

NWT Energy (03) Ltd.

#4 Capital Drive, Hay River, NT X0E 1G2

December 17, 2019

AlecSandra Macdonald
Regulatory Specialist
Gwich'in Land and Water Board
PO BOX 2018
INUVIK, NT X0E 1G2

Dear AlecSandra:

Thank you for your letter of December 10, 2019 requesting evidence of lawful authority to occupy land for the purposes of constructing a 3.5 MW wind turbine, access road and transmission line for the proposed Inuvik Wind Project (The Project). The proposed Project footprint falls on both Commissioner's Land and Territorial Land.

NWT Energy Corporation (03) Ltd

The proposed Project is being carried out by NWT Energy Corporation (03) Ltd (NTEC), a wholly owned subsidiary of the Northwest Territories Hydro Corporation and an agent of the Government of the Northwest Territories (GNWT).

NTEC will build the Project on behalf of the GNWT and transfer the completed project to the Northwest Territories Power Corporation, a GNWT owned utility, to own and operate the assets for public purposes. The Project will deliver renewable electricity generation, significant fossil fuel displacement and improve rate stability for our 25 thermal zone communities.

Land Reserve

Land Reserve No. 107 B/7-172-2 was established on February 17, 2014 in the name of the Aurora Research Institute. The 50 metre by 50 metre reservation was established for Government research purposes on Territorial Lands. The Land Reserve was eventually the site of a wind monitoring tower and feasibility work that confirmed the viability of the Project.

On September 27, 2018, in preparation for building the Project, The Deputy Minister of Infrastructure requested an amended land reserve 107B/7-172-2 that included Territorial and Commissioner's Land (*attached*). The amended land area being requested would expand the reservation to include an access road, a transmission line and the wind turbine location for the Inuvik Wind Project.

On November 2, 2018 The Deputy Minister of Lands responded in writing and concluded that it is not a requirement to amend the current reservation to include the access road to the site (*attached*). Once

the construction at this site is completed and the final boundaries are determined, an amendment to the reservation can be submitted to the Department of Lands, at that time.

On December 17, the GNWT Department of Lands clarified NTEC's eligibility for a land use permit under section 18(b) of the *Mackenzie Valley Land Use Regulations (attached)*. The letter also confirms that a reservation by notation is not considered a disposition under GNWT land withdrawals, including *Land Withdrawal Order R065-2014 (Reindeer Grazing Reserve)* made pursuant to the *Northwest Territories Lands Act S.N.W.T. 2014, c.13*.

A sketch map of the land status within the project area includes the location of Land Reserve No. 107 B/7-172-2 referenced above and the proposed alignment of the access road to the wind turbine site (*attached*).

We trust this resolves any concerns regarding lawful authority and eligibility to occupy the land necessary for the construction and operation of the Inuvik Wind Project.

Regards,

A handwritten signature in black ink that reads "Noel Voykin". The signature is written in a cursive, slightly slanted style.

Noel Voykin
President & CEO

Attachment

- c. Bobbie Jo Greenland-Morgan, Grand Chief Gwich'in Tribal Council
Jozef Carnogursky, President Nihtat Gwich'in Council
Jozef Carnogursky, President Nihtat Corporation



SEP 27 2018

MR WILLARD HAGEN
DEPUTY MINISTER
LANDS

Land Reserve Amendment Request - 107B07-172 Inuvik Wind Project

This letter is to request that the Department of Lands amend land reserve 107B07-172 for the Department of Infrastructure. The land area being requested includes an access road that is approximately 4.5 km in length, transmission line and the wind turbine location for the Inuvik Wind Project.

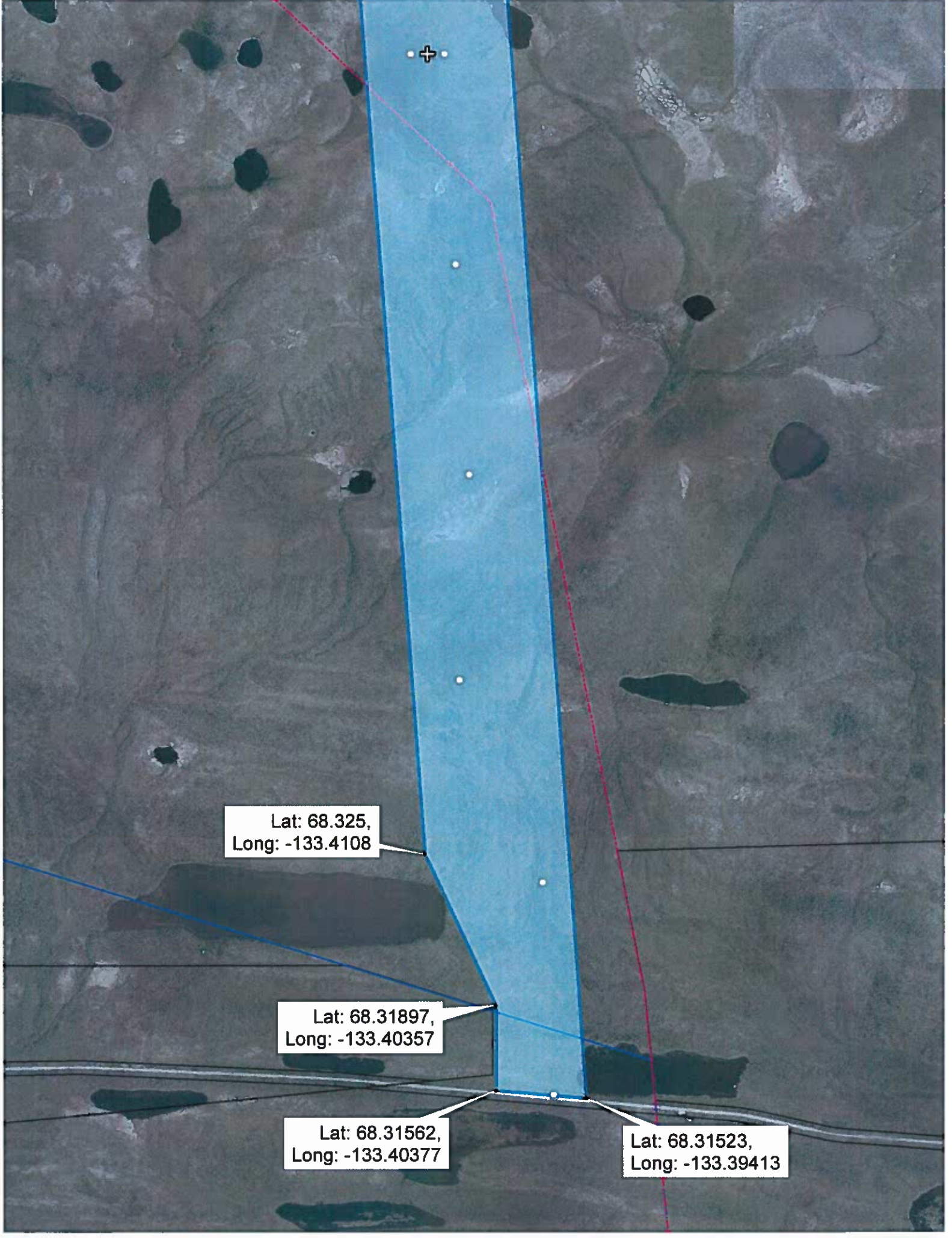
The wind turbine will be up to 120 meters in height with blade widths up to 70 meters. The project has an estimated lifespan of 25 years and when the turbine reaches the end of its operating life, INF will consider if the project will continue to operate by using new turbine technology or if the project will be decommissioned.


for Paul Guy
Deputy Minister
Infrastructure

Attachment

c. Mr. Andrew Stewart, Director, Energy Division, INF

Mr. Dan Carmichael, Regional Superintendent, Beaufort Delta Region, Lands



Lat: 68.325,
Long: -133.4108

Lat: 68.31897,
Long: -133.40357

Lat: 68.31562,
Long: -133.40377

Lat: 68.31523,
Long: -133.39413



NOV 02 2018

MR. PAUL GUY
DEPUTY MINISTER
INFRASTRUCTURE

Reserve No. 107B/07-172
Reserve Amendment Request – Inuvik Wind Project

Further to our letter of October 1, 2018 I wish to advise that the Department of Lands (Lands) has reviewed your request for amendment.

Lands has determined that it is not a requirement to amend your current reserve to include the access road you propose to build to the site. The road can be built under your Land Use Permit. Once the construction at this site is completed and the final boundaries are determined, an amendment to the reserve can be done at that time.

Should you or your staff have any questions, please contact Ms. Carol Norris, Team Lead, Territorial Land Administration at 867-767-9185 extension 24110, or by email at Carol_Norris@gov.nt.ca.

Willard Hagen
Deputy Minister
Lands

- c. Mr. Andrew Stewart, Director, Energy Division, INF
- Mr. Blair Chapman, Director, Land Administration, Lands
- Mr. Dan Carmichael, Regional Superintendent, Beaufort Delta Region, Lands



DEC 17 2019

Mr. Noel Voykin
President and CEO
NWT Energy (03) Ltd.
#4 CAPITAL DRIVE
HAY RIVER NT X0E 1G2

Dear Mr. Voykin:

Inuvik Wind Project Land Use Permit Eligibility

On December 10, 2019, the Gwich'in Land and Water Board (GLWB) requested that the Government of the Northwest Territories (GNWT), Department of Lands, clarify what right NWT Energy (03) Corporation Ltd. (NTEC) has that supports their eligibility for a land use permit under section 18(b) of the Mackenzie Valley Land Use Regulations (MVRMA).

The Department of Infrastructure holds a reservation by notation (Reserve No. 107 B/7-172-2) issued by Department of Lands for the portion of the proposed Project footprint on Territorial land. The Department of Infrastructure is eligible for a Licence of Occupation for the road portion of the proposed Project on Territorial and Commissioner's land. The Department of Lands; however, does not require tenure for government or government agents to build and operate small scale roads on GNWT administered and controlled land. For any current and future reservations by notation or licences, the final boundaries can be amended by the Department of Lands if the proposed project is approved and more defined project footprint is available.

Both the Territorial and Commissioner's land, where the project is proposed to occur, are subject to a land withdrawal; *Land Withdrawal Order (Reindeer Grazing Reserve)* R065-2014 made pursuant to the *Northwest Territories Lands Act* S.N.W.T. 2014, c.13. A reservation by notation is not considered a disposition under GNWT land withdrawals, including *Land Withdrawal Order (Reindeer Grazing Reserve)*.

A reservation by notation by the GNWT Department of Lands to the Department of Infrastructure, and eventually NTEC, is a right to occupy the land that satisfies the requirements of paragraph 18(b) of the MVRMA land use permit regulations.

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We trust this letter satisfies any concern the GLWB has about the right of the Department of Infrastructure to occupy the land subject of this application.

Sincerely,



Conrad Baetz
Assistant Deputy Minister, Operations
Department of Lands

Attachment

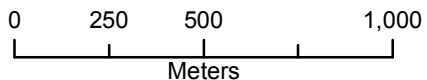
c. Mr. Andrew Stewart, Director, Department of Infrastructure

Mr. Blair Chapman, Director of Land Administration, Department of Lands

Mr. Dan Carmichael, Regional Superintendent, Beaufort Delta Region,
Department of Lands



SITE PLAN
SCALE = 1:20,000



Drawn By: bpeck
Date: Tuesday, December 17, 2019

Image Date: August 8, 2015

Inuvik

File Number:
107B07172

