

March 27th, 2026
Sent via email

Impact Assessment Agency of Canada
22nd Floor, Place Bell
160 Elgin Street
Ottawa ON K1A 0H3

First Nations Major Projects Coalition – Review and Comments
Draft Co-operation Agreement between Alberta and Canada on Environmental and Impact Assessment

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Attachments:

1. FNMPC letter of March 27th, 2026, to the Impact Assessment Agency of Canada.

Letter to the Impact Assessment Agency

Re: FNMPC Review - *Draft Co-operation Agreement between Alberta and Canada on Environmental and Impact Assessment.*

Dear Impact Assessment Agency – Intergovernmental Affairs,

The First Nations Major Projects Coalition (FNMPC) was pleased to have the opportunity to review a draft version of *Draft Co-operation Agreement between Alberta and Canada on Environmental and Impact Assessment*. We shared this document with various individuals within the FNMPC team and consolidated the feedback to provide your office with the following comments and suggestions. This feedback builds off the prior written response the FNMPC provided to the draft Prince Edward Island Agreement on November 24th, 2025.

We note that many of the areas of improvement that we suggested within the Prince Edward Island are repeated within the Alberta agreement. Most notable area within Alberta agreement is:

AND WHEREAS Alberta has **exclusive legislative jurisdiction** over the development, conservation and management of non-renewable natural resources in the province, and decisions related to the management of those resources in the province as well as jurisdiction over local works and undertakings, property and civil rights, local matters of a private nature, provincial Crown lands and the generation of electricity;

AND WHEREAS Canada and Alberta agree to work toward efficiently and effectively implementing a streamlined assessment approach that **defers, whenever possible, to provincial processes** for projects and activities that primarily fall within Alberta’s exclusive legislative jurisdiction, to eliminate duplication;

AND WHEREAS Canada and Alberta recognize the importance of implementing their assessment processes in a manner that respects federal and provincial jurisdiction and is transparent, coordinated, efficient and timely, enables each of them to exercise their respective powers and duties under the Impact Assessment Act (IAA) and the Environmental Protection and Enhancement Act (EPEA), and contributes to a positive investment climate in Canada;

AND WHEREAS Canada and Alberta are committed to improving efficiency of these assessment and permitting processes, which is critical to increasing regulatory certainty and to attracting investment in major projects and enhancing economic resilience, while ensuring environmental protections and Indigenous Peoples’ rights are respected;

AND WHEREAS Canada and Alberta are committed to respecting Indigenous Peoples' rights recognized and affirmed under the Constitution, engaging in early, consistent, and meaningful consultation with Indigenous Peoples, in a manner that promotes reconciliation, and respects the rights and cultures of Indigenous Peoples, **while advancing economic opportunities through Indigenous ownership and Partnerships;**

AND WHEREAS Alberta continues to act in a manner that is consistent with treaties, the Canadian Constitution, and Alberta law **and views UNDRIP as non-binding;**

5. Timeline for Completion of Impact Assessment

(1) Any impact assessment determined to be required under this agreement will be completed within a **maximum of two years** from receipt of the initial project description in accordance with IAAC's implementation policies and guidelines.

7. Indigenous Peoples

1) When a proposed project is primarily within provincial jurisdiction, Canada **will recognize Alberta as best placed to consult with Indigenous Peoples** pursuant to Alberta's consultation policies and practices in relation to the effects of relevant provincial decisions on the rights of Indigenous peoples.

Again, we note that, Alberta (like Prince Edward Island) has not passed provincial legislation to implement UNDRIP. When Canada is considering using provincial processes, the federal commitment to UNDRIP must be considered alongside the constitutional and procedural requirements of the Crown's duty to consult.

We reiterate that Canada must ensure that First Nations across Canada can count on equitable treatment and provincial processes that are committed to adhering to the principles of FPIC if federal authority is delegated. As we have stated previously, it is important that First Nations be provided with the opportunity to share their views on whether the provincial process can facilitate realizing the FPIC principle prior to Canada making the determination that it will rely on provincial processes for the assessment.

Sincerely,
Riannon Ball
Vice President of Environmental Services
First Nations Major Projects Coalition