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Commission Registry and Registrar
Canadian Nuclear Safety Commission
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September 23rd, 2024
(Submitted by Email)

RE: Curve Lake FN's accommodations requests for the OPG DNNP LTC Hearings

Dear Registrar,

On behalf of Curve Lake First Nation (CLFN), we would like to echo the requests made by Chief Carr regarding the requests for the upcoming Darlington New Nuclear Project (DNNP) Licence to Construct (LTC) hearings, and more generally, future Canadian Nuclear Sustainability Commission (CNSC) proceedings. We believe that accommodating the requests outlined below is an essential step in better recognizing Curve Lake's Treaty Rights, and will ensure that Anishinaabe Culture and Ways of Life are meaningfully included in these important proceedings.

Firstly, CLFN respectfully agrees that the process would greatly benefit from a 3-part Hearing for the DNNP LTC, with one part specifically dedicated to addressing the Rights of the Michi Saagiig Anishinaabeg. As Rights Holders, the Michi Saagiig should be distinguished from other Stakeholders, who are scheduled to present at the January 8 Hearings. Our Rights should be evaluated separately in order to better serve the Duty to Consult and Accommodate process. Given that Nations require time to digest information and come together to make decisions, the current schedule may not allow enough time to do so and greater time allocations will allow our legal concerns to be more fairly addressed.

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.

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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."

Secondly, we would like to recommend that Anishinaabe cultural practices be included in the hearing process:

1. Potential for Ceremony prior to the opening of Hearings, such as a smudge or formally incorporating an opening by First Nation Leaders or Elders similar to or expanding on CLFN's role in the January 2024 Hearings.
2. Considering reconfiguration of the physical hearing layout to a Traditional Circle configuration with everyone at the same physical level to allow for to allow for equal sharing of voices, ensuring all perspectives are heard in a respectful and balanced way.
3. By holding a Rights-based day of the hearings, the CNSC can also help ensure adequate speaking time for the Michi Saagiig Anishinaabeg Chiefs, who are otherwise understandably limited in the context of broader Hearings with other groups involved.

The nuclear industry has historically overlooked the voices of our First Nations, and we are encouraged to see this trend gradually changing. The DNNP is especially significant, as it introduces new nuclear technology during a pivotal time for Ontario's energy sector. For our Nations this marks the first major infrastructure project proposed within our Territories since the signing of the 2018 Williams Treaties Settlement Agreement.

Given the importance of this project, it is essential that the planning and potential approval process reflects the highest standards and best practices available, even within the limited time we have to move things forward. We trust you will recognize that the requests outlined above will contribute to ensuring this outcome, and we look forward to collaborating with all parties to achieve these goals.

Our staff have been in conversations with CNSC staff regarding a November 18, 2024 meeting that also includes OPG. Our staff have also been in conversation with CNSC staff with what is now becoming an annual visit to Curve Lake First Nation by CNSC; November 19 or 20 is currently being discussed. We look forward to our future meetings whether in person or virtually to further discuss these matters.



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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,

Chief Keith Knott
Curve Lake First Nation

cc:

- Sean Conway, Steve Toms, Mindy Knott, Paige Williams, Lois Taylor, Francis Chua & Kayla Wright (CLFN)
- Chief Laurie Carr, Sean Davison & Tom Cowie (HFN)
- Chief Kelly LaRocca, Don Richardson, Sam Shrubsole & Team (MSIFN)
- Chief Taynar Simpson, Julie Kapyrka & Stephanie Zilinski (AFN)
- Adam Levine, Laura DeCoste & Emily Janzen (CNSC)