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July 11, 2025

File: MV2025X0011

Mark Cliffe-Phillips
Mackenzie Valley Review Board
200 Scotia Centre
Box 938, 5102-50th Avenue
Yellowknife NT X1A 2N7

Sent by email

Dear Mark Cliffe-Phillips,

Re: Government of the Northwest Territories – Department of Infrastructure – Notice of Preliminary Screening Determination – Application for Land Use Permit – Miscellaneous – Hay River Airport

The Mackenzie Valley Land and Water Board (Board) met on July 10, 2025, and considered the Application Package from the Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) for Land Use Permit (Permit) MV2025X0011 for the Borehole Drilling (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board conducted a preliminary screening based on the public record for the proceeding. Based on the evidence provided, the Board is satisfied the screening has been completed according to section 125 of the MVRMA and has decided **not to refer** the Project to environmental assessment. The Board's Preliminary Screening Determination and Reasons for Decision, as required by section 121 of the MVRMA, is attached.

If the Board does not receive notice of referral to environmental assessment, it can proceed with issuance of Permit MV2025X0011 on **Tuesday, July 22, 2025**.

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

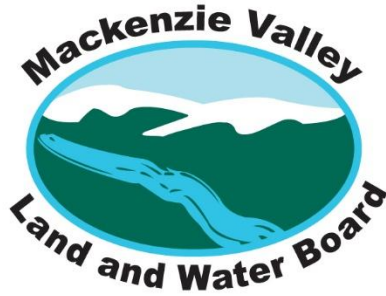
Yours sincerely,

A handwritten signature in blue ink that reads "Tanya MacIntosh". The signature is written in a cursive style with a horizontal line above the first name.

Tanya MacIntosh
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Dehcho Distribution List
Alexis Campbell – GNWT-INF
Aileen Stevens – GNWT-INF

Attached: Preliminary Screening Determination and Reasons for Decision



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Preliminary Screening Determination and Reasons for Decision

Land Use Permit Application	
File Number	MV2025X0011
Company	Government of the Northwest Territories – Department of Infrastructure
Project	Hay River Airport ESA
Location	Hay River, NT
Activity	Miscellaneous
Date of Decision	July 10, 2025

1.0 Decision

In accordance with subsection 124(1) of the [Mackenzie Valley Resource Management Act](#) (MVRMA), the Mackenzie Valley Land and Water Board (MVLWB or Board) met on July 10, 2025, to make a preliminary screening determination on the Application from the Government of the Northwest Territories – Department of Infrastructure (Applicant, GNWT-INF) for Land Use Permit MV2025X0011 (Permit)¹ for the Hay River Airport ESA (Project).²

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

¹See MVLWB Online Registry www.mvlwb.com for GNWT-INF – Hay River Airport ESA– [Permit Application – June2 25](#)

² The Project is the Hay River Airport ESA, which is the proposed development, where “development” is defined in Part 5 of the [MVRMA](#) as:

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

the Board’s opinion that the proposed Project is not likely to have a significant adverse impact on air, water, and/or renewable resources, and will not be a cause of public concern.

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 the Northwest Territories – Department of Infrastructure
Application	The complete application package submitted by the Applicant for Land Use Permit MV2025X0011.
AEMP	Aquatic Effects Monitoring Program
Board	Mackenzie Valley Land and Water Board
CRP	Closure and Reclamation Plan
EA/EIR	Environmental Assessment/Environmental Impact Review
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
IR	Information Request
Inspector	An Inspector designated under subsection 84(1) of the Mackenzie Valley Resource Management Act
LWBs	Land and Water Boards of the Mackenzie Valley
MVLWB or Board	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
OHWM	Ordinary High-Water Mark
ORS	Online Review System (www.new.onlinereviewssystem.ca)
Party	As per the LWB Rules of Procedure , an applicant, a person, or an organization participating in the regulatory proceeding for the Applications.
Permit	Land Use Permit MV2025X0011
Project	Hay River Airport ESA, 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 Permit Conditions	LWB Standard Land Use Permit Conditions Template
TK	Traditional Knowledge
WMP	Waste Management Plan

3.0 Background and Scope of Screening

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.”

On June 2, 2025, GNWT-INF submitted an Application to initiate environmental site assessment activities on the Hay River Airport Site. Land use activities include drilling boreholes required to characterize soil and install groundwater monitoring wells.

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

- West Point First Nation
- K'atl 'Odeche First Nation
- Hay River Metis Government Council
- Town of Hay River
- Airport Tenants

Engagement commenced April 29, 2025, and concluded May 29, 2025.

In accordance with paragraph 125(2)(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 is likely to have a significant adverse impact on air, water, and/or renewable resources, 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:

On June 2, 2025, GNWT-INF submitted an Application to initiate environmental site assessment activities on the Hay River Airport Site. Land use activities include drilling boreholes required to characterize soil and install groundwater monitor wells. The precise number and location of boreholes will be formalized in collaboration with the successful project consultant prior to fieldwork. GNWT-INF anticipates up to 50 boreholes across the subject sites to 6.0m below grade in depth, and up to 40 monitoring wells to be installed.

The drill cuttings will be used as backfill in boreholes, sealed with bentonite to prevent surface water infiltration, and any remaining soil will be stored in a soil bag pending laboratory analysis of potential contaminants. Remaining soil with contaminant impacts above regulatory criteria will be transported to a licensed disposal facility. Remaining soil which is not impacted will either be spread and levelled on the property or transported to an approved location for disposal. Purged groundwater will be deposited into drums and temporarily stored on-site until the results of the laboratory analysis are available. Groundwater with impacts above regulatory criteria will be disposed of at a licensed facility. Groundwater that is not impacted will be spread on the property. Once groundwater monitoring activities are no longer required for environmental site assessment or management purposes, monitor wells will be decommissioned. This will involve removing the well casings and backfilling the boreholes with clean materials. It is unknown when the monitoring activities will no longer be required.

When the number and location of the boreholes is determined, the information will be passed along to the appropriate organizations.

No camp or fuel storage will be required due to the proximity of the operation to the Town of Hay River.

3.2 Public Record and Regulatory Proceeding

To assist the Board in its preliminary screening determination for the Project, the Board distributed the Application and a draft Permit for public review on June 4, 2025, inviting reviewers to provide comments and recommendations on the Applications and the preliminary screening (e.g., on impacts and mitigation measures) using the Online Review System (ORS). Comments were due June 24, 2025, with responses from the Applicant due June 26, 2025. The Board received comments and recommendations from GNWT – Environment and Climate Change – Inspector (GNWT-Inspector), GNWT – Education, Culture and Employment – Prince of Wales Northern Heritage Centre (GNWT-ECE-PWNHC), and Department of Fisheries and Oceans (DFO) (attached).⁴

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

Pursuant to Schedule 4.1 of [Northwest Territory Métis Nation \(NWTMN\) Interim Measures Agreement](#),⁵ the Board determined that written notice was given to the NWTMN and that a reasonable period of time was allowed for NWTMN to make representations with respect to the Application.

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 Application.

4.0 Potential Impacts and Proposed Mitigations

Table 1 below summarizes:

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

⁴ See [\[XLWB\] Online Registry for \[full name of file on the registry – Review Summary Table – DATE \(hyperlink it\)\]](#).

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

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 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
Abiotic Components – Land – Soil Contamination	Project	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> ○ The spill contingency plan outlines the proposed mitigation measures and actions if a spill should occur. • 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"> ○ Repair Leaks ○ Secondary Containment – Refueling ○ Fuel Containment ○ Spill Contingency Plan ○ Spill Response ○ Drip Trays ○ Clean Up Spills ○ Report Spills 	Based on the described mitigations, it is the Board’s opinion that the proposed activities are not likely to have a significant adverse impact on air, water, renewable resources, will not be a cause of public concern.
Biotic Components – Vegetation – Direct Loss of Vegetation	Project	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> ○ Some vegetation clearing may be required but would be very limited as most vegetation is already cleared within the airport boundaries where the drilling will take place. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:⁸ <ul style="list-style-type: none"> ○ Minimize Area Cleared ○ Location of Activities 	Based on the described mitigations, it is the Board’s opinion that the proposed activities are not likely to have a significant adverse impact on air, water, renewable resources, will not be a cause of public concern.

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

⁸ See the MVLWB Policies and Resources webpage to access the 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
Biotic Component – Aquatic Habitat – Effects on health (toxins, metals, sediment, etc.)	Project	<ul style="list-style-type: none"> • The Applicant proposed the following mitigations in the Application: <ul style="list-style-type: none"> ○ The spill contingency plan outlines the proposed mitigation measures and actions if a spill should occur. • The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:⁹ <ul style="list-style-type: none"> ○ Repair Leaks ○ Secondary Containment – Refueling ○ Fuel Containment ○ Spill Contingency Plan ○ Spill Response ○ Drip Trays ○ Clean Up Spills ○ Report Spills 	Based on the described mitigations, it is the Board’s opinion that the proposed activities are not likely to have a significant adverse impact on air, water, renewable resources, will not be a cause of public concern.

⁹ See the MVLWB Policies and Resources webpage to access the LWB [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 Project is likely to have a significant adverse impact on air, water, and/or renewable resources. In general, impacts of 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.

A draft Permit was circulated for review during the regulatory proceeding, and all Parties were given the opportunity to provide comments and recommendations on the draft conditions. In finalizing the conditions, the Board will consider all of the evidence provided through the regulatory proceeding.

4.2 Consideration of Public Concern

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

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

5.0 Conclusion

The Board has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed Project. Based on the evidence, it is the Board's opinion that the proposed Project is not likely to have a significant adverse impact on air, water, and/or renewable resources, and will not be a cause of public concern, as set out in paragraph 125(2)(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 **Monday July 21, 2025**, the Board can issue the Permit on **Tuesday July 22, 2025**.

SIGNATURE



Tanya MacIntosh, Chair
Mackenzie Valley Land and Water Board

July 11, 2025

Date