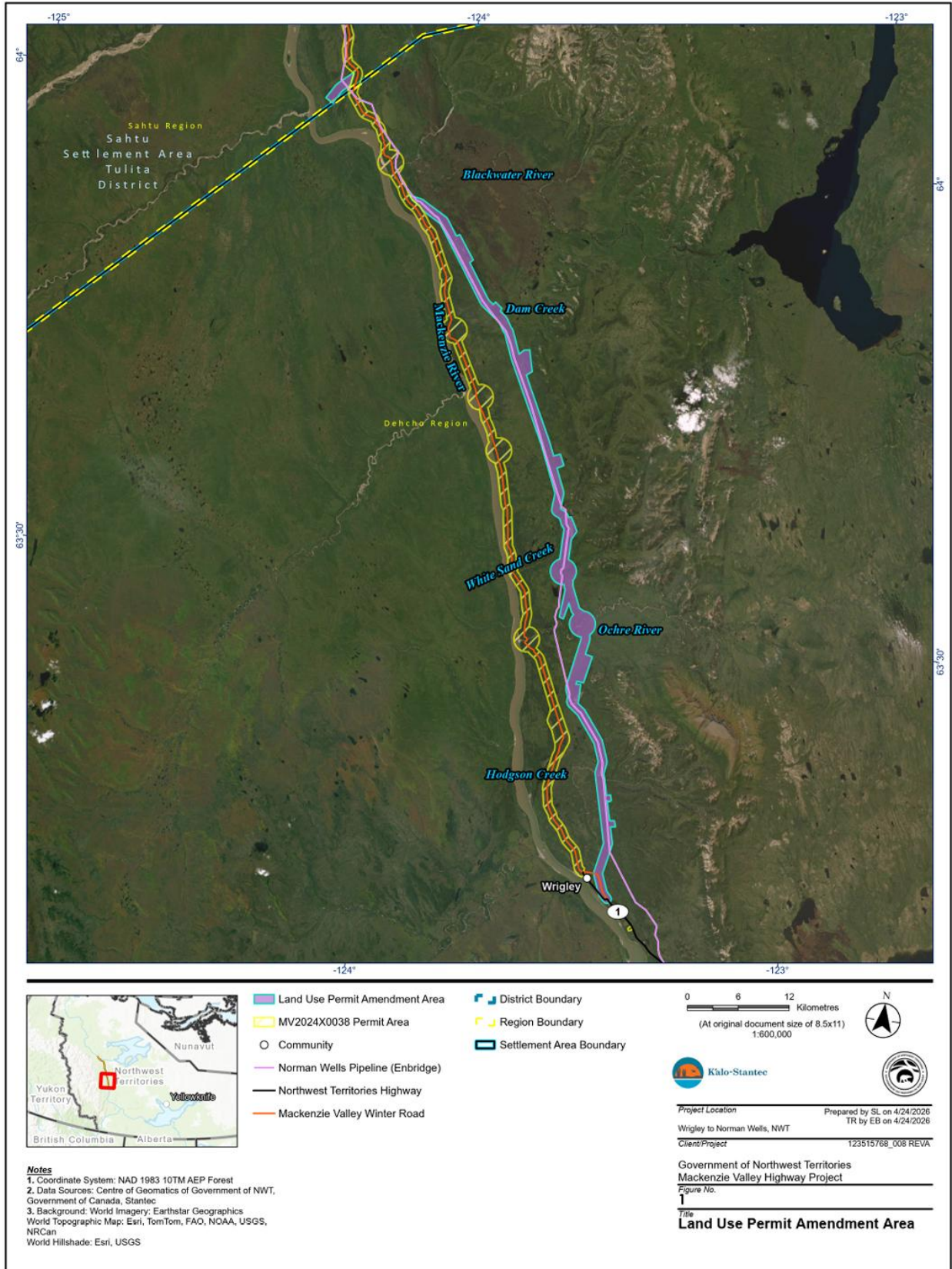


Figure 1: New study area proposed to be added to the permit.

3.2 Public Record and Regulatory Proceeding

To assist the Board in its preliminary screening determination for the Project, the Board distributed the Amendment Request for public review on May 19, 2026, inviting reviewers to provide comments and recommendations on the Amendment Request and the preliminary screening (e.g., on impacts and mitigation measures) using the Online Review System. Comments were due June 8, 2026, with responses from the Applicant due June 10, 2026.⁵ The Board received comments and recommendations from the following Parties:

- Fisheries and Oceans Canada
- GNWT-Prince of Wales Northern Heritage Centre

Since there were no requests to extend the reviewer comment deadline, the Board is satisfied that a reasonable period of notice was given to affected communities and First Nations, as required by subsection 63(2) of the [MVRMA](#).

Pursuant to section 27, paragraphs (a) and (b) of the [Dehcho First Nations \(DCFN\) Interim Measures Agreement](#),⁶ 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 Amendment Request.

4.0 Potential Impacts and Proposed Mitigations

Table 1 below summarizes:

- the potential impacts of the proposed changes to the Project;
- the concerns that were identified during the regulatory proceeding and how the Applicant addressed those concerns;
- the proposed and potential mitigations for the potential impacts; and
- the Board's analysis of the potential impacts and proposed mitigations.

⁵ See MVLWB Online Review System for [MVH – Geotechnical Investigation – Land Use Permit Amendment](#).

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

Table 1: Potential Impacts and Proposed Mitigations for the Proposed Changes to the Project

Potential Impact	Activity	Proposed Mitigations <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
Direct habitat loss or alteration and mortality risk for birds	Clearing to access drill sites (May 1 to October 31)	<p>The Applicant proposed the following mitigation measures:</p> <ul style="list-style-type: none"> • vegetation clearing will be completed outside the migratory bird nesting period of May 4 to August 22 <u>whenever possible</u> and will consider the Critical Breeding Periods for Raptor Species of the Northwest Territories to avoid disturbing species that breed prior to the migratory bird nesting periods; • if vegetation clearing is required to be conducted within the migratory bird nesting period of May 4 to August 22, a nest sweep will be conducted by an appropriately qualified professional; and • if an active nest is found, beneficial management practices will be followed, including applying an appropriate setback and timing restriction and Government of the Northwest Territories – Environment and Climate Change (GNWT-ECC) and/or ECCC will be consulted, as appropriate. • An updated Wildlife Management Plan applicable to project activities is also included in attachments. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:⁷ <ul style="list-style-type: none"> ○ HABITAT DAMAGE 	Based on the described mitigations, and identified proponent commitments (i.e., Wildlife Management Plan) it is the Board’s opinion that the proposed activities are not likely to have significant adverse impacts on the environment and/or will not be a cause of public concern.

⁷ See the MVLWB Policies and Resources webpage to access the MVLWB [Standard Land Use Permit Conditions Template](#).

4.1 Consideration of Potential Impacts

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

4.2 Consideration of Public Concern

In addition to considering the potential impacts of the changes to the Project, the Board considered whether the changes to the Project might be a cause of public concern.

Based on the evidence provided during the regulatory proceeding, the Board did not identify any comments or issues that indicate that the Project is a cause of public concern.

5.0 Conclusion

The Board has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed changes to the Project. Based on the evidence, it is the Board's opinion that the proposed changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern as set out in paragraph 125(1)(a) of the [MVRMA](#). The Board has therefore decided not to refer the proposed Project to Environmental Assessment. If the Board does not receive a notice of referral to environmental assessment by July 12, 2026, the Board can issue the Permit on July 13, 2026.

SIGNATURE



Tanya MacIntosh, Chair
Mackenzie Valley, Land and Water Board

July 2, 2026

Date