



Impact Assessment
Agency of Canada
President

Agence d'évaluation
d'impact du Canada
Président

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June 10, 2020

Grand Chief Verna Polson
Algonquin Anishinabeg Nation Tribal Council

Chief Lance Haymond
Kabaowek First Nation

Samantha Green
[REDACTED]

Dear Grand Chief Polson and Chief Haymond:

The Prime Minister's Office forwarded your letter of May 14, 2020, to the Honourable Jonathan Wilkinson, Minister of Environment and Climate Change, concerning the environmental assessments for three proposed nuclear projects; the Near Surface Disposal Facility Project, the Nuclear Power Demonstration Closure Project, and the Micro Modular Reactor Project (the Projects) at the Chalk River Nuclear Site. The Minister asked me to respond on his behalf.

The *Impact Assessment Act* (IAA) came into force on August 28, 2019, repealing the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). The IAA contains transitional provisions for the environmental assessment of designated projects begun under CEAA 2012 where the Canadian Nuclear Safety Commission (CNSC) is the responsible authority. Section 182 of the IAA states:

“Any environmental assessment of a designated project by the Canadian Nuclear Safety Commission or the National Energy Board commenced under the 2012 Act, in respect of which a decision statement has not been issued under section 54 of the 2012 Act before the day on which this Act comes into force, is continued under the 2012 Act as if that Act had not been repealed.”

Given that the environmental assessments for the three Projects commenced under CEAA 2012, and decision statements were not issued for them before the IAA came into force, these Projects will continue to be assessed under CEAA 2012.

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My expectation is that the CNSC will continue to consult with the Algonquin Anishinabeg Nation Tribal Council and the Kebaowek First Nation as part of these processes. The CNSC has also provided your communities with funding from their Participant Funding Program to support the consultations underway.

It is my understanding that CNSC staff also met with your First Nations, including in February 2020, to express interest in developing a collaborative consultation protocol with the Algonquin Anishinabeg Nation Tribal Council and the Kebaowek First Nation. I have copied my colleague, Rumina Velshi, President and Chief Executive Officer of the CNSC, on this correspondence so she is aware of our response and the issues you have raised.

The Algonquin Anishinabeg Nation Tribal Council and the Kebaowek First Nation's support of the IAA is greatly appreciated, and the Agency looks forward to continuing to build our relationship based on recognition of rights, respect, cooperation and partnership for projects undergoing assessments under the IAA and those continuing under CEAA 2012.

I understand that a response to your letter will also be coming from the Honourable Seamus O'Regan, Minister of Natural Resources. My colleague Christyne Tremblay, Deputy Minister, Natural Resources Canada, has been copied for reference.

Yours sincerely,

David McGovern
President

c.c. Ms. Christyne Tremblay, Deputy Minister, Natural Resources Canada
Ms. Rumina Velshi, President and Chief Executive Officer,
Canadian Nuclear Safety Commission