



PO Box 32, Wekweètì NT X0E 1W0
Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife NT X1A 3S3
Tel: 867-765-4592 Fax: 867-765-4593
www.wlwb.ca

July 10, 2025

File: W2022X0002

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: Whatì Falls Improvement Project – Amendment – Notice of Preliminary Screening Determination – Land Use Permit W2022X0002 – Miscellaneous – Whatì, NT.

The Wek'èezhì Land and Water Board (Board) met on July 9, 2025, and considered the Application Package from the Tłıchq Government (TG) for Land Use Permit (Permit) W2022X0002 for Whatì Falls Improvement Project LUP Amendment (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 amended Permit W2022X0002 on **Monday, July 21, 2025**.

Please contact Ryan Fequet via [email](#) or at (867) 765-4589 with any questions or concerns regarding this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mason Mantla', written in a cursive style.

Mason Mantla
Chair, Wek'èezhìi Land and Water Board

BCC'd to: Wek'èezhìi Distribution List

Attached: Preliminary Screening Determination and Reasons for Decision



PO Box 32, Wekweètì NT X0E 1W0
 Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife NT X1A 3S3
 Tel: 867-765-4592 Fax: 867-765-4593
www.wlwb.ca

Preliminary Screening Determination and Reasons for Decision

Land Use Permit Amendment Request	
File Number	W2022X0002
Company	Tłıchq Government
Project	Whatì Falls Improvement Project
Location	Whatì, NT
Activity	Miscellaneous
Date of Decision	July 9, 2025

1.0 Decision

In accordance with subsection 124(1) of the [Mackenzie Valley Resource Management Act](#) (MVRMA), the Wek'èezhì Land and Water Board (WLWB or Board) met on July 9, 2025, to make a preliminary screening determination on the Amendment Request from Tłıchq Government (Applicant) for Land Use Permit W2022X0002 (Permit)¹ for the Whatì Falls Improvement Project in Whatì, NT (Project).

The Board has decided not to refer the proposed changes to the 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 changes to the Project will not have a significant adverse impact on the 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](#).

¹See WLWB Online Registry www.wlwb.ca/ for [W2022X0002](#).

2.0 List of Defined Terms and Acronyms

Applicant	Tłıchq Government
Application	The complete application package submitted by the Applicant for Land Use Permit W2022X0002.
Board	Wek'èezhìi Land and Water Board
GNWT	Government of the Northwest Territories
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
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 Application.
Permit	Land Use Permit W2022X0002
Project	Whatì Falls Improvement Project, which is the proposed development (as defined in Part 5 of the MVRMA). ²
Review Board	Mackenzie Valley Environmental Impact Review Board
Standard Permit Conditions	LWB Standard Land Use Permit Conditions Template
TG	Tłıchq Government
WLWB or Board	Wek'èezhìi Land and Water Board

3.0 Background and Scope of Screening

The Project involves road upgrades to Nàìlì (Whatì Falls). Project activities include: construction, maintenance, and operation of an all-season road to access Whatì Waterfalls; construction, maintenance, and operation of tourism and recreational facilities near the Whatì Waterfalls; use of stationary, power-driven machinery; use of power-driven, earth drilling machinery; use of vehicles and equipment for quarrying, crushing, and stockpiling of granular material; use of equipment; establishment of a petroleum fuel storage facility; and use of a temporary campsite that will be set up at a previously disturbed area off the Whatì Access Road. The Project's footprint is approximately 15 to 20 hectares. These activities are located within the Wek'èezhìi Resource Management Area on Tłıchq Lands near the community boundary of Whatì, NT.

On March 17, 2022, Tłıchq Government applied for Land Use Permit W2022X0002 for the Whatì Falls Improvement Project. On April 7, 2022, the Board made a preliminary screening determination and issued Permit W2022X0002 for a term of 5 years.³ On May 20, 2025, the Applicant submitted a request to amend

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

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

³ See WLWB Online Registry for [Whatì Falls Improvement Project – Preliminary Screening and RFD – Apr 7 22](#).

Permit W2022X0002 to change the permitted right-of-way width (Part C, Condition 8) for the existing 5 km access road from 10 m to 30 m.⁴

The Application includes proposed changes to the Project. Under Part 1, Schedule 1, section 2.1 of the Exemption List Regulations to the [MVRMA](#), project areas and activities that have already been subject to Part 5 of the MVRMA are exempt from preliminary screening. The new Project areas require screening by the Board in accordance with subsection 124(1) of the MVRMA.

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

3.1 Scope of Screening:

Previously Screened or Assessed Areas and Activities:

Activities that the Board understands to have been previously considered,⁵ and which therefore do not require preliminary screening at this time, are listed below.

The proposed activities for the Project include:

- Construction, maintenance, and operations of an all-season road to access Whatì Waterfalls;
- Construction, maintenance, and operation of tourism and recreational facilities near the Whatì Waterfalls;
- Use of stationary, power-driven machinery;
- Use of power-driven, earth drilling machinery;
- Use of vehicles and equipment for quarrying, crushing, and stockpiling of granular material;
- Use of equipment;
- Establishment of a petroleum fuel storage facility; and
- Use of a temporary campsite.

The approximate footprint for the Project is 15 to 20 hectares. Project activities are located near the community boundary of Whatì, NT. The nearest waterbody is at least one kilometre away from the Project's campsite which is set up at a previously disturbed area off the Whatì Access Road (63.15962°N, 117.21405°W).

⁴ See WLWB Online Review System for [Whatì Falls Improvement Project – Permit Amendment Request – May 20 25](#).

⁵ See WLWB Online Registry for [Whatì Falls Improvement Project – Preliminary Screening and RFD – Apr 7 22](#).

New Areas:

The change proposed in the amendment request is to increase the permitted right-of-way (ROW) width for the existing 5 km access road from 10 m to 30 m. Widening the right-of-way from 10 m to 30 m adds limited, incremental disturbance, primarily additional vegetation clearing and minor soil exposure along both sides of the existing 5 km corridor. There are no new activities being proposed and all other project activities remains unchanged.

3.2 Public Record and Regulatory Proceeding

To assist the Board in its preliminary screening determination for the Project, the Board distributed the amendment request for public review on June 2, 2025, inviting reviewers to provide comments and recommendations on the request and the preliminary screening (e.g., on impacts and mitigation measures) using the Online Review System (ORS). Comments were due on June 20, 2025, with responses from the Applicant due on June 26, 2025. The Board received comments and recommendations from Tłıchq Government (TG), Environment and Climate Change Canada (ECCC), Government of the Northwest Territories Department of Education, Culture and Employment Prince of Wales Northern Heritage Centre (GNWT-ECE PWNHC). The Government of the Northwest Territories Inspector, the Department of Fisheries and Oceans Canada (DFO), and the Wek'èezhìi Renewable Resources Board stated they had no comments and/or recommendations at this time. Board staff also submitted comments and questions for the purposes of clarification.⁶ On June 26, the Permittee requested an extension to the comment deadline which was granted until July 2, 2025. Responses were received on July 1, 2025.

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](#).

The Board is also satisfied that notice of the Application was provided to the Tłıchq Government (TG) and that a reasonable period of time was provided for the TG to make representations to the Board in accordance with section 63 of the [MVRMA](#).

4.0 Potential Impacts and Proposed Mitigations

During the public review, reviewers were encouraged to provide comments and recommendations on impacts and mitigation measures to assist with the Board's preliminary screening determination. The Board has completed a preliminary screening as required by the MVRMA using the information provided in the Application and during the regulatory proceeding.

Table 1 below summarizes:

- the potential impacts of the proposed changes to the Project;
- the concerns that were identified during the regulatory proceeding and how the Applicant

⁶ See WLWB Online Review System for [Whatì Falls Land Use Permit Amendment](#).

addressed those concerns;

- the proposed and potential mitigations for the potential impacts; and
- the Board's analysis of the potential impacts and proposed mitigations.

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

Potential Impact	Activity	Proposed Mitigations <i>Description of measures to reduce potential impacts, including consideration of cumulative impacts and climate change.</i>	Board Analysis and Determination
Soil compaction	Clearing of timber, brush, or vegetation mat, stripping of overburden, use of motorized and heavy equipment	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact included with the original application:⁷ <ul style="list-style-type: none"> ○ Overburden will remain onsite and earth disturbances will be returned to natural elevation and drainage profile. Applicant proposed that overburden will be moved away from road corridor to other areas of the site. • The Permit includes standard conditions which are typically used to help mitigate potential impacts: <ul style="list-style-type: none"> ○ Brush Disposal/Time ○ Minimize Area Cleared ○ Clearing Sensitive Area 	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 the environment and will not be a cause of public concern.
Soil contamination	On-site storage or disposal of wastes (domestic garbage, sewage)	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact included with the original application:⁸ <ul style="list-style-type: none"> ○ Waste receptacles will be collected at the end of each day and temporary portable toilets, once full, will be transported off-site for disposal to the Community of Whati’s Solid Waste Facility. With the original Permit application, TG provided a letter from the Community Government of Whati that it will consider allowing the use of solid waste facility and sewage lagoon in support of this Project. • The Permit includes standard conditions which are typically used to help mitigate potential impacts: 	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 the environment, and will not be a cause of public concern.

⁷ See WLWB Online Registry <http://www.wlwb.ca/> for [Whati Falls Project - LUP Application - Mar 17 22](#)

⁸ Ibid.

		<ul style="list-style-type: none"> ○ Waste Management ○ Garbage Container ○ Sewage Disposal-Plan 	
Soil Compaction, Destabilization	Use of motorized and heavy equipment	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact included with the original application:⁹ <ul style="list-style-type: none"> ○ TG stated that a detailed construction plan will be developed to ensure that heavy equipment is not operated or parked in areas that will result in unnecessary soil compaction. ○ Access to site will be controlled to ensure only project related personnel will have access to the site. ○ Some stabilization work may occur in the proposed lookout area to better stabilize the bank and make it safer for walking/viewing. • The Permit includes standard conditions which are typically used to help mitigate potential impacts: <ul style="list-style-type: none"> ○ Progressive Erosion Control ○ Repair Erosion ○ Prevention of Rutting ○ Suspend Overland Travel ○ Stream Banks ○ Minimize Approach ○ Excavation and Embankments ○ Equipment: Watercourse Buffer ○ Excavation Setback 	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 the environment, and will not be a cause of public concern.
Changes in water quality	Widening the Right of Way near water bodies	<ul style="list-style-type: none"> • In response to comments during the public review, TG indicated that sediment control measures will be in place to avoid sediments entering nearby water bodies when widening the road (response to WLWB staff comment 4) • TG also indicated in response to a comment from the public review 	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 the environment, and will not be a cause of public concern.

⁹ Ibid.

		<p>that the lake Dᓄᓄᓄᓄᓄᓄᓄ is located within less than 50m of the ROW, and widening the ROW will decrease that buffer (response to WLWB staff comment 3). TG indicated it will take additional precaution near Dᓄᓄᓄᓄᓄᓄᓄ to avoid and minimize all adverse impacts on the lake.</p> <ul style="list-style-type: none"> • The Permit includes standard conditions which are typically used to help mitigate potential impacts: <ul style="list-style-type: none"> ▪ Progressive Erosion Control ▪ Repair Erosion ▪ Prevention of Rutting ▪ Suspend Overland Travel ▪ Stream Banks ▪ Minimize Approach ▪ Excavation and Embankments ▪ Equipment: Watercourse Buffer ▪ Excavation Setback ▪ Parallel Watercourse Setback 	
<p>Harm to living things, Direct loss or removal of habitat, dens, or nests, Direct injury or mortality, Human-wildlife conflicts</p>	<p>Clearing of timber, brush, or vegetation mat, stripping of overburden. Mobilization and operation of equipment for construction and operational activities, increased road traffic</p>	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact include included with the original application:¹⁰ <ul style="list-style-type: none"> ○ TG stated in its amendment request that all potential effects and mitigation measures in the original permit application remain unchanged from those assessed and that TG will apply every mitigation action across the expanded ROW to ensure there is no increase in residual environmental risk. ○ A Wildlife Management and Monitoring Plan (WMMP) was included with the initial Permit Application. TG has stated it will continue to follow the WMMP to minimize any potential impact to wildlife. • During the public review ECCC commented on the presence of Species at Risk (SAR) in the project area and recommended that the Applicant consults the SAR registry to obtain the most current information 	

¹⁰ Ibid.

		<p>(comment 2). ECCC also recommended that the TG consult with the GNWT to identify appropriate mitigation and/or monitoring measures to avoid and lessen project effects to species under their management responsibility (ECCC comment 2). ECCC also noted that the WMMP for the Project had not identified all species at risk that are likely to be present in the Project area and has incorrect status for some of the identified species (comment 3). ECCC recommended that the Applicant ensures that measures are taken to avoid or lessen adverse effects including monitoring consistent with applicable SAR Recovery Strategies, Action Plans or Management Plans. The TG responded that it will consult the federal registry and consult GNWT on “appropriate mitigation and monitoring measures, if needed” (response to ECCC comment 2) “will incorporate these recommendations in the WMMP to identify potential adverse impacts, avoid and/or take measures to minimize those impacts” (response to comment 3).TG also committed to contact ECCC for incident reporting, annual summaries and plan updates to the WMMP (response to comment 8).</p> <ul style="list-style-type: none"> • ECCC noted that the Project occurs in Nesting Zone B7 during the nesting season for migratory birds and recommended the Applicant carry out all phases of the Project in a manner that reduces risk to migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests and eggs (comments 4 and 5). Potentially destructive or disruptive activities should not be conducted at key locations or during key periods to avoid negative impacts to migratory birds. ECCC recommended to avoid vegetation clearing, brushing and/or habitat disturbance during the general nesting period, which extends from early May to late August for this region. The TG responded that “it will adopt ECCC’s “Guidelines to Avoid Harm to Migratory Birds.” Vegetation clearing will be scheduled outside nesting window as much as possible where feasible” and “ensure that vegetation clearing will be scheduled outside nesting window as much as possible where feasible” (responses to ECCC comments 4 and 5). • ECCC also recommend that the TG take precautions to avoid 	
--	--	--	--

		<p>disturbances to Barn Swallows and their nests given the project falls within the range of the species (comments 6 and 7). The TG committed to “ensure all precautions are taken to avoid all disturbances to Bank swallows and will inform project partners of their potential presence in the area and status [as a Threatened species]” (response to ECCC comment 6 and 7).</p> <ul style="list-style-type: none"> • The Permit includes standard conditions which are typically used to help mitigate potential impacts: <ul style="list-style-type: none"> ○ Habitat Damage ○ Migratory Bird Nest Disturbance. 	
<p>Direct loss of vegetation, Introduction of non-native (invasive) species, Effects on plant health (dust, metals, toxins), Compaction of vegetation</p>	<p>Clearing of timber, brush, or vegetation mat, stripping of overburden, construction (development or alteration: widening, straightening, detours), maintenance, and operation of lines, trail, or right-of-way, use of motorized heavy equipment, burning of fossil fuels, increased road traffic, transfer, storage, and use of petroleum products and/or chemicals,</p>	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact included with the original application:¹¹ <ul style="list-style-type: none"> ○ The Project team will aim to minimize tree and brush cutting by utilizing existing cleared area. ○ Equipment will be cleaned prior to use on site. ○ Construction vehicle travel on the access road may increase dust and impact on plant health near the road. The Applicant proposed the following mitigation: a speed limit will be in place to slow vehicles and reduce dust. During very dry periods and during road construction, dust suppression with water trucks will be employed. ○ Vegetation may be compacted by construction activities in the area. The Applicant proposed that a construction site foreman will ensure that compaction of vegetation is minimized and limited to what is necessary for construction. • The Permit includes standard conditions which are typically used to help mitigate potential impacts: <ul style="list-style-type: none"> ○ Parallel Watercourse Setback ○ Width Right-of-Way 	<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 the environment, and will not be a cause of public concern.</p>

¹¹ Ibid.

	excavation or stockpiling of earth and/or gravel	<ul style="list-style-type: none"> ○ Dogleg Approaches ○ Natural Vegetation 	
Change to or loss of cultural integrity, other	Construction (development or alteration: widening, straightening, detours), maintenance and operation of lines, trails, or right-of-way, increased human presence	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact included with the original application:¹² <ul style="list-style-type: none"> ○ The Applicant proposed that it will ensure development occurs in a culturally sensitive manner. TG proposed that if any high potential archaeological sites arise from the Archaeological Overview than the areas will be left alone. TG also stated that known potential sites will be avoided and protected. • Through the public review GNWT-ECE - PWNHC indicated that the proposed amendment may place previously unrecorded archaeological sites at risk of impact (comment 1). PWNHC noted that an Archaeological Overview Assessment (AOA) (Condition 47) would be necessary to identify areas of high and low potential for archaeological and burial sites in the newly proposed area and that Condition 48 of the Permit (Archaeological Impact Assessment (AIA) – High Potential) would apply prior to disturbances in areas identified as high potential. GNWT-ECE-PWNHC indicated that current permit conditions for Archaeological Buffer, Site Disturbance, Site Discovery and Notification, Archaeological Overview, and AIA – High Potential, should remain in place in the Permit. TG responded that it recognizes Permit Conditions 44-48, and that the “AOA for the ROW widening will be submitted 30 days prior to the work; TG will contact PWNHC if schedule pressures arise so the review can be prioritized”. • In response to comments during the public review, TG also indicated that if new historical or archaeological sites or burial grounds were discovered during the upcoming AOA or construction, TG will halt work and follow Permit Condition 44 (Archaeological Buffer). 	

¹² Ibid.

		<ul style="list-style-type: none"> • The Permit includes standard conditions which are typically used to help mitigate potential impacts: <ul style="list-style-type: none"> ○ Archaeological Buffer ○ Site Disturbance ○ Site Discovery and Notification ○ Archaeological Overview ○ AIA - High Potential 	
Economic opportunities or losses (employment, training), Changes to the use of the area by other non-Indigenous people (e.g., trappers, outfitters, residents, hunters, forest harvesters, other authorized projects)	Construction (development or alteration: widening, straightening, detours), maintenance and operation of lines, trails, or rights-of-ways, increased human access road presence	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact included with the original application:¹³: <ul style="list-style-type: none"> ○ The Project will provide job and training opportunities for Tłı̨ch̨o citizens in both the construction phase of the project and the operations phase of the project. The Applicant proposed that local labour will be the first option to fill roles related to construction. 	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 the environment and will not be a cause of public concern.
Soil contamination, Change in soil structure,	Transfer, storage and use of petroleum products and/or chemicals, use of	<ul style="list-style-type: none"> • The Applicant indicated that the mitigations for the project are the same what it had proposed in the original application. The mitigations for this potential impact included with the original application:¹⁴ <ul style="list-style-type: none"> ○ The Applicant stated that no contaminants will be stored on 	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 the environment, and will not be a

¹³ Ibid.

¹⁴ Ibid.

<p>Water table alteration, Changes in water quality</p>	<p>motorized and heavy equipment</p>	<p>site and fuel transfer will not be expected on site but if required will be transferred via a fuel truck. Fuel transfer will occur by trained personnel. Drip trays will be used during fuel transfer. Where drips of fuel or spills occur, they will be cleaned up immediately.</p> <ul style="list-style-type: none"> • The Permit includes standard conditions which are typically used to help mitigate potential impacts: <ul style="list-style-type: none"> ○ Chemicals ○ Drilling Near Water or on Ice ○ Drilling Waste ○ Drilling Waste Disposal ○ Drilling Waste Containment ○ Waste Chemical Disposal ○ Waste Petroleum Disposal ○ Notification of Soil Waste Disposal ○ Repair Leaks ○ Fuel Storage Setback ○ Fuel Cache Secondary Containment ○ Secondary Containment - Refueling ○ Fuel Containment ○ Mark Containers and Tanks ○ Mark Fuel Locations ○ Maximum Fuel on Site ○ Report Fuel Locations ○ Seal Outlet ○ Spill Contingency Plan ○ Spill Response ○ Drip Trays ○ Clean Up Spills ○ Report Spills 	<p>cause of public concern.</p>
---	--------------------------------------	--	---------------------------------

4.1 Consideration of Potential Impacts

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

1. conditions in the existing Permit, including requirements for management and monitoring plans, with revisions where necessary; and
2. new or unique conditions that may be needed to mitigate potential impacts of the changes to the Project that may not be addressed by the conditions in the existing Permit, and which may be from the Board's standard conditions list or 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. 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 changes to the Project, the Board considered whether the changes to the Project might be a cause of public concern. Based on the evidence provided during the regulatory proceeding, the Board did not identify any comments or issues that indicate that the Project is a cause of public concern.

5.0 Conclusion

The Board has reviewed all the evidence received during the regulatory process with respect to the Preliminary Screening of the proposed changes to the Project. Based on the evidence, it is the Board's opinion that the proposed changes to the Project will not have a significant adverse impact on the environment or be a cause of public concern, as set out in paragraph 125(1)(a) of the [MVRMA](#). The Board has therefore decided not to refer the proposed changes to the Project to Environmental Assessment. If the Board does not receive a notice of referral to environmental assessment by July 20, 2025, the Board can issue the Permit on July 21, 2025.

SIGNATURE



Mason Mantla, Chair
Wek'èezhìi Land and Water Board

July 9, 2025

Date