CPAWS · SNAP
CANADIAN PARKS AND WILDERNESS SOCIETY
SOCIÉTÉ POUR LA NATURE ET LES PARCS DU CANADA

National Office | Bureau national
600-100 rue Gloucester Street
Ottawa, ON K2P 0A4
613.569.7226

cpaws.org • snapcanada.org
CRA/ARC #10686 5272 RR0001

The Honorable Julie Dabrusin
Minister of the Environment, Climate Change, and Nature
Government of Canada
Submitted via email to: ministre-minister@ec.gc.ca
Copied to: information@iiac-aeic.gc.ca; PNR-RPN@iaac-aeic.gc.ca

October 26, 2026

RE: Request to designate Suncor's Base Plant Water Treatment Plant Project under subsection 9(1) of the Impact Assessment Act

Dear Minister Dabrusin,

On behalf of the Canadian Parks and Wilderness Society and the Canadian Parks and Wilderness Society, Northern Alberta, we write in support of the designation requests submitted by the Athabasca Chipewyan First Nation and the Fort Chipewyan Métis Nation. We respectfully request that you **designate, by order, the construction and related operations of Suncor Energy Inc.'s proposed Base Plant Water Treatment Plant under Section 9(1) of the *Impact Assessment Act*** to ensure that the project's potential adverse and cumulative effects are comprehensively assessed through a transparent federal review process. What is being proposed by this project, the treatment and release of fluid tailings wastewater from oil sands mining into the Athabasca River, has never been permitted for any oil sands facility and risks precedent setting for these activities across the industry without federal review. This is occurring at the same time that regulations for such activities are being developed federally and provincially but are not yet complete.

The project may cause adverse effects within federal jurisdiction that fall squarely within the Minister's designation authority. There is a substantive basis for concern about effects on fish and fish habitat and human health. Oil sands process-affected water contains a complex mixture of contaminants, including metals, polycyclic aromatic hydrocarbons (PAHs), naphthenic acids, petroleum hydrocarbons, salts, and other inorganic ions. Research has identified naphthenic acids as toxic components of oil sands process-affected water, and concerns regarding releases of treated oil sands mine water have prompted specific investigation of whole-effluent toxicity, ecological health risks, and

National Office | Bureau national
600-100 rue Gloucester Street
Ottawa, ON K2P 0A4
613.569.7226

cpaws.org • snapcanada.org
CRA/ARC #10686 5272 RR0001

regional-scale aquatic treatments. Treatment may reduce the concentrations of some contaminants, but this does not guarantee that effluent from the proposed project will be environmentally safe over the full scale and duration of its operation. Residual salinity also warrants specific consideration in a freshwater-receiving environment, alongside the potential acute and chronic effects of individual contaminants and contaminant mixtures on fish and other aquatic organisms.

These potential effects are not explicitly confined to Suncor's Base Plant or the immediate receiving environment.

The proposed discharge would enter the Athabasca River, creating a direct downstream pathway through a watershed that extends beyond Alberta. Evidence from the Athabasca River and its tributaries downstream of oil sands mining operations has documented contaminants associated with oil sands development, including polycyclic aromatic hydrocarbons and trace metals. The transport, fate, and cumulative effects of residual contaminants therefore require consideration at an appropriate downstream and transboundary scale, including potential effects on aquatic ecosystems and communities located downstream of the project.

Indigenous Peoples are at risk of being adversely affected because of changes to the environment, including effects on health, social and economic decisions, and the current use of lands and resources for traditional purposes. These concerns are particularly significant for Indigenous communities downstream of the oil sands, where questions regarding contaminant exposure and human health have remained unresolved for decades. Previous health investigations in Fort Chipewyan have identified cancer patterns warranting continued investigation, while community-based research has documented contaminants, including arsenic, mercury, and carcinogenic PAHs, in traditionally harvested food. Downstream Indigenous communities have repeatedly voiced their opposition to oil sands process water being disposed of in the Athabasca River, as stated in the designation requests linked above. Those concerns, and the possible impacts on constitutionally protected rights, are factors explicitly identified in subsection 9(2) of the Act.

The proposed project is not simply an ancillary facility within an existing industrial site. It would create a new pathway for the treatment and discharge of oil sands process-affected water into the Athabasca River. According to the Canadian Impact Assessment Registry,

CPAWS · SNAP
CANADIAN PARKS AND WILDERNESS SOCIETY
SOCIÉTÉ POUR LA NATURE ET LES PARCS DU CANADA

National Office | Bureau national
600-100 rue Gloucester Street
Ottawa, ON K2P 0A4
613.569.7226

cpaws.org • snapcanada.org
CRA/ARC #10686 5272 RR0001

the project could discharge up to 12 million cubic metres of treated oil sands process water each year. Fluid tailings that result from mining oil sands contain multiple toxins and have very high salinity. To date, there is no evidence that treatment of oil sands fluid tailings can result in the liquid being safe for the environment and downstream communities. As the Athabasca River is a fish bearing water body, the Department of Fisheries has jurisdiction over whether such an activity is permitted. There is also a request for treat-and-release to be assessed under the Canadian Environmental Protection Act (CEPA). At present, no federal regulations exist to permit the release of tailings into the Athabasca River. The scale, duration, and experimental nature of this activity warrants a federal impact assessment before the project proceeds.

This project has significance beyond a single facility. It may establish an operational and regulatory precedent for similar treat-and-release proposals across the oil sands region prior to federal and provincial regulations having been developed for treatment of oil sands tailings. Proceeding with this project risks pre-empting an ongoing federal-Indigenous process addressing the management of oil sands process-affected water. As the federal government is in the process of a multi-year engagement through the Crown Indigenous Working Group (CIWG) with the purpose of assessing alternatives to treat-and-release, approving this project without any federal evaluation of adverse effects would be highly inappropriate. A project-specific impact assessment is therefore needed to evaluate the treatment technology, contaminants, discharge volumes and timing, acute and chronic effects, cumulative effects, monitoring and enforcement, accident and malfunction scenarios, viable alternatives, and long-term implications for future oil sands production and tailings volumes.

The significance of this project must also be considered in the context of the scale of the broader oil sands problem. As documented in CPAWS Northern Alberta and Keepers of the Water's *50 More Years of Sprawling Tailings* report, the footprint of tailings and associated infrastructure is approved to nearly triple from approximately 300 km^2 to 850 km^2 by 2070, with fluid tailings alone approved to occupy approximately 100 km^2 by that time. This concern is heightened by the Government of Alberta's stated ambition to double oil protection. Increased oil sands mining would generate additional tailings requiring long-term management, further increasing the significance of decisions made today about how oil sands process-affected water is treated and disposed of. Existing approvals authorize tailings management to extend well into the future, with some mines near Fort McKay

CPAWS · SNAP
CANADIAN PARKS AND WILDERNESS SOCIETY
SOCIÉTÉ POUR LA NATURE ET LES PARCS DU CANADA

National Office | Bureau national
600-100 rue Gloucester Street
Ottawa, ON K2P 0A4
613.569.7226

cpaws.org • snapcanada.org
CRA/ARC #10686 5272 RR0001

approved through 2115 and beyond. Against this backdrop, Suncor's proposal cannot be viewed solely as a waste-management project at one facility. Establishing treatment and release as an accepted management pathway at the Base Plant could set a dangerous operational and regulatory precedent for how oil sands process-affected water is managed across a larger and expanding regional tailings footprint. This reinforces the need for a federal assessment of Suncor's proposal and for consideration of a regional assessment under sections 92 and 93 of the *Impact Assessment Act*.

At present, the necessary assessments, safeguards, and regulatory frameworks for oil sands process water released are not yet in place. The Alberta Energy Regulator's decision to not require a provincial environmental impact assessment does not demonstrate that potential adverse effects directly impacting federal authority have been adequately assessed, nor does it provide an appropriate forum for examining cumulative effects across the Athabasca watershed, impacts to downstream communities, or implications for Wood Buffalo National Park. A federal assessment is now critical due to the Government of Alberta's disinterest and inability to resolve these concerns.

Wood Buffalo National Park is a UNESCO World Heritage Site, and the Peace-Athabasca Delta is among the unique ecological features that underpin its Outstanding Universal Value. Canada's 2019 Action Plan for the Park recognizes that cumulative development pressures are causing landscape-scale ecological change and includes a dedicated Tailings Ponds Risk Assessment proposal. That risk assessment remains unfinished. Authorizing a project that enables routine discharge of treated oil sands process water before the assessment is completed would move ahead of a federal process intended to understand and reduce tailings-related risks to the Park and downstream communities.

We therefore ask that you:

- Designate, by order, Suncor's Base Plant Water Treatment Plant Project under Section 9(1) of the *Impact Assessment Act*;
- Direct that no federal authorization capable of permitting the project to proceed be issued before the designation request is determined to avoid undermining the purpose of the designation process;

CPAWS · SNAP
CANADIAN PARKS AND WILDERNESS SOCIETY
SOCIÉTÉ POUR LA NATURE ET LES PARCS DU CANADA

National Office | Bureau national
600-100 rue Gloucester Street
Ottawa, ON K2P 0A4
613.569.7226

cpaws.org • snapcanada.org
CRA/ARC #10686 5272 RR0001

- Ensure that any federal assessment is conducted in meaningful partnership with affected Indigenous Nations and communities and fully considers Indigenous Knowledge and section 35 rights;
- Coordinate with Alberta to ensure they are adhering to due process and respecting federal responsibility within federal jurisdiction; and
- Consider, in parallel, whether a regional assessment under sections 92 and 93 is required to examine the cumulative effects of oil sands tailings management and future treat-and-release projects in the Athabasca region.

A federal impact assessment is necessary to ensure that mitigation measures, including measures to avoid, minimize, restore and offset the project's potential adverse federal effects and impacts on Indigenous rights are identified. In absence of a federal impact assessment of the construction and related operations of Suncor Energy Inc.'s proposed Base Plant Water Treatment Plant, this project risks becoming the template for subsequent oil sands process water releases before the necessary regulatory standards, regional risk assessment, and public safeguards are in place particularly as the Premier of Alberta has set a goal to double Alberta's oil production to 8 million barrels per day by 2035.

We urge you to act within the authority provided by the *Impact Assessment Act* and designate the project.

Sincerely,

<Original signed by>

Kecia Kerr
Executive Director
Canadian Parks and Wilderness Society, Northern Alberta

<Original signed by>

Sandra Schwartz
Executive Director
Canadian Parks and Wilderness Society

CPAWS · SNAP
CANADIAN PARKS AND WILDERNESS SOCIETY
SOCIÉTÉ POUR LA NATURE ET LES PARCS DU CANADA

National Office | Bureau national
600-100 rue Gloucester Street
Ottawa, ON K2P 0A4
613.569.7226

cpaws.org • snapcanada.org
CRA/ARC #10686 5272 RR0001

CC: Impact Assessment Agency of Canada, Prairie and Northern Regional Office