



Mackenzie Valley Environmental Impact Review Board

Information Requests – Roles, Responsibilities, and Land Tenure

Project: Closure – Imperial Oil Resources N.W.T. Limited’s Norman Wells Facilities

EA File No.: EA2526-01

Date: June 6, 2027

1. Rationale for Information Requests

The Mackenzie Valley Environmental Impact Review Board (“Review Board”) is conducting an environmental assessment (“EA”) of the proposed closure of Imperial Oil Resources N.W.T Limited’s (“Imperial”) Norman Wells Facilities (the “Project”). As part of its EA, the Review Board must understand the long-term governance structures (that is, governing bodies and systems) that will oversee the Project during closure and post closure. Without clear lines of accountability, and a transparent framework for oversight and enforcement, there is a risk of gaps in oversight or coordination failures that could compromise both environmental integrity and community well-being.

The following Information Requests (“IRs”) seek clarification regarding **roles, responsibilities, land tenure, jurisdiction, and governance arrangements** associated with the closure and post-closure phases of the Project. Responses to the IRs will help the Review Board evaluate the adequacy, effectiveness, and durability of mitigation measures and oversight mechanisms, and determine whether potential environmental and socio-economic effects can be appropriately managed over time.

Unless otherwise specified, the Review Board requests parties to provide responses to the IRs in writing, structured by IR number, and include supporting documentation where relevant. Spatial information should be provided in **GIS format, where available**.

The Review Board is issuing these IRs to all levels of government and regulators that may have roles and responsibilities in the area encompassing the Norman Wells Proven Area Agreement, the Municipal Boundaries of the Town of Norman Wells, and areas potentially affected by Imperial’s operations and proposed closure activities. The Review Board expects each government or regulator to respond to all IRs that apply to them. If, in a party’s view, IRs do not apply to them, the Review Board asks that such party please state why.



2. Information Request Overview

2.1 Relevance to the Review Board's mandate

The Review Board's governing statute enables it to assess potential Project effects, and this necessarily requires the Review Board to understand if **proposed mitigations and management measures are enforceable and durable over time**. The scope of the Project presents challenges with respect to 1) uncertainties over regulatory and jurisdictional oversight; and 2) how long the closure and post-closure phases will last during which environmental and socio-economic effects may persist or emerge.

For mitigations and management measures, the Board needs to determine if predicted effects can be effectively managed. For this, the Board needs to understand:

- who is responsible
- under what authority
- for how long
- how multiple authorities will coordinate their responsibilities and authorities over time

2.2 Importance of clarity in roles and responsibilities

The IRs focusing on roles, responsibilities, and what happens during transition points will help the Review Board and parties understand:

- which authorities exercise decision-making power at different project stage;
- whether shifts in responsibilities at closure or post-closure could create gaps in oversight; and
- how accountability is maintained during transition points between operational phases.

For clarity, *transition points* are the moments when the rules change – when one phase ends, another begins, and responsibility shifts. The Review Board needs to know exactly when those shifts happen, who is responsible before and after, and how long accountability continues.

Without this information, the Review Board would have limited ability to evaluate if commitments made during closure planning will be **implemented, monitored, and enforced** over the long term.

This information is essential to ensure that **responsibility for environmental protection does not become fragmented or unclear** following closure.

2.3 Long-term and post-closure considerations

Post-closure periods can extend for decades and may involve:

- long-term environmental monitoring
- adaptive management in response to unexpected conditions
- ongoing liability for legacy effects
- possible changes in governance (if lands are relinquished)





The IRs related to post-closure governance and liability will clarify if **long-term mechanisms are in place for monitoring** and if roles and responsibilities **remain clear and enforceable after closure**.

2.4 Land tenure and jurisdiction as drivers of accountability

Land tenure and ownership directly affect regulatory authority, access, and stewardship responsibilities. The IRs addressing land tenure, mapping and agreements are necessary to:

- understand which entities have legal control over lands and infrastructure affected by closure;
- clarify how surface and subsurface rights influence jurisdiction and liability; and
- assess how historic and contemporary agreements affect long-term land and resource management.

This information is essential for the Review Board to understand regulatory authority and the specific requirements of jurisdictions that may influence closure criteria.

2.5 Indigenous governance and community interests

Indigenous Governments have distinct **rights, authorities, and interests** related to lands and resources in the Project area. There are also interests, roles, and responsibilities that are specific to the Town of Norman Wells. Notably, the Norman Wells Proven Area is located entirely in the Town of Norman Wells' municipal boundaries.

IRs directed to Indigenous Governments and the Town of Norman Wells seek to ensure that Indigenous and municipal roles in closure and post-closure are clearly understood, so they can be properly considered in the Review Board's analysis of long-term effects, stewardship, and community well-being.

2.6 Identification of gaps in oversight

Finally, the IRs requesting identification of gaps and uncertainties in oversight are intended to explore potential issues related to unclear or unknown oversight. Identifying unclear or unassigned responsibilities will let the Review Board consider if additional measures or clarifications are required to avoid future risks to the environment or communities.

2.7 How the IR responses will be used during this EA

Responses to these IRs will help the Review Board:

- assess long-term environmental and socio-economic effects
- determine whether governance and regulatory arrangements are sufficient to support responsible closure and post-closure outcomes
- evaluate the adequacy of proposed mitigations and long-term monitoring plans





3. Information Requests

IR response Instructions

All responses to the IRs should:

- be structured by IR number
- include references to applicable legislation, policies, or agreements
- include GIS data and maps in digital format, where requested
- provide contact information for follow-up

IR No. 1 – Roles and responsibilities during closure

To:

- Government of the Northwest Territories
- Government of Canada
- Indigenous governments
- Canada Energy Regulator
- Sahtu Land and Water Board
- Town of Norman Wells

Preamble

The Review Board requires a clear understanding of which authorities are responsible for actively overseeing the closure phase of the Project. Closure is a critical period when environmental risks may change, and regulatory oversight may shift. Clarifying closure-phase roles and responsibilities is necessary to assess if appropriate governance, coordination, and enforcement mechanisms will be in place to ensure closure activities are conducted in a manner that protects the environment and community well-being. This IR is separate from understanding how Government departments will participate in the EA.

Information Request

Please describe your organization's **roles, responsibilities, and authorities during the closure and post closure phases of the Norman Wells Oil Field**, including:

- a) decision-making authorities exercised for the Closure EA, including implementing potential measures from the EA
- b) review, approval, and oversight of closure plans and other associated regulatory procedures
- c) implementation of a final approved closure plan
- d) inspection, compliance, and enforcement responsibilities
- e) coordination with other governments or regulatory authorities





IR No. 2 – Roles and responsibilities post-closure

To:

- Government of the Northwest Territories
- Government of Canada
- Canada Energy Regulator
- Sahtu Land and Water Board
- Indigenous Governments

Preamble

The Review Board's assessment must consider which organizations retain authority and responsibility after closure. This is important because closure and post closure will involve extended periods during which unforeseen effects may occur. Managing these potential effects requires monitoring and adaptive management which is essential for evaluating the long term effectiveness of mitigation and management measures. For parties and the Review Board to have trust that potential project impacts will be effectively managed, long term responsibilities following closure must be clearly assigned, enforceable, and sustainable.

Information Request

Please describe your organization's **anticipated roles and responsibilities during and following closure**, including:

- a) long-term environmental, socio-economic, and cultural monitoring
- b) compliance verification and enforcement after closure is complete
- c) responsibility for implementing adaptive management measures
- d) liability for unforeseen effects or legacy issues
- e) management of financial assurance or security, if applicable

IR No. 3 – Transition points and accountability

To:

- All recipients of IRs 1 and 2

Preamble

The Review Board needs to be able to clearly identify **transition points between operational phases**, to understand when responsibilities change and how accountability will be maintained. The Review Board requires this information to assess whether regulatory oversight remains continuous and effective during transitions that could otherwise create gaps in authority, monitoring, or enforcement.

Information Request





Please identify and describe the **transition points** between the following phases with respect to your organization's authority:

- a) Operations → Closure
- b) Closure → Post-closure
- c) Post-closure → Relinquishment (if applicable)

For each transition, please specify:

- trigger criteria to transition from one state to the other
- any changes in regulatory authority or responsibility
- who is accountable at each stage

IR No. 4 – Governance and inter-jurisdictional coordination

To:

- Government of the Northwest Territories
- Government of Canada

Preamble

The Project area involves multiple jurisdictions and regulatory authorities. The Review Board requires information on how governance responsibilities are coordinated, to evaluate whether roles are clearly defined, conflicts or duplication are avoided, and regulatory decisions are implemented effectively during closure and post-closure.

Information Request

Please describe how closure and post-closure responsibilities will be:

- a) led, including identification of any **lead or coordinating authority**
- b) shared, transferred, or coordinated across jurisdictions
- c) managed where authorities overlap

IR No. 5 – Regulatory framework for closure and post-closure

To:

- Government of the Northwest Territories
- Government of Canada
- Canada Energy Regulator

Preamble

The Review Board must understand the **legal and regulatory framework** governing closure and post-closure to assess if adequate authorities exist to implement, enforce, and adapt potential mitigation measures over the long term. Identifying applicable legislation





and describing how regulatory gaps or overlaps are addressed is necessary for evaluating the effectiveness of oversight mechanisms.

Information Request

Please identify and briefly describe the **legislation, regulations, authorizations, and policies** governing closure and post-closure of the Project, including:

- a) Federal legislation (such as the *Canada Oil and Gas Operations Act*)
- b) Territorial legislation
- c) Authorizations under the *Mackenzie Valley Resource Management Act*
- d) Roles and authorities of the Canada Energy Regulator
- e) Municipal bylaws, where applicable
- f) Indigenous government authorities

Please also describe how **regulatory gaps or overlaps** are addressed.

IR No. 6 – Land tenure and ownership

To:

- Government of the Northwest Territories
- Government of Canada
- Tłegóhłı Got'ıne Government

Preamble

Land tenure and ownership arrangements influence authority, access, responsibility, and liability during closure and post-closure. The Review Board requires clarity on land tenure to understand who has legal control over lands and resources affected by the Project, and how this affects long-term oversight and stewardship.

Information Request

Please describe lands currently under your organization's ownership, administration, or management. This includes surface and subsurface rights, petroleum and mineral rights, and any leases, licenses, or other land dispositions relevant to the project.

IR No. 7 – Land tenure mapping

To:

- Government of the Northwest Territories
- Government of Canada

Preamble

Spatial information is required to support the Review Board's understanding of **jurisdictional boundaries, overlapping land interests, and regulatory authority**. Mapping will help the



Review Board to evaluate governance arrangements and impacts on Indigenous rights in relation to the project footprint.

Information Request

Please provide **GIS datasets (preferred)** or high-resolution maps showing:

- a) surface and subsurface land tenure
- b) administrative and jurisdictional boundaries
- c) Federal Crown lands
- d) Territorial lands
- e) Municipal lands
- f) Indigenous-owned or managed lands
- g) the Project footprint and associated infrastructure

IR No. 8 – Agreements affecting closure and post-closure

To:

- Government of the Northwest Territories
- Government of Canada
- Tłegóhłı Got'ıne Government

Preamble

Historic and contemporary agreements define rights, responsibilities, and land ownership in the Project area. The Review Board requires information on how these agreements apply to closure and post-closure to assess implications for long-term stewardship, governance, and liability, particularly within the Norman Wells Proven Area.

Information Request

Please describe how the following agreements apply to closure and post-closure responsibilities:

- a) Sahtu Dene and Métis Comprehensive Land Claim Agreement
- b) Norman Wells Proven Area Agreement
- c) Any other land tenure or resource management agreements relevant to the Norman Wells area

Please also specifically address:

- ownership and control of lands within the Norman Wells Proven Area
- rights related to petroleum resources and infrastructure
- implications for post-closure liability and long-term management

IR No. 9 – Future land transfers or jurisdictional changes





To:

- Government of the Northwest Territories
- Government of Canada
- Town of Norman Wells
- Tłegóhłı Got'ıne Government

Preamble

Future changes in land ownership or jurisdiction could affect **long-term monitoring, stewardship, and liability**. The Review Board requires information on any anticipated changes to assess if mitigation measures and regulatory oversight will remain effective over time.

Information Request

Please describe any existing or anticipated:

- a) land transfers,
- b) devolution arrangements, or
- c) jurisdictional changes.

that may affect long-term stewardship, monitoring responsibilities, or reclamation and liability following closure.

IR No. 10 – Indigenous Governance and Community Role

To:

- Tłegóhłı Got'ıne Government

Preamble

Indigenous governments have distinct rights, authorities, and responsibilities related to lands and resources in the Project area. The Review Board requires information on Indigenous roles in closure and post-closure, to ensure that Indigenous governance, knowledge, and stewardship are appropriately considered in evaluating long-term project outcomes.

Information Request

Please describe your government's:

- a) role in closure planning and decision-making
- b) authorities related to land and resource management
- c) anticipated role in post-closure monitoring and stewardship
- d) any Indigenous-led monitoring, guardianship, or land management initiatives relevant to the Project

IR No. 11 – Gaps and Uncertainties in Oversight

To:





- All recipients

Preamble

The Review Board needs to understand any gaps or ambiguities in roles and responsibilities. The Review Board will use this information to evaluate whether the proposed governance framework is sufficient to manage long-term environmental and socio-economic risks. This will help the Review Board consider whether additional measures or clarifications are warranted.

Information Request

Please identify:

- a) any uncertainties or gaps in roles and responsibilities
- b) any areas where responsibilities are shared but unclear
- c) any responsibilities that are not currently assigned

Please include **recommendations** to improve clarity, coordination, and accountability.

