



April 22, 2026

## **Duncan's First Nation Comments on Peace River Nuclear Power Plant Revised Initial Project Description**

### **Introduction**

Duncan's First Nation ("DFN") stands to be one of the most impacted First Nations from the proposed Peace River Nuclear Power Plant (the "**Project**"). The two sites under consideration for the Project are at the heart of our Treaty and Traditional Territories ("**DFN Territories**") and adjacent to our Reserve lands where our People live and care for their families.

Since the Crown sought agreement from our ancestors in 1899 to open the region up to non-Indigenous persons for settlement, the wellbeing of our lands and our People have been eroding. Given the magnitude of the proposed Project, we are gravely concerned about the threat of further impacts. DFN has and continues to sound the alarm regarding the cumulative impacts in the region, and the devastating consequences rampant resource development is having on our People, lands, and animals.

The proposed Project would bring significant change to DFN Territories that would prompt further regional development spurred by access to vast amounts of new electricity. The impacts of this Project would thus be long-lasting and far-reaching—well beyond the Project as scoped in the impact assessment process. As a host community of this Project, DFN is being asked not just to contend with the many anticipated impacts of the proposed Project, but to also live with the threat of low-probability but high-consequence events that could permanently devastate DFN's homeland.

Confidence in the ability of the impact assessment process to effectively grapple with these complex realities and DFN's position on what constitutes an acceptable risk is already low. This is why the Proponent's request to convert this process into one that relies on a Plant Parameter Envelope ("**PPE**") is unacceptable. This approach threatens to undermine the reliability and credibility of the current impact assessment process and our tenuous belief in it.

For the reasons that are outlined below, DFN respectfully requests that IAAC reconsider its determination that the Revised Initial Project Description ("**Revised IPD**") changes are only "limited in nature" and recognize these are significant changes that warrant Indigenous and public comments. Had this comment period been provided—or had DFN been recognized as a co-administrator of the impact assessment process—DFN would have made clear that, from its perspective, using a PPE approach to assessing the impacts of a large nuclear facility is incompatible with the *United Nations Declaration on the Rights of Indigenous Peoples* ("**UNDRIP**") and the right of free, prior, and informed consent ("**FPIC**"). As such, Energy Alberta's (the "**Proponent**") request should have been denied.

## Initial Project Descriptions

In April 2025, IAAC accepted the Proponent’s original Initial Project Description (“**Original IPD**”) for posting. In our submissions responding to this document, we raised the serious concern that DFN had not been offered sufficient time or capacity funding to engage in the review of the Original IPD or engage the experts whose advice is critical to DFN’s meaningful participation in the Project. As a result of these time and capacity restraints, DFN was only able to provide preliminary comments, which we did on May 13, 2025. IAAC proceeded with releasing the Summary of Issues thereafter without seeking further input from DFN.

In February 2026, the Proponent submitted a Revised IPD. The core revision involves replacing sole consideration of the Project using CANDU MONARK reactors with a PPE that considers both the CANDU MONARK and Westinghouse Electric Company’s AP1000 as potential technologies for the Project. The implications of assessing the impacts of heavy water versus light water reactors simultaneously in a single impact assessment process is significant and dramatically changes the scope of this exercise. DFN was thus deeply concerned by IAAC’s decision to accept the Proponent’s Revised IPD without delay or consultation.

IAAC’s public notice dated March 2, 2026, states that the changes to the Revised IPD are “limited in nature” and therefore do not warrant “an additional public comment period prior to finalizing the Integrated Guidelines.”<sup>1</sup> With the Proponent’s submission of the Revised IPD— which appears to have been “the activity for which it had requested the time be suspended”, rather than engagement with Indigenous Nations as previously alleged— IAAC has recommenced the assessment timeline. From DFN’s perspective, characterizing the midstream adoption of a PPE framework as a limited change misrepresents its significance.

It is clear that IAAC is under significant pressure to complete the impact assessment and approvals process of nuclear projects within two years of receipt of an IPD.<sup>2</sup> The creation of parallel timelines that are out of sync with those established in the *Impact Assessment Act*<sup>3</sup> is deeply troubling, particularly for a project of this scope. The federal government has placed IAAC in the impossible position of not being able to properly fulfill its statutory mandate and responsibilities as an agent of the Crown without disregarding federal directives. This approach will ultimately result in further delays and defeat the very objective it seeks to advance.

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<sup>1</sup> IAAC, [Peace River Nuclear Power Project - Notice of Time Limit Resumption](#), March 2, 2026.

<sup>2</sup> See for example, IAAC, [Co-operation Agreement on Environmental and Impact Assessment](#), April 2, 2026 at s 5(1).

<sup>3</sup> S.C. 2019, c. 28, s.1

## Free, Prior, and Informed Consent

As outlined in our prior submissions, DFN intends to rely on its right to free, prior, and informed consent with respect to this Project in accordance with Articles 18 and 29(2) of UNDRIP, as affirmed within Canadian Law through the *United Nations Declaration on the Rights of Indigenous Peoples Act*.<sup>4</sup> This is a major project that will have wide reaching impacts on DFN Territories and our Peoples' place within them. The extent of cumulative effects on our already compromised rights makes this Project particularly concerning for us. Further, the risk of catastrophic high-consequence events is a reality that cannot be denied and one we are being asked to live with for many decades to come.

The proposed nuclear facility would involve the storage of radioactive and other hazardous materials including heavy metals, corrosion products and solvents, and coolants and treatment chemicals. The wastes that would be produced by this Project would be stored on site for years to come, and could deeply impact the surrounding environment, including DFN Territories. Given there is no disposal solution yet proposed for the radioactive wastes, this storage would likely last for decades if not forever. Given this, it is essential that our right to participate in decision-making is recognized.

### *Plant Parameter Envelope*

While PPEs are a recognized regulatory tool, DFN submits that adopting this approach is not consistent with the right of FPIC and cannot be used in these circumstances. FPIC requires that Indigenous Nations have clear, stable, and complete information about a project's impacts. Adopting a PPE framework benefits the Proponent at the expense of Indigenous Nations and the public. It injects significant uncertainty into the impact assessment process and shifts key decisions to later stages, after the impact assessment is complete. This undermines transparency and informed participation. The result is a lack of sufficient detail about the final design, technology and operational characteristics of the facility, making it more difficult to:

1. accurately assess environment, health, economic, social, and cultural impacts;
2. understand the full scope of potential risks; and
3. meaningfully evaluate cumulative effects.

Consultation based on hypothetical or variable project scenarios does not meet the standard required for DFN to be able to exercise its right of FPIC. By assessing a range of parameters rather than a defined design, there is a risk that impact predictions will be too high-level, overly generalized, or conservative in ways that obscure real risks. Interactions between parameters, such as reactor type, cooling systems, and waste streams may not be adequately assessed. There is a real risk that more site-specific or design-specific harms are deferred and ultimately underexamined. This is particularly concerning for nuclear facilities, where low-probability but high-consequence events must be rigorously evaluated.

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<sup>4</sup> SC 2021, c 14.

The ability to accurately assess cumulative effects are also eroded through the use of a PPE. Understanding potential cumulative effects of a project is extremely challenging even when a project is clearly defined. The PPE approach complicates this process considerably by introducing multiple potential impact pathways, making it difficult to model long-term and combined effects, and limiting the ability to compare alternatives meaningfully. Given the pressures on DFN Territories, this gap and uncertainty is simply unacceptable.

The use of a PPE places DFN in a reactive rather than decision-making position if critical decisions are made after a point where consent would carry the most weight. This threatens the principle that consent must be provided without coercion or structural pressure. Institutional momentum is a significant threat for Indigenous groups faced with projects of this stage when the willingness to fundamentally reconsider a project diminishes with the passage of time. This approach undermines the ability to assess impacts before approvals are granted, deferring critical design choices that may significantly alter risk profiles, and undermining DFN's ability to provide or withhold its free, prior, and informed consent.

DFN's inherent, Aboriginal, and Treaty rights are deeply connected to their lands and waters. The assessment must incorporate Indigenous Knowledge of these lands and waters, and Indigenous perspectives on the potential impacts to rights. The uncertainty inherent in a PPE approach makes it difficult for DFN to assess impacts on harvesting rights and food sovereignty, water quality, and fish and wildlife. Without project certainty, the assessment cannot adequately account for how different design outcomes may uniquely affect DFN rights and way of life. This leads to a failure to fully understand the impact at the assessment stage and the Indigenous perspective on impacts.

### **Lost Opportunity**

The re-submission of the IPD represented an opportunity for the Proponent to address concerns raised by DFN and other Indigenous Nations, both in our submissions on the Original IPD and in subsequent communications. Instead, Energy Alberta states in the Revised IPD that they are "awaiting the final TISGs before determining how issues raised through engagement and communications" with Indigenous Nations may be incorporated.<sup>5</sup> As a result, DFN's concerns continue to remain unaddressed. This was a missed opportunity that hinders respectful dialogue and trust building. Rather than presenting additional information to provide more clarity about the Project and its potential impacts, the Revised IPD has created more uncertainty and more cause for concern.

### **Conclusion**

Large scale nuclear energy facilities create a complex web of interrelated and disparate impacts. Undertaking an impact assessment process with respect to this kind of a project is incredibly challenging. The reality of high-consequence, low-probability catastrophic events gives rise to legitimate fear and dread associated with both the risk itself and the perception of risk, and threatens to alienate our People from their lands and waters. The

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<sup>5</sup> Revised IPD, p 3-6.

use of a PPE to assess the potential impacts of this Project will only amplify our concerns, undermine our confidence in the impact assessment process, and make meaningful consent more difficult.

The acceptance of the PPE in this context creates the risk that the impact assessment will ultimately be considered defective. FPIC cannot be meaningfully exercised where the Crown and proponent reserve the right to select fundamental project features only after the assessment has been completed, and approvals have been granted.

Replacing a single, clearly defined reactor technology with two fundamentally different reactor designs—each with distinct waste streams, cooling systems, risk profiles, and accident scenarios—cannot reasonably be characterized as a “limited” change. It alters the scope, complexity, and certainty of the assessment at a foundational level. Accordingly, we request that IAAC reconsider its acceptance of the Revised IPD in consultation with ourselves and other impacted Indigenous Nations.

We look forward to engaging with the IAAC, CSNC, and Energy Alberta on the review of this Project.

Yours truly,

<Original signed by>

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