



Impact Assessment Agency of Canada
160 Elgin Street, 22nd Floor
Ottawa, Ontario K1A 0H3
Telephone: 613-699-6778
Email: peacenuclear-nucleairepaix@iaac-aeic.gc.ca

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Re: Peace River Nuclear Power Project Comments on Initial Project Description (IPD)

The Athabasca Chipewyan First Nation (ACFN) is K'ai Tailé Dënesųliné, which means "people of the land of the willow." ACFN's territory is centered on the Peace Athabasca Delta ("PAD"), part of Wood Buffalo National Park. The PAD is one of the largest freshwater deltas in the world, and its health is essential to ACFN's. As a signatory to Treaty 8, the ACFN's rights are not just a matter of tradition, but also a legal obligation. This treaty acknowledges our inherent and cultural connection to the land, and we continue to exercise our rights, including the right to hunt, trap, collect food, and fish throughout our territory. These rights are not negotiable, but a fundamental part of our identity and must be respected.

Provincial Authority

ACFN is deeply concerned about the proposed Bill 54 in Alberta and will not consent to develop or participate in engagement with the government of Alberta until this is resolved. The separatist movement is disenfranchising First Nations' voice on Treaty lands and therefore goes against Section 35 of the Canadian Constitution: protection of Treaty and Aboriginal rights. This is of heightened concern to ACFN. The IPD does little to identify the provincial agency that will enforce regulations and give provincial approvals for the Project's lifetime. Alberta has no defined regulations on managing nuclear power and hazardous waste.

Federal Authority

ACFN is committed to a robust impact assessment process, which will require years of investigation, and expects that the Joint Review Panel by the Impact Assessment Agency of Canada (IAAC) and Canada Nuclear Safety Commission (CNSC) will have mechanisms to ensure the process is not rushed or influenced by the proponent. A close partnership must be formed with IAAC, CNSC, and ACFN to ensure meaningful consultation processes where mitigation measures begin with integrating accommodation in the assessment process, which is the only way to address the impacts to rights adequately.

UNDRIP, Implementation of Free Prior and Informed Consent

This proposed Project will require meaningful consultation in accordance with the United Nation Declaration on the Rights of Indigenous Peoples by implementing Free, Prior, and Informed Consent from Indigenous

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communities throughout all phases of the Project. Under this, ACFN will expect a fully engaging process that will require impacted Indigenous Nations to give consent for the Project to be approved.

Nuclear Waste Management and Storage

The waste produced or spent fuel from the reactor is high-level waste and would be stored onsite using techniques applied at other project sites. Information and safety regulations that would be in place around this area need to be outlined further. Again, the provincial role in developing, operating, and mitigating measures is necessary to assess the impact. This aligns with Canada's Policy for Radioactive Waste Management and Decommissioning. The Regulators and Review Panel must commit to implementing UNDRIP in the process, which is key to ensuring a meaningful duty to consult with Indigenous peoples and recognize the status of rights, upholding the will of Indigenous communities to give consent.

The Water

Water plays a key role in ACFN's way of life, and the Peace River is a major artery that feeds the Peace-Athabasca Delta (PAD). The PAD is home to many birds, mammals, and fish that rely on health of the water to ensure survival. The Wood Buffalo National Park, a UNESCO World Heritage site, is also located within the path of the Peace River. ACFN is concerned that the water levels and water quality will be significantly affected by the proposed Project based on the continuous need for water and the release of potentially contaminated effluents. The Athabasca River also feeds the PAD, which is already highly impacted by the oil and gas industry.

Water discharged to the environment from the facility raises the risk of contaminating surrounding and downstream ecosystems for fish, aquatic, and bird species/habitats. Therefore, assessment, monitoring, and evaluation must be at the highest standard identified by western science and traditional knowledge. ACFN has created its own ACFN's tu bet'a ts'ena (Water Policy) and would expect that water management, protection, distribution, and use would be held to these standards, see document on ACFN's website. ACFN would need further studies on the amount of water used yearly and how that would affect water access/transport, quantity, and quality in the ACFN traditional lands, including the PAD. Detailed reports for surface and ground water interactions will be necessary to understand the hydrogeologic flow systems, their sensitivity, and the mapping of the groundwater and surface water flow systems.

Psychosocial impacts of the Project (e.g., mental health)

The IPD does not include the psychosocial impacts on the people living in the area of the overall effects. This includes assessing the psychological well-being associated with living near the nuclear projects and past effects from industry developments. While nuclear technologies have advanced, they do not remove the feelings related to the nuclear industry based on the past impact and effects on lives and livelihoods. The psychosocial aspect of impact assessment is overlooked. It must be explored to correctly define this Project's risk and long-term effects on human health, mental health, and way of life. ACFN expects to see the inclusion of Psychosocial impact in the Project's detailed application document.

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Caribou

While the project site is yet to be determined, there are many risks to consider with both locations. Caribou is a critical part of the ACFN's way of life and for neighboring communities. It is of concern the closeness of the caribou's range of land to both sites. The land on which this Project is being proposed has recently been used for agriculture. Agriculture still allows the grazing and movement of wildlife. The introduction of this power plant would disturb key habitat functions, which in turn would disturb essential species at risk and species of cultural importance to ACFN and surrounding Nations.

Project-Specific Traditional Land Use Studies

Capacity to complete a project specific traditional land use study to be involved throughout the IA process and the remaining consultation period. Oral history is essential to keeping traditional knowledge alive and needs to be documented. There is little archaeological information available on the area, and this issue can be mitigated through lidar assessment and an understanding of the area's history.

Respect for other Indigenous Nations located closer to the project footprint

ACFN is committed to the regulatory process in good faith and will respect and support the values and direction of the surrounding Indigenous nations. The most impacted communities are in closer proximity to the proposed Project and will have ACFN's support; therefore, communications with those nations to align our priorities within Dene Laws are key.

Expansion / Development of the Fossil Fuel industry

Through the IPD, it is stated that this additional energy to the grid can support oil and gas operations, data centers, and other industrial uses. This has the potential to support the expansion of the fossil fuel industry which is moving away from the net-zero commitments Canada has made.

Spirit of the land

The land has a spirit, and ACFN has a loving and reciprocal relationship that is rooted in respect with the land. Western science and systems often overlook the rights of the land, which do not see the land as a person. It is troublesome how little consideration is given to the land, water, and wildlife of the surrounding area.

Jobs

Through the IPD there are many references to the creation of jobs through the lifecycle of the Project. With this Project being decades in the making, what training opportunities will be in place to create such a workforce of local peoples to be experts in the nuclear power field. There would need to be bridging programs that would reduce barriers for local /affected communities' member to obtain the necessary training for these developments.

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Environmental Monitoring

As protectors of the land ACFN has implemented our own policies and projects to monitor the environment on our lands. ACFN requests more detailed information on the proposed monitoring programs that will be in place and the metrics used to analyzed data. Treaty 8 must be involved in the monitoring process, from collection to analysis of the results to the interpretation of the territory's health.

Cumulative Effects

Damage to land either through reduced quantity or quality adversely impacts ACFN's connection to the land and, thus, to culture. It impedes the ability to transfer culture within and among generations. Such damage is not restricted to a single project or development impacts; it includes the aggregate impact or accumulated damage of cumulative effects. The proposed Project is inclusive.

ACFN culture, such as language, stories, history, values, knowledge, and skills, can only be passed down from generation to generation if there are enough landscapes and ecosystems in good shape. That includes healthy and abundant wildlife populations, intact plant communities, and uncontaminated aquatic resources. ACFN has decades of direct experience in which developments have adversely impacted the land and our Treaty rights. The ability to steward, protect, rehabilitate, and maintain traditional ACFN territory serves to preserve, support, and strengthen our culture. With the Development of this Project combined with current and future projects, there must be a strong method of predicting potential impacts on rights tied to ecosystem health.

Climate Change considerations

The notion that this Project is net-zero can be contradicted by its lifecycle and the additional industries associated with nuclear power plant creation. While ACFN acknowledges the COP28 call for tripling nuclear power, considerations still need to include the extraction and creation of fuel, and the energy/resources used to manage waste.

ACFN's territory is rich in uranium and other rare minerals that have been extracted since the 1960s. Given the growing global demand, there is a large market that will need to see uranium mines proceed. ACFN lands have been over-exploited and carry many scars of extraction. It is a concern whether there is enough uranium to produce fuel for the Project's lifecycle and whether the Project will be economically viable given the markets.

Additional benefits

As mentioned, this Project can bring benefits such as medical isotopes, district heating, hydrogen production, and more. If these are to be undertaken, Energy Alberta needs to have a clear assessment of the additional impacts and effects from such expansion of their project facilities or partner with nearby facilities.

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Safety

The IPD contains various technical details, yet ACFN still finds the public's information on the safety measures and emergency responses very limited. Effective measures must be taken to ensure that the site chosen is safe from nuclear and radiological impacts.

Regards,

<Original signed by>

Janelle Flett, Resource Development Advisor ACFN DLRM

Cc: Charlene Williams, Manager, Industry and Regulations ACFN DLRM

Lisa Tssessaze, Executive Director ACFN DLRM

Claudette Bois, Crown Consultation Coordinator IAAC

Justin McKeown, Senior Policy Officer CNSC

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Main Office - Box 366, Fort Chipewyan, AB T0P 1B0

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Satellite Office - 300 MacKenzie Blvd, Fort McMurray, AB T9H 4C4

www.acfn.com