

January 11, 2013

Mr. Zabey Nevitt, Executive Director
Mackenzie Valley Land and Water Board
7th Floor – 4922 48th Street
PO BOX 2130
YELLOWKNIFE NT X1A 2P6

Dear Mr. Nevitt:

**Application for Land Use Permit for Highway Right of Way Clearing, KM
1508 to 1478 of Proposed Mackenzie Valley Highway , Gwich'in Settlement Area**

Please find attached our application for the above noted land use permit. The activity is proposed to occur on both Crown lands and Gwich'in Private Lands. Permission to access Gwich'in Private Lands is confirmed in the attached letter from the Gwich'in Tribal Council. Aboriginal Affairs and Northern Development Canada has confirmed that consent of the crown is not required to access public lands. While the Right of Way clearing activity described in the application is proposed to occur in the Gwich'in Settlement Area (GSA) only, it represents the initial activity supporting the proposed development of the Mackenzie Valley Highway (MVH), a transboundary project extending from Km 248 of the Dempster Highway to the current terminus of Highway # 1 near Wrigley.

The proposed MVH will involve initial construction of a winter road along the proposed Right-of-way between Fort Good Hope and the Dempster Highway, followed by construction of the all - weather highway, development of support facilities and borrow sources and operation of the highway indeterminately throughout its 818 km route in the Mackenzie Valley. The MVH will provide all season road access to communities and other interests in the Deh Cho, Sahtu and GSA currently served only by seasonal winter road and/or air access.

Project Description Reports (PDR), presenting preliminary design and environmental information for the development in each of the four claim settlement areas or districts, anticipate the development will be referred for environmental assessment under the *Mackenzie Valley Resource Management Act*. The Department of Transportation (DOT) concurs with this assessment and requests that the current application and the proposed MVH Project be referred to the Mackenzie Valley Environmental Impact Review Board for an environmental assessment (EA) or environmental impact review (EIR). The Department of Transportation requests that its current bridge replacement program on the permitted Mackenzie Valley Winter Road not be included within the scope of the development to be assessed.

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In addition to the four PDRs which contain regional specific information, a Scoping Report has been prepared summarizing the proposed development, environmental conditions along the entire route and concerns raised during stakeholder engagement. The Scoping Report also provides a suggested scope of the EA or EIR. All of these documents are attached.

The Department of Transportation and its partners look forward to working with the public and the Boards and Agencies responsible for review and approval of the MVH to conduct an efficient EA or EIR of the proposed development. Please contact me at your earliest convenience should you require additional information.

Yours truly,



Jim Stevens
Director Mackenzie Valley
Highway

Attachments

Land Use Permit Application
Agreement to access Gwich'in surface lands
Response from AANDC on crown land access
Project Description Reports (PDR) for the project for the
Gwich'in, Kasho Gotine, Tulita and Deh Cho
areas (also available at: http://www.dot.gov.nt.ca/_live/pages/wpPages/MVH_PDR.aspx)
Mackenzie Valley Highway Environmental Scoping Document

c. Copies: Claimant Group Representatives