



## **Supplementary Information**

### **Oral Presentation**

#### **Presentation from the Métis Nation-Saskatchewan**

In the Matter of the

**Orano Canada Inc.,  
McClellan Lake Operation**

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Application for licence amendment  
for the expansion of the JEB Tailings  
Management Facility (TMF) at the  
McClellan Lake Operation

**Commission Public Hearing**

**October 4, 2021**

## **Renseignements supplémentaires**

### **Exposé oral**

#### **Présentation de la Métis Nation-Saskatchewan**

À l'égard de

**Orano Canada Inc.,  
Établissement minier de McClellan Lake**

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Demande de modification de permis pour  
l'agrandissement de l'installation de gestion  
des résidus (IGR) JEB à l'établissement de  
McClellan Lake

**Audience publique de la Commission**

**4 octobre 2021**

# Orano McLean Lake License Amendment Application: Oral Presentation from the Métis Nation of Saskatchewan

October 4<sup>th</sup>, 2021 / Saskatoon, Saskatchewan

Presented by: **Mark Calette,**  
**MN-S Senior Director of Lands and Consultation**





## Overview

- **Who are the Métis?**
  - S.35 Rights Holders
  - Reconciliation
  - Saskatchewan Métis
- **Concerns with Contracting**
- **Consultation and Engagement**
- **Recommendations**





## Who are the Métis?



### S.35 Rights Holders

- Métis people are recognized as protected “Aboriginal peoples” under s.35 *Constitution Act, 1982*, and assert Aboriginal rights protected thereunder, including *inter alia* rights to harvest and gathering animals, plants, and materials for personal, social, ceremonial and trade purposes, rights to self-government, and rights to land (i.e., Aboriginal title).
- MN-S is concerned that both historically and currently, Métis Aboriginal rights are often treated as a lower priority as compared with the Aboriginal rights of First Nations, which is not defensible under Canadian law.

### Reconciliation

- The MN-S will be looking at opportunities to promote reconciliation during the relicensing.
  - One of the fundamental purposes of s. 35(1) *Constitution Act 1982* is reconciliation. (*R. v. Van der Peet*, 1996 CanLII 216 (SCC) at para 49.
- The 2015 *Calls to Action of the Truth and Reconciliation Commission of Canada* made specific recommendations for reconciliation in respect of the mining industry



# Who are the Métis?

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Métis Nation  
Saskatchewan

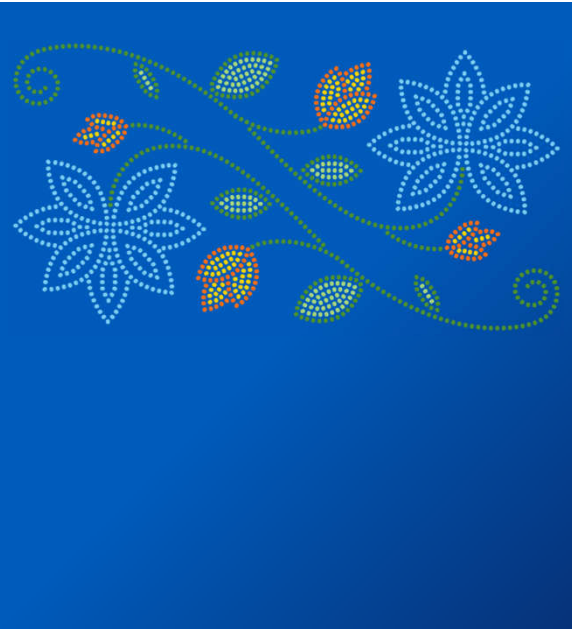
## Saskatchewan Métis?

- First Métis organization was created in 1935.
- This organization was called the Half-breeds of Saskatchewan and was created to help Métis people deal with issues stemming from the Great Depression.
- In 1937, the organization drew up their first constitution and became officially known as the Saskatchewan Métis Society.

MÉTIS SOCIETY OF SASKATCHEWAN, 1935








# Concerns with Contracting

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Métis Nation  
Saskatchewan

- The McClean Lake TMF application does have long-term implication on MN-S interests, and to date, Orano has had limited engagement and involvement of Métis Citizens and the MN-S. MN-S would like to have improved engagement, including access to all decision-making processes with respect to McClean Lake operations and TMF expansion, monitoring, decommissioning, and closure, through improved engagement, support, and knowledge exchange.
- MN-S has concerns with how contracting is done in the North. Orano gives out contracts to southern based contractors without considering northern contractors who are currently being impacted by the project.
  - This creates limited opportunity to grow capacity in the future.





## Consultation & Engagement

- MN-S considered how it was consulted and engaged during the request for amendment process, and over the life of the Project to date.
- MN-S is concerned with the extent to which Orano kept the MN-S informed about the McLean Lake Project and the TMF expansion.
- The historic engagement record for the TMF expansion starts in 2011. The first engagement with MN-S is described in the engagement activities for the 2019 application and contact has been made in 2020 and 2021.
- Engagement with MN-S did not occur during Phase 1 and 2 of the Project. MN-S was first engaged in 2020 and 2021 with the majority of the engagement being 'information sharing' in the form of cover letters and fact sheets.
- Overall, from Orano's records, limited or no special consideration is given to Métis engagement including that of involving MN-S until this expansion while Métis locals are captured in 3 of 4 municipalities.





## **MN-S Recommendations**

- 1. Participation in regular monitoring and reporting including site visits**
- 2. Orano organizes regular briefings on the McLean Lake operations**
- 3. Orano ensures that there are robust inspection and maintenance protocols**
- 4. Orano develop a contingency plan in the event of a catastrophic failure of the TMF dewatering system**
- 5. Orano supports MN-S with a position for Human and Environmental Health**
- 6. Orano supports MN-S with a Métis specific Land Use Study**
- 7. Orano provide confirmation that the 10 m buffer is sufficient**
- 8. Orano involves MN-S in decision-making processes**
- 9. Orano supports a food consumption study**
- 10. Orano, in the interim, improve selenium removal**
- 11. Orano negotiates an engagement agreement with MN-S**



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## THANK YOU



*Métis Nation*  
Saskatchewan

Suite 201, 208-19th St W,  
Saskatoon, SK S7M 5X8  
(306)-343-8285 or (toll free) 1-833-343-8285

[metisnationsk.com](http://metisnationsk.com)