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April 23, 2026

File: MV2026L8-0003

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 Water Licence – Miscellaneous – NWT Highway 4**

The Mackenzie Valley Land and Water Board (Board) met on April 16, 2026, and considered the Application Package from the Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) for Water Licence (Licence) MV2026L8-0003 for the Highway Realignment and Culvert Replacement (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 Licence MV2026L8-0003 on **May 4, 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.

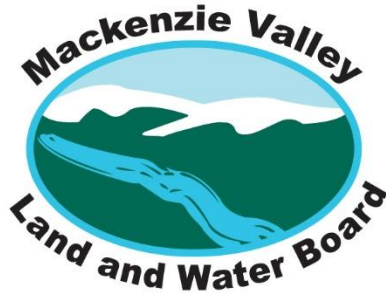
Yours sincerely,

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  
Muhammad Abu Baker – GNWT-INF

Attached: Preliminary Screening Determination and Reasons for Decision



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## Preliminary Screening Determination and Reasons for Decision

Water Licence Application	
File Number	MV2026L8-0003
Company	Government of the Northwest Territories – Department of Infrastructure
Project	Highway Widening and Culvert Replacement
Location	NWT Highway 4
Activity	Miscellaneous
Date of Decision	April 16, 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 April 16, 2026, to make a preliminary screening determination on the Application from Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) (Applicant) for Water Licence MV2026L8-0003 (Licence)<sup>1</sup> for the Highway Widening and Culvert Replacement Project (Project).<sup>2</sup>

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 will not have a significant adverse impact on the

<sup>1</sup> See MVLWB Online Registry [GNWT-INF – Hwy 4 – Licence Application – Feb23 26](#)

<sup>2</sup> The Project is the Highway Widening and Culvert Replacement Project, 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."

environment or 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 Water Licence MV2026L8-0003.
Board	Mackenzie Valley Land and Water Board
EA/EIR	Environmental Assessment/Environmental Impact Review
GNWT	Government of the Northwest Territories
GNWT-ECC	Government of the Northwest Territories – Environment and Climate Change
Inspector	An Inspector designated under subsection 65(1) of the <a href="#">Waters Act</a>
Licence	Water Licence MV2026L8-0003
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.
Project	Highway Widening and Culvert Replacement, which is the proposed development (as defined in Part 5 of the MVRMA). <sup>3</sup>
Review Board	Mackenzie Valley Environmental Impact Review Board
Standard Licence Conditions	LWB <a href="#">Standard Water Licence Conditions Template</a>

## 3.0 Background and Scope of Screening

On February 24, 2026, the Government of the Northwest Territories – Department of Infrastructure (GNWT-INF) submitted an application for road realignment and the replacement of three culverts along Highway 4.

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

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<sup>3</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.”

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.

### **3.1 Scope of Screening:**

The Project involves placing fill in waterbodies, wetlands and riparian areas to widen the highway and replacing three culverts. Two culverts are near Prosperous Lake and the other is near Pontoon Lake.

Highway upgrades:

- 1) Near Prosperous Lake km 18.5 to 19.4
- 2) Pontoon Lake 26.4 to 27.0

#### **Km 19**

Construction at km 19 will involve upgrading an 800 m long section of Ingraham Trail near Prosperous Lake. The existing stretch of highway is a hazard to public safety due to a sharp curve in the road and steep drop offs. Additionally, the existing culverts are plugged with sediment.

The project will involve replacing the existing culverts and extending them to span the new width of the highway. The new west culvert at km 18.9 will be approximately 34 m long, and the diameter will be increased to 1,200 mm. The highway will be widened along the curves by placing fill to reduce the slope of the highway. Approximately 3,790 m<sup>3</sup> of fill will be placed in the wetlands and unnamed waterbody adjacent to the highway, 2,730 m<sup>3</sup> in the south wetland pond north of the highway by the south culvert, 660 m<sup>2</sup> in the south unnamed waterbody, and 400 m<sup>3</sup> in the north wetland pond.

The total quantity of fill for the embankment material and road surface is approximately 19,820 m<sup>3</sup>, broken down as follows:

- Embankment fill (riprap) (300 mm blast rock): 16,120 m<sup>3</sup>
- Sub-base course (50 mm minus crushed gravel): 1,900 m<sup>3</sup>
- Base course (20 mm minus crushed gravel): 1,800 m<sup>3</sup>

#### **Km 26**

Construction at km 26 will involve upgrading a 600 m long section of Ingraham Trail near Pontoon Lake, including placing fill in and along the riparian area of Pontoon Lake and replacing one culvert. The existing stretch of highway is a hazard to public safety due to the steep slope eroding directly into Pontoon Lake and blind curves. Additionally, the existing culvert is plugged with sediment, posing drainage concerns.

The project will involve replacing the existing culvert at km 26.4 with a culvert of the same diameter and extending it to 23 m long to span the new width of the highway. The highway will be widened to reduce the curves and the gradient of the slope into Pontoon Lake by placing embankment fill and resurfacing the highway. Fill will be placed in the riparian area along the eroded slope between the existing highway and Pontoon Lake and in Pontoon Lake; this area is approximately 3,900 m<sup>3</sup>. Of the total area, 1,832 m<sup>3</sup>

of fill will be placed below the weed perimeter of Pontoon Lake, and the remaining 2,068 m<sup>3</sup> of fill will be placed in the riparian area on the south side of the highway

The total quantity of fill for the embankment material and road surface is approximately 7,600 m<sup>3</sup>, broken down as follows:

- Embankment fill (riprap) (300 mm blast rock): 6,710 m<sup>3</sup>
- Base course (20 mm minus crushed gravel): 890 m<sup>3</sup>

### **Both Locations**

Small volumes of water (<100 m<sup>3</sup>/day) may be withdrawn for construction purposes at both sites, such as for dust control and compaction, or for dewatering during culvert replacement.

Project construction will require the placement of fill below the ordinary high-water mark, in riparian areas, and in wetlands, and during culvert replacement; this work may result in the deposit of waste in the form of total suspended solids and watercourse training, including bank alterations, culvert replacements, and erosion control.

Work (e.g., placement of fill) in riparian areas and below the ordinary high-water mark of fish-bearing lakes will occur during the acceptable work period for spring, summer, and fall spawners in Zone 1 of the Northwest Territories and those approved by DFO. The acceptable work periods are expected to be from July 16 to September 14 for km 19 and July 16 to August 14 for km 26.8 Work (e.g., placement and compaction of sub-base and base course) outside the sensitive areas may occur at other times during the construction season.

Work is expected to be completed in 2026 but may extend to 2029 in the event of unforeseen circumstances.

### **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 Licence for public review on March 2, 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 23, 2026, with responses from the Applicant due March 27, 2026. The Board received comments and recommendations from Yellowknives Dene First Nation and Fisheries and Oceans Canada (attached).<sup>4</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](#).

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<sup>4</sup> See MVLWB Online Registry for [GNWT-INF – Hwy 4 – Application - Review Comment Table - Apr23\\_26](#).

Pursuant to Schedule 4.1 of [Northwest Territory Métis Nation \(NWTMN\) Interim Measures Agreement](#),<sup>5</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>6</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>5</sup> See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Northwest Territory Métis Nation Interim Measures Agreement](#).

<sup>6</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**

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
Abiotic Components – Land – Soil Contamination	Project	<ul style="list-style-type: none"> <li data-bbox="674 380 1478 792"> <p>• Waste and petroleum hydrocarbon storage                              Potential impact: Temporary on-site storage of waste (domestic garbage, waste petroleum products, hazardous waste) and petroleum hydrocarbons during construction may result in contamination of soil if the waste is not stored or handled properly.                              Proposed mitigation: Contractor will follow the waste management plan approved under the LUP (including for hazardous waste) and the spill prevention measures in the spill contingency plan. All waste will be disposed of off site, at a licensed facility. Fuel will be temporarily stored as per the approved plans at the equipment and material laydown areas at the quarries.</p> </li> <li data-bbox="674 841 1478 1214"> <p>• Fuel transfer and equipment storage                              Potential impact: The transfer, storage, and use of petroleum products or chemicals may result in a release to the environment. The use of motorized and heavy equipment may result in equipment malfunction and spills to the environment.                              Proposed mitigation: Contractor will follow the spill contingency plan for fuel transfer and storage. The contractor must inspect their equipment to ensure it is in good working order and free of leaks. Equipment that is parked for more than 2 hours must have a drip tray placed beneath it to contain leaks.</p> </li> </ul>	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 <b>or</b> be a cause of public concern.

Potential Impact	Activity	<b>Proposed Mitigations</b> <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"> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>7</sup> <ul style="list-style-type: none"> <li>○ Objective – Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean up spills</li> <li>○ Material Storage – Ordinary High Water Mark</li> <li>○ Objective – Waste and Water Management</li> <li>○ Waste Management Plan</li> </ul> </li> </ul>	
Abiotic Component – Land – Spill Compaction	Project	<ul style="list-style-type: none"> <li>• Potential impact: Repeated equipment use in undisturbed areas during construction may result in soil compaction, which can affect vegetation growth and water infiltration.</li> <li>• Proposed mitigation: Contractor to clearly mark access routes and work area boundaries to minimize damage to undisturbed areas outside the project footprint. Work is to be completed from existing disturbed areas within the highway rights-of-way, and equipment will not operate from wet areas. Contractor to use the identified laydown area at the quarries or disturbed, designated areas to store equipment and supplies.</li> </ul>	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 <b>or</b> be a cause of public concern.
Abiotic Component – Land – Destabilization/	Project	<ul style="list-style-type: none"> <li>• Potential impact: Culvert replacement may expose soil, which is prone to erosion by water runoff. In general, the project will be placing fill (i.e., riprap) to mitigate erosion of the highway by wind and wave action.</li> </ul>	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 <b>or</b> be a cause of public

<sup>7</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence 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
Erosion		<ul style="list-style-type: none"> <li>• Proposed mitigation: Contractor will follow the erosion and sediment control plan. his project is expected to improve destabilization and erosion of the highway.</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>8</sup> <ul style="list-style-type: none"> <li>○ Erosion Control</li> <li>○ Erosion and sediment Control Plan</li> </ul> </li> </ul>	concern.
Abiotic Component – Inability to support vegetation	Project	<ul style="list-style-type: none"> <li>• Potential impact: Sections of the right-of-way on which material is placed will no longer support vegetation. Soil that has been compacted by equipment or materials may no longer support vegetation growth (see above).</li> <li>• Proposed mitigation: None. This is a necessary component of the road widening project. See the soil compaction impact for mitigations.</li> </ul>	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 <b>or</b> be a cause of public concern.
Abiotic Component – Water – Groundwater – Change in water quality	Project	<ul style="list-style-type: none"> <li>• Potential impact: The use of petroleum products during construction may affect groundwater quality if a spill occurs, depending on the location and size of the spill.</li> <li>• Proposed mitigation: Contractor to follow the spill contingency plan</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>9</sup> <ul style="list-style-type: none"> <li>○ Objective – Prevent Waste into Water</li> <li>○ Spill Contingency Plan</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.

<sup>8</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#).

<sup>9</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence 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"> <li>○ Report Spills</li> <li>○ Spill Prevention and Response Equipment</li> <li>○ Clean up spills</li> </ul>	
Abiotic Component – Permafrost – Loss or change in extent, changes in seasons fluctuations, change in presence.		<ul style="list-style-type: none"> <li>• Potential impact: Construction will occur during the summer, when permafrost is most vulnerable to temperature changes. This can cause further degradation.</li> <li>• Potential impact: Replacing the culverts may reduce the amount of standing water and may improve drainage flow, which lessens the impact to permafrost thaw</li> <li>• Proposed mitigation: The ground will not be excavated to prevent exposing permafrost. Fill will be placed over the existing ground and vegetation.</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>10</sup> <ul style="list-style-type: none"> <li>○ Erosion and Sediment Control Plan</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.
Abiotic Components – Surface Water – Water flow or level changes, drainage pattern changes	Project	<ul style="list-style-type: none"> <li>• Potential impact: Adding fill material to the lakes can reduce the capacity of the lakes; however, the amount of fill added to the lake is insignificant relative to the size of the lakes, and no changes in water level are expected.</li> <li>• Replacing the plugged culverts with new culverts will likely restore stormwater drainage flow during freshet, and replacing the south culvert at Prosperous Lake may improve the connectivity between the lake and the ponds on the south side of the highway.</li> </ul>	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 <b>or</b> be a cause of public concern.

<sup>10</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#).

Potential Impact	Activity	<b>Proposed Mitigations</b> <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"> <li>• Proposed mitigation: Limit the amount of fill that is placed below the ordinary high-water mark in both lakes to that necessary to improve the safety of the highways and mitigate erosion. Replacing the culverts, which are currently plugged, will allow water to move between the drainage ditches and the lakes, which is a positive impact.</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>11</sup> <ul style="list-style-type: none"> <li>○ Erosion and Sediment Control Plan</li> <li>○ Disposal location – ordinary high-water mark</li> <li>○ Construct as Designed – Structure(s)</li> <li>○ Construction Material – Source(s)</li> <li>○ Objective - Construction</li> </ul> </li> </ul>	
Abiotic Component – Surface Water – Temperature Changes	Project	<ul style="list-style-type: none"> <li>• Potential impact: Surface water temperature may be affected by potentially increased sediment loads during construction, which will involve placing fill in and near water.</li> <li>• Proposed mitigation: Erosion and sediment control measures will be installed to contain sediment to the work area. The measures include floating silt curtains in Pontoon Lake and wetted areas and silt fences on land between waterbodies and the work area. Additionally, turbidity will be monitored in waterbodies outside the silt curtains; see the erosion and sediment control plan.</li> </ul>	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 <b>or</b> be a cause of public concern.

<sup>11</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence 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"> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>12</sup> <ul style="list-style-type: none"> <li>○ Erosion and Sediment Control Plan</li> <li>○ Disposal location – ordinary high-water mark</li> <li>○ Construct as Designed – Structure(s)</li> <li>○ Construction Material – Source(s)</li> <li>○ Objective - Construction</li> </ul> </li> </ul>	
Abiotic Component – Surface Water – Change in water quality	Changes in water quality	<ul style="list-style-type: none"> <li>• Potential Impacts: waterbodies and wetlands, the replacement of culverts; and spills from equipment malfunction, fuel and waste storage, and fuel transfer may affect the quality of water in waterbodies and wetlands.</li> <li>• Potential parameters of concern are primarily total suspended solids and turbidity, and petroleum hydrocarbons in the event of a spill. Placing fill in waterbodies that has the potential to cause acid rock drainage or metal leaching could affect water quality if it is not tested and determined to be suitable for use in aquatic environments.</li> <li>• Proposed mitigation: Contractor to follow the waste management plan, spill contingency plan, and erosion and sediment control plan (Attachments C, D, and E, respectively). The erosion and sediment control plan addresses monitoring for turbidity outside isolated areas during construction. The contractor will attempt to remove fine sediments from material placed below the ordinary high-water mark, as possible.</li> <li>• The material from the quarries has been tested for acid rock drainage and metal leaching potential and will be used in consultation with and subject to the approval of the GNWT Land Inspector</li> </ul>	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 or be a cause of public concern.

<sup>12</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#).

Potential Impact	Activity	<b>Proposed Mitigations</b> <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"> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>13</sup> <ul style="list-style-type: none"> <li>○ Erosion and Sediment Control Plan</li> <li>○ Disposal location – ordinary high-water mark</li> <li>○ Construct as Designed – Structure(s)</li> <li>○ Construction Material – Source(s)</li> <li>○ Objective – Construction</li> <li>○ Objective – Waste and Water Management</li> <li>○ Waste Management Plan</li> <li>○ Disposal Location – Ordinary High-Water Mark</li> </ul> </li> </ul>	
Abiotic Component – Surface Water – Wetland Impairment	Project	<ul style="list-style-type: none"> <li>• Potential impact: Sections of the right-of-way on which material is placed will cover portions of some wetlands.</li> <li>• Proposed mitigation: This is a necessary component of the road widening project; however, care will be taken to place only the amount of fill necessary to widen the highway.</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>14</sup> <ul style="list-style-type: none"> <li>○ Erosion and Sediment Control Plan</li> <li>○ Disposal location – ordinary high-water mark</li> <li>○ Construct as Designed – Structure(s)</li> <li>○ Construction Material – Source(s)</li> <li>○ Objective - Construction</li> </ul> </li> </ul>	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 or be a cause of public concern.

<sup>13</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#).

<sup>14</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence 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
Abiotic Component – Surface Water - Changes to aquatic habitat	Project	<ul style="list-style-type: none"> <li>• Potential impact: Replacing riparian and wetland vegetation (e.g., emergent vegetation such as grasses and shrubs) with fill and placing fill in the water will result in the permanent loss of potential spawning habitat for northern pike (<i>Esox lucius</i>) and possibly other fish species.</li> <li>• Proposed mitigation: GNWT is submitting requests for review to Fisheries and Oceans Canada (DFO) for this project. The contractor will be required to follow all the requirements provided in the letters of advice that are expected to be issued by DFO. The requirements anticipated to include working within timing windows, salvaging fish from isolated areas, and retaining an environmental monitor to attend the site when work is occurring in waterbodies.</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>15</sup> <ul style="list-style-type: none"> <li>○ Erosion and Sediment Control Plan</li> <li>○ Disposal location – ordinary high-water mark</li> <li>○ Construct as Designed – Structure(s)</li> <li>○ Construction Material – Source(s)</li> <li>○ Objective - Construction</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.
Abiotic Component – Air – Changes in air quality – harm to living things – increased greenhouse gases	Project	<ul style="list-style-type: none"> <li>• Potential impact: Construction may result in a temporary increase in particulate matter from equipment use, traffic, and exposed soil.</li> <li>• Proposed mitigation: The contractor will be required to control dust by watering the roads and work areas, as required. The contractor will be required to implement a reduced speed limit for vehicles during construction.</li> <li>• Proposed mitigation: The contractor will implement measures to minimize idling.</li> </ul>	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 <b>or</b> be a cause of public concern.

<sup>15</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence 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 Components – Vegetation – Direct Loss of vegetation	Project	<ul style="list-style-type: none"> <li>• Potential impact: Fill will be placed over wetland and riparian vegetation within the highway rights-of-way adjacent to the current highway.</li> <li>• Proposed mitigation: The contractor will minimize the placement of fill to those areas necessary for construction by clearly marking construction limits</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>16</sup> <ul style="list-style-type: none"> <li>○ Erosion and Sediment Control Plan</li> <li>○ Disposal location – ordinary high-water mark</li> <li>○ Construct as Designed – Structure(s)</li> <li>○ Construction Material – Source(s)</li> <li>○ Objective - Construction</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.
Biotic Components – Vegetation - Loss of Species at Risk or may be at risk plants	Project	<ul style="list-style-type: none"> <li>• Potential impact: Removal of vegetation and construction activities may damage species at risk or may-be-at-risk plants.</li> <li>• Proposed mitigation: A desktop review indicated that the plants currently listed as at risk under the federal Species at Risk Act (SC 2002, c. 29) (SARA) and the Species at Risk (NWT) Act (SNWT 2009, c. 16) (SAR NWT) are not located in the Ingraham Trail area.</li> </ul>	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 <b>or</b> be a cause of public concern.
Biotic Components – Vegetation – Introduction of non-native (invasive)	Project	<ul style="list-style-type: none"> <li>• Potential impact: Machinery, tools, and even clothing may spread invasive species.</li> <li>• Proposed mitigation: The contractor should clean equipment in Yellowknife, before arriving at the worksite; equipment should be free of mud, dirt, and plant parts. The contractor should regularly</li> </ul>	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 <b>or</b> be a cause of public concern.

<sup>16</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence 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
species		inspect machinery and remove debris and vegetation to prevent the potential spread of invasive species.	
Biotic Components – Vegetation – Effects on plant health	Project	<ul style="list-style-type: none"> <li>• Potential impact: Construction activities and increased use of equipment and vehicles in the area may deposit dust on adjacent vegetation.</li> <li>• Proposed mitigation: The contractor should clearly limit the project work area boundaries and minimize equipment use on undisturbed areas. Mark equipment access routes and laydown areas to avoid compacting vegetation.</li> </ul>	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 <b>or</b> be a cause of public concern.
Biotic Components – Terrestrial Wildlife Habitat – Direct loss or removal of habitat, dens, or nest	Project	<ul style="list-style-type: none"> <li>• Potential impact: Breeding or nesting birds and their nests may be affected if placement of fill and construction at the project sites and the quarries occurs during the breeding bird window, and wildlife dens may be affected by the placement of fill. The project may provide a variety of habitat that is suitable for nesting birds, such as those that nest on lakeshores, the margins of wetlands, in wetlands, grasses, shrubs, and trees. Additionally, migratory birds may nest in artificial structures, such as equipment, vehicles, culverts, or aggregate stockpiles that are sloped to a certain degree.</li> <li>• Proposed mitigation: The contract tender documents will outline the requirements for the contractor to mitigate potential impacts to wildlife. The requirements will include: <ul style="list-style-type: none"> <li>○ Placing fill and causing disturbance to natural areas outside the bird breeding window, where possible;</li> <li>○ Ensuring that a qualified environmental professional conducts pre-disturbance bird nest sweeps before disturbance in natural areas within the breeding bird window. Pre-clearing sweeps for wildlife dens will also be completed. If active nests or breeding birds are found, a no-disturbance buffer will be implemented until the young have fledged the nest (to be determined by the qualified environmental professional and discussed with GNWT-</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.

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>INF Environmental Affairs);</p> <ul style="list-style-type: none"> <li>○ Developing a response protocol for the discovery of a breeding or nesting migratory bird, or an active wildlife den;</li> <li>○ Inspecting heavy equipment and materials daily before use for potential nests of swallows, such as bank swallow (<i>Riparia riparia</i>) and barn swallow (<i>Hirundo rustica</i>); and</li> <li>○ Sloping stockpiles to less than 70° to deter birds from nesting in them.</li> </ul>	
<p>Biotic Component – Terrestrial Wildlife Habitat - Loss or removal of keystone species and/or Species at Risk</p>	<p>Project</p>	<ul style="list-style-type: none"> <li>● Potential impact: Bank swallow and barn swallow may occur in the project area; however, the project area is not considered a mapped area containing critical habitat for either species Other species listed under SARA or SAR NWT, or by the Committee on the Status of Endangered Wildlife in Canada may occur in the project area, including: <ul style="list-style-type: none"> <li>○ Hoary bat (<i>Lasiurus cinereus</i>);</li> <li>○ Little brown myotis (<i>Myotis lucifugus</i>);</li> <li>○ Wolverine (<i>Gulo gulo</i>);</li> <li>○ Common nighthawk (<i>Chordeiles minor</i>);</li> <li>○ Evening grosbeak (<i>Coccothraustes vespertinus</i>);</li> <li>○ Harris sparrow (<i>Zonotrichia querula</i>);</li> <li>○ Lesser yellowlegs (<i>Tringa flavipes</i>);</li> <li>○ Olive-sided flycatcher (<i>Contopus cooperi</i>);</li> <li>○ Rusty blackbird (<i>Euphagus carolinus</i>);</li> <li>○ Short-eared owl (<i>Asio flammeus</i>);</li> <li>○ Horned grebe (<i>Podiceps auritus</i>);</li> <li>○ Red-necked phalarope (<i>Phalaropus lobatus</i>);</li> <li>○ Transverse lady beetle (<i>Coccinella transversoguttata</i>); and</li> <li>○ Yellow-banded bumble bee (<i>Bombus terricola</i>).</li> </ul> </li> </ul>	<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 <b>or</b> be a cause of public concern.</p>

Potential Impact	Activity	<b>Proposed Mitigations</b> <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"> <li>• The project area is not considered an area containing critical habitat for these species, and a significant impact or loss to habitat is not anticipated.</li> <li>• Barren-ground caribou (<i>Rangifer tarandus</i>) are listed as threatened under SARA and SAR NWT. The barren-ground population prefers to live in areas with no human disturbance and is unlikely to frequent the highway near Prosperous Lake or Pontoon Lake.</li> <li>• Proposed mitigation: See the direct loss or removal of habitat, dens, or nests impact for mitigations.</li> </ul>	
Biotic Component – Terrestrial Wildlife Habitat – Fragmentation of wildlife corridor	Project	<ul style="list-style-type: none"> <li>• Potential impact: Replacing vegetation with fill contributes to fragmentation of habitat for wildlife; however, the project is located within the highway right-of-way on the territorial land held under reserve by the road</li> <li>• Proposed mitigation – The contractor should reduce disturbance to that necessary for construction.</li> </ul>	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 <b>or</b> be a cause of public concern.
Biotic Component – Terrestrial Wildlife Habitat – Direct injury or mortality	Project	<ul style="list-style-type: none"> <li>• Potential impact: Human–wildlife conflicts may result from the increased presence of humans in the area. Wildlife injury or mortality may result from increased vehicular traffic in the area.</li> <li>• Proposed mitigation: The contract tender documents will include requirements for the contractor to follow procedures that address the potential for human–wildlife conflicts. The requirements will include: <ul style="list-style-type: none"> <li>○ Training crew members in wildlife awareness and equipping them with deterrents such as air horns and bear spray;</li> <li>○ Adhering to reduced speed limits for all vehicular traffic;</li> <li>○ Reporting wildlife observations; and</li> <li>○ Storing garbage and scented items in wildlife-proof containers.</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.

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"> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>17</sup> <ul style="list-style-type: none"> <li>○ Waste Management Plan</li> </ul> </li> </ul>	
Biotic Component – Terrestrial Wildlife Habitat – Disturbances to key lifecycle stages: breeding, feeding, nesting, staging	Project	<ul style="list-style-type: none"> <li>• Potential impact: Construction may result in greater disturbance to birds during their key life cycle stages. The breeding window for birds in Zone C86 is early May to mid-August.</li> <li>• Proposed mitigation: The contract tender documents will include requirements for the contractor to implement mitigations for potential impacts to wildlife from construction activities. The requirements will include the mitigations for breeding birds, nests, and wildlife dens mentioned above.</li> </ul>	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 <b>or</b> be a cause of public concern.
Biotic Component – Terrestrial Wildlife Habitat – Effects on wildlife health (toxins, metals, etc.)	Project	<ul style="list-style-type: none"> <li>• Potential impact: Surface water quality may be impacted by construction activities. Wildlife, such as birds and mammals, which use surface water for consumption and habitat.</li> <li>• Proposed mitigation: The contractor to follow the erosion and sediment control plan, spill contingency plan, and waste management plan.</li> <li>• The Board has standard licence conditions that are typically used to mitigate the identified potential impacts. These standard conditions include:<sup>18</sup> <ul style="list-style-type: none"> <li>○ Waste Management Plan</li> <li>○ Erosion and Sediment Control Plan</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.

<sup>17</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence Conditions Template](#).

<sup>18</sup> See the MVLWB Policies and Resources webpage to access the LWB [Standard Water Licence 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"> <li>○ Spill Contingency Plan</li> <li>○ Waste Management Plan</li> </ul>	
Biotic Component – Terrestrial Wildlife Habitat – Human Wildlife conflicts	Project	<ul style="list-style-type: none"> <li>• Potential impact: Human–wildlife conflicts may result from the increased presence of human in the area. Injury or mortality may result from increased vehicular traffic in the area.</li> <li>• Proposed mitigation: The contract tender documents will include requirements for the contractor to follow procedures that address the potential for human–wildlife conflicts. The requirements will include: <ul style="list-style-type: none"> <li>○ Training crew members in wildlife awareness and equipping them with deterrents such as air horns and bear spray;</li> <li>○ Adhering to reduced speed limits for all vehicular traffic;</li> <li>○ Reporting wildlife observations; and</li> <li>○ Storing garbage and scented items in wildlife-proof containers.</li> </ul> </li> </ul>	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 <b>or</b> be a cause of public concern.
Biotic Component – Terrestrial Wildlife Habitat – Breeding disturbances	Project	<ul style="list-style-type: none"> <li>• Potential impact: Construction may disturb spawning fish if work below the ordinary high-water mark or in riparian areas occurs during the restricted activity period for spring, summer, and fall spawning fish.</li> <li>• Proposed mitigation: The contractor to complete the in-water and riparian work during the permitted timing window for Zone 17 to avoid disrupting the spring, summer, and fall spawning fish species as listed in the letters of advice that are anticipated to be issued by DFO. The timing windows are expected to be from July 16 to September 14 for km 19 and from July 16 to August 16 for km 26. These timing windows are to be included in the contract tender documents.</li> </ul>	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 <b>or</b> be a cause of public concern.
Biotic Component – Terrestrial Wildlife Habitat	Project	<ul style="list-style-type: none"> <li>• Potential impact: Fish and aquatic species may be impacted by a temporary increase in sediment loading in surface water during construction.</li> <li>• Proposed mitigation: The contractor will follow the erosion and</li> </ul>	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 <b>or</b> be a cause of public

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
– Effects on health (toxins, metals, sediment, etc.)		sediment control plan, spill contingency plan, and waste management plan and all the requirements listed in the letters of advice that are anticipated to be issued by DFO. The monitoring results for turbidity will be compared to the Canadian Council of Ministers of the Environment’s Canadian Water Quality Guidelines for the Protection of Aquatic Life.	concern.
Cultural Components – Wildlife Harvesting – Effects on traditional land use, subsistence, and harvesting rights,	Project	<ul style="list-style-type: none"> <li>• Potential impact: Construction activities may temporarily affect traditional land use in the area from the increase in equipment use and noise during construction. No long-term impact has been identified.</li> <li>• Proposed mitigation: Reduce disturbance to the area necessary for construction and restrict equipment access to identified access routes and the highway right-of-way.</li> </ul>	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 <b>or</b> be a cause of public concern.
Cultural Components – Wildlife Harvesting – Change or loss of heritage resources	Project	<ul style="list-style-type: none"> <li>• Potential impact: Ground disturbance activities may disturb heritage resources in currently undisturbed areas.</li> <li>• Proposed mitigation: The construction area is within the highway right-of-way and is unlikely to contain archaeological sites.</li> <li>• The contract tender documents will include the requirement for the contractor to follow procedures for the discovery of potential archaeological sites under the Archaeological Sites Act (SNWT 2014, c. 9) and Archaeological Sites Regulations (NWT Reg. 024-2014).</li> </ul>	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 <b>or</b> be a cause of public concern.
Cultural Components – Social and Economic Well-being – Increased	Project	<ul style="list-style-type: none"> <li>• Potential impact: Construction may pose risk to the public and nearby cabin owners, and to worker health and safety. The current condition of the highway is a risk to the safety of the public and requires upgrades to improve safety.</li> <li>• Proposed mitigation: The contractor will restrict public access to the</li> </ul>	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 <b>or</b> be a cause of public concern.

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
human health hazard and risk		<p>work area and implement a traffic management plan. The contractor and workers will comply with the NWT Occupational Health and Safety Regulations (NWT Reg. 039-2015).</p> <ul style="list-style-type: none"> <li>The project will improve the safety of the highway by reducing steep, eroding slopes into waterbodies and reducing blind curves.</li> </ul>	
Cultural Components - Social and Economic Well-being – Economic opportunities or losses (employment, training)	Project	<ul style="list-style-type: none"> <li>Potential impact: The project presents economic opportunities for local contractors.</li> <li>Proposed mitigation: The tender will be weighted to favour local contracting companies, per the terms of the GNWT’s Business Incentive Program.</li> </ul>	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 <b>or</b> be a cause of public concern.
Cultural Components - Social and Economic Well-being – Impairment of the recreational or traditional uses of the land or water	Project	<ul style="list-style-type: none"> <li>Potential impact: Traffic on the road will be increased during certain stages of construction, and increased noise will occur during construction. Traffic delays may occur during construction, which may temporarily impact local traffic. Construction may result in a temporary increase in disturbance from the noise of heavy equipment and increased heavy equipment traffic, and the placement of fill in waterbodies may impair the use of the area around the highway for recreational or traditional uses of the land.</li> <li>Proposed mitigation: Access to Prosperous Lake and Pontoon Lake will be maintained with minor delays. GNWT will provide notices of upcoming construction.</li> </ul>	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 <b>or</b> be a cause of public concern.
Cultural Components - Social and Economic Well-	Project	<ul style="list-style-type: none"> <li>Potential impact: Construction may result in a temporary increase in disturbance, such as noise, equipment use, and increased heavy equipment traffic, during active construction that may deter the use of the area by non-Indigenous people.</li> </ul>	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 <b>or</b> be a cause of public

<b>Potential Impact</b>	<b>Activity</b>	<b>Proposed Mitigations</b> <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	<b>Board Analysis and Determination</b>
being – Changes to the use of the area by other non-Indigenous people (e.g., trappers, outfitters, residents, hunters, forest harvesters, other authorized projects)		<ul style="list-style-type: none"> <li>Proposed mitigation: Prosperous and Pontoon Lakes are relatively large lakes, and significant impact is not anticipated. Nearby cabin owners will be engaged with.</li> </ul>	concern.

#### 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 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 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.

A draft Licence 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 considered 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 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 May 3, 2026, the Board can issue the Licence on May 4, 2026.

SIGNATURE



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

April 23, 2026

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**Date**