



Date: 2025-01-09

**Written Submission from
Clearwater River Dene Nation**

In the matter of

NexGen Energy Ltd.

License application to prepare a site for
and construct its Rook I uranium mine and
mill project

Commission Public Hearing

February 2026

**Mémoire de la
Nation des Dénés de Clearwater
River**

À l'égard de

NexGen Energy Ltd.

Demande de permis concernant la
préparation de l'emplacement et la
construction de son projet de mine et
d'usine de concentration d'uranium Rook I

Audience publique de la Commission

Février 2026

Cassels

January 9, 2026

Canadian Nuclear Safety Commission
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Attention: Commissioners

Dear Sirs/Mesdames:

Re: Canadian Nuclear Safety Commission (“Commission” or “CNSC”)¹
File No. 2025-H-12
NexGen Rook I Project (“Project”)
Clearwater River Dene Nation (“CRDN”) Written Submissions for Part 2 Public Hearing

We are counsel to CRDN in relation to the above-noted matter.

CRDN’s reserve lands are located closest to the proposed Project of any First Nation and community. If approved, the Project would be located at the heart of CRDN’s traditional lands, in an area that CRDN members actively use and occupy. These lands hold profound cultural significance for CRDN. CRDN stands to be the most directly impacted Indigenous Nation if the Project proceeds.

On January 9, 2026, CRDN separately submitted a request to intervene in the Part 2 Public Hearing for the Project, scheduled for February 9 to 13, 2026, in Saskatoon, Saskatchewan. CRDN has requested the opportunity to make oral submissions at the Part 2 Public Hearing. If granted, CRDN’s oral submissions will set out its position on the Project’s effects, both positive and negative, to CRDN’s rights and interests, the adequacy of the consultation process, and the accommodations provided.

CRDN’s written submissions are organized into three parts as follows:

- I. **Background:** Part I provides relevant background information on CRDN’s historic and ongoing connection to and use of the lands where the Project is proposed;
- II. **CRDN’s Participation in the Project Review Process:** Part II describes CRDN’s view of the processes of engagement with NexGen and consultation with CNSC staff; and

¹ We use the term “Commission” to refer to the decision-making tribunal and the term “CNSC” to refer to the organization and its staff.

III. CCRDN's Informed View on the Project and Provision of Consent: Part III outlines CCRDN's arrival at an informed view on the Project, and CCRDN's consent for the Project to proceed. This section outlines the benefits CCRDN will receive from the Project.

I. Background

CCRDN is a Denesuline Nation whose traditional lands encompass extensive portions of the Clearwater River watershed, including the Patterson Lake area (*Goráchághí tu* or Upper Pelican Lake), where the Project is proposed.² These lands and waters form the cultural, spiritual, and governance heartland of the Nation.

CCRDN is a signatory to Treaty 8 with reserve lands located closest to the Project of any Indigenous Nation.³ As of April 2025, there were 3,248 registered members with 1,162 members living on-reserve and 2,036 members living off-reserve.⁴ The Project is located approximately 120 km due south from the main CCRDN reserve.⁵ CCRDN's traditional activities have been concentrated in the Clearwater River watershed and Patterson Lake area and areas to the north of Patterson Lake, including the Carswell and Old Fort river watersheds.⁶

CCRDN members continue to use and rely on the Project area and the Patterson Lake area. CCRDN has occupied these areas since time immemorial, where CCRDN rights are actively exercised and where Denesuline culture, law, and identity are lived and renewed.⁷ CCRDN's deep ancestral and intergenerational connections to the land are reflected in travel routes, harvesting areas, living places, oral histories, and place names.⁸

Historically, CCRDN people's way of life depended on the availability of and access to preferred lands, waters, and natural resources, as well as the ability to pass knowledge about the traditional seasonal harvesting cycle, traditional hunting, trapping, fishing, and gathering practices and spiritual as well as ceremonial beliefs and practices to successive generations.⁹ CCRDN people passed the knowledge of CCRDN's way of life to successive generations orally, through cultural and spiritual practices, and through participation in traditional hunting, trapping, fishing and gathering practices which depended on the availability of and access to preferred lands, waters, and natural resources.¹⁰

CCRDN members continue to occupy, travel through, and harvest within the Project area in ways that structure family life, cultural transmission, and governance responsibilities.¹¹ Harvesting and land-based practices remain central to CCRDN culture and are governed by laws emphasizing

² See Executive Summary of the IRKS at Appendix A, s 5.1 (PDF p 15).

³ Draft CCRDN Rights Impact Assessment [RIA] at p 1.

⁴ Draft CCRDN RIA at p 1.

⁵ Draft CCRDN RIA at p 2.

⁶ Draft CCRDN RIA at p 3.

⁷ See Executive Summary of the IRKS at Appendix A, ss 1.2, 5.2-5.3 (PDF pp 12, 15).

⁸ See Executive Summary of the IRKS at Appendix A, s 5.2 (PDF p 15).

⁹ Draft CCRDN RIA at p 2, quoting letter from Chief T. Clarke to NexGen and all third parties dated September 25, 2018.

¹⁰ Draft CCRDN RIA at p 2, quoting letter from Chief T. Clarke to NexGen and all third parties dated September 25, 2018.

¹¹ See Executive Summary of the IRKS at Appendix A, s 5.3 (PDF p 15).

respect, reciprocity, and care for future generations.¹² To this day, CRDN families depend on CRDN's traditional lands for a range of cultural, sustenance, livelihood, spiritual, and socio-economic purposes.¹³ Due to high levels of unemployment, CRDN members often depend on the land to put food on the table.¹⁴ Any impact to CRDN members' ability to rely on wildlife, fish, berries, plants, forests, and water resources can have serious impacts.¹⁵

Historically, CRDN members have been excluded from uranium development within and adjacent to CRDN's traditional lands. CRDN's experience with prior uranium exploration and mining activities has underscored that early regulatory decisions, made without a full appreciation of Indigenous land relationships, can result in long-lasting consequences.¹⁶ Recent uranium development has disrupted the previously pristine lands, which have been cared for by CRDN since time immemorial.¹⁷ Uranium development at the old Cluff Lake mine is an example of uranium mining development which did not consider CRDN's rights and interests at the outset and throughout the operating life of the mine which has been to the detriment of the CRDN People.

Uranium development activities that are currently under review, including the Project, as well as any future uranium development activities in CRDN's traditional lands must include CRDN in a meaningful way. CRDN understands the Project area to be part of a living cultural landscape whose significance will endure well beyond the lifespan of the Project.¹⁸

As outlined below, NexGen's agreements with CRDN relative to the Project represent a step forward for CRDN to comprehensively address its environmental, historical, cultural, social and community development interests, actively participate in uranium mining activities and derive community benefits from the same.

II. CRDN's Participation in the Project Review Process

Given CRDN's unsatisfactory past experiences with the uranium industry, CRDN set out clear objectives for engagement with newly proposed uranium mining developments, including the Project. CRDN decided to become engaged as an active participant throughout all phases of the Project's environmental review and associated consultations with a view to minimizing adverse effects and maximizing positive outcomes for the CRDN community as a whole.

CRDN began participating in engagement activities with NexGen regarding the Project in 2013. These activities included participation in meetings, exchange of documents, negotiation of agreements, and collaboration on proposed Project mitigation measures and other commitments. CRDN also participated in consultation activities with CNSC staff.

¹² See Executive Summary of the IRKS at Appendix A, s 5.4 (PDF p 15).

¹³ Draft CRDN RIA at p 2, quoting letter from Chief T. Clarke to NexGen and all third parties dated September 25, 2018.

¹⁴ Draft CRDN RIA at p 2, quoting letter from Chief T. Clarke to NexGen and all third parties dated September 25, 2018.

¹⁵ Draft CRDN RIA at p 2, quoting letter from Chief T. Clarke to NexGen and all third parties dated September 25, 2018.

¹⁶ See Executive Summary of the IRKS at Appendix A, s 1.6 (PDF p 13).

¹⁷ See Executive Summary of the IRKS at Appendix A, s 5.1 (PDF p 15).

¹⁸ See Executive Summary of the IRKS at Appendix A, s 5.5 (PDF p 15).

CRDN has summarized certain key documents from the engagement and consultation processes below.

2.1 *NexGen Engagement Process With CRDN*

NexGen and CRDN began a process of engagement for the Project beginning in 2013, based on principles of collaboration, partnership, and mutual respect.

On May 2, 2019, NexGen submitted a project description to the CNSC to begin the environmental assessment for the Project.¹⁹ On October 16, 2019, CRDN and NexGen entered into an agreement to collaboratively conduct key components of the environmental assessment for the Project (“**Study Agreement**”). The Study Agreement included capacity funding to support CRDN’s completion of a community-led Indigenous Rights and Knowledge Survey (“**IRKS**”) for inclusion in the Project’s environmental assessment, participation in the environmental assessment, and participation in meetings and benefit agreement negotiations.

The Study Agreement represents an instance of the collaborative measures CRDN and NexGen established in the planning and implementation of, in CRDN’s view, a meaningful process of engagement and consultation.

Between 2019 and 2022, NexGen prepared its draft Environmental Impact Statement (“**EIS**”) for the Project which was submitted to the CNSC on June 13, 2022.²⁰ Prior to the submission of the draft EIS, in April 2022, NexGen and CRDN entered into an impact benefit agreement (“**Impact Benefit Agreement**”). The Impact Benefit Agreement provides CRDN with funding and socioeconomic benefits, including commitments from NexGen to hire Indigenous monitors from the CRDN community and to train, employ, and contract with CRDN members. NexGen has committed in the Impact Benefit Agreement to ongoing engagement with and involvement of CRDN over the lifecycle of the Project. Through the Impact Benefit Agreement process, CRDN agreed to provide its consent and support for the Project. In providing its consent, CRDN expressly reserved its rights to continue to be consulted and otherwise participate in the regulatory and administrative processes for the Project, including raising issues or concerns for the purpose of identifying, eliminating, managing, or mitigating impacts of the Project on CRDN and cumulative impacts in CRDN’s territory.²¹

2.2 *CRDN’s IRKS and Rights-Based Assessment of the Project*

CRDN’s September 2021 IRKS, authored by independent expert Ms. Annette McCullough of Origins Heritage Consulting Ltd., contains information on CRDN’s historical and current use of its traditional lands including the Project area.²² The purpose of the IRKS is to inform CNSC staff, the Commission, and NexGen of CRDN’s longstanding, ongoing, and intergenerational relationship to the lands and waters potentially affected by the Project.²³ The IRKS establishes a rights-based baseline that documents CRDN’s land relationships as they exist today and as they

¹⁹ Canadian Impact Assessment Registry, [Project Description - Rook I Project](#).

²⁰ Canadian Impact Assessment Registry, [Draft Environmental Impact Statement for the Rook I Project](#).

²¹ CRDN June 1, 2022 letter to CNSC re Rook I Project.

²² See Executive Summary of the IRKS at Appendix A, s 2.3 (PDF p 13).

²³ See Executive Summary of the IRKS at Appendix A, ss 1.0, 6.0 (PDF pp 12-13, 16).

have existed for generations.²⁴ The IRKS is meant to fill the gaps in NexGen and the CNSC's western scientific assessment of the Project which may underestimate the significance of the Project's location within CRDN's lived territory.²⁵ The IRKS took a community-driven, intergenerational research approach that considered mapped data, oral narratives, historical records, and observational information.²⁶

The primary research of the IRKS, as set out in the Study Agreement, was to identify and document the CRDN community's exercise of its treaty rights and associated cultural practices within the Project area and areas in the vicinity of the Project.²⁷ The IRKS confirms that the lands and waters in and around the Project area form the cultural, spiritual, and governance heartland of the CRDN.²⁸ The IRKS describes deep ancestral and intergenerational connections to the land, reflected in travel routes, harvesting areas, living places, oral histories, and place names.²⁹ The IRKS notes CRDN members continue to occupy, travel through, and harvest within and around the Project footprint in ways that are central to the structure of family life, cultural transmission, and governance responsibilities.³⁰

2.3 CRDN's Technical Review of the Environmental Impact Statement

CNSC staff conducted consultation activities with CRDN regarding the Project. CNSC staff provided CRDN with participant funding to undertake consultation activities.³¹

CNSC staff conducted an environmental assessment of the Project, the process for which included steps for CRDN's review and joint-assessment.

On November 11, 2022, CRDN sent a letter to the CNSC outlining CRDN's information requests ("Information Request") in respect of the draft EIS. A copy of the Information Request letter is attached at Appendix B.

CRDN's Information Request identified several areas for review in the EIS, including: engagement with Indigenous communities,³² strategies for adaptive management,³³ project design,³⁴ monitoring programs,³⁵ decommissioning and reclamation plans,³⁶ community well-being,³⁷ stress impacts from uranium mining activities on CRDN's traditional territory,³⁸ food security and

²⁴ See Executive Summary of the IRKS at Appendix A, s 1.5 (PDF p 13).

²⁵ See Executive Summary of the IRKS at Appendix A, s 1.4 (PDF pp 12-13).

²⁶ See Executive Summary of the IRKS at Appendix A, ss 2.4, 3.4, 4.0 (PDF pp 13-15).

²⁷ See Executive Summary of the IRKS at Appendix A, s 1.5 (PDF p 13).

²⁸ See Executive Summary of the IRKS at Appendix A, s 5.2 (PDF p 15).

²⁹ See Executive Summary of the IRKS at Appendix A, s 5.2 (PDF p 15).

³⁰ See Executive Summary of the IRKS at Appendix A, ss 5.3-5.5. (PDF p 15).

³¹ Canadian Nuclear Safety Commission, "Participant Funding Program decision – NexGen's Rook 1 Project" (modified 7 August 2025), online: [link](#).

³² See Information Request Letter at Appendix B, pp 1-3 (PDF pp 18-20).

³³ See Information Request Letter at Appendix B, p 3 (PDF p 20).

³⁴ See Information Request Letter at Appendix B, p 5 (PDF p 22).

³⁵ See Information Request Letter at Appendix B, p 4 (PDF p 21).

³⁶ See Information Request Letter at Appendix B, p 4 (PDF p 21).

³⁷ See Information Request Letter at Appendix B, p 5 (PDF p 22).

³⁸ See Information Request Letter at Appendix B, pp 5-6 (PDF pp 22-23).

traditional diet,³⁹ heritage resource protocols,⁴⁰ and employment opportunities.⁴¹ Additionally, CRDN recommended that NexGen expand its monitoring programs to include additional phases of the Project and community-specific initiatives to enhance CRDN's participation in the Project.⁴²

CRDN participated in a Federal-Indigenous Review Team ("FIRT") comprised of representatives from CNSC, subject matter experts, federal departments including Environment and Climate Change Canada and Natural Resources Canada, as well as other Indigenous Nations.⁴³

On June 28, 2023, CRDN provided a letter to CNSC staff explaining that CRDN participated in a technical review conducted by the FIRT for the draft EIS for the Project. The June 28, 2023 letter is attached at Appendix C. The letter outlined that:

- a) The FIRT completed a technical review of the EIS in 2022 and identified 271 information requests for NexGen, including CRDN's Information Request;
- b) The FIRT provided 40 "Advice to Proponent" comments for NexGen to consider when responding to information requests and when revising the draft EIS;
- c) Following its participation in the FIRT, CRDN have meaningfully engaged with NexGen by jointly participating in committees and the ongoing environmental assessment; and
- d) NexGen has addressed or responded to all of CRDN's Information Requests in a manner acceptable to CRDN.⁴⁴

Through the balance of the engagement process being conducted by NexGen and the formal review conducted by CNSC staff, CRDN deemed that the Information Requests and issues it raised during were demonstrably incorporated, taken into account, weighed meaningfully, and adequately addressed by NexGen and CNSC staff.

On June 13, 2024, CRDN provided a letter to CNSC staff explaining that CRDN endorses the final EIS and that NexGen had addressed CRDN's concerns, issues, and Information Requests.

2.4 *Comments on Consultation Report and Environmental Assessment Report*

CNSC staff consulted with CRDN regarding potential environmental effects of the Project and potential effects on CRDN's rights. As part of this process, CNSC staff provided CRDN with the opportunity to comment on a draft of the Consultation Report and the Environmental Assessment Report ("EA Report").

On June 27, 2025, CRDN sent a letter response to the CNSC providing CRDN's comments on partial drafts of the Consultation Report and the EA Report. A copy of the June 27, 2025 response

³⁹ See Information Request Letter at Appendix B, p 7 (PDF p 24).

⁴⁰ See Information Request Letter at Appendix B, p 7 (PDF p 24).

⁴¹ See Information Request Letter at Appendix B, p 7 (PDF p 24).

⁴² See Information Request Letter at Appendix B, pp 7-8 (PDF pp 24-25).

⁴³ Canadian Nuclear Safety Commission, "CMD-25-H12 – CNSC Staff Submission" (10 October 2025), online: [link](#), PDF pp 149-150; see also CRDN June 28, 2023 Letter at Appendix C, p 1 (PDF p 27).

⁴⁴ See CRDN June 28, 2023 Letter at Appendix C, p 1 (PDF p 27).

letter is attached at Appendix D. In its response, CRDN addressed engagement and mechanisms to address future issues or concerns.⁴⁵ CRDN recommended that the EA Report more clearly delineate how CRDN's Project-specific concerns were addressed.⁴⁶ The letter noted CRDN's outstanding concern related to the CNSC's ability to adhere to regulatory approval timelines for the Project.⁴⁷

Since providing its response, CRDN has deemed that the issues and concerns it raised were adequately addressed by CNSC staff.

2.5 *Comments on Issue Tracking Document*

On October 28, 2025, CRDN sent a letter to the CNSC to provide comments on the CNSC's issue tracking document for the Project. A copy of the letter, including CRDN's comments and the issue tracking document, is attached at Appendix E. CRDN generally agreed with the CNSC's responses to CRDN's issues and concerns in the issue tracking document.⁴⁸ CRDN provided overarching comments including: that CRDN is the most proximate Indigenous community to the Project, with a deep cultural connection to the Project area; that CRDN actively participated in the Project review and engagement process, and communicated its issues and concerns from the outset; and that CRDN has entered into agreements with NexGen to address the issues and concerns.⁴⁹

2.6 *Comments on Draft Rights Impact Assessment*

On November 21, 2025, the CNSC provided CRDN with a draft of the CRDN Rights Impact Assessment ("RIA") for review and comment. The RIA, prepared by the CNSC, evaluates potential effects of the Project on the exercise of CRDN's rights. The Project is located within CRDN's core territory in an area that supports long-standing and ongoing harvesting, cultural, and ceremonial practices, including hunting, fishing, and gathering. CRDN also has cabins, campsites, and cultural sites in the immediate vicinity. The RIA draws on the IRKS and considers potential Project impacts due to biophysical changes, altered access to traditional lands and waters, disruptions to cultural and spiritual activities, and effects on governance, stewardship, and decision-making.

The RIA discussed CRDN's concerns regarding water quality,⁵⁰ recent declines in wildlife including moose and caribou,⁵¹ loss of access to traditional lands and avoidance behaviours,⁵² and loss of associated practices such as gathering medicinal plants.⁵³ The RIA summarized NexGen's proposed mitigation measures including comprehensive monitoring and mitigation

⁴⁵ See Comments on Consultation Report and Environmental Assessment Report Response Letter at Appendix D, p 2 (PDF p 31).

⁴⁶ See Comments on Consultation Report and Environmental Assessment Report Response Letter at Appendix D, pp 2-3 (PDF pp 31-32).

⁴⁷ See Comments on Consultation Report and Environmental Assessment Report Response Letter at Appendix D, p 3 (PDF p 32).

⁴⁸ See CRDN October 28, 2025 Letter at Appendix E, p 1 (PDF p 35).

⁴⁹ See CRDN October 28, 2025 Letter at Appendix E, pp 1-2 (PDF pp 35-36).

⁵⁰ Draft CRDN RIA at pp 11-16.

⁵¹ Draft CRDN RIA at pp 17-21.

⁵² Draft CRDN RIA at pp 22-34.

⁵³ Draft CRDN RIA at pp 26-27, 30-32.

measures⁵⁴ and an updated Caribou Management and Offsetting Plan.⁵⁵ The RIA concluded that the Project is not likely to cause significant adverse effects on CRDN's rights or access to cultural sites if mitigation measures are followed.⁵⁶

On December 19, 2025, CRDN provided comments to CNSC staff on the draft RIA for the Project, recommending that the CNSC implement the following revisions, among other comments:

- a) describe the methodologies used to conduct the RIA;⁵⁷
- b) confirm the effects and significance of increased land use and hunting activity in the Project footprint,⁵⁸ CRDN members avoiding sustenance activities within the Project footprint,⁵⁹ impacts to moose,⁶⁰ disturbances to soil and gathering activities,⁶¹ removal of traditional use plants,⁶² and changes in access to culturally important areas;⁶³
- c) clarify impacts to gathering rights;⁶⁴
- d) identify specific mitigation and monitoring measures that address CRDN's concerns regarding surface water and sediment quality,⁶⁵ fish and fish habitat,⁶⁶ wildlife and wildlife habitat,⁶⁷ including moose⁶⁸ and woodland caribou,⁶⁹ terrain and soil,⁷⁰ Indigenous land and resource use,⁷¹ and changes to governance, laws and cultural traditions;⁷² and
- e) clarify how the CNSC intends to apply the *United Nations Declaration on the Rights of Indigenous Peoples Act* in its decision-making process.⁷³

On the balance, CRDN deems that the CNSC staff's RIA comprehensively considered and assessed potential impacts to CRDN's rights and interests. CRDN concurs with the conclusion of the RIA that the Project is not likely to cause significant adverse effects on CRDN's rights or

⁵⁴ Draft CRDN RIA at p 16.

⁵⁵ Draft CRDN RIA at pp 19-20.

⁵⁶ Draft CRDN RIA at pp 28, 34.

⁵⁷ Draft CRDN RIA at pp 10-11.

⁵⁸ Draft CRDN RIA at p 21.

⁵⁹ Draft CRDN RIA at pp 16, 20-21.

⁶⁰ Draft CRDN RIA at p 19.

⁶¹ Draft CRDN RIA at p 22-23.

⁶² Draft CRDN RIA at p 25.

⁶³ Draft CRDN RIA at pp 28-29.

⁶⁴ Draft CRDN RIA at pp 23, 24, 25.

⁶⁵ Draft CRDN RIA at pp 14, 16.

⁶⁶ Draft CRDN RIA at pp 15, 17.

⁶⁷ Draft CRDN RIA at p 18.

⁶⁸ Draft CRDN RIA at p 19.

⁶⁹ Draft CRDN RIA at p 20.

⁷⁰ Draft CRDN RIA at p 22.

⁷¹ Draft CRDN RIA at pp 25, 27, 33-34

⁷² Draft CRDN RIA at pp 32-34.

⁷³ Draft CRDN RIA at p 33.

access to cultural sites if all commitments, mitigation measures, follow-up programs, and Project conditions are implemented.⁷⁴

III. CCRDN's Informed View on the Project and Provision of Consent

The overall objective of CCRDN's intervention is to:

- a) reaffirm its view that the engagement by NexGen and the consultation by CNSC staff were adequate to meet the Crown's duty to consult;
- b) provide its support for the Project to the Commission and applicable Crown agencies;
- c) outline the rationale for CCRDN providing its consent for the Project's approval in accordance with principles of the United Nations Declaration on the Rights of Indigenous Peoples; and
- d) reiterate its support for the timely and predictable conclusion of the Commission's review and decision, which will have impacts on CCRDN's economic rights.⁷⁵

Through the engagement process and proposed commitments and mitigation measures, NexGen has responded to CCRDN's Project-related concerns and has adequately addressed issues raised by CCRDN. Further, the commitments made by NexGen and supporting conditions proposed by the CNSC will ensure ongoing meaningful engagement by the CCRDN community in monitoring, follow up and offsetting measures and activities over the lifecycle of the Project. Based on negotiated agreements with NexGen, as well as the implementation of all commitments and Project conditions, CCRDN has provided its consent for the Project to proceed.

Through the Impact Benefit Agreement and CCRDN's involvement in the Project, the Project is important to the socio-economic future and the well being of the CCRDN community as a whole. CCRDN is a northern community with a large, growing population, and pressing socio-economic needs including housing, education, and employment. If it proceeds, the Project will share the economic benefits with CCRDN members and businesses to bolster CCRDN's economic advancement. It will also support socio-economic initiatives to foster community well-being, and help ensure CCRDN stewardship of the environment, informed by CCRDN traditional knowledge. CCRDN's right to prosper from the Project should not be jeopardized by unnecessary administrative delays. As such, CCRDN looks forward to the Commission's timely decision on the Project.⁷⁶

⁷⁴ Draft CCRDN RIA at pp 28, 34.

⁷⁵ See *Ermineskin Cree Nation v Canada (Environment and Climate Change)*, [2021 FC 758 \[Ermineskin\]](#) at paras [109-110](#) (appeal dismissed on mootness grounds in *Canada (Environment and Climate Change) v Ermineskin Cree Nation*, [2022 FCA 123](#)).

⁷⁶ *Ermineskin* at paras [109-110](#).

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Should you have any questions regarding the above, please do not hesitate to contact the undersigned.

Yours truly,

Cassels Brock & Blackwell LLP



Jeremy Barretto
Partner
Encl.

CC: Chief Teddy Clark and the Clearwater River Dene Nation Council
Mr. F. Camm Willier, Engagement Lead, Clearwater River Dene Nation Council

Appendix A – Executive Summary: CRDN IRKS, dated September, 2021

Executive Summary

Clearwater River Dene Nation Indigenous Rights and Knowledge Survey

Submitted as Evidence to the Canadian Nuclear Safety Commission
Re: NexGen Energy Ltd. – Rook I Project

Filed on behalf of the Clearwater River Dene Nation
Prepared for the Canadian Nuclear Safety Commission

1.0 Background and Need for the Indigenous Rights and Knowledge Survey

1.1 The Clearwater River Dene Nation ("CRDN" or "the Nation") commissioned and undertook the Indigenous Rights and Knowledge Survey ("IRKS") in order to ensure that regulatory decision-makers are fully and properly informed of the Nation's longstanding, ongoing, and intergenerational relationship to the lands and waters potentially affected by the proposed NexGen Energy Ltd. Rook I uranium mine and mill (the "Project"). The IRKS was prepared as an evidentiary record intended to support sound, lawful, and informed decision-making by the Canadian Nuclear Safety Commission ("CNSC").

1.2 CRDN is a Denesuline Nation whose traditional lands encompass extensive portions of the Clearwater River watershed, including the Patterson Lake area (Goráchághi tu / Upper Pelican Lake), where the Project is proposed. These lands and waters form the cultural, spiritual, and governance heartland of the Nation. They are not marginal or peripheral spaces. They are places where CRDN rights are actively exercised and where Denesuline culture, law, and identity are lived and renewed.

1.3 The Nation undertook the IRKS in recognition that conventional environmental assessment processes have historically failed to adequately account for Indigenous worldviews, Indigenous legal orders, and place-based Indigenous knowledge systems. Western scientific assessments tend to compartmentalize impacts, privilege short-term temporal frames, and abstract land from lived relationships. By contrast, CRDN's relationship to the Project Area is cumulative, relational, and intergenerational, grounded in Denesuline laws and teachings that cannot be meaningfully reduced to technical metrics alone.

1.4 Without a comprehensive, Indigenous-led evidentiary record, regulatory decision-makers would be at risk of underestimating the significance of the Project's location within CRDN's lived territory. The IRKS therefore serves as a necessary and deliberate corrective. It provides the contextual depth required to understand how the

Project intersects with CRDN's exercised rights, governance responsibilities, and obligations to future generations.

1.5 The IRKS was not designed as an impact assessment or as a critique of the Project's engineering or technical components. Rather, it establishes a rights-based baseline that documents CRDN's land relationships as they exist today and as they have existed across generations. This baseline is essential to any credible assessment of effects, accommodation measures, or long-term regulatory oversight associated with a uranium mine and mill proposed to operate for multiple decades within the Clearwater River watershed.

1.6 The Nation's decision to undertake the IRKS is informed by lived experience with prior uranium exploration and mining activities within CRDN traditional lands. Those experiences underscored that early regulatory decisions, made without a full appreciation of Indigenous land relationships, can result in long-lasting consequences. The IRKS reflects CRDN's proactive exercise of governance and its commitment to ensuring that regulatory decisions are informed before they are made.

2. Planning and Implementation of the Indigenous Rights and Knowledge Survey

2.1 The IRKS was planned and implemented as an exercise of Indigenous governance grounded in Denesuline laws, values, and responsibilities. From the outset, CRDN determined that the study must be Indigenous-led, methodologically rigorous, and conducted in a manner that respected the authority of CRDN knowledge holders and the integrity of Indigenous knowledge systems.

2.2 In planning the IRKS, CRDN recognized the regulatory context within which the study would be relied upon, including the CNSC's statutory mandate. At the same time, the Nation maintained that regulatory legitimacy requires an informed understanding of Indigenous perspectives that cannot be captured through conventional assessment tools alone. The IRKS was deliberately structured to bridge this gap without subordinating Denesuline knowledge to external interpretive frameworks.

2.3 CRDN engaged and commissioned Ms. Annette McCullough of Origins Heritage Consulting Ltd (Origins), an experienced, independent Indigenous knowledge and traditional land use researcher who had supported the Nation's documentation of land use and occupancy over more than a decade. Ms. McCullough and Origins took and received instructions from CRDN. IRKS research costs were paid for directly by the CRDN, with funding obtained from NexGen via the 'Study Agreement' established for the Rook I Project. This continuity ensured that the IRKS emerged as part of an established and evolving body of CRDN-led knowledge, rather than as a project-specific or opportunistic exercise.

2.4 The planning of the IRKS emphasized flexibility, cultural safety, and respect for community realities. CRDN rejected rigid or extractive research models in favour of an

approach that allowed members to share knowledge in ways consistent with Denesuline communication practices, including oral narratives, place-based mapping, and relational storytelling.

2.5 The IRKS was implemented in accordance with CRDN protocols respecting intellectual property and knowledge stewardship. All information shared remains the collective property of the Nation and is subject to safeguards governing its documentation, storage, and use. These safeguards are essential in a regulatory context where Indigenous knowledge may otherwise be abstracted or misapplied.

2.6 Despite unavoidable constraints, including public health restrictions during the COVID-19 pandemic, CRDN determined that proceeding with the IRKS was necessary to avoid leaving critical gaps in the regulatory record. The Nation submits that transparency regarding study scope and limitations strengthens, rather than undermines, the reliability of the IRKS as evidence.

3. IRKS Research Approach and Methodology

3.1 The IRKS employed a place-based and relational research methodology designed to document CRDN rights and knowledge in a manner faithful to Denesuline epistemologies while remaining intelligible to regulatory decision-makers.

3.2 The study draws upon two integrated sources: project-specific interviews and mapping related to the Rook I Project, and a substantial body of traditional land use and occupancy documentation compiled by CRDN between 2010 and 2016. This integration provides both spatial precision and temporal depth.

3.3 Interviews were conducted through open-ended dialogue rather than structured questionnaires, allowing participants to articulate knowledge in their own terms. Collaborative mapping at multiple scales supported spatial accuracy while respecting Indigenous narrative forms of knowledge transmission.

3.4 Analysis combined mapped data, oral narratives, historical records, and observational information. The IRKS does not treat mapped features as exhaustive or static, recognizing that Indigenous land use adapts to environmental and social conditions.

3.5 The methodology acknowledges the limits of written and cartographic representation and relies on triangulation to present a coherent and credible evidentiary record. This approach supports the reliability of the IRKS for regulatory purposes.

4. Community-Driven Research and Participation

4.1 The IRKS is grounded in the direct participation of CRDN members whose lives and responsibilities are rooted in the lands and waters of the Project Area. Participants included Elders, harvesters, land users, and families with deep and continuing ties to the Patterson Lake Area.

4.2 Participation was structured to respect Denesuline cultural practices and individual comfort levels. Knowledge sharing occurred through individual, family, and group discussions, as well as collaborative mapping exercises.

4.3 Intergenerational participation was a defining feature of the IRKS. Elders' knowledge was complemented by that of younger land users, demonstrating that CRDN land use and cultural practice are living and ongoing.

4.4 The use of Denesuline language and place names was intentionally retained, reflecting the Nation's position that language is inseparable from knowledge and jurisdiction.

4.5 The Nation considers the depth, consistency, and integrity of the knowledge shared to constitute a robust and credible evidentiary record suitable for regulatory reliance.

5. Summary of Principal IRKS Findings and Views

5.1 The IRKS establishes that the Patterson Lake Area lies within a core cultural landscape where CRDN rights are actively exercised and governed by Denesuline law. Until recently, this core cultural landscape was untouched by uranium development activities that have since disrupted the lands pristine environmental condition.

5.2 The study confirms deep ancestral and intergenerational connections to the land, reflected in travel routes, harvesting areas, living places, oral histories, and place names.

5.3 CRDN members continue to occupy, travel through, and harvest within the Project Area in ways that structure family life, cultural transmission, and governance responsibilities.

5.4 Harvesting and land-based practices remain central to CRDN culture and are governed by laws emphasizing respect, reciprocity, and care for future generations.

5.5 The IRKS demonstrates a forward-looking orientation grounded in responsibility to children and generations yet unborn. The Project Area is understood as part of a living cultural landscape whose significance will endure well beyond the lifespan of any single industrial project.

6. Application of the IRKS to Engagement with the Proponent and Consultation with the CNSC

6.1 CRDN relied on the IRKS as a foundational tool to inform its engagement with NexGen Energy Ltd. and its participation in the CNSC regulatory process.

6.2 The IRKS enabled CRDN to articulate affirmatively how the Nation uses, governs, and cares for the Project Area, rather than framing its interests solely in terms of potential adverse effects.

6.3 For the CNSC, the IRKS provides essential context that complements technical studies by situating the Project within a human, cultural, and legal landscape shaped by Denesuline presence for generations.

6.4 The Nation submits that the IRKS equips the Commission with a reliable Indigenous knowledge baseline against which effects, mitigation, and long-term oversight can be meaningfully assessed.

7. Closing Statement

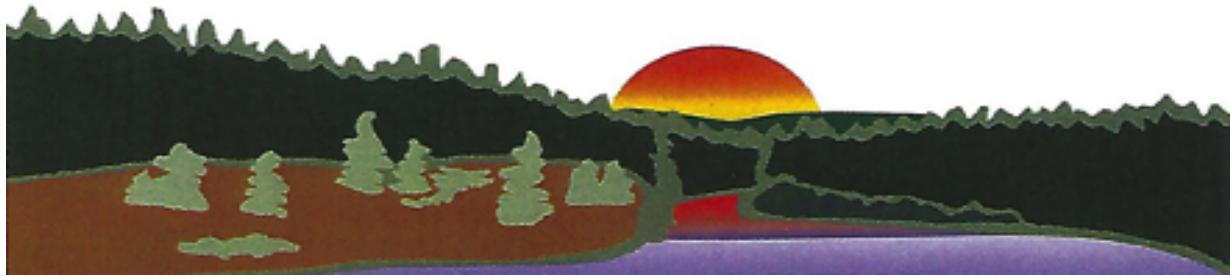
7.1 The Clearwater River Dene Nation respectfully submits this Executive Summary as a concise and authoritative synthesis of the Indigenous Rights and Knowledge Survey prepared in relation to the proposed Rook I Project. The IRKS establishes that the Project Area lies within the heart of CRDN's exercised rights, governed by Indigenous law and sustained through ongoing land-based practices.

7.2 The Nation submits that informed regulatory decision-making requires a full appreciation of these relationships. The IRKS provides the Canadian Nuclear Safety Commission with the necessary Indigenous knowledge context to assess the Project in a manner that is legally sound, balanced, and attentive to CRDN's rights and responsibilities.

7.3 CRDN offers this evidence in good faith and with the expectation that it will be afforded meaningful consideration as part of the Commission's deliberations.

Filed on behalf of the Clearwater River Dene Nation

Appendix B - CDRN Information Request Comments, dated November 11, 2022



CLEARWATER RIVER DENE NATION – TREATY 8

November 11, 2022

Nicole Frigault
Environmental Assessment Specialist, Technical Support Branch
Canadian Nuclear Safety Commission

RE: Nexgen Rook I Project Information Request

Hello Nicole,
Please find Clearwater River Dene Nation (CRDN) leadership approved Information Requests (IRs) below:

Engagement

Under **section 4.1 Indigenous Engagement table 4.1-1: Summary of Primary Indigenous Group Key Engagement Activities**, how is CDRN defined? Is the correspondence, meetings, joint working group, site tours data coming directly through engagement with Chief and Council members only? Or does this include CDRN leadership and community members? If community members are included, at what level? Treaty members? Local members? Community members that are considered hunters, trappers, gatherers and/or environmental advocates? On page 78, the job descriptions are identified within community, but they are not categorized with attached numbers/data.

- Need to host a working group to discuss topics including but not limited to Socio-economic, community well-being, and employment

Section 4.1 Indigenous Engagement

Data requires more demographical categorization, e.g., special groups, trappers, hunters, gatherers, knowledge keepers, Elders, environmental community advocates, educators, local business owners, local cabin owners, etc.

- Adapt to include more demographic information in all community engagement aspects/participate in the survey collection, interviews, and workshops.

This could help determine any real gaps in all types and methods of data collection and land use studies. There may not be enough participants identified and/or considered for both

Indigenous and local trappers, hunters, gatherers, etc. that carry Indigenous-local land intelligence no one else can claim (as these are intrinsic, inherent, and diverse ways of knowing) and this would be considered a massive loss and missed opportunity of vital local-traditional knowledge and deep understandings of the geography and biodiversity.

Section 2.5.1 General Communication Methods indicates NexGen exploring ways to further develop its use of social media for the Project and does not have a dedicated social media platform for communication in the Local Priority Area (LPA).

- Recommend contextualized social media: Recommend NexGen hire a social media representative within the community and work with them to create an Instagram, Tik Tok and Facebook account to educate our communities and ensure any workshops, presentations, interview selection, and all forms of communications and opportunities are not missed.

Creating these social media accounts will help close the communication and accessibility gaps. These social media platforms are great for sharing and providing important and valuable information in real time with little to no cost, capturing all LPAs.

Section 2.5.4 Public Engagement Methods there are no Indigenous methodologies being used to access and gain Indigenous insight. For example, when providing the project information packages (under table 2.5-1: Summary of Primary Indigenous Group Engagement Methods)

- Recommend hiring community member to contextualize and provide NexGen methodologies for all engagement opportunities including social media
 - E.g., photovoice, short creative videos, etc. Partnering to provide information updates on the project, identify opportunities to engage with the Project. E.g., maps and models can be co-created and co-designed to what is culturally appropriate and understood. Providing context for fluent first nation speaking communities/nations. The models, maps and distribution of materials need to be accessible and transmitted in ways that meet the needs of true community engagement through a more inclusive messaging. There are proactive alternatives to cartography (digital technologies by decolonial Indigenous artists, Indigenous indicators of cumulative impacts, etc.). “A better map is one that I am part of, not as an object, but as a subject of my own future” -Alais Ole-Morindat. There are participatory continuums and collaboration quality to be considered.

Section 4.4

Recommend clear definitions of Indigenous and Local knowledge, Indigenous knowledge has been defined by “input from Indigenous Groups, and relevant literature”. This is very vague and there are no sources being cited/referenced to the relevant literature.

In 2021, CRDN Elders, language workers, trappers, hunters, gatherers, and community care advocates developed a definition of what Indigenous Traditional Knowledge (ITK) means “a

network of knowledges, beliefs, and traditions intended to preserve, communicate, and contextualize Indigenous relationships with culture and landscape over time. Indigenous epistemologies (how knowledge can be known), pedagogies (how knowledge can be taught), and ontologies (our ways of life in the world) include the holistic, empirical data and knowledge in historical, geographical, cultural, spiritual, social, economic, environmental, and experiential studies of the natural world. Our diverse knowledges are portable, in that they call for reliance upon local resources and careful observations of the interactions between living beings and natural processes within an ecosystem (any ecosystem) to ensure human survival.”

- Recommend to use this definition as a culturally appropriate definition of ITK for CRDN.

Adaptive Management

Section 23.5, Summary Page 192

Gathers information to inform decision making

There is a need for government to create a regional monitoring body to manage impacts of this mine and other proposed mines in order to manage cumulative effects, conduct monitoring and recommend adaptive management techniques as concerns raised. This body must be co-developed with First Nations and provide for formal advisory and monitoring functions for First Nations.

Comment:

- Who determines the changes or ‘adaptations’ during the project
- Create body to provide CRDN advise to government
- CRDN should be involved in co-development of management plans

Environmental

Under Environmental Assessment, **section 5.2 Atmosphere** key findings, use language “remain low”, **5.2.2 Noise** key findings, “low magnitude”, **5.2.3 Climate Change** key findings, “no meaningful affect”, and “low GHG emissions”, **5.3.2 Hydrology** key findings, “changes would likely be undetectable”, **5.3.3 Surface Water Quality and Sediment Quality** key findings, “not result in any threshold exceedances”, “result in minor”, **5.3.4 Fish and Fish Habitat** key findings, “unlikely to be measurable”, “not significant”, **5.4 Land-5.4.3 Wildlife and Wildlife Habitat** key findings, “restored to the extent possible”, and “not significant”. The key findings for incremental lifetime cancer risk are “negligible to very low”, and the incremental and cumulative effects on human health are predicted to be “not significant” (pages 161-162).

- What are the definitions of this language, more specifically, how exactly are the potential risks calculated? At what concentration levels? What are the measurements being used to indicate and determine the “remain low”, “no meaningful affect”, etc. conclusions?

On page 155, in Section 5.2 there is mention of disturbance from lights and noise due to construction and operation of the project but no mention and focus to light pollution, which

can affect bird migration routes and other wildlife, including the quality of the night sky which affects navigation by wildlife and humans/people.

- How will light pollution be measured over the duration of project and what is the design to “minimize sensory disturbances”?
- How will the work and the buildings affect acoustical performance in the ecosystem? (i.e., mating calls, other communications - i.e., loons calling each other to prepare for migration, winds, and other ethological indicators)?

More Information regarding sampling frequency to indicate the time of year all samples were collected for all studies.

- No mention in this study of any specific lake stressors, such as cyanotoxins. Why no mention?
- What types of predictive models were applied to all environmental studies that have been conducted to date, to determine their potential direct and indirect environmental-human-social-economic impacts? What were these models based on?

Section 2.3.2 Project Components and Activities, Monitoring ponds:

- What will be monitored here?
- How is waste rock different from tailings?
- If tailings are stored underground, what is waste rock and why is it stored at surface?
- West bermed runoff collection area – where does runoff come from and what are the potential hazards of this runoff? How are these hazards assessed?

Section 1.2.6 – General Schematic:

- Are COPCs in groundwater and interstitial air tracked? Is this in permafrost and has projected permafrost thaw been accounted for? This was an issue at Giant Mine - they stored arsenic trioxide dust in underground stopes and now the permafrost is thawing, resulting in increased hydraulic conductivity in the ground, increased mobility of groundwaters, etc.

Section 1.2.7 Decommissioning and Reclamation

- Are there financial guarantees or reclamation bonds being required to ensure NexGen is responsible for all costs to restore the site to its original state?
- Please share the invasive species management plan.
- Will the future of buildings and landscapes be co-designed with the aesthetics of the community and landscape in mind? Recommend hiring community members as Indigenous architects, engineers, and community members to co-design plans.
- Draft and share a socioeconomic report and socioeconomic management plan.
 - How will the site contribute to neighbourhood quality improvement? Will the land owned, managed, and stewarded by CRDN maintain or increase in value?

- Is there consideration of thermal comfort? How much heat will be released over time? What current studies show the effects of increased heat on local biomes and human settlements?

Infrastructure and Design Section 5

- Are infrastructure and material conservation in place?
- Will the camp, maintenance shop, warehouse building, airstrip and associated facilities, power supply and distribution facilities, fuel storage facilities, information technology and communications facilities, site roads and access facilities, etc. going to be recyclable and reclaimable or will those supporting infrastructures end up in the dump or buried somewhere? If so, are the locations to recycle, reclaim, dump, or bury determined?

Community well-being Section 19

- What community protections for the site and for the local communities be put in place? What trauma-informed and restorative justice-based policing or protective services will be implemented?
 - Need clear guidelines on what services are provided
 - Recommend community members being hired for these positions for emotional support?
 - What are the timelines for “periodic” surveys and criteria for determining an increased need for support

The 'indicators' used for social and cultural impacts and wellbeing are limited.

- The Canadian Index of Wellbeing covers 8 domains and at least half a dozen indicators for each (University of Waterloo). Some key missing indicators are life expectancy, mental health, functional health, public health (i.e., workers bringing in viruses or transmissible diseases, especially worrisome in the case of women in the proximity of work camps and sexually transmitted diseases), income and wealth volatility and distribution, time use, social relationships, community safety, diversity of leadership, quality of community politics (democratic or familial/tribal governance mechanisms).
- Recommend reviewing all indicators of the social-cultural impacts and wellbeing to be included and analyzed.

Stress

The CRDN community have been dealing with long-term stress due to the modifications made to their traditional lands by the presence of uranium mining industry, the mill site and other associated development. CRDN are especially vulnerable to the stresses produced by the uranium industry development within their lands. The Treaty rights of the CRDN have been repeatedly overstepped, impeding the ability of this Nation to hunt, fish, gather or trap freely. This directly impacts the ability of this community to rely on their land, use their land in an sustainable way and limited ability to live off their land. The stress of the loss of this livelihood, lack of social connection associated with these traditional tasks and loss of identity combined with the stress of proximity of the uranium industry developments. Uranium, and the potential for radioactive contamination, which is historically known for negative health effects on the environment, results in the loss of community members to the area due to their fears and

associated stress. This stress is amplified when you consider that the lack of consultation results in reduced trust.

Quantifying Stress

Traditional environmental assessments (EA) failed to effectively consider these health concerns, “new assessment is needed attending to linked issues of equity, sustainability and Indigenous food sovereignty” (Jonasson, 2019). In particular, First Nation communities are becoming more concerned about the impacts and risk of industrial development and incidents on Indigenous health and wellness and current EA guidelines have ineffectively considered these impacts (Shandro J. J., 2018).

In 2021, new guidelines were published to support impact assessment professionals and indigenous communities to help address these gaps during conventional assessments (Salerno, 2021). Impact assessment (IA) “practitioners have therefore tended to ignore mental health impacts to focus on more easily observable or readily quantifiable impacts, such as sensory disturbance. However, the often-intangible nature of mental health does not make the impacts of project development on mental health any less real” (Salerno, 2021).

“Health Impact Assessment (HIA) is a voluntary and unstandardized process ... has navigated the limitations of current EAs in which there is a tendency to focus on regulatory thresholds and quantitative measurements of risk” (Jones, 2015).

When considering that mental health risks are ‘new’ to the assessment process during project development:

- CRDN needs new and continued assessments completed to ensure thorough consideration of the mental well-being of their community members, especially regarding mental stress.

Perception of Risk

Being a subjective mix of both social and psychological factors, risk perception influences how harmful and chemical or exposure is perceived (Keller A, 2012). This report indicates that levels of stress and perception of stress affect health independently and were shown to increase the likelihood of worse health and mental health outcomes (Keller A, 2012).

Without clear federal or provincial guidelines on the acceptable level of risk during project development, it raises the question; what is an acceptable level of risk, or perception of risk, that is acceptable for the CRDN to tolerate for what seems an interminable future during the largest development-stage uranium project in Canada?

- CRDN needs to develop its own standards/thresholds in order to understand the risks they are bearing.

Food Security & Traditional Diet

Section 19 EIS - Pg 19-66-67

Actual or perceived contamination – discouraging traditional land use. Previous Uranium projects have resulted in increased negative opinions regarding the perceived risks to their traditional land, resulting in notable decreases in land-use amongst community members

Comments:

- How will this Project support perceived risks amongst the community members in order to increase the trust of the community members and therefore increase the reliance of their traditional lands, including harvesting traditional foods?

Heritage Resource

Summary Document Section 5.5.2- Page 164

No heritage resources identified

Comments:

- What is the protocol for chance finds?
- Community monitor should be present monitoring during all phases of development

Project Effects on indigenous land and resource use Section 5.5.3

Figure 5-6, Summary – Page 166

Does not account for the impact of stress on the indigenous community

Comment:

- Perceived risks need to be accessed and the impacts of long-term stress on the mental and emotional well-being of the community members

Employment Opportunities Section 2.2.2

Summary Document Page 21 and Page 5/6

Draft a Site Employment Management Plan

- Clear guidelines on how the site will be accessible for all workers. For which equity-deserving group categories (for example: sex, age, ethnicity, disability, economic status, gender, gender expression, pregnancy status, family status, neurodiversity, caste, nationality, race, sexual orientation, religion, language group, and creed)?
- Understanding the demographic of the CRDN and the commitment of the Project to hire community members– Recommend hosting Employment Workshops – hosting hiring fairs within the community makes employment opportunities accessible, achievable and supports trust the Project builds with community members. Commit to more than only funding to support indigenous monitors throughout the project; historically the community has already voiced they want to encourage training opportunity for higher ranges of employment opportunities.

Additional CRDN Recommendations:

1. CRDN to develop community-specific monitoring program that involves: (i) design of monitoring and (ii) conduct of monitoring – with the goal to produce a long term data

set and track record of monitoring to restore community trust in area (or, to identify issues that are undermining community trust in terms of monitoring results).

2. Co- develop programs with CRDN to facilitate CRDN confidence in industry and land use safety.
3. CRDN requires all collected data within a reasonable and mutually agreeable timeframe.
4. Complete a Health Impact Assessment (HIA) that includes a perceived stress assessment and determine the level of acceptable stress the community can manage.
5. Develop notification and communication protocols so that CRDN to be notified and included in any investigations into causes of any discrepancy in environmental sampling.
6. CRDN to be engaged prior to any changes to sampling frequency during adaptive management.
7. CRDN community members to be present during each site visit.
8. CRDN requires funding support for environmental monitor training, survey and collection techniques, data management, etc. CRDN to develop and manage all aspects of training.
9. CRDN to expand monitoring program to align with all phases of the project: development, operations, and reclamation. CRDN will monitor environmental, geotechnical, perception of risk, land use, etc.
10. Develop broader regional Land Use Plan to manage new phase of uranium development and ensure CRDN lands remain healthy and viable for generations to come.

Works Cited

Jonasson, M. S. (2019). Oil pipelines and food sovereignty: threat to health equity for Indigenous communities. *J Public Health Policy*, 40(4):504-517.

Jones, J. &. (2015). Addressing historical impacts through impact and benefit agreements and health impact assessment: Why it matters for Indigenous well-being. *Northern Review*, 41, 81–109.

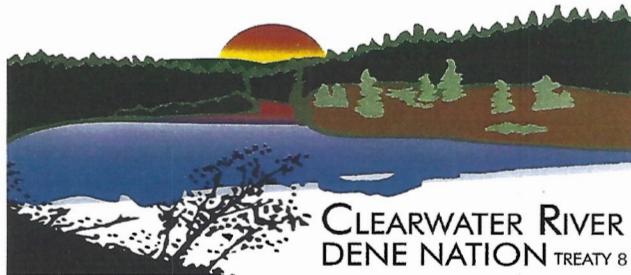
Keller A, L. K. (2012). Does the perception that stress affects health matter? The association with health and mortality. *Health Psychol*, 31(5):677-84.

Salerno, T. T. (2021). *INDIGENOUS MENTAL WELLNESS AND MAJOR PROJECT DEVELOPMENT GUIDANCE FOR IMPACT ASSESSMENT PROFESSIONALS AND INDIGENOUS COMMUNITIES*. Firelight Research Inc; Impact Assessment Agency of Canada .

Shandro, J. J. (2018). *A Guideline for Conducting Health Impact Assessment for First Nations in British Columbia, Canada*. Tsimshian Environmental Stewardship Authority.

University of Waterloo. (n.d.). *CANADIAN INDEX OF WELLBEING*. Retrieved October 2022, from <https://uwaterloo.ca/canadian-index-wellbeing/what-we-do/domains-and-indicators>

Appendix C - CRDN Letter to CNSC regarding FIRT Acceptance, dated June 28, 2023



June 28, 2023

Nicole Frigault
Environmental Assessment Specialist, Technical Support Branch
Canadian Nuclear Safety Commission

RE: Rook I Project – Technical Review of Draft EIS by Federal-Indigenous-Review Team

Dear Nicole,

The Clearwater River Dene Nation (CRDN) has participated in a technical review conducted by the Federal-Indigenous-Review Team (FIRT) for the draft Environmental Impact Statement (EIS) submitted by NexGen Energy Ltd. (NexGen) for the proposed Rook I Project (Project).

Late in 2022, the FIRT completed the technical review of the EIS and identified 271 information requests (IRs) for response by NexGen. These IRs are reproduced in a document entitled *Annex 1 – Information Requests for the Rook I draft EIS*, which was published by the Canadian Nuclear Safety Commission (CNSC) to the Project's webpage on the Canadian Impact Assessment Registry on 16 November 2022 (Annex 1) (<https://ceaa-acee.gc.ca/050/evaluations/proj/80171>).

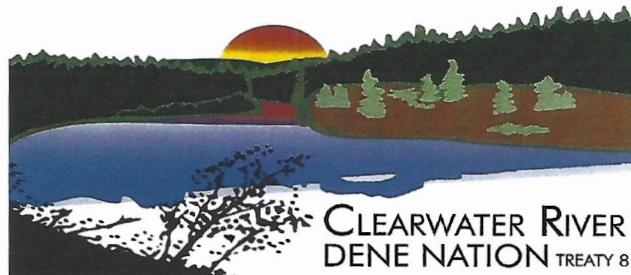
The FIRT also provided 40 'Advice to Proponent' comments that contain additional guidance and advice that NexGen should take into consideration when responding to the IRs and when revising the draft EIS. These comments are similarly reproduced in a document entitled *Annex 2 – FIRT Advice to Proponent for NexGen Rook I Draft EIS*, which was published by the CNSC to the Project's webpage on the Canadian Impact Assessment Registry on 16 November 2022 (Annex 2).

Following our participation in the FIRT, the CRDN have meaningfully engaged directly with NexGen by jointly participating in committees formed in connection with the Project and its ongoing environmental assessment. Through our participation in these effective and efficient platforms, NexGen has addressed or responded to all of the CRDN's IRs as set out in Annex 1 (note: Annex 2 does not include any specific guidance from the CRDN). Specifically, NexGen has addressed our comments in a manner acceptable to the CRDN.

Accordingly, through this letter, we formally acknowledge and confirm to the CNSC that NexGen's responses to the CRDN's IRs as set out in Annex 1 to the FIRT review have been verified such that NexGen has adequately addressed all CRDN IRs.

For completeness, the list below outlines the CRDN comments included in Annex 1 for which this collaborative process has been conducted between the CRDN and NexGen. The following IRs are now considered 'closed' by the CRDN as it pertains to the federal EA review process for the Project:

- No. 7
- No. 10
- No. 22
- No. 23
- No. 139



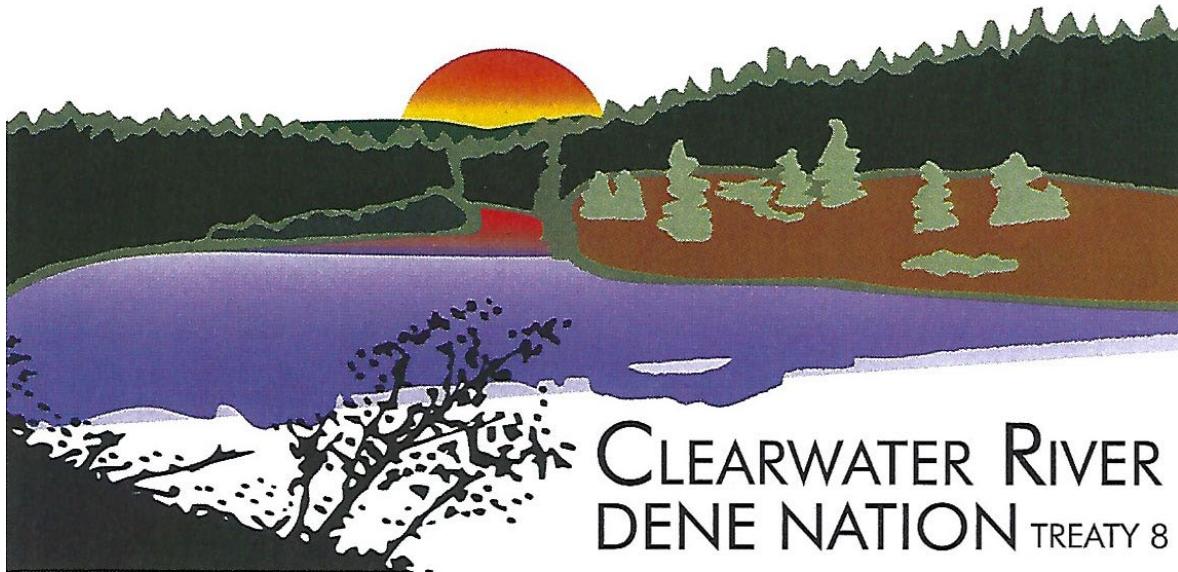
Should you require further information on this item and file, please contact our Engagement Lead Camm Willier at 403-505-6319.

Marci cho,

Chief Teddy Clark

Cc: CRDN Council Elect
 CRDN Engagement Team
 Adam Engdahl, Vice President – Community, NexGen
 Luke Moger, Vice President – Environment, Permitting & Licensing, NexGen

**Appendix D - CRDN Response to CNSC on Consultation Report and EIS Review, dated
June 27, 2025**



June 27, 2025

Hilary Hunter

Senior Advisor, Indigenous Consultation and Engagement Division
Canadian Nuclear Safety Commission | Commission canadienne de sûreté nucléaire

Dear Hilary H

In response to your email sent on June 2, 2025, regarding CNSC & CRDN Documents for Review - NexGen Rook 1: Consultation Report and EERRs please see below.

On behalf of the Clearwater River Dene Nation (CRDN), I am acknowledging receipt of your email and attachments, which present partial information from the Consultation Report and Environmental Assessment (EA) Report drafted by the Canadian Nuclear Safety Commission (CNSC) for the Rook I Project (Project).

CRDN understands that the CNSC request is for us to review the attached documentation and either verify the information as accurate or provide comments where information may be misrepresented, missing, or inaccurate. As stated in your e-mail, these documents provide only text drafted by the CNSC Staff as it relates to the CRDN with only a general summary provided of what the rest of the reports will contain.

While we understand that the Consultation Report and EA Report represent summaries of CRDN involvement in the EA process, it is unclear why CRDN is only receiving partially completed reports and not the fully drafted reports for review. Also, the CRDN has been fully signed off on all aspects of the CNSC EA review since early last year and the information in your attachments appears to be summarized from documents available to CNSC staff before and since that time. It is confusing as to why these documents are only being provided now, particularly in light of CRDN's repeated requests that all matters related to the Rook I Project be expedited and repeated assurance from CNSC staff that they were.

Overall, based on the level of detail presented in the attached documents we do not feel that there is sufficient context provided for the CRDN to fully address the CNSC's request however we welcome this opportunity assist the CNSC in completing their reports by restating some key aspects important to the CRDN as well as provide general feedback on the accuracy of the content of the documents. We provide this feedback for CNSC staff to consider with CRDN overall primary interest remaining in the expedient completion of all activities required by the CNSC for the Rook I Project to commence construction including the finalization of these CNSC staff reports.

General Comments

As primary community stakeholders and stewards of the lands/environment enriching ground truth culture and practices, CRDN leadership, local cabin owners', and occupancy users of CRDN membership all support the Rook I Project, which represents a generational opportunity for CRDN members while also protecting the environment for traditional purposes. In this regard, the CRDN's primary interest is the expedient approval of the Rook I Project for the benefit of the CRDN.

Our position regarding the Rook I Project is that fulsome engagement has occurred through the engagement partnership and protocols established between CRDN and NexGen, sufficient engagement for the purposes of the EA has occurred between the CRDN and the CNSC, and that all issues and concerns raised by the CRDN to date regarding the Rook I Project EA have been addressed by NexGen. This has included the CRDN working with NexGen to address all requirements of the CNSC EA process, including the CRDN having endorsed the Rook I Project Environmental Impact Statement, signed off on NexGen's responses to all comments provided by the CRDN as part of the CNSC public review and Federal Indigenous Review Team processes and validating that all issues and concerns have been addressed by NexGen.

Moving forward, we are confident that the mechanisms in place between CRDN and NexGen, including those established through the execution of the Impact Benefit Agreement between the parties, provide the necessary protocols to meaningfully address any future Rook I Project issues and concerns as they relate to the EA and as they arise.

EA Report

- While we understand this document to represent a summary from CNSC staff, without source references we are unclear where certain information describing CRDN concerns in the EA Report specifically came from.
 - CRDN Comment: Documentation within the Rook I Project Environmental Impact Statement (which the CRDN has fully and formally endorsed) including specific information related to CRDN issues and concerns, represents the CRDN points of truth. As documented in the Rook I Project Environmental Impact Statement CRDN undertook a collaborative process with NexGen to confirm, review, and validate these issues and concerns and respective accommodations and mitigations during the EA process.
- While we understand that historical context is important to present within the EA Report, we note that the CRDN views on the predicted changes to the environment primarily focuses on past concerns raised by our community members (for example issues associated with Cluff Lake) with very little discussion regarding the CRDN's views on NexGen and the Project specifically.
 - CRDN Comment: We feel that better balance is required, with the primary focus being towards the Rook I Project and recognizing that steps have been taken between the CRDN and NexGen to ensure that the Project remains safe to people and the environment. For example, following each entry in the CNSC draft we feel it is important that a statement be added recognizing that CRDN and NexGen have worked collaboratively to address any issues and concerns raised and that CRDN are confident that the mechanisms in place between the CRDN and NexGen, including those established through the execution of the Impact Benefit Agreement between the parties, provide the necessary protocols to meaningfully address future Project issues and concerns as they arise.
 - Specific examples: the Indigenous Land Use section of the report makes reference in the first paragraph to "CRDN concerns" regarding exploration activities in a general sense. CRDN confirms that this context is not relevant to activities undertaken by NexGen and that CRDN have been fully engaging on and supportive

of all exploration activities undertaken which have been conducted in a manner that reflects CRDN expectations and demonstrates a new standard for Nation and industry collaboration on consultation and partnership. CRDN feel that this differentiation should be recognized in the EA Report. The same would apply to text currently included in the last sentence of the section on Landscape Fragmentation in the Increased Access section and in the Cumulative Impacts of mining projects section.

- Specific example: in the Community Health and Socio-Economic section the first sentence is not accurate. There has been no documented rise in cancer cases within the community and CRDN feels this needs to be corrected accordingly. This statement was made in respect to historic approvals from provincial and federal regulatory bodies with respect to the Cluff Lake mine and the impacts of these activities on Nation members and is not relevant to the Rook I Project. The Rook I Project has its own processes between CRDN and NexGen under the Impact Benefit Agreement to monitor the health and wellbeing of CRDN members including through conducting studies as required.

Consultation Report

Similar to the EA Report, information in the Consultation Report is highly generalized, which makes it challenging for us to verify that the information represents an accurate representation of consultation with the CRDN completed by the CNSC.

- CRDN Comment: While we understand that the Consultation Report summarizes CRDN involvement in the EA process we feel it is important to highlight that the CRDN had significant Indigenous Knowledge contributions that were shared and collaboratively discussed with NexGen and are presented within the Rook I Project Environmental Impact Statement.
- CRDN Comment: A key issue that remains for the CRDN is CNSC staff and the Commission being able to adhere to expected and communicated timelines and the overall expediting of Rook I Project approvals.

I trust that the above will be of assistance to CNSC staff in finalizing your reports.

The CRDN notes that there is a reference in the EA Report to work on a CRDN-specific Rights Impact Assessment and work to be conducted in advance of the Part-2 hearing. CRDN are unclear on the requirements for any additional work required with the CNSC for approval of the Rook I Project and looks forward to resolving this item with the CNSC as a matter of priority. As the CNSC are aware CRDN has entered into an Impact Benefit Agreement with NexGen with respect to the Rook I Project. This Agreement has been developed and negotiated to define the environmental, cultural, economic, training, employment, business opportunities, and other benefits to be provided to the CRDN by NexGen and has been entered into in “recognition” of CRDN’s Rights and title holders. This Agreement sets out the agreed upon mechanisms between NexGen and the CRDN to work together throughout the lifecycle of the Project.

Yours truly:



(M. General for) Camm Willier
Clearwater River Dene Nation
Engagement Lead

Cc: Chief Teddy Clark
Matt General – CRDN Consultant
Ken Rich – CRDN Consultant
Nicole Frigault – CNSC, Environmental Assessment Specialist, Technical Support Branch
Justin McKeown – CNSC, Team Leader, Western & Northern Regions I, Indigenous
Consultation and Engagement Division

Atch.

Appendix E - CRDN Letter to CNSC, dated October 28, 2025



October 28, 2025

Hilary Hunter
 Senior Advisor, Indigenous Consultation and Engagement Division
 Canadian Nuclear Safety Commission
 280 Slater St
 PO Box 1046 Stn B
 Ottawa ON K1P 5S9

VIA EMAIL: hilary.hunter@cnsc-ccsn.gc.ca

Dear Hilary and Reviewing CNSC Colleagues

RE: Request Comments on CRDN Issues Tracking Table: Rook I Project

The Clearwater River Dene Nation (CRDN) provides the following response and clarification in respect to the Canadian Nuclear Safety Commission's (CNSC) request for comments on the CNSC document entitled, 'Issues Tracking Table for Clearwater River Dene Nation (CRDN) with respect to the NexGen Rook I Project' (attached).

The CRDN has communicated its views in respect to this document on prior occasions, however does so again to address your request for specific written comments. In general terms, we agree with the proposed 'Crown response' set out in third column of the attached document.

Notwithstanding, the CRDN wishes to support this statement with the following overarching response in respect to 'Issue ID: CRDN01- CRDN09':

- The Project is located within the Traditional Territory and core lands of the CRDN;
- The CRDN has and continues to exercise its rights and practice its culture in the Project area and areas in the vicinity of the Project;
- The CRDN is the most proximate Indigenous community to the Project and has a deep and long term historical and cultural connection to the Project area and areas in the vicinity of the Project;
- From the outset, the CRDN opted to become actively engaged in the proponent's engagement process and the review and consultation process established by the CNSC;
- The CRDN and NexGen co-designed and implemented an engagement process which provided for a deep level of consultation and productive collaboration;
- Reasonable funding was provided by NexGen to the CRDN to plan and conduct its own Indigenous Rights and Knowledge Survey specific to the Project and participate in other studies led and facilitated by NexGen;

- The CRDN engaged in Project review activities facilitated by the CNSC, including the Federal-Indigenous Review Team;
- At the outset of the Project engagement and review process, the CRDN did raise the specific issues, concerns and interest as documented in the attached CNSC document;
- The CRDN and NexGen entered into a Project agreement which, in the CRDN's view, addressed its rights and interests in respect to the Project and satisfactorily addressed the issues and concerns raised by the CRDN. This comprehensive agreement contains provisions to address CRDN's environmental, cultural, social and socio-economic interests over the life cycle of the Project;
- The CRDN and NexGen agreement further contains provisions to secure and provide for ongoing CRDN community and governmental involvement in project mitigation planning and implementation and ongoing involvement in monitoring and follow up programs committed to by NexGen;
- The CRDN will participate in the upcoming CNSC Project hearings where it will provide further confirmation on these matters by way of written evidence and oral presentation to the Commission, and lastly
- The CRDN will work with NexGen and CNSC staff in the development and implementation of any additional Project conditions which may be attached to the Project's approval. The CRDN will work with all parties to maximize community involvement in the implementation of conditions relevant to its environmental, cultural and socio-economic interests

We ask that the CNSC consider, apply and reference this response in your impacts to rights assessment document as you deem appropriate.

The CRDN wishes to acknowledge and commend the CNSC's careful and respectful approach taken to incorporate our views in respect to this document. We look forward to obtaining a draft copy of the rights impact assessment document when it is prepared. As committed, we will review that document and provide the CNSC substantive comments at that time within the review timeline specified.

With thanks and kindest regards,



(Matthew General for Cameron Willier)
Clearwater River Dene Nation Engagement Lead

CC: Chief Teddy Clark and the CRDN Council
 Cameron Willier: CRDN Engagement Lead

A.1 Issues Tracking Table for Clearwater River Dene Nation (CRDN) with respect to the NexGen Rook I Project

ID	Issue or concern (including impacts to Indigenous and/or Treaty Rights)	Theme	Crown response	Status of issue/concern
CRDN01	<p>Engagement and Involvement</p> <p>CRDN requests that the CNSC engage with their community to propose the scope of issues for assessment.</p> <p>CRDN harvesters and cultural resource studies were not involved in the environmental assessment (EA) for the Project.</p> <p>CRDN has concerns about how NexGen would balance engagement activities among communities and Indigenous groups.</p>	Indigenous consultation	<p>CNSC staff have consulted, engaged and worked to understand potential impacts to CRDN's rights, through a mutually agreeable approach to consultation, and collaborated with CRDN on the regulatory review process, as outlined in a Project-specific TOR signed between the two parties in 2021.</p> <p>CNSC staff have worked with CRDN and NexGen to respond to all the Nation's concerns, questions and comments, and CRDN has concluded that they are satisfied with NexGen and CNSC staff's consultation and engagement processes to date.</p> <p>The CNSC is committed to continuing to work to address issues and concerns, as they arise, and to keeping CRDN informed</p>	TBD.

			of pertinent Project information over the Project lifecycle.	
CRDN02	<p>Trust and Governance</p> <p>Support for Mining Projects: CRDNN is left with the impression that governments and agencies support uranium mining projects rather than upholding treaty promises and obligations.</p> <p>Sacred Obligations</p> <p>CRDN has concerns about the inability to fulfill sacred obligations to protect and care for the land for future generations.</p> <p>Regional Monitoring Body</p> <p>CRDN has identified a need for a regional monitoring body co-developed with First Nations to manage cumulative effects, conduct monitoring, and recommend adaptive management techniques.</p> <p>Involvement in Management Plans</p>	<p>Indigenous rights/engagement/ regulatory oversight</p>	<p>The CNSC is committed to ensuring that Indigenous communities, such as CRDN, are meaningfully involved in environmental oversight for the proposed Project throughout the Project lifecycle. The CNSC ensures that all environmental assessment and licensing decisions uphold the honour of the Crown and Indigenous peoples' potential or established Indigenous and/or Treaty Rights, pursuant to Section 35 of the <i>Constitution Act, 1982</i>.</p> <p>CNSC staff will ensure NexGen is meeting their commitments through oversight of NexGen's environmental assessment follow-up and monitoring programs. CNSC staff are proposing a Project-specific license condition requiring NexGen to report progress on engagement and implementation of commitments to Nations, such</p>	TBD.

	CRDN should be involved in the co-development of management plans and provide advice to the government.		as CRDN, annually, including those commitments made regarding environmental monitoring. CNSC staff will undertake Environmental Risk Assessment reviews to ensure that impacts from the Project are not greater than predicted. In situations where Project impacts are greater than predicted and exceed regulatory thresholds NexGen will be required to undertake adaptive management. CNSC staff remain committed to engaging and collaborating with CRDN on follow-up and monitoring activities on this topic and other topics of concern, in relation to topics that are within the CNSC's mandate and authorities, should this Project be approved.	
CRDN03	Displacement and Safety Displacement: CRDN has fears of displacement and values feeling safe on the land. Feeling unsafe on the land may lead to community members to avoid the mining area	Cumulative effects/traditional practices/human environment/ Indigenous Knowledge	NexGen has incorporated Indigenous Knowledge throughout the final EIS. NexGen has signed IBAs with several Indigenous Nations, including CRDN. These agreements include the establishment of	TBD.

<p>and discontinue harvesting activities even decades after mine closure and remediation activities. CRDN is concerned that the Project will lead to a long-term exclusion of land users during decommissioning and closure. CRDN is also concerned about being limited to travelling along select waterways within their traditional territory.</p> <p>Loss of Knowledge</p> <p>CRDN is concerned that there will be a loss of place-based knowledge, stories, lore, teachings and customary practices, including transfer of these to younger generations due to limited physical presence on the land, resulting in a loss of CRDN identity and heritage.</p> <p>Sustenance Harvesting</p> <p>CRDN stresses the importance of harvesting and processing traditional foods for sustaining CRDN families and Denesuline identity.</p>	<p>Environmental and Implementation Committees to oversee environmental performance, co-develop monitoring plans and ensure Indigenous perspectives are integrated into project planning and decision-making. NexGen and CRDN have agreed to an IBA which addresses many of the issues and concerns that CRDN has raised. CRDN has formally given consent for the Project to proceed.</p> <p>The CNSC expects NexGen to continue working collaboratively with CRDN to address access issues and concerns and to minimize disruptions on traditional practices and land use. The effectiveness of the commitments that NexGen implements will be evaluated through oversight of NexGen's environmental assessment follow-up and monitoring program. CNSC staff are committed to building a</p>	
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			<p>meaningful and trusting relationship with CRDN, collaborating with the Nation to address the Nation's issues and concerns. This means engaging and working with CRDN on monitoring, oversight, reporting, and follow-up activities throughout the Project lifecycle. CNSC staff will ensure NexGen continues to engage meaningfully with CRDN on these topics and concerns.</p>	
CRDN04	<p>Social Issues</p> <p>CRDN has identified potential negative social impacts from an abrupt infusion of large sums of money that will result from the Project in a historically cash-poor community.</p> <p>Community Protections</p> <p>CRDN would like to see the implementation of trauma-informed and restorative justice-based policing or protective services, with clear guidelines and hiring community</p>	Human environment/ socio-economic considerations/ security	<p>NexGen has committed to minimizing potential for undesirable interactions at the Project site or within the local communities by not permitting community members on-site without authorizations and not permitting workers to leave the site while on-shift for non-work-related purposes. As such, NexGen will not be providing policing or judicial services to the community; on-site security would call the RCMP for</p>	TBD.

<p>members for emotional support.</p> <p>Periodic Surveys</p> <p>CRDN has requested timelines for periodic surveys and criteria for determining increased need for support, with comprehensive indicators for social and cultural impacts and wellbeing.</p>		<p>incidences requiring law enforcement.</p> <p>NexGen has considered economic factors and socio-economic issues in their assessment of the human environment. Furthermore, NexGen has committed to engaging directly with Indigenous Nations and communities, including CRDN, throughout the project lifespan either through the Environmental Committees or IBAs signed with primary Indigenous Groups to address socio-economic concerns. NexGen and CRDN have agreed to an IBA which addresses many of the issues and concerns that CRDN has raised.</p> <p>CNSC staff are proposing a Project-specific license condition requiring NexGen to report progress on engagement and implementation of commitments to Nations, including CRDN, annually. The CNSC expects</p>	
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			NexGen to continue to work collaboratively with CRDN to address socio-economic issues.	
CRDN05	<p>Co-designing Buildings and Landscapes</p> <p>CRDN recommends that NexGen hire Indigenous architects, engineers and community members to co-design buildings and landscapes.</p> <p>Socioeconomic Report</p> <p>CRDN requests that NexGen draft and share a socioeconomic report and management plan.</p>	Indigenous engagement/ socio-economic considerations	<p>NexGen will provide CRDN with opportunities for involvement in socioeconomic planning through the Implementation Committee created as part of the IBA commitments. NexGen and CRDN have agreed to an IBA which addresses many of the issues and concerns that CRDN has raised.</p>	TBD.
CRDN06	<p>Wildlife and Habitat</p> <p>CRDN has concerns regarding impacts on wildlife and fish habitat due to exploration, construction and operational activities that have the potential for introducing contaminants to the environment at the Project site and local area. CRDN members have observed a decrease in habitat and animal populations, such as moose, requiring hunters to travel</p>	Aquatic environment/ groundwater/ fish and fish habitat/ terrestrial biota/ species at risk	<p>NexGen has committed to avoiding disruption of critical habitats and limiting the project footprint as feasible. NexGen will implement appropriate mitigation measures, including avoiding sensitive habitat during construction, implementing Project-specific Groundwater, Effluent, and Environmental Monitoring Plans, optimizing the use of cleared areas and</p>	TBD.

<p>further for sustenance activities. CRDN members have concerns about light and noise pollution affecting bird migration routes, wildlife navigation and the quality of the night sky.</p> <p>Water Quality and Management</p> <p>CRDN members have noted changes in water quality since exploratory drilling began in 2013 and are concerned about contamination from mining activities (including radioactive and conventional drilling toxins) and potential impacts on wildlife both within and beyond the Project site, particularly Patterson Lake and the Clearwater River watershed. CRDN members have noted safety concerns about storing tailings underground and the potential for groundwater contamination.</p>	<p>designing efficient infrastructure footprint. NexGen has also committed to developing the Caribou Mitigation and Offsetting Plan.</p> <p>CNSC staff are of the view that CRDN's concerns relating to wildlife, wildlife habitat and species at risk have and will continue to be addressed through the responses and commitments of NexGen and CNSC staff. Additionally, conclusions in the Environmental Assessment Report indicated that impacts to water quantity and quality are predicted to be non-significant. NexGen will implement an environmental assessment follow-up and monitoring program to address wildlife, habitat and water quality concerns, and CNSC staff will verify the effectiveness of mitigation measures and commitments through compliance activities conducted throughout the facility's</p>	
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			<p>lifecycle. Should mitigations and commitments be deemed insufficient NexGen will be required to undertake adaptive management measures.</p> <p>CNSC staff remain committed to engaging and collaborating with CRDN on follow-up and monitoring activities on this topic and other topics of concern, in relation to topics that are within the CNSC's mandate and authorities, should this Project be approved</p>	
CRDN07	<p>Health Risks</p> <p>CRDN has concerns about physical and emotional health impacts from mining-related employment and transport of yellowcake, including potential cancer risks, as well as concerns relating to human health risks from consuming contaminated harvested resources.</p> <p>Distress and Trauma</p> <p>CRDN notes that the Project has the potential to cause distress, sadness,</p>	Human health/ accidents and malfunctions	<p>The CNSC is committed to ensuring that Indigenous communities, including CRDN, are meaningfully involved in environmental oversight for the proposed project, if it is approved, and recognizes the importance of community health and wellbeing.</p> <p>NexGen has committed to community-level engagement and support, and the CNSC expects NexGen to continue working with CRDN to identify</p>	TBD.

<p>despair and trauma among CRDN members due to their perceived inability to influence government policies and forced displacement from traditional lands, as well as impacts to identity and the Denesuline way of life.</p> <p>Accidents and Malfunctions</p> <p>Concerns about the devastating impact of accidents or malfunctions on CRDN members and traditional lands, including long-term avoidance of lands during operations, decommissioning and post-decommissioning Project phases.</p> <p>Traditional Knowledge and Practices</p> <p>CRDN is concerned about the loss of place-based knowledge, stories, lore, teachings and customary practices, such as the harvesting and processing of traditional foods, due a to lack of physical presence on the land.</p>		<p>and address health and well-being concerns throughout the facility lifecycle. NexGen has included assessments of the human environment and Indigenous land and resource use within their final EIS that considers impacts on physical and emotional health.</p> <p>The CNSC reviews public health reports from relevant Northern Saskatchewan health authorities and conducts health studies of uranium workers, to provide further independent verification that people's health, living near uranium mines and mills, is protected. Based on current environmental levels of radiation exposures near the uranium mines and mills, the current scientific knowledge about the sources, effects and risks of ionizing radiation, and relevant local and provincial health information, CNSC staff have not observed and do not expect to observe any adverse health</p>	
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			<p>outcomes related to the environmental radiation exposures from the uranium mines and mills.</p> <p>The CNSC regulates nuclear facilities across their entire lifecycles and CNSC staff perform various compliance activities to ensure the facilities are operating in a way that is safe for the environment and human health and mitigates risk of accidents and malfunctions.</p> <p>CNSC staff will ensure NexGen is meeting their commitments through oversight of NexGen's environmental assessment follow-up and monitoring program. CNSC staff are proposing a Project-specific license condition requiring NexGen to report progress on engagement and implementation of commitments to Nations, including CRDN, annually. The effectiveness of the commitments that NexGen implements will be</p>	
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			<p>evaluated through oversight of NexGen's environmental assessment follow-up and monitoring program. CNSC staff are committed to building a meaningful and trusting relationship with CRDN, collaborating with the Nation to address the Nation's issues and concerns. This means engaging and working with CRDN on monitoring, oversight, reporting, and follow-up activities throughout the Project's full lifecycle, should this Project be approved.</p>	
CRDN08	<p>Monitoring and Data Sharing</p> <p>CRDN recommends a Community-Specific Monitoring Program: With CRDN and funded by NexGen, develop a CRDN-led program to design and conduct monitoring for building a long-term data set and restore community trust. This program should address training for monitors, survey and collection techniques, as well as data</p>	Environmental monitoring	<p>CNSC staff will ensure NexGen's environmental monitoring plans are robust and that they are meeting their commitments through oversight of NexGen's environmental assessment follow-up and monitoring program. NexGen will also have to meet the requirements regarding environmental monitoring in their licence conditions handbook</p>	TBD.

<p>management.</p> <p>Expanded Monitoring Program</p> <p>Work with CRDN to expand the monitoring program to cover all project phases: development, operations and reclamation.</p> <p>Notification and Communication Protocols</p> <p>CRDN wants to develop protocols with NexGen for notifying and including CRDN in investigations of discrepancies in environmental sampling.</p> <p>Adaptive Management</p> <p>CRDN requests that NexGen engage with CRDN before making any changes to sampling frequency during adaptive management. CRDN requests that NexGen develop an invasive species management plan.</p>		<p>throughout the applicable licensing phase.</p> <p>NexGen has committed to working with local Indigenous Groups, including the CRDN, to implement independent environmental monitoring in addition to standard Project monitoring processes. The independent Indigenous monitoring program initiated by NexGen is intended to provide unfettered access to the site during all Project phases and allow for opportunities such as independent environmental sampling. Furthermore, NexGen has committed to engaging directly with Indigenous Groups, including CRDN, throughout the project lifespan through either the Environmental Committees or Benefit Agreements Signed with primary Indigenous Groups.</p> <p>NexGen has committed to developing adaptive management plans during licensing including engagement from CRDN.</p>	
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CRDN09	<p>Regional Land Use Plan</p> <p>Develop a broader regional Land Use Plan to manage new uranium development phases and ensure CRDN lands remain healthy and viable for future generations.</p>	Indigenous land and resource use	<p>CNSC staff are of the view that CRDN's concerns relating to long-term impacts have and will continue to be addressed through the responses and commitments of NexGen and CNSC staff. NexGen has included a cumulative effects assessment within their final Environmental Impact Statement that considers impacts on numerous valued components, including on ecosystems and Indigenous land and resource use. In addition to various mitigation measures and</p>	TBD.

		<p>monitoring programs, NexGen has committed to working with CRDN on a community specific monitoring regime, suited to both parties' interests and needs. NexGen has also committed to ongoing engagement with interested Indigenous Nations and communities throughout the lifecycle of the project, to ensure any issues or concerns are discussed and addressed to the extent possible. NexGen is supportive of development of a broader regional Land Use Plan, however, have noted that the Province of Saskatchewan is responsible for the development of Land Use Plans.</p> <p>The commitments will be implemented by NexGen through an environmental assessment follow-up and monitoring program. The effectiveness of these commitments will be reviewed and verified by CNSC staff through compliance activities and inspections</p>	
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			conducted throughout the lifecycle of the facility, if it is approved.	
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