

Mackenzie Valley Environmental Impact Review Board

March 3, 2004

Chief Keyna Norwegian
Liidlii Kue First Nation
Box 469
Fort Simpson, NT X0E 0N0

Dear Chief Norwegian,

Re: Referral of Imperial Oil Resources Ventures Ltd Geotechnical Field Investigations to Environmental Assessment

The Mackenzie Valley Environmental Impact Review Board (MVEIRB) received your letter dated February 19, 2004 in which you refer Imperial Oil Resources Ventures Ltd.'s Geotechnical Field Investigations (Land Use Permit/Water Licence Applications MV2003X0045/MV2003L8-0012) to Environmental Assessment.

Section 126(2)(c) of the Mackenzie Valley Resource Management Act (MVRMA) gives local governments the authority to refer a development to the MVEIRB for Environmental Assessment if the development is within the local government's boundaries, or if the local government is of the opinion that the proposed development might have a significant adverse effect within its boundaries. Section 2 of the MVRMA defines a local government as:

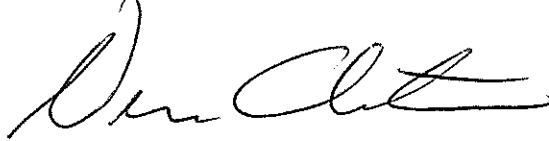
"... any local government established under the laws of the Northwest Territories, including a city, town, village, hamlet, charter community or settlement, whether incorporated or not, and includes the territorial government acting in the place of a local government pursuant to those laws."

The MVEIRB routinely verifies the status of the referring authority when a development is referred to it. The Liidlii Kue First Nation is not a local government established under the laws of the Northwest Territories. Consequently, it does not have the authority to refer a development to the MVEIRB, and the MVEIRB cannot undertake an Environmental Assessment of the proposed geotechnical field investigations based on your referral letter. Please see the attached *Reasons for Decision* document for details.

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If you have any questions regarding these proceedings, please do not hesitate to contact Mr. Alan Ehrlich at (867) 766-7056 or aehrlich@mveirb.nt.ca.

Sincerely



Vern Christensen
Executive Director

Attachments:

Reasons for Decision - See PR item #12

Cc: Grand Chief Herb Norwegian, Deh Cho First Nation
Chris Reid, Legal Counsel DCFN
Pipeline Working Group (DCFN)
Bob Wooley, MVLWB
Minister of INAC



Mackenzie Valley Environmental Impact Review Board

Box 938 , 5102-50th Avenue, Yellowknife, NT X1A 2N7
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From: Alan Ehrlich

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Phone: (867) 766-7056

Date: March 3, 2004

Pages: 3 6 including this page

To: Chief Keyna Norweigian

Fax: (867) 695-2665

Liidlil Kue First Nation

CC: DCFN
MVLWB
INAC

Subject: Imperial Geotechnical

NOTES:

Dear Chief Norwegian,

This letter is intended to replace the letter that was sent to you by the MVEIRB on Feb. 26, 2004.

Sincerely,

Alan Ehrlich.
Senior Environmental Assessment Officer