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April 6, 2026

File: MV2025X0023

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: Northwest Territories Power Corporation – Notice of Preliminary Screening Determination  
– Application for Land Use Permit – Miscellaneous – Fort Smith, NT**

The Mackenzie Valley Land and Water Board (Board) met on April 2, 2026, and considered the Application Package from Northwest Territories Power Corporation (NTPC) for Land Use Permit (Permit) MV2025X0023 for the Ft. Smith Substation - Geotech (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 MV2025X0023 on **Friday April 17, 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.

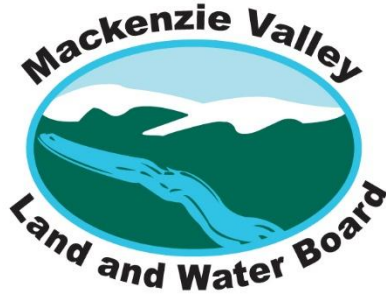
Yours sincerely,

A handwritten signature in blue ink that reads "Tanya MacIntosh". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tanya MacIntosh  
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Akaitcho Distribution List  
Richard Johnstone, NTPC

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	MV2025X0023
Company	Northwest Territories Power Corporation
Project	Ft Smith Substation
Location	Fort Smith, NT
Activity	Miscellaneous
Date of Decision	April 2, 2026

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### 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 April 2, 2026, to make a preliminary screening determination on the Application from Northwest Territories Power Corporation (NTPC) (Applicant) for Land Use Permit MV2025X0023 (Permit)<sup>1</sup> for the Ft Smith Substation – Geotech (Project).

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 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 decisions, are detailed in sections [3.0](#) and [4.0](#).

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<sup>1</sup>See MVLWB Online Registry [www.mvlwb.com](http://www.mvlwb.com) for [NTPC - Ft Smith Substation - Updated Application - Feb 17 26](#)

## 2.0 List of Defined Terms and Acronyms

Applicant	Northwest Territories Power Corporation
Application	The complete application package submitted by the Applicant for Land Use Permit MV2025X0023.
Board	Mackenzie Valley Land and Water Board
CRP	Closure and Reclamation Plan
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
Inspector	An Inspector designated under subsection 84(1) of the <a href="#">Mackenzie Valley Resource Management Act</a>
LWBs	Land and Water Boards of the Mackenzie Valley
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	<a href="#">Mackenzie Valley Resource Management Act</a>
Minister	Minister of the Government of the Northwest Territories – Environment and Climate Change
ORS	Online Review System ( <a href="http://www.new.onlinereviewssystem.ca">www.new.onlinereviewssystem.ca</a> )
Party	As per the LWB <a href="#">Rules of Procedure</a> , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Permit	Land Use Permit MV2025X0023
Project	Ft Smith Substation, which is the proposed development (as defined in Part 5 of the MVRMA). <sup>2</sup>
Review Board	Mackenzie Valley Environmental Impact Review Board
SCP	Spill Contingency Plan
Standard Permit Conditions	LWB <a href="#">Standard Land Use Permit Conditions Template</a>
TK	Traditional Knowledge
WMP	Waste Management Plan

## 3.0 Background and Scope of Screening

On December 8, 2025, the Applicant submitted an application for a new permit MV2025X0023, which was deemed incomplete on December 9, 2025. On February 5, 2026, the Applicant submitted a revised application, which was deemed incomplete on February 12, 2026. On February 17, 2026, the Applicant submitted a revised application, which was deemed complete on February 19, 2026 (the Application).

The Application is to construct a new substation, including conducting a geotechnical investigation. These activities are on Lot 585, plan 262 and Lot 729, plan 453 in the Town of Fort Smith, NT within the Akaitcho Region.

<sup>2</sup> “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.”

Prior to submission NTPC engaged with potentially affected parties to ensure there were no objections to the proposed scale and nature of Project activities. The identified parties in the Engagement Plan are the following:

- Athabasca Denesuline Né Né Land Corporation (ADNLC)
- Dene Nation
- Denínu Kúé First Nation (DKFN)
- Ghotelnene K'odtineh Dene (GKD, previously Manitoba Denesuline)
- Government of the Northwest Territories – Education, Culture and Employment – Prince of Wales Northern Heritage Centre (GNWT-ECE-PWNHC)
- GNWT-Executive and Indigenous Affairs
- Hamlet of Fort Resolution
- Katlodeeche First Nation (KFN)
- Lutsel K'e Dene First Nation – Chief or Wildlife, Lands and Environment (LKDFN)
- North Slave Metis Alliance (NSMA)
- Northwest Territory Metis Nation (NWTMN)
- NWT & Nunavut Chamber of Mines
- Salt River First Nation (SRFN)
- Tthebatthı Dēnésułné (Smith's Landing First Nation – SLFN)
- Yellowknives Dene First Nation (YKDFN)
- Town of Fort Smith

According to the Applicant's engagement records, written notification was sent out via email in September, October, December 2025 and February 2026, along with follow-up emails. Board staff note that GNWT-ECE-PWNHC requested a map of the area, which NTPC provided.

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/are 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:**

The Project scope includes use of equipment, geotechnical drilling, on site fuel use and storage and progressive reclamation and closure and reclamation activities.

A total of four boreholes will be drilled and is expected to take place over one day. Ground leveling will be completed with a grader, and a skid steer may be used to move equipment materials and earth. Power equipment (poles, transformers, lines) will also be installed. A 4,500 L diesel fuel tank will be used for refueling equipment and for the operation of the facility.

As the Project will take place within the Town of Fort Smith, no camp will be required, and the site already has road access. The new substation is expected to remain in operation for roughly 50 years. No

overburden is expected to be removed, and the site is already cleared of brush and trees. The boreholes will be backfilled to ground level upon completion. The total project area is approximately 1.4 hectares.

### **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 February 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 March 12, 2026, with responses from the Applicant due March 19, 2026.

The Board received comments and recommendations from:

- Government of Northwest Territories – Education, Culture and Employment – Prince of Whales Northern Heritage Centre; and
- Environment and Climate Change Canada (attached).<sup>3</sup>

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](#),<sup>4</sup> 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 subsection 1.6, paragraphs (a) and (b) of the [Akaitcho Territory Dene First Nations \(ATDFN\) Interim Measures Agreement](#),<sup>5</sup> 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 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.

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<sup>3</sup> See MVLWB Online Registry for [NTPC – Ft Smith Substation – Application - Review Comment Table – Apr6](#) 26.

<sup>4</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Northwest Territory Métis Nation Interim Measures Agreement](#).

<sup>5</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Akaitcho Territory Dene 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
Soil Contamination	Spills	<p>The Applicant proposed the following mitigations in the Application:</p> <ul style="list-style-type: none"> <li>● All equipment and trucks will be maintained in good working order and inspected regularly for leaks.</li> <li>● Drip trays will be deployed under all stationary equipment that use fuel.</li> <li>● Equipment/vehicles will be equipped with spill kits.</li> <li>● Refueling of equipment and vehicles will take place in designated refuelling areas containing spill contingency equipment and containment.</li> <li>● All employees and contractors will be trained on the expectations on the safe handling, transfer and dispensing of fuel on the site.</li> </ul> <p>● The Board has standard permit conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>6</sup></p> <ul style="list-style-type: none"> <li>○ WASTE PETROLEUM DISPOSAL</li> <li>○ SECONDARY CONTAINMENT - REFUELING</li> <li>○ FUEL CONTAINMENT</li> <li>○ SEAL OUTLET</li> <li>○ SPILL CONTINGENCY PLAN</li> <li>○ SPILL RESPONSE</li> <li>○ DRIP TRAYS</li> <li>○ CLEAN UP SPILLS</li> <li>○ REPORT SPILLS</li> </ul>	<p>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, or renewable resources, and will not be a cause of public concern.</p> <p>The project location is already highly disturbed. The proposed activities are short-term. Any accidents should be mitigated through Permit conditions and protocols identified in the Spill Contingency Plan.</p>

<sup>6</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Land Use Permit Conditions Template](#).

Air – Other		<ul style="list-style-type: none"> <li>• The Applicant proposed the following mitigations in the Application: Limit the idling of vehicles.</li> </ul>	<p>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, or renewable resources, and will not be a cause of public concern.</p>
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#### 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 air, water, and/or renewable resources 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. 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 Thursday April 16 2026, the Board can issue the Permit on Friday April 17, 2026.

SIGNATURE



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**Tanya MacIntosh, Chair**  
**Mackenzie Valley Land and Water Board**

April 6, 2026

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**Date**