



7th Floor - 4922 48th Street
PO Box 2130, Yellowknife NT X1A 2P6

Tel: 867-669-0506 Fax: 867-873-6610
www.mvlwb.com

April 24, 2025

File: S25Q-004
MV2025Q0005

Gabe Xue
Vice President, Principle Geologist
Selwyn Chihong Mining Ltd.
501-3292 Production Way
Burnaby BC V5A 4R4

Sent by email

Dear Gabe Xue,

Re: Howard's Pass Access Road – Road Repair and Quarry Project – Notification of Timeline Pause – S25Q-004 / MV2025Q0005 – Quarrying – Sahtú Settlement Area and Yukon

The Mackenzie Valley Land and Water Board (Board) met on April 17, 2025 and considered the Application Package from Selwyn Chihong Mining Ltd. (Selwyn) for Land Use Permit (Permit) S25Q-004 for the Howard's Pass Access Road Repair and Quarry Project (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board has determined that the initial application submitted to the Sahtú Land and Water Board (S25Q-004) is a transboundary file and will be processed through the Mackenzie Valley Land and Water Board under number MV2025Q0005, in a separate review on the Online Review System (ORS).

The Board determined that additional time will be needed due to the Transboundary Determination and to gather comments and recommendations from additional Parties as well as responses from the Applicant.

As Selwyn was to provide responses to the comments and recommendations put forward by reviewers (attached), to date, those responses have not been received and are necessary for the process. The Board also notes that a Quarry Permit has not been submitted to the Board for confirmation of eligibility under the Mackenzie Valley Land Use Regulations. Please submit responses as well as a valid Quarry Permit.

As well, the Board has determined that a water licence application is required under Schedule E, Item 2, Column III of the Waters Act and requests Selwyn submit this application as soon as possible.

The Board has invoked paragraph 22(2)(b) of the Mackenzie Valley Land Use Regulations.

Please contact Natalie Lipa via [email](#) or at (780) 237-3571 with any questions or concerns regarding this letter.

Yours sincerely,



Tanya MacIntosh
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Tulit'a District Distribution List
K'asho Got'ine District Distribution List
Gabe Xue – Selwyn Chihong Mining Ltd.
Sukie Sidhu – Selwyn Chihong Mining Ltd.
Rick Walbourne – GNWT-ECC
Donald Arey – GNWT-ECC
Herbert Allen – GNWT-ECC
Michael Roesch – CIRNAC
Megan Larose – CIRNAC
Erika Nissen – CIRNAC

Attachments: Comment Table and Attachments

Reviewer Comments and Proponent Responses

Project: Howard's Pass Access Road Quarries
 Board: Sahtu Land and Water Board
 Proponent: Selwyn Chihong Mining Ltd.

File Number: S25Q-004
 Review Comments Due: April 2, 2025
 Proponent Responses Due: April 10, 2025

No.	Topic	Reviewer Comment	Reviewer Recommendation	Proponent Response
GNWT-ECC (Environment and Climate Change) - Environmental Regulatory Analyst				
1	GNWT - ECC Contact Information	The Department of Environment and Climate Change (ECC), Government of the Northwest Territories has reviewed the application at reference based on its mandated responsibilities under the Lands Act and Waters Act. ECC has provided comments and recommendations on the Online Review System for the consideration of the Sahtú Land and Water Board.	Please contact GNWT_EA@gov.nt.ca with any questions or concerns, or to direct technical questions to appropriate staff.	
2	Bridge Approach Repairs	The LUP application form states that "material will be used to repair the approaches to Placer and Steel Creek Bridge" and that Selwyn "must complete repair activities on bridge approach abutments on two bridges (Placer and Steel Creek)". It is unclear from the application what activities are involved to repair the bridge approach abutments.	Please describe how the bridge approach abutments will be repaired and identify if these repairs involve the placement of more than 100m ³ of material in the water. Please outline potential impacts to the receiving environment from this work and any mitigations that will be implemented to prevent or reduce these impacts (i.e., dust suppression, sediment and erosion control). Please note that In-Water work will require approval from DFO.	
3	Clarifying Purpose of Licence of Occupation	As Selwyn's Licence of Occupation 105I01014 is referenced within the land use permit application package, GNWT-ECC would like to clarify the purpose of this disposition. The Licence of Occupation provides Selwyn with the non-exclusive right to occupy a 60 metre wide and 33 kilometre long (in two pieces) portion of Territorial land. While the use clause states "the Licencee shall use the land for the construction, operation, maintenance, inspection, alteration, replacing and repair of an all weather access road only," the Licence of Occupation only provides a non-exclusive right to the land. The Licence of Occupation does not regulate the activities; instead, the GNWT-ECC believes above threshold land use activities would be subject to the Mackenzie Valley Land Use Regulations.	If Selwyn is conducting activities along the HPAR that trigger a land use permit or water licence that are in addition to the activities proposed in LUP application S25Q-004, the GNWT-ECC believes Selwyn should expand the scope and project area of S25Q-004 or apply for another LUP as those activities are not regulated by Licence of Occupation 105I01014.	

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		<p>While the Licence of Occupation provides for a 60 metre wide corridor, this disposition does not allow Selwyn to construct or repair an all weather road that is wider than what was permitted by the last land use permit Selwyn had (MV2005F0028). The August 1976 Environmental Overview of Howard's Pass Access Road for Canex Placer Limited stated the requirements for constructing as "clearing of a 50-foot right-of-way" and "skim-grade construction with 12-foot minimum travel surface". Unless otherwise approved by a new land use permit, the Licence of Occupation does not allow for Selwyn to conduct activities outside a 15.24 metre right-of-way and the road surface should not be wider than 3.66 metres. A 60 metre right-of-way in the Licence of Occupation was allowed because, at the time, Selwyn was pursuing additional authorizations to upgrade to a two-lane all-season road. It was expected that the road upgrades would fall within the 60 metre wide corridor; however, because the environmental assessment has not yet been completed, Selwyn does not have authorization to make use of the full 60 metre corridor described in the Licence of Occupation.</p>		
4	Quarry Permit	<p>The proponent has not yet submitted a Quarry Permit application with the Government of the Northwest Territories Department of Environment and Climate Change, Land & Water Division. The project may require a consultation with a minimum of thirty (30) days.</p>	<p>The proponent must obtain a Quarry Permit as per Section 18 of the MVLUR.</p>	
GNWT-ECE - PWNHC (Prince of Wales Northern Heritage Centre) - Danielle Desmarais				
1	Protection of Historical, Archaeological, and Burial Sites	<p>We appreciate the proponent's contributions to recording and protecting heritage resources in the NWT, with the completion of a desktop study (HROA/AOA) and an Archaeological Impact Assessment (AIA) in 2015. However, the statement that "In 2008, archaeology staff from the Prince of Wales Northern Heritage Centre reported no known archeological sites within the areas" is no longer relevant as all data requests from our office, expire within a year of receiving the information.</p> <p>This is because our office continually updates our archaeological sites database to include new sites, but also to revise site</p>	<p>It is recommended that the following standard conditions be included in the permit:</p> <p>Archaeological Buffer - The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground.</p> <p>Site Disturbance - The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.</p> <p>Site Discovery and Notification- The Permittee shall, where a suspected archaeological or</p>	

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		<p>information due to new information or when data audits identify errors. Any information from 2008 is significantly out of date, especially given that new sites were identified in the 2015 AIA that the proponent commissioned/contracted. Additionally, supplementary analysis of landforms in the Borrow Project Area, by Cultural Places Program staff, have identified an additional 'high potential' area which requires avoidance or an Archaeological Impact Assessment.</p>	<p>historical site, or burial ground is discovered: a) immediately suspend operations on the site; and b) notify the Board at (867) _____ or an Inspector at (867) _____, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255. AIA – High Potential - Prior to disturbance in areas of high potential for archaeological or burial sites identified in the Archaeological Overview, the Permittee shall conduct an Archaeological Impact Assessment of the sites where disturbance is planned and shall submit a summary report to the Board and the Prince of Wales Northern Heritage Centre.</p> <p>The condition of Archaeological Overview is not necessary as the previous HROA/AOA along with recent supplementary analysis, has identified all the areas of High Potential for archaeological sites within the Borrow Project Area. However, the proponent does not have the most current archaeological data and is required to contact our office to update their files on areas to avoid or mitigate.</p>	
Environment and Climate Change Canada (ECCC) - Ms. Maja Crawley				
1	Minimum Distance for Waste Sumps Reference(s): - Waste Management Plan	Within the Waste Management Plan (WMP) there are inconsistencies in the listed distances of project waste sumps from surface water locations.	ECCC recommends that all sumps follow the minimum setback distance of 31 meters from all surface waters and are managed to protect wastes from entering surface waters.	

Environmental Protection Operations Directorate
Prairie & Northern Region
5019 52nd Street, 4th Floor
P.O. Box 2310
Yellowknife, NT X1A 2P7

ECCC File: 5100 000 057/004
SLWB File: S25Q-004



March 26, 2025

via online review system

Natalie Lippa
Regulatory Specialist
Sahtu Land and Water Board
Box 1
Fort Good Hope, NT X0E 0H0

Dear Natalie Lippa:

RE: S25Q-004 – Selywn Chihong Mining Ltd. – Howard’s Pass Access Road Quarries – Type A LUP Application

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Sahtu Land and Water Board (SLWB) by Selywn Chihong Mining Ltd. regarding the above mentioned review.

ECCC provides expert information and knowledge to project assessments on subjects within the department’s mandate, including climate change, air quality, water quality, biodiversity, environmental emergencies preparedness and responses. This work includes reviewing proponent characterization of environmental effects and proposed mitigation measures. We provide advice to decision-makers regarding a proponent’s characterization of environmental effects, the efficacy of their proposed mitigation activities, and may suggest additional mitigation measures. Any comments received from ECCC in this context does not relieve the proponent of its obligations to respect all applicable federal legislation

If you need more information, please contact Maja Crawley at Maja.Crawley@ec.gc.ca

Sincerely,

Maja Crawley
Environmental Assessment Officer

cc: Eva Walker, Head, Environmental Assessment North (NT and NU)

