



Ottawa, Canada K1A 0H4

DEC 21 2004

Mr. Stephen Neilsen
Acting Chair
Mackenzie Valley Land and Water Board
PO Box 2130
YELLOWKNIFE NT X1A 2P6

Mackenzie Valley Land
& Water Board

File

DEC 29 2004

Application # 1050-10-080

Copied To BW/SN/Flie

Bdb has maps

Dear Mr. Neilsen:

By this letter, I am providing Policy Direction to the Mackenzie Valley Land and Water Board pursuant to sections 82 and 109 of the *Mackenzie Valley Resource Management Act*.

This Policy Direction furthers commitments made by Canada to the Deh Cho First Nations in the Deh Cho First Nation Interim Measures Agreement and identifies certain lands withdrawn from disposal where non-exclusive seismic activity is to be restricted.

I have been informed that departmental officials have consulted representatives of the Board on the subject of this Policy Direction on a number of occasions, and am pleased to enclose the resulting Policy Direction with this letter.

Thank you for your partnership and effective management of lands in the Mackenzie Valley in the interest of all Canadians.

Yours sincerely,

The Honourable Andy Scott, PC, MP

Encl.

Canada

MACKENZIE VALLEY RESOURCE MANAGEMENT ACT

Policy Direction regarding the Deh Cho First Nations Interim Measures Agreement

Whereas: The Government of Canada, the Deh Cho First Nations and the Government of the Northwest Territories entered into and signed the Deh Cho First Nations Interim Measures Agreement on May 21, 2001 (the Agreement);

Whereas: The Minister of Indian Affairs and Northern Development recognizes the especial need, in the interim of a final agreement between Canada, the Deh Cho First Nations and the Government of the Northwest Territories, for withdrawing lands from disposal and balancing resource development activity with environmental protection and traditional use concerns of the First Nation on lands subject to land claim negotiations;

Whereas: By Order in Council dated August 13, 2003, and pursuant to the Agreement, lands within the Deh Cho Territory have been withdrawn from disposal and certain lands within the withdrawal area have been identified for further protection on the basis of the above concerns;

Now therefore, the Minister of Indian Affairs and Northern Development issues the following Policy Direction to the Mackenzie Valley Land and Water Board (the Board), pursuant to sections 82 and 109 of the *Mackenzie Valley Resource Management Act*, which shall guide the Board in the carrying out of its functions under the *Mackenzie Valley Resource Management Act*.

In undertaking its function of identifying the location and area of lands that may be used in geophysical land-use operations involving seismic programs conducted as non-exclusive surveys, the Board is to exercise its authority consistent with Canada's commitment in section 43 of the Agreement.

Accordingly, the lands identified in red cross-hatching on the attached maps, which are within the area of lands withdrawn from disposal under the Order in Council dated August 13, 2003, shall not be available for such land-use operations for the period of time the withdrawal order, or an order replacing it under the Agreement, is in effect.



Andy Scott, PC, MP
Minister of Indian Affairs and
Northern Development

DEC 21 2004

Date