



Box 1500
YELLOWKNIFE NT X1A 2R3

April 14, 2009

Nicole Spencer
Project Lead
Mackenzie Valley Environmental Impact Review Board
PO Box 938
YELLOWKNIFE NT X1A 2N7

Dear Ms. Spencer:

At the April 7, 2009 public hearing for the Selwyn Resources Ltd. Mineral Exploration at Howard's Pass Environmental Assessment (EA0708-001), Indian and Northern Affairs Canada provided an undertaking to the Mackenzie Valley Environmental Impact Review Board ("the Board") to confirm if the withdrawn lands for the Nááts'ihch'oh National Park Reserve include subsurface rights. This undertaking was designated by the Board as Undertaking #2 in the hearing.

The relevant Order in Council P.C. 2008-385 ("the OIC"), effective February 26, 2008, provides for the withdrawal from disposal the surface and subsurface rights of certain lands (approximately 7,600 km²) located within the South Nahanni Headwaters of the Sahtu Settlement Area, in the Northwest Territories, in order to facilitate the settlement of the Nááts'ihch'oh National Park Reserve. This information is available on the Privy Council Office website (www.pco-bcp.gc.ca).

Notice of the OIC was published in the Canada Gazette as SI/2008-27 on March 5, 2008 (Attachment 1).

If you have any further questions, please contact Charlotte Henry at charlotte.henry@inac-ainc.gc.ca.

Sincerely,

David Livingstone
Director, Renewable Resources and Environment

Attachment



[Canada Gazette](#) > [Part II: Official Regulations](#) > [2008-03-05](#)

Registration

SI/2008-27 March 5, 2008

TERRITORIAL LANDS ACT

Order Respecting the Withdrawal from Disposal of Certain Tracts of Territorial Lands in the Northwest Territories (Nááts'ihch'oh National Park Reserve)

P.C. 2008-385 February 26, 2008

Her Excellency the Governor General in Council, on the recommendation of the Minister of Indian Affairs and Northern Development, pursuant to paragraph 23(a) of the *Territorial Lands Act*, hereby makes the annexed *Order Respecting the Withdrawal from Disposal of Certain Tracts of Territorial Lands in the Northwest Territories (Nááts'ihch'oh National Park Reserve)*.

ORDER RESPECTING THE WITHDRAWAL FROM DISPOSAL OF CERTAIN TRACTS OF TERRITORIAL LANDS IN THE NORTHWEST TERRITORIES (NÁÁTS'IHCH'OH NATIONAL PARK RESERVE)

PURPOSE

1. The purpose of this Order is to withdraw from disposal certain tracts of territorial lands to support the proposed Nááts'ihch'oh National Park Reserve within the Sahtu Settlement Area in the Northwest Territories.

LANDS WITHDRAWN FROM DISPOSAL

2. The tracts of territorial lands set out in the schedule, including the surface and subsurface rights to the lands, are withdrawn from disposal for the period beginning on the day on which this Order is made and ending on March 31, 2012.

EXCEPTIONS

DISPOSITION OF SUBSTANCES OR MATERIALS

3. Section 2 does not apply in respect of the disposition of substances or materials under the *Territorial Quarrying Regulations*.

EXISTING RIGHTS AND INTERESTS

4. Section 2 does not apply in respect of

(a) the locating of a mineral claim by the holder of a prospecting permit granted before the day on which this Order is made;

(b) the recording of a mineral claim that is referred to in paragraph (a) or that was located before the day on which this Order is made;

(c) the granting of a lease under the *Northwest Territories and Nunavut Mining Regulations* to a person with a recorded claim if the lease covers an area within the recorded claim;

(d) the issuance of a significant discovery licence under the *Canada Petroleum Resources Act* to a holder of an exploration licence that was issued before the day on which this Order is made if the significant discovery licence covers an area subject to the exploration licence;

(e) the issuance of a production licence under the *Canada Petroleum Resources Act* to a holder of a significant discovery licence that is referred to in paragraph (d) if the production licence covers an area subject to the significant discovery licence;

(f) the issuance of a production licence under the *Canada Petroleum Resources Act* to a holder of an exploration licence or a significant discovery licence that was issued before the day on which this Order is made if the production licence covers an area subject to the exploration licence or the significant discovery licence;

(g) the granting of a surface lease under the *Territorial Lands Act* to a holder of a recorded claim under the *Northwest Territories and Nunavut Mining Regulations* or of an interest under the *Canada Petroleum Resources Act* if the surface lease is required to allow the holder to exercise rights under the claim or interest; or

(h) the renewal of an interest.

SCHEDULE
(Section 2)

**MAIN AREA WITHDRAWN FROM DISPOSAL —
SURFACE AND SUBSURFACE RIGHTS**

(NÁÁTS'IHCH'OH NATIONAL PARK RESERVE)

(SAHTU SETTLEMENT AREA)

In the Northwest Territories;

All that parcel being more particularly described as follows:

Commencing at the intersection of the Yukon/Northwest Territories Boundary with the southerly boundary of the Sahtu Settlement Area at approximate latitude 62°06' 38" North and at longitude 129°10' 07" West;

Thence northeasterly along the boundary of the Sahtu Settlement Area to the intersection of the boundary of the Sahtu Settlement Area with latitude 62°37' 00" North at approximate longitude 127°23' 10" West;

Thence northerly in a straight line to a point at latitude 62°42' 00" North and longitude 127°25' 12" West;

Thence northerly in a straight line to a point at latitude 62°53' 24" North and longitude 127° 36' 36" West;

Thence northwesterly in a straight line to monument ROCK established by Mapping and Charting Establishment at approximate latitude 63° 03' 07" North and approximate longitude 127°58' 08" West;

Thence northwesterly in a straight line to monument 769045 established by Geodetic Survey Division at approximate latitude 63°04' 01 North and approximate longitude 128°04'59"West;

Thence westerly in a straight line to monument 769034 established by Geodetic Survey Division at approximate latitude 63°02' 25" North and approximate longitude 128°32' 36" West;

Thence southwesterly in a straight line to monument 769033 established by Geodetic Survey Division at approximate latitude 62°58'30" North and approximate longitude 128°53'54" West;

Thence southwesterly in a straight line to a point at latitude 62°57'00" North and longitude 129° 01' 48" West;

Thence northwesterly in a straight line to a point at latitude 62°58'12" North and longitude 129° 09'36" West;

Thence westerly in a straight line to a point at latitude 62°58'12" North and longitude 129°12' 00" West;

Thence northwesterly in a straight line to monument CHRIS established by Mapping and Charting Establishment at approximate latitude 63°03'12" North and approximate longitude 129°22'59" West;

Thence westerly in a straight line to the intersection of latitude 63°03'00" North with the Yukon/Northwest Territories Boundary at approximate longitude 129°36'43" West;

Thence generally southerly along the Yukon/Northwest Territories Boundary to the point of commencement.

Said parcel containing an area of approximately 7,600 square kilometres.

All coordinates are referenced to the 1983 North American Datum, Canadian Spatial Reference System (NAD83, CSRS) and any reference to straight lines means points joined directly on the NAD83, Universal Transverse Mercator (UTM) projection plane surface.

EXPLANATORY NOTE

(This note is not part of the Order.)

The Order withdraws from disposal the surface and subsurface rights of certain lands located in the Sahtu Settlement Area in the Northwest Territories in order to facilitate the establishment of the proposed Nááts'ihch'oh National Park Reserve, for the period beginning on the day on which the Order is made and ending on March 31, 2012.

NOTICE:

The format of the electronic version of this issue of the *Canada Gazette* was modified in order to be compatible with extensible hypertext markup language (XHTML 1.0 Strict).

Date Modified: 2009-02-28

