



March 27, 2026

Tara Frezza
Director of Policy Integration
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VIA EMAIL

Dear Tara Frezza:

Government of the Northwest Territories' feedback on the draft Co-operation Agreement between Alberta and Canada

On behalf of the Government of the Northwest Territories (GNWT), we are pleased to provide feedback on the draft Co-operation Agreement between Alberta and Canada (the draft AB-Canada Co-operation Agreement). Our interest in this agreement stems from the GNWT's participation in impact assessment proceedings for Alberta developments that may have transboundary effects in the Northwest Territories (NWT). The comments below build on the feedback provided in our October 20, 2025, comments on the Impact Assessment Agency of Canada's *Consultation Paper: "One Project, One Review": Co-operation Agreements for the Assessment of Major Projects*, which are attached for your reference. To help inform our comments, the GNWT has also reviewed Canada's signed co-operation agreements with [British Columbia](#), [Ontario](#), and [New Brunswick](#).

Transboundary Waters Agreements

In 1997, the Governments of Alberta, Saskatchewan, British Columbia, Yukon, the NWT, and Canada signed the [Mackenzie River Basin Transboundary Waters Master Agreement](#) (the Master Agreement). This agreement commits all six governments to work together to manage the water and aquatic ecosystems of the entire Mackenzie River Basin. One key commitment in the Master Agreement is for early and effective consultation, notification, and sharing of information on developments and activities that might affect the ecological integrity of the aquatic ecosystem in another jurisdiction.

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In 2015, the GNWT signed a [Bilateral Water Management Agreement](#) (AB-NWT BWMA) with the Government of Alberta (Alberta), which mirrors the commitment of the Master Agreement to maintain the ecological integrity of the aquatic ecosystem. Both GNWT and Alberta agreed that if and when a development or activity triggers a legislated public environmental review process, formal consultation will occur through that process. Bilateral Water Management Agreements also exist with [British Columbia](#) and with Yukon for the [Peel/Mackenzie Delta sub-basin](#) and the portion of the [Liard basin shared by Yukon and NWT](#). The GNWT plans to negotiate bilateral water management agreements with Saskatchewan and Nunavut.

Comments on the draft AB-Canada Co-operation Agreement

1. Section 10 (4) of the draft AB-Canada Cooperation Agreement provides that *“should a proposed project be located on or cross a boundary with another province or territory with a portion of the project located within Alberta, the Parties would seek to apply the principles and approaches contained herein in co-operation with the other province or territory.”* The GNWT notes that, as drafted, this clause addresses only projects that physically cross a boundary and does not speak to transboundary effects, which are central commitments under both the Master Agreement and the AB-NWT BWMA.
2. The Co-operation Agreement with British Columbia has more robust provisions than the draft AB-Canada agreement for impact assessment of transboundary effects (Section 16), acknowledging the existence of agreements with other jurisdictions and committing to notify and discuss with the other jurisdiction. This approach aligns with the commitments set out in the BC-NWT BWMA.
3. All the finalized Co-operation Agreements include wording similar to Section 10 (4) of the draft AB-Canada Cooperation Agreement. However, Section 5 (5) of the Ontario-Canada Co-operation Agreement goes further by explicitly providing for downstream considerations in the coordination of potential assessment conditions, decision-making, and permitting. This represents a more direct acknowledgement of downstream impacts than what appears in the Alberta draft.

Recommendations

1. The GNWT recommends that the final AB-Canada Co-operation Agreement explicitly reflect and uphold commitments and provisions in existing transboundary agreements with the NWT, including the Master Agreement and the AB-NWT BWMA. We further recommend a separate section that addresses the assessment of transboundary effects, similar to the approach taken in the BC-Canada Co-operation Agreement, recognizing that the NWT is the ultimate downstream jurisdiction in the Mackenzie River Basin, and that NWT waters can be impacted by management decisions in the upper basin, including Alberta.

2. The GNWT recommends that the final AB-Canada Co-operation Agreement reflect the potential for transboundary impacts to the physical and biological environment and the health, social, and economic environment outside of Alberta.

3. The GNWT recommends that the Alberta-Canada Cooperation Agreement incorporate provisions for downstream permitting and approval considerations, where appropriate.

Next steps

Our primary contact for this matter is Lorraine Seale, the Director, Impact Assessment and Security Management Division, Department of Environment and Climate Change (GNWT-ECC). Our secondary contact is Nancy Njerere, Project Assessment Analyst with GNWT-ECC. If you have any questions about this letter, please contact Nancy Njerere at Nancy_Njerere@gov.nt.ca or (867) 767-9180 Ext. 53040.

Sincerely,



Lorraine Seale
Director, Impact Assessment and Security
Management
Environment and Climate Change

Attachment

c. Distribution List

Distribution List

Stephanie Clarke
Deputy Minister
Ministry of Environment and Protected Areas
Government of Alberta

Travis Ripley
Assistant Deputy Minister, Regulatory Assurance Division
Ministry of Environment and Protected Areas
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Merry Turtiak
Executive Director, Regulatory Programs, Regulatory Assurance Division
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October 20, 2025

VIA EMAIL

Tara Frezza
Director of Policy Integration
Impact Assessment Agency of Canada
160 Elgin Street
Ottawa ON K1A 0H3

Dear Tara Frezza:

The GNWT's review of the Consultation Paper: "One Project, One Review": Co-operation Agreements for the Assessment of Major Projects

The Government of the Northwest Territories (GNWT) has reviewed the above-noted discussion paper. The GNWT understands that the paper is specific to agreements between the Impact Assessment Agency of Canada (the Agency) and its provincial counterparts and is not intended to set direction for any potential agreements between the Agency and the GNWT.

The GNWT would like to remind the Agency that the GNWT, and Indigenous governments and Indigenous organizations in the NWT, may have interests in projects undergoing impact assessments in the Yukon, Saskatchewan, Alberta, and British Columbia, and may seek to participate in these assessments. Any cooperation agreements should respect and take into account these interests. Projects may affect a range of transboundary interests, including water, air quality, wildlife and habitat connectivity, cumulative effects, and socio-economic conditions, all of which must be considered in cooperative assessment processes. Any cooperation agreement between the Agency and provincial jurisdictions, or Yukon, must allow for active participation of the GNWT, as well as NWT Indigenous governments and Indigenous organizations, in assessments of projects that could affect NWT interests.

In particular, as a downstream jurisdiction in the Mackenzie River Basin, development in upstream jurisdictions which can impact transboundary waters is critically important for the GNWT, Indigenous governments and Indigenous organizations, communities and the public. This reality must be recognized in any project assessment processes in watersheds that flow into the NWT, notably the Peace, Athabasca, Liard and Peel Rivers.

As noted in the consultation paper, the *Impact Assessment Act* (IAA) does not generally apply in the Mackenzie Valley of the Northwest Territories but does apply to major projects proposed in the Inuvialuit Settlement Region (ISR). The GNWT continues to support the policy of "One

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Project, One Review” and would like to note that proposed projects in both the onshore and offshore areas of the ISR can be subject to duplicative review under the IAA and the impact review process outlined in section 11 of the Inuvialuit Final Agreement. This duplication runs counter to our shared policy goal. The GNWT remains open to discussions between the IAAC and officials from the Inuvialuit Regional Corporation, the Government of Canada and the GNWT aimed at reducing regulatory duplication thereby providing greater certainty for proponents, Indigenous peoples, the public, and stakeholders.

If the Agency has any questions about the above, please contact me at by email at [Lorraine Seale@gov.nt.ca](mailto:Lorraine.Seale@gov.nt.ca) or by phone at 867-767-9180 ext 24020.

Sincerely,



Lorraine Seale
Director
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