



July 23, 2025

VIA EMAIL

Impact Assessment Agency of Canada
160 ELGIN ST, 22ND FLOOR
OTTAWA ON K1A 0H3

Dear Impact Assessment Agency of Canada:

Government of the Northwest Territories' feedback on the draft Integrated Tailored Impact Statement Guidelines and the draft Public Participation Plan for the Peace River Nuclear Power Plant (Reference Number: 89430)

On behalf of the Government of the Northwest Territories (GNWT), we are pleased to provide GNWT's initial feedback on the draft Integrated Tailored Impact Statement Guidelines (the draft Impact Statement Guidelines) and the draft Public Participation Plan (draft Plan) on Energy Alberta's proposed Peace River Nuclear Power Plant (the Project). GNWT only recently became aware of the Project and the federal review. As GNWT was not formally notified of the Project by the Government of Canada or by the Government of Alberta under existing intergovernmental water agreements, we have not yet completed our internal reviews of the Project and are providing initial comments and feedback at this time.

The GNWT's interest in the Project is primarily due to potential transboundary impacts on water quality and quantity and air quality in relation to planned construction, operation, and closure, and to accidents and malfunctions. We anticipate that Indigenous governments and Indigenous organizations in the Northwest Territories (NWT) may also have interests in the Project.

Transboundary Water Agreements

The draft Impact Statement Guidelines do not acknowledge the transboundary water agreements pertinent to the Project. The GNWT signed a Bilateral Water Management Agreement with the Government of Alberta in 2015 to cooperatively manage shared waters. Commitments in this agreement are meant to maintain the ecological integrity of the aquatic ecosystem through ensuring the water quality, quantity and aquatic life are not affected by upstream activities. A key part of meeting this commitment is sharing information, notifying each other, and consulting each other, including:

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5.3 c) *The Parties agree that if and when a Development or Activity triggers a legislated public environmental review process, formal consultation will occur through that process (AB-NWT BWMA, 2015).*

The Alberta-NWT Bilateral Water Management Agreement mirrors the commitment of the *Mackenzie River Basin Transboundary Waters Master Agreement* (Master Agreement) to maintain the ecological integrity of the aquatic ecosystem. The Government of Canada (Canada), along with the Governments of NWT, Yukon, British Columbia, Alberta, and Saskatchewan, are signatories to this agreement, which came into effect in 1997.

The NWT is the ultimate downstream jurisdiction to the Peace River watershed, which is part of the Mackenzie River Basin, and, as such, is vulnerable to downstream impacts of the Project. The GNWT notes that the draft Plan and the draft Integrated Guidelines do not clearly show consideration of the NWT in the geographic scoping. Although the draft Integrated Guidelines refer to effects assessment in the Wood Buffalo National Park and the Peace-Athabasca Delta (PAD), they do not mention the Slave River and Delta, Great Slave Lake, or other locations or communities in the NWT that could be affected by the Project. Excluding locations downstream of the NWT-Alberta border from the geographic scope of the Project will mean that transboundary impacts may not be considered, resulting in an incomplete assessment. NWT governments and communities have expressed similar concerns with past assessments of upstream activities, such as the assessments for the Site C Project and the W.C. Bennett Dam, and the NWT continues to feel the impacts.

The GNWT therefore recommends that the draft Impact Statement Guidelines be revised to provide more clarity on how transboundary impacts will be considered, and to refer to the applicable transboundary water agreements.

Draft Tailored Impact Statement Guidelines

The GNWT is currently reviewing the Project proposal to understand in more detail potential implications for the NWT. As noted above, concerns include potential transboundary impacts on water quality and quantity and air quality in relation to planned construction, operation, and closure, and to accidents and malfunctions. The GNWT expects that the final Tailored Impact Statement Guidelines will also include climate change vulnerability assessments, meaningful integration of Indigenous Knowledge, and robust assessments of potential consequences of emergency releases of nuclear substances on the air and the water in the NWT.

After completing an initial technical review, the GNWT may contact the proponent directly with additional questions and will make the review available to the Impact Assessment Agency of Canada (IAAC).

Draft Indigenous Engagement and Partnership Plan

Water holds strong cultural and social importance in the NWT that must be acknowledged and respected in any decision. The rivers, lakes, streams, and wetlands of the NWT are an essential part of northern life and Indigenous cultures and identity. Modern treaties in the NWT have been negotiated as land claim, resource, and self-government agreements. These constitutionally protected agreements have commitments to avoid substantial alteration of water quality, quantity, and rate of flow. As a signatory alongside Canada, the GNWT works hard to uphold these commitments.

The draft Indigenous Engagement and Partnership Plan (IEPP) for the Project does not include any NWT Indigenous governments or communities, and we note that the proponent has not engaged with NWT Indigenous governments or communities to date.

The GNWT recommends that:

- The proponent engage with NWT Indigenous governments and Indigenous organizations to assess adverse impacts that the Project may have on the rights of Indigenous Peoples of Canada recognized and affirmed by section 35 of the *Constitution Act*, 1982; in land, resource and self-government agreements in NWT; and commitments made by Canada in the *United Nations Declaration of Indigenous Peoples Act*, 2021; and,
- The IEPP be revised to include communities in the NWT that are likely to be impacted by the Project.

GNWT is committed to continued collaboration with Indigenous governments and Indigenous organizations, and we want residents of the NWT to have an opportunity to meaningfully participate in the integrated Impact Assessment Agency of Canada (IAAC)-Canadian Nuclear Safety Commission (CNSC) process. The GNWT values transparency and accountability and therefore plans to reach out to Indigenous governments and Indigenous organizations in the NWT, through the NWT Water Stewardship Strategy Indigenous Steering Committee, to inform them of GNWT's participation in the assessment, and to encourage them to participate in the assessment.

Draft Public Participation Plan

In response to the guidance in the draft Public Participation plan for the Project and as a participant in the assessment, the GNWT would also like to be on the distribution lists for the next phases of the IAAC process and for the integrated review panel, once established.

Next Steps and Contact Information

The GNWT will monitor the process going forward, including procedures that may be established to support the work of the review panel, and will comment and participate, as required. As noted above, the GNWT will also share information about the process, and the GNWT's interests, with Indigenous governments and Indigenous organizations in the NWT.

Our primary contact 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. Should IAAC or participants have any questions about this letter, please contact Nancy Njerere at Nancy_Njerere@gov.nt.ca or (867) 767-9180 Ext. 53040.

Sincerely,



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