



MAR 01 2017

MR. KEVIN O'REILLY  
MLA FRAME LAKE**Oral Question 606-18(2): Status of Transboundary Water Management Agreements**

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This letter is in follow-up to the Oral Question you raised on February 20, 2017 regarding the status of Transboundary Water Management Agreement negotiations and implementation progress between the Northwest Territories (NWT) and adjacent provinces and territories.

With respect to your questions regarding the status of negotiations of Transboundary Water Management Agreements with Saskatchewan (SK), Yukon (YT), and Nunavut (NU), negotiations with SK have occurred and are expected to resume in the 2017-18 fiscal year, following legal review of documents by Saskatchewan. It is anticipated that a final SK-NWT agreement could be reached in the 2017-18 fiscal year. The NWT has an existing Transboundary Water Management Agreement with the Yukon, signed in 2002. Environment and Natural Resources (ENR) has had recent discussions with the Yukon regarding the re-negotiation of this agreement, to better align it with the more recently signed agreements in the Mackenzie River Basin. It is anticipated that negotiations will be initiated in the 2017-18 fiscal year. Although the establishment of a Transboundary Agreement with NU is not explicitly required under the Mackenzie River Basin Transboundary Waters Master Agreement, ENR has approached NU to negotiate an NWT-NU Transboundary Water Management Agreement. The NWT is ready to commence negotiations whenever NU is in the position to do so.

The Transboundary Water Management Agreement with Alberta (AB) has achieved much implementation progress since it was signed in 2015. AB and NWT have appointed government members to the Bilateral Management Committee (BMC) as well as an Aboriginal BMC member. The NWT government members are Dr. Erin Kelly and Mr. Robert Jenkins (Alternate) and the Aboriginal Member is Mr. Tim Heron (Northwest Territory Métis Nation). The NWT-AB BMC had their first annual meeting on May 11, 2016. The next meeting will occur in spring 2017. I have attached a document containing background to the Transboundary Water Management Agreement Implementation.

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Interim water quality objectives have been developed for the Slave and Hay Rivers and will continue to be reviewed as additional data are gathered. Establishing and implementing Learning Plans for the Hay and Slave Rivers is a priority of the BMC and a number of ongoing activities are contributing to this work. A short highlights report of the inaugural implementation year (2015-16) is being released this winter, and will be followed by a more comprehensive annual report on the first year of implementation. Please see details in the attachment.

For the Transboundary Water Management Agreement with British Columbia (BC), ENR is discussing priorities for implementing the BC-NWT Transboundary Water Management Agreement with BC and has begun preliminary implementation work. The NWT has appointed its government members to the BMC, as well as its Aboriginal BMC member. The NWT government members are Dr. Erin Kelly and Mr. Robert Jenkins (Alternate) and the Aboriginal Member is Ms. Dahti Tsetso (Dehcho First Nations). Following BC's appointment of its representatives to the BMC, the first meeting of the committee will be held. It is anticipated that this first annual meeting will be held in spring 2017.

While there is no immediate requirement for water quality objectives under the BC-NWT Agreement, the BMC will discuss the need for development of water quality objectives at its first meeting. Establishing and implementing Learning Plans for the Liard and Petitot Rivers is a priority of the NWT, and to this end, a number of ongoing technical activities are contributing to this work. Please see details in the attachment.

Thank you for your interest in these important agreements. I look forward to sharing more about implementation progress in the future.



Robert C. McLeod  
Minister  
Environment and Natural Resources

Attachment

- c. Clerk of the Legislative Assembly  
Legislative Coordinator, Executive

## **Attachment Response to Oral Question 606-18(2): Status of Transboundary Water Agreement**

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### Background to Transboundary Water Management Agreement Implementation

Since signing the **AB-NWT Transboundary Water Management Agreement**, both jurisdictions have begun collaborative implementation of the Agreement. An update on progress of key commitments is provided below.

- AB and NWT have appointed government members to the Bilateral Management Committee (BMC); NWT has also appointed an Aboriginal BMC member.
- The BMC had their first meeting on May 11, 2016.
- An Emergency Notification mechanism has been established between AB and NWT.
- The Hay River Basin State of the Aquatic Knowledge report informs the Learning Plan for the Hay River (complete).
- The Preliminary State of Groundwater Knowledge in the Transboundary Regions of the Mackenzie River Basin, NWT contributes to Learning Plans and informs the classification of transboundary groundwater (complete).
- The Slave River Delta State of Knowledge and Vulnerability Assessment reports contribute to biological indicator development for the Slave River (complete).
- A literature review of traditional knowledge research for the Slave and Hay River sub-basins through the Tracking Change research project contributes to Learning Plan development (complete).
- A technical workshop with MRB jurisdictional representatives and subject matter experts was held to advance discussions on methods to derive site-specific water quality triggers and objectives.
- An update to the MRB Hydraulic Model with recent water quantity monitoring data will help increase understanding of climate influences on flows and water levels versus water use impacts throughout the basin (complete).
- Alberta's Lower Athabasca Regional Plan contributes to the Learning Plans and informs the classification of transboundary waters.
- Work to develop a mobile app to record navigation conditions in the Peace-Athabasca Delta will inform Learning Plans and incorporate traditional knowledge.

Next steps for AB-NWT Transboundary Water Management Agreement implementation:

- Annually reviewing transboundary water classification (currently the Slave and Hay Rivers are classified as Class 3).
- Identifying and implementing ways to synthesize and blend traditional and local knowledge, western science and social science, and other forms of knowledge relevant to the setting and assessment of transboundary objectives.
- Exchanging information about the ecological integrity of the aquatic ecosystem.
- Exchanging information about current and future development and activities.
- Working towards developing transboundary objectives:
  - Establishing and implementing Learning Plans for the Hay and Slave Rivers.
  - Developing tracking metrics for the Slave and Hay Rivers – for example, tracking metrics for consumptive water use, water allocations and river flow, including during low flow conditions.
  - Annually reporting on tracking metrics, interim triggers and thresholds in the Agreement for the Hay and Slave Rivers.
  - Addressing methodological questions about interim water quality triggers.
  - Reviewing all mercury data from the Slave and Hay Rivers to determine interim triggers for mercury.
  - Achieving consistency on methods to derive water quality objectives, and deriving water quality objectives.
  - Refining selection of and developing a monitoring plan for biological indicators.
  - Reviewing best practices for monitoring groundwater in the north.
  - Conducting a scoping study to consider the effects of climate change in setting and monitoring of transboundary objectives.
  - Improving monitoring programs, where necessary, to facilitate Learning Plans and demonstrate that jurisdictions are meeting transboundary objectives.

Since signing the **BC-NWT Transboundary Water Management Agreement**, NWT has begun collaborative work with BC. An update on progress of key activities is provided below.

- The Preliminary State of Groundwater Knowledge in the Transboundary Regions of the Mackenzie River Basin, NWT contributes to Learning Plans and informs the classification of transboundary groundwater (complete).
- The Liard River Basin and Petitot River Basin State of the Knowledge report will contribute to a Learning Plan for these basins (near completion).
- A literature review of traditional knowledge research for the Liard River Basin through the Tracking Change research project contributes to Learning Plan development (complete).

Next steps for BC-NWT Transboundary Water Management Agreement implementation:

- NWT has appointed government members to the Bilateral Management Committee (BMC); NWT has also appointed an Aboriginal BMC member.
- Holding the first BMC meeting.
- Annually reviewing transboundary water classification (currently the Liard and Petitot Rivers are classified as Class 2 for surface and groundwater quality).
- Identifying and implementing ways to synthesize and blend traditional and local knowledge, western science and social science, and other forms of knowledge relevant to the setting and assessment of transboundary objectives.
- Exchanging information about the ecological integrity of the aquatic ecosystem.
- Exchanging information about current and future development and activities.
- Working towards developing transboundary objectives:
  - Establishing and implementing Learning Plans for the Liard and Petitot Rivers.
  - Developing tracking metrics for the Liard and Petitot Rivers – for example, tracking metrics for consumptive water use, water allocations and river flow, including during low flow conditions.
  - Annually reporting on tracking metrics for the Liard and Petitot Rivers.
  - Developing a monitoring approach for benthic invertebrates.
  - Reviewing best practices for monitoring groundwater in the north.