



CMD 22-M35.2

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**Written submission from the
Curve Lake First Nation**

**Mémoire de la
Première Nation de Curve Lake**

**Regulatory Oversight Report for
Uranium and Nuclear Substance
Processing Facilities in Canada: 2021**

**Rapport de surveillance
réglementaire des installations de
traitement de l'uranium et des
substances nucléaires au
Canada :2021**

Commission Meeting

Réunion de la Commission

December 15/16, 2022

15/16 décembre 2022

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October 31, 2022
(Submitted by Email)

RE: CLFN Comments on Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2021 (CMD: 22-M35)

Dear Registrar,

On behalf of Chief & Council and our community at Curve Lake First Nation (CLFN), we bring good thoughts to Commission members and staff at CNSC. We hope that you have found rest and recreation throughout the summer months of 2022 and look forward to what the fall may bring to all of us.

CLFN has made great strides in the last few years to build relationships and engage in open dialogue on a government to government and government to corporation basis as it relates to processes of consultation. Consultation and accommodation are critical in ensuring that the rights and interests of the Mississauga Anishinabek Nation are prioritized regarding projects in our territory.

Our Consultation Department has emphasized that environmental protection and sustainability is an integral component of the future of the Curve Lake First Nation. Working with Curve Lake to develop project concept, design, planning, assessment, potential and actual impacts, monitoring, etc. are necessary steps in our process. All plans and activities must be viewed through the lens of environmental protection and sustainability. These requirements ensure that Curve Lake First Nation's interests and rights are being protected within our territory; that we are able to protect the ability to exercise our rights as a people – physically, culturally, and spiritually; that we are able to foster sovereignty, cultural identity, and sustainable succession. This is central to all relationships being progressed with various regulators and proponents.

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Curve Lake First Nation is the steward and caretaker of the lands and waters within our territory in perpetuity, as we have been for thousands of years, and we have an obligation to continue to steadfastly maintain this responsibility to ensure their health and integrity for generations to come. Protection, conservation, and sustainable collaborative management are priorities for Curve Lake First Nation.

Curve Lake's vision statement must be central to development in the territory: "Upon the foundation of community values and vision that promotes and preserves our relationship with mother earth, which has defined and will continue to define our identity and culture as Anishnaabe People, the Consultation Department will build and secure the framework for our First Nation lands by putting into place ways and laws that will provide both the protection and the freedom for each person, their family, and the whole community to fulfill their potential. Each way and law will be given the consideration to its importance for our next seven generations."

We would like to acknowledge CNSC staff in their dialogue and work with our Consultation Department since 2020 and throughout 2022. There are many topics and projects that have been covered; as everyone can appreciate, meaningfully consulting on and addressing each topic or project takes time, commitment, and focus. As demonstrated in 2021, we continue to be optimistic that our Terms of Reference and Work Plan for 2022 and beyond will result in progress and improvements in the coming years.

In a similar manner, we would like to thank the representatives at BWXT and Cameco who have taken the time to routinely meet with CLFN staff, representatives, leadership, and staff support.

Our Consultation Department is progressively building capacity to be able to match the various consultation needs in the nuclear sector. We view this submission process merely as a formal check-in point and we look forward to continuing dialogue and consultation beyond the confines of this process and lead to decision points and decision making that includes Curve Lake First Nation.

Our comments, questions, recommendations are contained in the following Appendices. The synthesis of these are a work in progress as we build our internal team; so please excuse the fragmented nature of some of the content of these Appendices.

- Appendix A.1 Curve Lake First Nation – 2021/22 updates
- Appendix A.2 BWXT and Cameco engagement with Curve Lake First Nation in 2021-2022
- Appendix B Review by 4 Directions of Conservation Consulting Services
- Appendix C Additional Comments, Recommendations, Opportunities for Consideration

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We do this work to uphold our responsibilities to care for the earth and waters, for our people, our nation, and for all our relations. Our foundational belief is balance; our values and principles are built upon the respect, care, and nurturing of all life as part of an interconnected whole and necessary for the balance and harmony required for Mino-Bimaadiziwin now and for future generations.

Sincerely,

On behalf of The Curve Lake First Nation Consultation Department

Gary Pritchard
Representing Curve Lake First Nation
CEO & Indigenous Conservation Ecologist
4 Directions of Conservation Consulting Services

Francis Chua
Support to CLFN Consultation Department

cc:

- Chief Keith Knott, Curve Lake First Nation
- Curve Lake First Nation Chief and Council
- Katie Young-Haddlesey, Chief Operating Officer, CLFN
- Dr. Julie Kapyrka, Lands & Resources Consultation Liaison, CLFN
- Kaitlin Hill, Lands & Resources Consultation Liaison, CLFN

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Appendix A.1 Curve Lake First Nation – 2021/22 updates

We would like to take this opportunity through this written submission, to provide more insightful information about Curve Lake First Nation (CLFN) community. Although CLFN recognizes that this information was provided in other RORs, we believe that all CNSC staff who work with our community should take the opportunity to better understand who we are by reading this section.

In 2021, CLFN has worked very hard on many different fronts. First, CLFN celebrated the success of our Vaccination Clinics and offered three doses of vaccine to CLFN members. Our health and family services team, with support from many others from across the administration, has once again gone above and beyond in their support for our members.

The Cultural Center Department was very busy in 2021, striving to promote traditional knowledge workshops, outreach programming, and coordinate special events. The main event was the annual Curve Lake Annual Pow Wow titled 'Healing within the Circle' which was held on September 18. The Cultural Centre team has also partnered with Pinnguaq, an organization that provides STEM experiences nationally in learning and development for diverse communities across Canada, to create an online interactive map for the community based upon traditional land use. Themes include Anishnaabemowin names for the islands and bays, fishing, hunting and medicine grounds, locations of wild berries, manoomin beds, water, and maple syrup production. This online map will be created by youth through GIS mapping, which will produce documented history of traditional land use for our community, but also connect the youth to the land and the stories embedded within the Territory. In 2021, the Cultural Centre was also invited to participate on a board with the Canadian Canoe Museum to discuss their future exhibits, which will have an increased representation of not only Michi Saagiig Anishnaabeg canoes and culture, but also the unique dialect of Anishnaabemowin.

Summer of 2021 was a tragic time for CLFN with the unveiling of the unmarked graves of children that were found in residential school grounds. In June, CLFN held a four-day fire to honour the children, in addition to providing a safe place for membership and allies to come and share their stories, heal, and offer their medicines to the spirit world. Community members paused to think about these children and youth that were stolen from us. These discoveries created an open wound to deal with every day. CLFN has been embracing the teaching of acceptance, love, and bravery during this difficult time.

Summer of 2021 has also been the source of good news. After years-long fight for clean drinking water, CLFN and Canada reached an Agreement in Principle to settle the Water Class Action litigation that CLFN began in October 2019. The settlement agreement we have reached

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will have the benefit of providing clean drinking water to over 120 communities across Canada. Canada has agreed to specific timelines to fund the complete construction of a water treatment plant in the community: the water treatment plant built and servicing homes in the community would be done by the end of 2025.

On consultation matters, the Consultation Department worked in 2021 to create awareness amongst proponents and governments that the original intent of the treaties was to share the land and to have equitable partnerships regarding decisions being made in terms of using and taking resources from the land. A major focus for the Consultation Department has been how the WTFN Settlement Agreement 2018 and the re-affirmation of harvesting rights throughout the pre-confederation treaty territories intersects with land-use planning, policy, regulations, and development activities in the province. We are committed to ensuring that CLFN's harvesting rights are known, upheld, and protected. This also means holding governments to account in upholding their duty as the Crown to ensure that consultation and accommodation are meaningful and appropriate.

Finally, in the fall of 2021, Oshkiigamong Gitigan (Curve Lake Community Garden) had a successful inaugural season of operation. The garden produced fresh vegetables such as tomatoes, lettuce, beets, kale, snap peas, squash, zucchini, and onions. The Curve Lake Food Bank has distributed the vegetables that have been harvested on three separate occasions to the community throughout the season.

CLFN is proud of everything that has been achieved in 2021 and continues to embrace our teachings in every decision we make.

CLFN looks forward to welcoming CNSC and other key proponents to the community this fall of 2022 in order for learning to occur on both sides and move towards co-creating an ethical space

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Appendix A.2 BWXT and Cameco engagement with Curve Lake First Nation in 2021-2022

BWXT

In 2021, BWXT and CLFN have established routine meetings. These routine meetings allow BWXT and CLFN to exchange information and updates. BWXT and CLFN have also established quarterly meetings between BWXT CEO and former Chief, Emily Whetung.

CLFN has been able to share areas of interest to BWXT, such as energy sources and climate change, small modular reactors, and the importance of communication on nuclear facilities. BWXT has really started paying more attention to CLFN and listening to what Indigenous communities have to say and implementing long lasting changes in the nuclear industry. BWXT has taken the opportunity of these monthly meetings to discuss their annual compliance report, and to have discussions about best ways to report back information to community members, by creating more visuals and graphics that are of interest to CLFN. We need analogies and comparatives to understand the values, to show the difference between expectations and reality.

Moving forward, we expect to move the monthly meetings to in-person meetings, and to allow BWXT to meet with CLFN Chief and Council on a more regular basis. We will continue to work together in finding better ways of communicating, sharing information, and include CLFN into BWXT activities like monitoring.

Cameco

In 2021, Cameco and Curve Lake First Nation have established routine meetings. These routine meetings allow for information and work planning, communicating technical information, and sequencing the information accordingly.

Cameco has taken the opportunity of sharing reportable events to CLFN at every meeting, which we find valuable. Sharing why reportable events are happening, and what Cameco is doing to avoid those events from happening again helps build trust between us. For instance, on a few occasions, Cameco had discussions with CLFN about sanitary sewer discharges and plans for replacing it since it is the cause of many reportable events every year. Cameco consistently shares these events on a monthly basis, and CLFN expects other licensees to adopt this action as a best practice. It is useful to note that with other licensees, there are so many other topics to cover that there is no time to meaningfully cover such disclosures.

At these meetings, we also have the opportunity to share information about the community such as vaccination progress, and to describe the seasonality of things, how our knowledge is

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related to the season and what species are of importance to us for the season at the time of the meeting. CLFN is also able to share priorities with Cameco, such as water monitoring and participation of Curve Lake in environmental monitoring, education and energy literacy, and moving online meetings to meetings in person. Through these routine meetings, CLFN has also provided advice to Cameco with regards to land acknowledgements, and Cameco has made appropriate changes to add land acknowledgement at the beginning of documentation.

It is important to understand Cameco's company culture, nuclear safety culture, and the various other initiatives and projects undertaken by Cameco. The relationship is built with the understanding of the whole and not just isolated parts. These monthly meetings have been an excellent opportunity for learning and letting the relationship grow—in time we will see that translate through the materials submitted by both Cameco and CLFN.

In 2021 and 2022, Cameco and CLFN have been working on a relationship agreement and this continues to be a work in progress. This support to participate allows for overall participation and provides a framework and a consistent approach on how both parties will work together.

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Appendix B Review by 4 Directions of Conservation Consulting Services



October 24th, 2022

Attn: **Consultation Department**
Curve Lake First Nation
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Curve Lake ON K0L1R0
P: (705) 657-8045

CC: **Francis Chua**

RE: CNSC Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2021 Review

4 Directions File No: 22- 054D

Dear Dr. Kapyrka and Ms. Hill,

4 Directions of Conservation Consulting Services (4 Directions) is pleased to present our review and recommendations regarding documents prepared by Canadian Nuclear Safety Commission (CNSC) staff. These documents were presented to Curve Lake First Nation (CLFN) from CNSC under their Duty to Consult and Accommodate. 4 Directions' review of the report, *Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2021*, is broken down into three main sections. Relevant statements, questions and concerns are identified in the following document under their respective headings:

- Territorial Acknowledgements
- Rights Holders, Interest Holders, and Stakeholders
- Indigenous Knowledge Systems (IKS) and Ethical Space

After these sections, 4 Directions provides a brief summary of identified recommendations for CNSC, followed by closing remarks.

4 Directions staff would like to note that the provided CNSC regulatory oversight report (ROR) is quite similar to numerous RORs previously submitted. Thus, 4 Directions acknowledges that this review highlights similar statements, questions and concerns that were raised in previous ROR reviews for CNSC. This provided review summarizes several other previous reviews conducted by 4 Directions staff.





Background

CNSC's report, titled *Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2021*, was reviewed under the provided context:

“The Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2021 provides information on the safety performance of the types of nuclear facilities named in the title. The report is based on Canadian Nuclear Safety Commission (CNSC) staff's work to ensure safety and protection of the people and the environment for licenced uranium and nuclear substance processing facilities (UNSPF). In 2021, all facilities operated safely. Monitoring data showed that the water and food grown nearby were safe for consumption. There were no releases from UNSPF that could have harmed human health or the environment.

[...]

This regulatory oversight report (ROR) provides an overview of CNSC regulatory efforts and staff's assessment of uranium and nuclear substance processing facilities (UNSPF) in Canada for the 2021 calendar year”

(Page 2-4).





1.0 Territorial Acknowledgements

The use of territorial acknowledgements in report writing has become increasingly popular in recent years at the institutional level. As said by Wark (2021),

“Land acknowledgement, or territorial acknowledgement, is the practice of prefacing a presentation or event with a recognition of the Indigenous people or peoples whose land one occupies. Indigenous peoples of Turtle Island (North America) have always engaged in practices of recognizing each other in terms of language, nation, territory, clan, and lineage. While pre-colonial territorial borders may have been fluid and overlapping, there was always an awareness of the demarcation of territory. [...] Depending upon the nation, entering the territory of another people may have entailed thoughtful consideration, permission seeking, or gift giving. Hosting visitors from other nations also implied certain responsibilities, often involving formal words, feasting, and gifting. When Indigenous peoples acknowledge one another, it is both a cultural and political practice that is fundamentally tied to nationhood. While acknowledging the territory of others may be a traditional protocol among Indigenous peoples of Turtle Island, formal land acknowledgements by state institutions appeared [...] as a result of state-led reconciliation efforts. [...]

In their original form, territorial acknowledgements were viewed as a means to educate and build relationships of solidarity with settlers. [...] In their current form, land acknowledgements appear to be firmly embedded in reconciliation politics, often citing ambiguous purposes like demonstrating respect for Indigenous peoples. This shift has seen these practices being increasingly criticized for devolving into box-ticking exercises, strictly symbolic gestures, and moves to settler innocence. They have also been accused of being lacking in critical thought regarding their purpose and as attempts to rewrite Indigenous and settler colonial history.”

(Wark, 2021: pp. 193 - 195).





Under the intention of supporting further education and relationship building regarding understandings of Treaties and Indigenous Rights, 4 Directions sees that constructing and ensuring collective understanding of a meaningful land acknowledgement could be a useful starting point. Land acknowledgements, when engaged with meaningfully, can serve as impactful political tools to address and resist dominant narratives that often seek to diminish and/or erase Indigenous presence and colonial violence from the collective storyline (Robinson et al., 2019). As Treaty people, it is imperative that we begin relationship building with contextual understandings that are “accurate representations of Indigenous territorial claims, languages, and governance systems” (Wark, 2021: pp. 202).

Within CNSC’s provided report, there are numerous acknowledgements regarding the territory upon which the discussed projects are situated. It is of 4 Directions staff’s opinion that these attempts to acknowledge Indigenous inherent and treaty Rights are well-intentioned but unsatisfactory. Unspecific and non-purposeful territorial acknowledgements that generalize First Nations’ inherent and treaty rights risk perpetuating modern-day colonialism through the simplification and erasure of such rights both historically and today.

1.1 CNSC Engagement with Curve Lake First Nation

On page 34 of the provided report, it is noted that:

“CNSC staff have made a number of improvements to reports and documentation based on the feedback, such as including land acknowledgements for each facility and creating a separate Indigenous consultation and engagement section.”

1.1.1 Statement

The land acknowledgements touched on throughout the report do not meet the expectations of 4 Directions’ staff; many of these acknowledgements underplay the Legal Rights and obligations of WTFN. To clarify, the CNSC projects discussed in the provided report are within the 1923 Williams Treaty, Clause #2 area.





On November 17, 2018, in Rama, Ontario, the Honourable Carolyn Bennett, Minister of Crown-Indigenous Relations, apologized on behalf of the Government of Canada for the negative impacts of the 1923 Williams Treaties on the Williams Treaties First Nations.

In that apology, minister Bennett stated:

“Ninety-five years ago, your ancestors signed treaties with the Crown that became known as the Williams Treaties. The Crown only entered into these treaties after decades of requests by First Nation leaders and community members to address the matter of settlers encroaching on your traditional lands.

We are sorry that, even before the Williams Treaties were concluded, your ancestors were unable to fully enjoy the bounty of your traditional lands. We are sorry that these treaties did not resolve your grievances, and that the Crown's actions did not honour the longstanding treaty relationship that already existed, and continues to exist, with your communities. And we are sorry that the Crown failed to recognize and respect your treaty rights.

We are sorry that, in not recognizing your rights to harvest in your pre-Confederation treaty areas, your communities faced hardship and hunger, with the bounties of the land being replaced by biscuits and tins of government meat. We are sorry that your people were not able to pursue traditional activities with pride and dignity, but instead were persecuted for exercising their rights. And we are sorry that your grandmothers and grandfathers, mothers and fathers, and aunts and uncles were constrained in their ability to do what their ancestors had always done — to teach younger generations about your communities' traditional lands and waters and pass along Anishinaabe culture and practices. The persistence and resilience of the Williams Treaties First Nations serve as an example for all Canadians. In order to learn, in order to heal, in order to advance reconciliation, we must all acknowledge past wrongs and





the multifaceted impacts of colonialism. It is our collective responsibility to continue to educate ourselves on the history of Canada so that we can move toward greater understanding and respect.

I pledge that we can, and will, do better.

There is no way to undo the past, nor to fully atone for wrongs perpetuated over many decades. In concluding a negotiated settlement that includes compensation to address historic wrongs, the ability to expand your reserve land bases, and the recognition of your pre-Confederation treaty harvesting rights, I believe that we have the opportunity to open a new chapter. A chapter where trust can be rebuilt; Anishinaabe culture, language, and teachings are celebrated; treaty rights are respected; and our relationship is further strengthened for the benefit of the seven generations to come. We are committed to writing this next chapter together, in the spirit of reconciliation and partnership.”

1.1.2 Questions

Are the discussed land acknowledgements for each facility included in this report?

How do these land acknowledgements work towards addressing the apology from Bennett?

1.1.3 Recommendation

The supreme court of Canada has stated that it is not up to the Nations to educate the Crown on their own responsibilities; it is 4 Directions' recommendation that CNSC critically reflects on how the 2018 apology is being incorporated in identified areas such as:

- a) Report writing;
- b) Project monitoring;
- c) Environmental procedures and assessments; and,
- d) Future project planning.





1.2 Vague Acknowledgements

As noted above, it is unclear if the official land acknowledgements for each identified facility were included in this report. Table 1 (below) summarizes identified territorial acknowledgements throughout the report, and sections 1.2.1 and 1.2.2 offer 4 Directions’ questions, comments, and concerns about these remarks.

Table 1: Summary Table of Territorial Acknowledgements within the report titled: CNSC Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2021

Quote No.	Pg No.	Quotation
1	3	“The facilities discussed in this report lie within the traditional and/or treaty territories of many Indigenous Nations and communities”
2	7	“Cameco Corporation owns and operates the Port Hope Conversion Facility (PHCF), which is located in Port Hope, Ontario, within the traditional territory of the Wendat, Anishinabek Nation, and the territory covered by the Williams Treaties with the Michi Saagiig and Chippewa Nations”
3	8	“CFM is located within the same Indigenous traditional and treaty territory as PHCF”
4	10	“The Toronto facility is located within the traditional territory of the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples, and is now home to many diverse First Nations, Inuit and Métis peoples. The Peterborough facility is located within the traditional territory of the Wendat, Anishinabek Nation, and the territory covered by the Williams Treaties with the Michi Saagiig and Chippewa Nations”
5	32	“The UNSPF in Canada Fall within the traditional and/or treaty territories of many Indigenous Nations and communities (See Appendix M).





1.2.1 Statement

Further research is required to better understand the purpose of a territorial acknowledgement. It is essential that individuals structuring land acknowledgements are purposive with their language and make clear there is an understanding of the specific history and current relation to the discussed land. Specifically, given that the overview of this report offers a list of facility sites, it is unclear why the subsequent specific treaties for these regions could not be identified.

As noted in earlier sections (1.0 and 1.1.1), meaningful territorial acknowledgements should aim to be specific and purposeful; not generalized or vague. To move forward with a journey of reconciliation, it is important that space is created to come to terms with the truth of why this journey is needed. An effective territorial acknowledgement illustrates authors' understanding of the legacies, and at times unsettling truths, intertwined with the land and peoples being acknowledged.

The provided land acknowledgements (Table 1) lack clarity and/or recognition of Indigenous Inherent and Treaty Rights. Notably, there appear to be generalizations made around Indigenous peoples that blur the lines between Rights holders, interest holders, and stakeholders; delineations which yield specific legal obligations. This topic is discussed further in section 2.0: Rights Holders, Interest Holders, and Stakeholders.

1.2.2 Question

The Truth and Reconciliation Commission (TRC) Calls to Action highlight how industry proponents can take responsibility for their Truth and Reconciliation journey. Specifically, Call to Action #92 states that “we call upon the corporate sector in Canada to adopt the United Nations Declaration on the Rights of Indigenous peoples as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources” (Truth and Reconciliation Commission of Canada); how do the above territorial acknowledgements (Table 1) support CNSC's truth and reconciliation journey?





1.2.3 Recommendation

It is recommended that further information is provided when offering a territorial acknowledgment. 4 Directions has compiled a (non-exhaustive) list of recommended resources to further contextual understanding for these acknowledgments:

- Curve Lake First Nation and Accommodation Standards (Curve Lake First Nation, 2013)
- Water Declaration of the First Nations in Ontario (Chiefs of Ontario, 2008)
- Michi Saagiig Nishnaabeg: This is our Territory (Williams, 2018)





2.0 Rights Holders, Interest Holders, and Stakeholders

Consultation refers to the legal obligations of the Crown (Government) when Indigenous interests (rights and title) may be adversely affected by a Crown decision. The consultation process consists of information sharing between the government and affected First Nations and seeks to resolve potential adverse impacts on Indigenous interests. Under these parameters, Indigenous partners are considered Rights Holders, a title with specific and nuanced connotations that differ greatly from those of interest or stakeholders. The Rights of the Williams Treaties First Nations were reaffirmed by section 35 of the Constitution Act (1982).

There are also Indigenous Interest holders, those who have an Archaeological interest in a project but do not maintain the same rights and responsibilities as Rights holders. For example, when looking at development projects in the Williams Treaty Territory, the Huron-Wendat hold Archaeological interests but do not maintain the same rights as the Michi Saagiig. Table 2, below, summarizes selected quotations that raised questions (section 2.1.2) for 4 Directions staff.





2.1 Delineation of Standing

Table 2: Summary Table of Quotes regarding Indigenous Rights Holders, Interest Holders, etc., within the report titled: CNSC ROR for Uranium and Nuclear Substance Processing Facilities in Canada: 2021

Quote No	Pg No	Quotation
1	32	“CNSC staff efforts in 2021 supported the CNSC’s ongoing commitment to meet its consultation obligations and build positive relationships with Indigenous peoples with interests in Canada’s UNSPF. CNSC staff continued to work with Indigenous Nations, communities and organizations to identify opportunities for formalized and regular engagement throughout the lifecycle of these facilities”
2	34	“CNSC staff and CLFN continue to be committed to strengthening the relationship through on-going respectful dialogue to share knowledge, information on culture, history and perspectives that help CNSC staff and CLFN learn from each other. CNSC staff will also continue to have discussions regarding areas of interest and issues, or concerns related to existing CNSC-regulated nuclear activities of interest to Curve Lake First Nation.”
3	35	“In 2021, CNSC staff continued to monitor the engagement work conducted by the UNSPF licensees to ensure that there was active engagement and communication with Indigenous Nations and communities interested in their facilities, and that there were also activities in relation to relevant licensing and Commission hearing processes that occurred in 2021”
4	35	“Throughout 2021, the UNSPF licensees met and shared information with interested Indigenous Nations, communities and organizations. These efforts have included emails, letters, meetings, as well as site visits and tours, upon request. The CNSC encourages licensees to continue to develop relationships and engage with Indigenous groups who have expressed an interest in the licensee’s activities”
5	40	“CNSC staff are committed to continuing to share information of interest that relates to BWXT NEC and to continue to engage with the public, Indigenous Nations and communities and other interested parties”

2.1.1 Statement

Indigenous rights holders should not be grouped together with public stakeholders. Indigenous rights holders have specific legal obligations that differ greatly from those of interest or stakeholders and should be consulted and accommodated separately. This consultation procedure is different from the public/ stakeholder process.





Generalization of Indigenous groups throughout this report does not allow CNSC to appropriately identify rights holders and subsequent legal obligations for D2C. Specific identification and delineation of Indigenous Rights holders, Indigenous Interest holders, and Indigenous stakeholders are required.

Some identified groups do not have equal consultation requirements compared to those protected by WTFN treaty rights. By grouping all interest and Rights holders together, proponents risk questioning established rights by suggesting interest or stakeholders are Rights holders (or vice versa).

2.1.2 Questions

How are Rights holders delineated from interest or stakeholders throughout this report?

Which of these identified groups are considered Rights holders?

Which of these identified groups are considered Interest holders?

Please clarify that CLFN is a rights holder; what does this mean for CNSC and its d2c?

2.1.3 Recommendations

Clearly define the above terms in the provided report and outline how expectations for engagement are met for these respective categories; further clarification regarding who is considered a Rights holder for these projects could be beneficial.





3.0 Indigenous Knowledge Systems and the Ethical Space

“The “ethical space” is formed when two societies, with disparate worldviews, are poised to engage each other. It is the thought about diverse societies and the space in between them that contributes to the development of a framework for dialogue between human communities. The ethical space of engagement proposes a framework as a way of examining the diversity and positioning of Indigenous peoples and Western society in the pursuit of a relevant discussion on Indigenous legal issues and particularly to the fragile intersection of Indigenous law and Canadian legal systems. Ethical standards and the emergence of new rules of engagement through recent Supreme Court rulings call for a new approach to Indigenous-Western dealings. The new partnership model of the ethical space, in a cooperative spirit between Indigenous peoples and Western institutions, will create new currents of thought that flow in different directions of legal discourse and overrun the archaic ways of interaction”

(Ermine, 2007: pp. 193 – 194).

Gary Pritchard also notes in his presentation on [Indigenous Place Making & Ethical Space](#) that,

“Ethical Space cannot be cultivated without Two-Eyed Seeing, which is the practice of learning to see using two knowledge systems, drawing on both to guide discovery and problem solving. It is within this Ethical Space that all collaboration, mutual support, and multi-directional knowledge sharing occurs”

(Pritchard, 2020: slide 10).





For further context regarding the concept of Two-Eyed Seeing, see:

- [Institute for Integrative Science & Health Webpage](#)
- Bartlett et al., 2018; and,
- Pritchard, 2020.

3.1 CNSC & Ethical Space

“CLFN and CNSC staff will also continue to foster and create a safe ethical space for Indigenous knowledge to be collected and shared” (Page 34).

3.1.1 Statement

As described by Willie Ermine (2007), an important aspect of the Ethical Space is that it is formed:

“between peoples and cultures, and in particular whenever and wherever the physical and philosophical encounter of Indigenous and Western worlds takes place. At the superficial level of encounter, the two entities may indeed acknowledge each other but there is a clear lack of substance or depth to the encounter. What remains hidden and enfolded are the deeper level thoughts, interests and assumptions that will inevitably influence and animate the kind of relationship the two can have. It is the deeper level force, the underflow-become-influential, the enfolded dimensions that needs to be acknowledged and brought to bear in the complex situation produced by confronting knowledge and legal systems”

(Ermine, 2007; pp. 195).

On a related note, it is also important to note the terms used when approaching an ethical engagement with IKS. When discussing Indigenous Knowledge, using terms such as “collected” do not align with the concepts of Two-Eyed Seeing and Ethical Space.





Elder Murdena Marshall (co-author in Bartlett et al., 2018) describes “knowledge as a verb instead of a noun. Understanding Indigenous Knowledge as verbs similar to “constantly becoming” or as “ways of being” is then, as Murdena [...] explains, not an object of discovery as it cannot be ‘gained’ or ‘transferred’” (Joudry, 2016; pp. 30).

3.1.2 Questions

How, exactly, is an Ethical Space being fostered?

How are concepts of Two-Eyed seeing being utilized when approaching engagement with Indigenous Knowledge Systems?

3.1.3 Recommendation

Further evidence that the philosophy of Ethical Space is truly understood and fostered will support CNSC’s quoted claim.





3.2 Environmental Assessments and Indigenous Knowledge Systems

Table 3 highlights a few environmental matters discussed throughout CNSC’s report. 4 Directions’ statement and questions regarding these quotations can be found in sections 3.2.1 and 3.2.2, respectively.

Table 3: Summary Table of Quotes regarding environmental assessment and protection within the report titled: CNSC ROR for Uranium and Nuclear Substance Processing Facilities in Canada: 2021

Quote No	Pg No	Quotation
1	25	“Protection of the environment and the public are linked in the SCA of environmental protection. This SCA covers programs that identify, control and monitor all releases of radioactive and hazardous substances, and the effects on the environment and people from facilities or as a result of licensed activities”
3	28	“Facility ERAs are to be reviewed on a 5-year cycle or more frequently if major facility changes are proposed that would trigger a predictive assessment”
4	28	“CNSC staff concluded that the UNSPF have implemented their environmental protection programs satisfactorily for the reportable year. The licensees’ programs are effective in protecting the health and safety of people and the environment”
5	41	“In addition to licensees performing the required monitoring of their operations, the CNSC performs its IEMP. The objective of the IEMP is to build Indigenous and public trust in the CNSC’s regulation of the nuclear industry, via an independent, technical environmental sampling program in publicly accessible areas around nuclear facilities, while using CNSC resources effectively and efficiently”





3.2.1 Statement

To ensure relational effects are understood at a system level, it is important to consider impacts on Indigenous Rights and Values at all project points. This includes any impacts that could infringe upon the 2008 Water Declaration, or other standards outlined in section 1.2.3.

3.2.2 Questions

How are Indigenous rights and interests included in these Environmental Assessments? How are they included in the Independent Environmental Monitoring Programs? How, exactly, are Indigenous Nations and communities being engaged in the creation of these ERAs and monitoring programs? How was IK engaged to understand the effects and compliance with the CSA standards?

How are culturally appropriate means of sharing knowledge utilized within these studies?

3.2.3 Recommendations

Projects that limit the environment's integrity directly infringe on section 35 of the Constitution Act by not allowing Rights holders to exercise their rights in such diminished or decimated environments. It is recommended that further evidence is provided to highlight how impacts to Indigenous Inherent and Treaty Rights have been assessed and addressed.





3.3 CNSC Indigenous Engagement

“In 2021, CNSC staff undertook ongoing and meaningful engagement activities with Indigenous Nations and communities in relation to the facilities covered by this regulatory oversight report”

(Page 3).

“CNSC staff confirmed that the licensees have Indigenous engagement and outreach programs. Throughout 2021, the UNSPF licensees met and shared information with interested Indigenous Nations, communities and organizations. These efforts have included emails, letters, meetings, as well as site visits and tours, upon request. The CNSC encourages licensees to continue to develop relationships and engage with Indigenous groups who have expressed an interest in the licensee’s activities”

(Page 35).

3.3.1 Statement

Although the CNSC confirmed that the licensees have meaningful Indigenous engagement and outreach programs, the level and quality of Indigenous engagement should be jointly confirmed between CNSC and the Indigenous Rights holders. It is simple enough to state that meaningful engagement is taking place; however, the Indigenous Rights holders should determine if the engagement is “meaningful.”

3.3.2 Question

CNSC staff have stated that there are meaningful Indigenous engagement and outreach programs conducted by the licensees regarding their operations in 2021, but do the Indigenous Rights holders deem it meaningful?





3.3.3 Recommendation

To confirm that all Nations are satisfied with the level of engagement and/or consultation provided by CNSC, and that the engagement and outreach programs are being done in a meaningful way, 4 Directions recommends clearly outlining how and when CNSC has undertaken meetings to ensure that the level and quality of Indigenous engagement is up to partners' expectations.





Summary of Recommendations

- It is recommended that further information is provided when offering a territorial acknowledgement.
- 4 Directions has compiled a (non-exhaustive) list of recommended resources to further contextual understanding for these acknowledgements:
 - Curve Lake First Nation Consultation and Accommodation Standards (Curve Lake First Nation, 2013)
 - Water Declaration of the First Nations in Ontario (Chiefs of Ontario, 2008)
 - Michi Saagig Nishnaabeg: This is our territory (Williams, 2018)
- Clearly define the terms Rights Holder, Interest Holder, and Stakeholder in the provided report and outline how expectations for engagement are met for these respective categories; further clarification regarding who is considered a Rights holder for these projects could be beneficial.
- For further context regarding the concept of Two-Eyed Seeing, see:
 - Institute for Integrative Science & Health Webpage
 - Bartlett et al., 2018; and,
 - Pritchard, 2020.
- Further evidence that the philosophy of Ethical Space is truly understood and fostered will support CNSC's quoted claim
- Projects that limit the environment's integrity directly infringe on section 35 of the Constitution Act by not allowing Rights holders to exercise their rights in such diminished or decimated environments. It is recommended that further evidence is provided to highlight how impacts to Indigenous Inherent and Treaty Rights have been assessed and addressed.
- To confirm that all Nations are satisfied with the level of meaningful engagement and outreach programs provided by CNSC, 4 Directions recommends clearly outlining how and when CNSC has undertaken meetings to ensure that the level and quality of Indigenous engagement is up to partners' expectations.





Closing Remarks

4 Directions staff are generally satisfied with the information provided within CNSC Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2021. As noted in the summary of recommendations, 4 Directions encourages CNSC to provide further clarity regarding how Indigenous Inherent and Treaty rights are upheld through CNSC's current engagement approaches.

We trust that this information aids in your engagement process and the next steps forward. If you have any questions, please do not hesitate to contact us.

Miigwetch,

A handwritten signature in blue ink, appearing to read "H. Tosello".

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Works Cited

BARTLETT, C., MARSHALL, M. & MARSHALL, A. (2012). TWO-EYED SEEING AND OTHER LESSONS LEARNED WITHIN A CO-LEARNING JOURNEY OF BRINGING TOGETHER INDIGENOUS AND MAINSTREAM KNOWLEDGES AND WAYS OF KNOWING. *J ENVIRON STUD SCI* 2, 331–340: [HTTPS://DOI.ORG/10.1007/S13412-012-0086-8](https://doi.org/10.1007/s13412-012-0086-8)

CHIEFS OF ONTARIO. (2008). WATER DECLARATION OF THE FIRST NATIONS IN ONTARIO; CHIEFS OF ONTARIO: TORONTO, ON, CANADA; AVAILABLE ONLINE: [HTTP://WWW.ONWA.CA/UPLOAD/DOCUMENTS/COO-WATER-DECLARATION.PDF](http://www.onwa.ca/upload/documents/coo-water-declaration.pdf)

CURVE LAKE FIRST NATION. (2013). CURVE LAKE FIRST NATION CONSULTATION AND ACCOMMODATION STANDARDS. AVAILABLE AT: [HTTPS://CURVELAKEFIRSTNATION.CA/WP-CONTENT/UPLOADS/2021/04/CLFN-CONSULTATION-AND-ACCOMMODATION-STANDARDS-2016.PDF](https://curvelakefirstnation.ca/wp-content/uploads/2021/04/CLFN-CONSULTATION-AND-ACCOMMODATION-STANDARDS-2016.pdf)

ERMINE, W. (2007). THE ETHICAL SPACE OF ENGAGEMENT. *INDIGENOUS LAW JOURNAL*, 6(1): PP. 193 – 203).

[ISC] INDIGENOUS CORPORATE TRAINING INC. (2018). 9 TERMS TO AVOID IN COMMUNICATIONS WITH INDIGENOUS PEOPLES. WORKING EFFECTIVELY WITH INDIGENOUS PEOPLES. [HTTPS://WWW.ICTINC.CA/BLOG/9-TERMS-TO-AVOID-IN-COMMUNICATIONS-WITH-INDIGENOUS-PEOPLES](https://www.ictinc.ca/blog/9-terms-to-avoid-in-communications-with-indigenous-peoples).

JOSEPH, B. (2012). WHY ABORIGINAL ENGAGEMENT ISN'T STAKEHOLDER ENGAGEMENT. WORKING EFFECTIVELY WITH INDIGENOUS PEOPLES: INDIGENOUS CORPORATE TRAINING INC. [HTTPS://WWW.ICTINC.CA/WHY-ABORIGINAL-ENGAGEMENT-ISNT-STAKEHOLDER-ENGAGEMENT](https://www.ictinc.ca/why-aboriginal-engagement-isnt-stakeholder-engagement).

JOUDRY, S. (2016). PUKTEWEI: LEARNING FROM FIRE IN MI'KMA'KI (MI'KMAQ TERRITORY). THESIS. DALHOUSIE UNIVERSITY. LINK: [HTTPS://DALSPACE.LIBRARY.DAL.CA/BITSTREAM/HANDLE/10222/72599/JOUDRY-SHALAN-MES-SRES-AUGUST-2016.PDF?SEQUENCE=5&ISALLOWED=Y](https://dalspace.library.dal.ca/bitstream/handle/10222/72599/Joudry-Shalan-Mes-Sres-August-2016.pdf?sequence=5&isAllowed=y)





PRITCHARD, G. (2020). WORKING WITH INDIGENOUS PEOPLES 101. PRESENTATION FOR THE CANADIAN ENVIRONMENTAL LAW ASSOCIATION. PRESENTATION SLIDES AVAILABLE HERE: [HTTPS://CELA.CA/WP-CONTENT/UPLOADS/2020/04/1.0HOW-TO-WORK-WITH-INDIGENOUS-PEOPLES-101-1.PDF](https://cela.ca/wp-content/uploads/2020/04/1.0HOW-TO-WORK-WITH-INDIGENOUS-PEOPLES-101-1.PDF)

ROBINSON, D., HILL, K.J.C., RUFFO, A.G., COUTURE, S., & RAVENSBERGEN, L.C. (2019). RETHINKING THE PRACTICE AND PERFORMANCE OF INDIGENOUS LAND ACKNOWLEDGEMENT. CANADIAN THEATRE REVIEW 177, 20-30. [HTTPS://WWW.MUSE.JHU.EDU/ARTICLE/716610](https://www.muse.jhu.edu/article/716610).

TRUTH AND RECONCILIATION COMMISSION OF CANADA, “TRUTH AND RECONCILIATION COMMISSION OF CANADA: CALLS TO ACTION,” EXHIBITS, <https://exhibits.library.utoronto.ca/items/show/2420>.

WARK, J. (2021). LAND ACKNOWLEDGEMENTS IN THE ACADEMY: REFUSING THE SETTLER MYTH. CURRICULUM INQUIRY, 51(2): PP. 191 – 209, DOI: [HTTPS://DOI.ORG/10.1080/03626784.2021.1889924](https://doi.org/10.1080/03626784.2021.1889924)

WILLIAMS, D. (2018). MICHISAGI NISHNAABEG: THIS IS OUR TERRITORY. ARBEITER RING PUBLISHING.





Appendix C Additional Comments, Recommendations, Opportunities for Consideration

General comment: On pg. 2, CNSC notes that “over the reporting period, CNSC staff performed a total of 13 inspections at the UNSPF. These inspections resulted in the issuance of 35 notices of non-compliance (NCCs), which were all related to issues identified as low safety significance.” Each section indicates how many NCCs were issued for each of the SCA, but without indications about why exactly the proponent was non compliant. In addition, CNSC always conclude that UNSPF have implemented all necessary corrective actions and met regulatory requirements.

Recommendation:

- Provide more information for each NCC to better understand the rationale for getting to the conclusion that the findings did not affect the health and safety of workers, people and the environment, or the safe operation of the facility.
- Provide more information on the 35 NCCs across all sites and what CNSC interprets from this high result.

2.4 BWXT Nuclear Energy Canada Inc.

Question, pg. 11: Figure 2.5: is the red box delineating the facility covering the whole facility? Looks like it expands past the delineation.

5.6 Radiation Protection

Question, pg. 22: CNSC states that no worker urine sample was exceeded for uranium levels. What about other compounds?

Comment, pg. 23: “CNSC staff concluded that the UNSPF effectively implemented and maintained their radiation protection programs for the reportable year.” We would like to better understand the rationale for getting to this conclusion, as there were two action level exceedances reported, including in which Cameco “identified that the worker performed work activities with the potential for increased external radiation exposures. Corrective actions were implemented, including updating the work instructions for these work activities to include the use of direct reading dosimeters to track radiation doses in real-time.” We would also like to better understand for how long these exceedances had been ongoing. Is the action level varying depending on the duration of these exceedances?



Comment, pg. 24: The NCC's referred to in this section point to the need for attentions toward safety measures used across automated monitoring systems (2/4NCCs in human/machine interactions): "...maintaining required frequency for in-plant fixed air sampling; and ensuring consistency between current practice and documented requirements pertaining to air sampler calibrations".

Comment, pg. 27: In sections like the "Environmental management system" section, where information presented is very high level, more details should be included or otherwise a link should be provided to indicate where more information appears in existing appendices. The same should apply for "Effluent and emissions control (releases)", "Assessment and monitoring", "Environmental risk assessment", etc.

Appendix H: Public Dose Data

Question: CFM revised formulas for the 2021 public dose to be more accurate. What has been changed within the formula for this correction? What triggered the formula change?

Appendix I: Environmental Data

Comment, pg. 77: "The maximum uranium in soil concentrations measured near the facility was at Ontario's natural background levels (up to 2.5 µg/g) and well below 23 µg/g, which is the most restrictive soil quality guideline set by the CCME for uranium (for residential and parkland land use) [19]." These numbers are from information from 2007. Uranium limits for soil sediments for residential/parkland/etc. use is 2.5ug/L according to 2011 standards according to MOE "Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act".

Comment, pg. 79: "With respect to sanitary sewer discharges, Cameco experienced 7 action level exceedances in 2021,". On pg 27, "CNSC staff have assessed that there was no impact to workers, the public or the environment as a result of these action level exceedances. CNSC staff reviewed the licensee's corrective actions in relation to the exceedances and are satisfied with the licensee's responses." It is not noted whether or not the action level exceedance needed to be changed according to the sensitivity limit, nor does it note the corrective actions taken in response to this high level of exceedances. This high number of exceedances is also not reflected in pg 63 SCA ratings.

Recommendation, pg 80: CNSC should incorporate groundwater license limits and/or provincial and federal guideline limits into the results data (Table 1-7) for comparison.

Comment: In table I-8, uranium concentrations being 15 times the CCME guidelines for surface water contamination is a concern. The elevated uranium and fluoride levels in these waters



could have adverse effects on the most sensitive biota, which may lead to indirect effects across the aquatic environment. Is monitoring frequency going to increase to ensure these levels don't exceed any higher to ensure the protection of our lands and waters?

Comment, pg. 83: Table I-10 shows that fluoride in vegetation is less than 5.0ug/g although CNSC states in the above paragraph that the maximum fluoride concentration was 13ug/g in 2021. This maximum sampling result should be directly compared to the 35ug/g maximum limit determined by the MECP without averaging with other sample results. The table results should be modified to explain how the < 5.0 is determined from the sampling results. Clarification is needed.

Question, pg. 86: Could CNSC also include a results table for surface water monitoring where some of the surface water samples exceeded the total uranium concentrations? How many samples exceeded these guidelines and by how much?

Comment, pg. 87: Could CNSC provide a map of the sampling locations, for example, for Cameco, why are the location 12 measurements for gamma monitoring so much higher than the other two locations? Is it in the closest proximity to the building?

Appendix J

Comment: Figure J.1 (pg. 98) shows a steady upward trend over the 5-year period. This points to a need to compare against longer term trending information by comparing periods previous to this reporting period. Both 2021 and 2021 Maximum effective dose 9.9mSv has been neared or exceeded. As well, this chart should not be displaying measures against CNSC's old measure limit of 50mSv, but rather the NEW's limit of 9.9mSv, thus effectively visually misleading the new safety standards.

Appendix M: Indigenous Nations territories

Recommendation: Indigenous Nations Territories should be included in the main body of text oppose to the appendices.

Next steps

1. Indigenous knowledge study

It has been mentioned in the UNSPF ROR that discussions and collaboration regarding a territory wide Indigenous Knowledge and Land Use Study will be initiated in 2022. We would like to mention that it is still a priority for the community, even though to date discussions on this matter have been very brief. CLFN and CNSC staff are both aware that prior to undertaking such a big project, everyone needs to be on the same page on what, how, and when such a



study could be undertaken. Our hopes are to be able to sit together in 2022 and 2023 and identify CLFN needs and ways to share this knowledge.

Recommendation:

- *CLFN would recommend CNSC staff to plan and coordinate a workshop with CLFN Chief and Council to discuss Indigenous Knowledge and Land Use studies.*

2. Notices on non-compliance and reportable events

Currently, NNCs and reportable events happening on a project site may or may not be reported back to CLFN. It depends on the companies' will, whether it has an impact on the treaty rights or not. When a reportable event is not shared and explained to CLFN directly, there is always higher concern over this event, because CLFN feels that the proponent is trying to hide something.

Recommendation :

- *The CNSC should ensure that proponents have a process in place to communicate notices of non-compliance and reportable events to CLFN in an effective manner and should have a way to verify whether the reporting has been done or not, and to account for this communication process in the regulatory oversight.*
- *In addition, CLFN expects to not just receive a notification of a reportable even, but would always like to:*
 1. *receive more information on the cause of the event;*
 2. *receive more information on the mitigation measures that are put in place to prevent such event from happening again;*
 3. *know whether there is a trend for this type of event (does it happen every year at a particular moment, etc.).*

3. How interventions are taken into consideration

When CLFN submits an intervention to the Commission, or a review to a licensee, we do not always receive proper feedback on how our comments were taken into consideration. CLFN is led to repeat the same concerns and questions repeatedly, because the CNSC and/or licensees do not communicate about how our comments have or have not been integrated.

Recommendation :

- *CLFN recommends CNSC and licensees to put in place a process for reporting back to CLFN about their intervention and how CLFN comments will be taken into consideration.*



CNSC and licensees should ensure that the responses are communicated back to CLFN to avoid receiving the same concerns year after year.

- *CLFN also recommends that the CNSC report back to CLFN on whether the information provided in our interventions bring any value to CNSC staff, and how CLFN could improve the next intervention.*

4. Funding

CLFN participates in many consultations and engagement processes every year, and funding that is given to CLFN applies to one project at a time. In the short and medium term, CLFN will continue to apply to funding opportunities specific to a project, but in the long term, we hope to reduce the number of projects in which we participate by having the Crown and proponents being more proactive. In other words, CLFN hopes that by improving the relationship with CNSC and licensees, we will be applying to less funding opportunities.

Recommendation: *There needs to be a better approach put in place by CNSC so that CLFN has more funding opportunities available for activities and process that are not related to specific projects. CNSC could offer funding to*

- *Participate in trainings about the nuclear industry and CNSC processes;*
- *Meet every year with Commission members to discuss the relationship between CLFN, CNSC staff and proponents and ways to improve it;*
- *Offer CLFN to provide specific cultural awareness knowledge sharing to CNSC staff;*
- *Participate in joint strategic planning and decision making, such as participation in a future Indigenous Advisory Committee.*

In conclusion, working with CLFN to develop project concept, design, planning, assessment, potential and actual impacts, monitoring, etc. are necessary steps for the future of the relationship. Keeping in mind that all plans and activities must be viewed through the lens of environmental protection and sustainability, CLFN will ensure that their interests and rights are being protected within their territory, that they are able to protect the ability to exercise their rights as a people – physically, culturally, and spiritually, and that they are able to foster sovereignty, cultural identity, and sustainable succession. This is central to all relationships being progressed with various regulators and proponents.