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**Written submission from
Mississaugas of Scugog Island
First Nation**

**Mémoire de la Première
Nation des Mississaugas de
Scugog Island**

**Regulatory Oversight Report
for Canadian Nuclear Power
Generating Sites for 2023**

**Rapport de surveillance
réglementaire des sites
nucléaires pour 2023**

Commission Meeting

Réunion de la Commission

February 25, 2025

Le 25 février 2025



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Written Intervenor Submission:

Regulatory Oversight Report for Canadian Nuclear Power Generating Sites: 2023



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Mississaugas of Scugog Island First Nation Consultation Office

January 27, 2025



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To the attention of:

Tribunal Officer, Commission Registry

Canadian Nuclear Safety Commission

interventions@cnsccsn.gc.ca

January 27, 2025

**Re: Regulatory Oversight Report for Canadian Nuclear Power Generating Sites: 2023 –
Comments from the Mississaugas of Scugog Island First Nation (MSIFN) Consultation
Department**

The Mississaugas of Scugog Island First Nation ("MSIFN") Consultation Department ("MSIFN Consultation") is pleased to provide comments on the **Regulatory Oversight Report for Canadian Nuclear Power Generating Sites: 2023 CMD - 25 - M9 - CNSC Staff Submission section 3.1 Indigenous Consultation**. Comments on behalf of MSIFN Consultation are below.

Introduction

The Regulatory Oversight Report (ROR) for Canadian Nuclear Power Generating Sites (NPGS): 2023 describes the regulatory oversight and safety performance of the following nuclear power plants (NPPs) and Waste Management Facilities (WMFs) in Canada:

- Darlington Nuclear Generating Station, which includes the Tritium Removal Facility and Retube Waste Processing Building
- Darlington Waste Management Facility
- Pickering Nuclear Generating Station
- Pickering Waste Management Facility
- Bruce Nuclear Generating Station A and B
- Western Waste Management Facility
- Radioactive Waste Operations Site-1
- Point Lepreau Nuclear Generating Station, which includes the Solid Radioactive Waste Management Facility
- Gentilly-2 Facilities, which consist of the nuclear generating station in a safe shutdown state, and associated waste storage facilities



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The regulatory oversight report describes the oversight activities by the CNSC and safety performance of nuclear power generating sites, consisting of nuclear power plants (NPPs) and their associated Waste Management Facilities (WMFs), in Canada in 2023.

In the ROR, CNSC staff verified, and confirmed, the safe operation of the NPPs and WMFs in 2023. This conclusion was based on CNSC staff assessments of findings from compliance verification activities for each facility in the 14 CNSC safety and control areas (SCAs).

The conclusion was further supported by other observations, including the following:

- No serious process failures occurred at the NPPs. The number of unplanned power reductions, transients and trips in the reactors was low and acceptable to CNSC staff. All unplanned power reductions and transients in the reactors were controlled per design and safely managed.
- Radiation doses to the public and to workers at the NPPs and WMFs were below the regulatory limits.
- The frequency and severity of non-radiological injuries to workers were low.
- Radiological releases to the environment from the NPPs and WMFs were below regulatory limits.
- Licensees met the applicable requirements related to Canada's international obligations; safeguards inspection results were acceptable to the IAEA.

The SCAs at all NPPs and WMFs were rated as “satisfactory” within the report.

Background on the Mississaugas of Scugog Island First Nation (MSIFN)

MSIFN's reserve community is located on the shores of Lake Scugog in Durham Region, Ontario. MSIFN has a long history in this part of Ontario and is part of the Williams Treaties First Nations (WTFNs). The WTFNs' territory extends from the shore of Lake Ontario in the south, Georgian Bay in the west, the Ottawa Valley in the east, and as far north as the French River. Lake Ontario and its lakebed adjacent to the WTFN treaty lands and south to the border with the United States are unceded lands and waters. Within these Treaty territories and unceded lands and waters, MSIFN's priority is the protection and preservation of the lands, waters, wildlife, and fisheries that we rely on. The first Mississauga people settled in the basin of Lake Scugog around 1700. Game and fur animals, waterfowl and fish abounded, and wild rice grew in profusion in the shallow waters. The people flourished in this paradise for nearly a century until the British arrived with their insatiable appetite for Aboriginal land. Having just lost the American War of Independence, British refugees came flooding north into Upper Canada seeking new land.



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Crown government officials were soon conducting land acquisition treaties, including the "Gunshot Treaty" with Anishinaabe, made up of the Michi Saagiig and Chippewa people, who neither understood the language of these powerful strangers nor fully grasped the revolutionary concept of permanently selling their Mother Earth. Millions of acres of valuable native lands were given up through these treaties with very little received in return. Unfortunately, fair dealings were not the order of the day. In one instance, a 160 kilometer stretch of land about 20 kilometers wide along Lake Ontario from roughly Trenton to Toronto was ceded, but the treaty was so flawed, government officials later privately agreed that it was invalid. Mississauga people, however, were not so informed, and that land was quickly taken up by non-native settlers.

In another case, the Crown completely ignored and by-passed MSIFN when it granted the land west of Lake Scugog north to Lake Simcoe to non-native settlers who promptly chopped down the forest for their farms. With increasing settlement at Scugog, the only land available was an 800-acre landlocked parcel on Scugog Island. And despite the thousands of acres west of Lake Scugog earlier taken from them, Mississauga people were required to purchase these 800 acres with their own money.

MSIFN are cultural partners of the Michi Saagiig (Mississauga) Nation, with traditional territories expanding through most of southeastern Ontario, including lakebeds, tributaries, and watersheds. MSIFN contested Crown hunting regulations into the 1980s when Supreme Court decisions began recognizing Aboriginal harvesting rights.

In 2018, MSIFN became a signatory to the Williams Treaties of 1923, which after 90 years of dispute came to a final settlement agreement that reaffirmed our pre-confederation treaty rights to hunt and harvest. MSIFN is also signatory to the Framework Agreement for First Nations Lands Management, the First Nations Fiscal Management Act, and other political Aboriginal arrangements all of which support our Inherent Right as a self-governing authority. After a 90-year fight to have our rights recognized, MSIFN insists the CNSC and other federal and provincial Crown authorities respect the weight of this recognition in dealing with us.

As outlined in the 2018 Settlement Agreement, constitutionally protected rights for hunting, fishing, and trapping were affirmed for the WTFNs across their traditional territories. These ways of life have been practiced sustainably since time immemorial and represent fundamental cultural markers of Indigenous identity and self-determination. Hunting includes trapping, snaring and fishing supplemented by firearm usage. Despite inherent and long-held rights, the Williams Treaties of 1923 opened the door for decades of discrimination and legally sanctioned harassment by officers of the Crown, including Peace Officers, against First Nations for exercising their cultural harvesting practices. The Crown only began addressing these impacts on MSIFN and the other WTFNs in 2018 with the Settlement Agreement.



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Connection to MSIFN

For several decades, MSIFN has lived with the Pickering Nuclear Generating Station (PNGS) and the Darlington Nuclear Generating Station (DNGS), both of which involved treaty lands taken up by the Crown and unceded Lake Ontario lakebed and waters used for critical cooling water systems, with construction and operations proceeding prior to 2018 without consultation or accommodation of MSIFN's rights and interests. MSIFN is now deeply involved in the proposed Darlington New Nuclear Project (DNNP), the proposed refurbishment and decommissioning of some PNGS reactors, the proposed relicensing of the DNGS, and their associated waste management facilities.

MSIFN has a rights-holding position with respect to these nuclear facilities and operations. The Williams Treaties and the 2018 Williams Treaties Settlement Agreement are silent on the lakebed and water in the WTFN's traditional territory. The CNSC has acknowledged Crown-Indigenous Relations and Northern Affairs Canada affirmation of this, and that Canada does not have a position on this. The waters and lakebeds in the WTFNs treaty areas and traditional territories have never been ceded. As such MSIFN claims jurisdiction to the lakebed and water adjacent to the CNSC regulated nuclear facilities PNGS, DNGS, DNNP, any future nuclear facilities that may be proposed at OPG Wesleyville, or elsewhere along the shoreline of Lake Ontario. Any activity which impacts those lands and waters requires consultation, not simply a process of sharing information, and the consent of MSIFN. Any nuclear activities taking place on the waters and lakebeds in these areas are taking place on MSIFN's unceded territory. Any nuclear safety activities taking place on the lands in these areas are taking place on MSIFN's Treaty lands and traditional territory.

MSIFN's reserve community is less than 40 kilometers from PNGS and DNGS. MSIFN members have expressed direct concerns and uncertainty surrounding the safety, management, and security of the nuclear reactors and waste stored on site, as well as impacts to the environment. MSIFN is the only First Nation community located within the Ingestion Planning Zone (50 km) for distribution of potassium iodide pills, and is engaged in safety and emergency response planning with the CNSC and province of Ontario through the Provincial Nuclear Emergency Response Program (PNERP) in the event of an emergency at both PNGS and DNGS. MSIFN members, employees, and businesses are active in and around these nuclear facilities in many ways.

Without ever providing consent, MSIFN must continue living with the risks associated with the nuclear sites and facilities. Nuclear safety is paramount to MSIFN. Nearly every aspect of the nuclear fuel lifecycle occurs within our territory, except for uranium mining. These post-colonial activities will continually impact our community. It is the future generations who will bear this



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burden and MSIFN. The CNSC and the nuclear operators it regulates have legal obligations to ensure our safety.

MSIFN's Chief and Council, in conjunction with their teams, act as their community's regulatory body. The process MSIFN must undertake to discharge their legal obligations to their citizens and the WTFN community is complex and not something that the Crown can legally rush or disregard. The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) exists to protect this, and our duty is to ensure it is upheld.

Comments on NPGS ROR - CMD - 25 - M9

Section 3.1 of the Staff Submission reports on the CNSC's Indigenous Consultation and Engagement. The submission outlines the CNSC's common-law duty to consult which is rooted in the Honour of the Crown and protected by section 35 of the *Constitution Act, 1982*.

As a Crown agency the CNSC is also bound by federal law. In 2021 the *United Nations Declaration on the Rights of Indigenous Peoples Act*¹ came into force. *UNDRIPA* embeds the principles of the *United Nations Declaration on the Rights of Indigenous Peoples*² into Canadian positive law. A subsequent Action Plan³ was released to help facilitate the integration of *UNDRIPA* throughout Canadian federal Ministries and agencies, including Natural Resources Canada, the governing Ministry of the CNSC.

The Declaration Articles 18, 19, 26, 29(2) and 32(2) pertain to the CNSC.

- Article 18 provides for the right to partake in decision-making on matters affecting MSIFN rights;
- Article 19 provides that States consult Indigenous peoples and get their consent before adopting measures that will affect them;
- Article 26 provides for Indigenous control over traditional lands and the State's respect of those lands;
- Article 29(2) says "States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous peoples without their free, prior and informed consent;" and

¹ *The United Nations Declaration of the Rights of Indigenous Peoples Act* SC 2021, c 14 [UNDRIPA].

² *United Nations Declaration of the Rights of Indigenous Peoples*, GA Res 61/295, UNGAOR, 61st Sess, A/RES/61/295 (2 October 2007). ["UNDRIP" or "the Declaration"]

³ Government of Canada, "The *United Nations Declaration on the Rights of Indigenous Peoples Act* Action Plan" (2023), online (pdf): Justice Canada < <https://www.justice.gc.ca/eng/declaration/ap-pa/ah/pdf/unda-action-plan-digital-eng.pdf>>. ["Action Plan"]



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- Article 32(2) provides that "States shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their land or territories and other resources..." ("FPIC").

The CNSC ROR 2023 submission is silent on the Declaration, *UNDRIPA* and the Action Plan.

REGDOC 3.2.2, which outlines the CNSC's Indigenous Engagement, is also silent on the Declaration, *UNDRIPA* and the Action Plan. There is no official CNSC document which incorporates any of the Declaration's Articles.

The official silence from the CNSC regarding the Declaration, *UNDRIPA*, and the Action Plan in their regulatory documents and regulatory report is troubling. It is inconsistent with the state of current law and with the CNSC's repeated promise of reconciliation. At the DNNP Licence to Construct (LTC) Hearing Part 1 in October 2024, Adam Levine, Director of Indigenous Consultation and Engagement with the CNSC, characterized the CNSC Staff approach to consultation as being *mindful* of the Declaration articles including FPIC. However, being mindful is not the legal requirement. The CNSC's approach to the Declaration during Indigenous consultation and engagement has been consistent with their regulatory documents; silent.

In November 2024, Adam Levine stated to the four Michi Saagiig WTFNs, including two Chiefs, that no part of the DNNP LTC process required or allowed for the First Nations' consent. This statement provided the most direct evidence that CNSC staff do not incorporate UNDRIP or FPIC into their Indigenous consultation processes. In fact, the CNSC's official position in late 2024 was that the Declaration and *UNDRIPA* were outside the scope of the DNNP LTC application. Thankfully, this position was later retracted.

The CNSC's failure to incorporate the Declaration into REGDOC 3.2.2 and their Indigenous consultation processes became even more insulting during the 8 January 2025 DNNP LTC Hearing. Surprisingly, CNSC staff included an image of the Declaration in their presentation to the Commissioners and asserted, without qualification, that they incorporate UNDRIP principles into their consultation with First Nations.

This was particularly troubling given that, as recently as November 2024, CNSC staff maintained the position that the Declaration and *UNDRIPA* were outside the scope of the DNNP LTC process. Just six weeks later, during the 8 January 2025 Hearing Part 2, they reversed course and claimed these principles were incorporated. Such a statement, made on record, was at best misleading and at worst an outright lie.



UNDRIPA and FPIC

UNDRIPA came into force in June 2021. *UNDRIPA* brings the intent and objectives of the UN Declaration into Canadian law and provides a statutory foundation for the proper implementation and operationalizing of UNDRIP. *UNDRIPA* also provides a framework to advance implementation of the Declaration at the federal level.⁴

In the *C-92 Reference* from the Supreme Court of Canada ("SCC"), the Court said that *UNDRIPA* is incorporated into the country's domestic positive law.⁵ The Court explained that *UNDRIPA* exists in law regardless of whether it is contained in a statute. Paragraph 15's French translation breaks the word "law" down into "loi" and "droit". The French translation distinguishes between the two types of laws, "loi" being statutory and "droit" which refers to the deeper law that exists and is practiced in a country, or common law.⁶ The French translation provides a more precise understanding and is as valid as the English translation.

The practical implications of *UNDRIPA* in the energy sector have been addressed through legislation, such as the *IAA*. If there is no legislation that explicitly deals with the Declaration, or if the law is perceived as not aligned with the Declaration, as the case is for the DNNP LTC, there is no automatic repeal, nor does it create any new obligations or regulatory requirements. Regardless of whether a specific reference to the Declaration is made in legislation, Canada continues to have a constitutional duty to uphold it, including operationalizing FPIC. This requires the Crown to fill legislative gaps with different processes or find new creative ways to ensure the meaningful and effective participation of Indigenous rights holders in decision-making.⁷

FPIC was discussed in the *Reference to the Court of Appeal for Quebec*. This case concerned the constitutionality of *An Act respecting First Nations, Inuit and Metis children, youth and families* which was affirmed by the SCC.⁸ Justice Mainville of the QCCA stated at para 193:

⁴ Department of Justice Canada "Backgrounder: *United Nations Declaration on the Rights of Indigenous Peoples Act*" (10 December 2021) online: *Department of Justice Canada* <<https://www.justice.gc.ca/eng/declaration/about-apropos.html>>.

⁵ *Reference re An Act respecting First Nations, Inuit and Metis children, youth and families*, [2024 SCC 5](#) at para 15 [*C-92 Reference*].

⁶ Senwung Luk, "UNDRIP is now part of Canada's "domestic positive law". What does this mean?" (4 April 2024), online (blog): *OKT* <<https://www.oktlaw.com/undrip-is-now-part-of-canadas-domestic-positive-law-what-does-this-mean/>>.

⁷ Department of Justice Canada, "Backgrounder – Natural Resource Sector" (19 April 4 2022), online: *Department of Justice Canada* <<https://www.justice.gc.ca/eng/declaration/bgnrcan-bgrnrcan.html>>.

⁸ *Supra* note 5.



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In July 2017, the federal government (under the aegis of the then Minister of Justice, the Honourable Jody Wilson-Raybould) announced a set of principles designed to govern its relationship with Aboriginal peoples from that point forward. The policy that followed in 2018 did more than merely strengthen the 1995 policy, refashioning it on the basis of s. 35 of the Constitution Act, 1982 and the UN Declaration. The ten principles affirmed therein "are a necessary starting point for the Crown to engage in partnership, and a significant move away from the status quo to a fundamental change in the relationship with indigenous peoples". These principles, which are set out here, together with some of their accompanying comments, are based on recognition of the right to self-determination of Aboriginal peoples, which becomes the foundation for government-Aboriginal relations:

1. The Government of Canada recognizes that all relations with Indigenous peoples need to be based on the recognition and implementation of their right to self-determination, including the inherent right of self-government...

*6. The Government of Canada recognizes that meaningful engagement with indigenous peoples aims to secure their free, **prior**, and informed consent when Canada proposes to take actions which impact them and their rights, including their lands, territories and resources.*

On slide 30 of the DNNP LTC Hearing submission, Adam Levine characterized the CNSC's approach to consultation as being mindful of the articles in the Declaration, including FPIC.⁹ Being mindful of the Declaration is not the required standard. The CNSC must recognize and respond accordingly to the SCC's interpretation of the *UNDRIPA* as a pre-existing set of rights that must continue to animate Canadian law. MSIFN is concerned that current and near-future CNSC decisions, including the DNNP LTC decision, may not be informed by the Declaration as "domestic positive law." Future aspirations of the CNSC should not prevent the Commission from requiring CNSC Staff to apply the law now.

UNDRIP has also been called an international "obligation" by the Federal Court, one which creates a presumption that Canadian legislation is enacted in conformity to it.¹⁰ The Canadian

⁹ Canadian Nuclear Safety Commission October 2nd, 2024, Hearing Part I Submission Download #2 at 42:02.

¹⁰ *Elsipogtog First Nation v Canada (Attorney General)*, [2013 FC 1117](#) at para 121 aff'd on other grounds [2015 FCA 18](#).



Human Rights Tribunal relied on UNDRIP to find that equality is to be substantive and not merely formal.¹¹

The Quebec courts have taken a much more vigorous approach to the use of UNDRIP as an interpretive aid. The Quebec Court of Appeal confirmed that while UNDRIP does not impose international law obligations on Canada, it is nevertheless a universal human rights instrument whose values, principles and rights are a source for the interpretation of Canadian law.¹² The Court of Appeal went on to find that while UNDRIP is non-binding internationally, it “has been implemented as part of the federal normative order” via the UNDRIP Act.¹³ On appeal, the Supreme Court of Canada similarly observed that “...the Declaration has been incorporated into the country's positive law by the [UNDRIP Act], s. 4(a).”¹⁴ While the Court of Appeal did not elaborate in detail on what it meant by UNDRIP being “implemented as part of the federal normative order”, it did rely on this conclusion to bolster and confirm its interpretation of [s. 35 of the Constitution Act, 1982](#) as recognizing and affirming the right of Aboriginal peoples to regulate child and family services, which the Court of Appeal considered to be “entirely consistent with the principles set out in [UNDRIP]”.¹⁵ The Quebec Superior Court, following the Court of Appeal's decision, went even further. After reviewing the history of Canada's relationship with UNDRIP, the Court concluded that “UNDRIP, despite being a declaration of the General Assembly, should be given the same weight as a binding international instrument in the constitutional interpretation of [s. 35\(1\)](#)”.¹⁶ The practical effect of this would be that when interpreting [s. 35\(1\)](#), courts should generally presume that the protections it offers are at least as great as the rights set out under UNDRIP.¹⁷

FPIC is a fundamental requirement for Indigenous consultation. Consent takes many forms and is part of any healthy relationship. The CNSC's decision to disregard the legal and moral obligation to seek and obtain MSIFN's consent undermines the rest of their consultation work and leaves empty their words of reconciliation.

¹¹ *First Nations Child and Family Caring Society of Canada v Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, [2016 CHRT 2](#) at para 453.

¹² *Renvoi à la Cour d'appel du Québec relatif à la Loi concernant les enfants, les jeunes et les familles des Premières Nations, des Inuits et des Métis*, [2022 QCCA 185](#) at para 507 rev'd in part on other grounds [2024 SCC 5](#).

¹³ *Ibid* at para 512 aff'd [2024 SCC 5](#).

¹⁴ *Supra* note 5 at para. 4; see also para 15.

¹⁵ *Supra* note 12 at para 61.

¹⁶ *R v Montour*, [2023 QCCS 4154](#) at paras 1175-1201.

¹⁷ Woodward 2:38 United Nations Declaration on the Rights of Indigenous Peoples para 2.1085



Table 1: Comments on the ROR for Canadian Nuclear Power Generating Sites: 2023 CMD 25 - M9 - CNSC Staff Submission

Reference	Context	Comment
<p>3.1</p> <p>The CNSC ensures that all of its licence decisions under the NSCA uphold the honour of the Crown and consider Indigenous People's potential or established Indigenous and/or Treaty rights pursuant to s. 35 of the Constitution Act, 1982.</p>	<p>The law does not state that Indigenous Rights and/or Treaty Rights are to be considered.</p> <p>The law states that Indigenous Rights and Treaty Rights are to be upheld.</p>	<p>The CNSC's approach to Indigenous Consultation and Engagement follows a historically paternalistic approach.</p> <p>The approach is that of the CNSC, who maintains all control, providing information to the First Nations. The only concrete action open to the First Nations is to provide feedback and ask questions.</p> <p>The CNSC then takes this feedback and questions and decides what to do with it.</p> <p>This does not uphold rights, and it does not incorporate <i>UNDRIPA</i> and FPIC.</p> <p>MSIFN has a Treaty Settlement Agreement which Canada and Ontario signed in 2018. The Treaty Settlement Agreement recognizes MSIFN's rights.</p> <p>As a Treaty partner Canada is required to seek and receive MSIFN's consent when it contemplates a Treaty infringement and/or impacts on treaty rights –It is not up to CNSC Staff to decide what to do with the information it receives from MSIFN.</p>
<p>3.1</p> <p>[t]he CNSC is committed to building long-term relationships</p>	<p>The CNSC makes many statements regarding their apparent desire for long-term relationships however their actions do not</p>	<p>Free, prior and informed consent is the basic foundation for creating a long-term relationship. MSIFN has been requesting this approach for many years.</p> <p>A healthy and positive long-term relationship needs a power balance which</p>



	<p>align with this statement.</p>	<p>respects the position of each party and one that is built on trust.</p> <p>As a Treaty partner and title holder, FPIC is the standard First Nations require for long-term relationships. It is not up to CNSC Staff to decide what to do with the information it receives from MSIFN.</p>
<p>3.1.1.1</p> <p>CNSC staff's engagement with Indigenous Nations and communities in 2023 related to Canada's Nuclear Power Generating Sites included activities specific to relevant licensing and Commission hearing processes, including OPG's Darlington Waste Management Facility (DWMF) license renewal. CNSC staff's engagement in relation to this licence renewal and regulatory processes included notifying Indigenous Nations and communities about the application, sharing information about opportunities to participate and get involve...offering to meet to discuss any</p>	<p>The current legal requirement for Indigenous Consultation goes well beyond providing information and seeking a response.</p> <p>This, however, is the bulk of CNSC's consultation and engagement practice. The form of information sharing may change but the outcome is always the same; the CNSC provides information, and the First Nations respond. The responses are provided to the Commission.</p>	<p>The CNSC's approach to Indigenous Consultation and Engagement follows a historically paternalistic approach.</p> <p>The approach is that of the CNSC, who holds all the control, providing information to the First Nations. The only concrete action open to the First Nations is to provide feedback and ask questions.</p> <p>The CNSC then takes the feedback and questions and decides what to do with it.</p> <p>This does not uphold rights, and it does not incorporate <i>UNDRIPA</i> and FPIC.</p> <p>MSIFN has a Treaty Settlement Agreement which Canada and Ontario signed in 2018. The Treaty Settlement Agreement recognizes MSIFN's rights.</p> <p>As a Treaty partner Canada is required to seek and receive MSIFN's consent when it contemplates a Treaty infringement. It is not up to CNSC Staff to decide what to do with the information it receives from MSIFN.</p>



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questions or concerns.		
3.1.2 Communications with Indigenous Nations and Communities	No reference or evidence of seeking or receiving MSIFN consent on any issue.	Despite CNSC's Staff 8 January 2025 DNNP LTC Hearing Part 2 assertion, there has been no implementation of UNDRIP and no attempt to seek or obtain FPIC.
Terms of Reference	No reference to the requirement of seeking or receiving MSIFN consent on any issue or process.	Despite CNSC's Staff 8 January 2025 DNNP LTC Hearing Part 2 assertion, there has been no implementation of UNDRIP and no attempt to seek or obtain FPIC.
Appendix D UNDRIP - 4 requests for UNDRIP and principles such as FPIC to be included in CNSC activity	No reference or evidence of seeking or receiving MSIFN consent on any issue since this issue was raised.	Despite CNSC's Staff 8 January 2025 DNNP LTC Hearing Part 2 assertion, there has been no implementation of UNDRIP and no attempt to seek or obtain FPIC.
Long-term engagement Terms of Reference Sheet comments pg. 173 MSIFN raised concerns regarding the DNNP including FPIC	No reference or evidence of seeking or receiving MSIFN consent on any issue since this issue was raised.	Despite CNSC's Staff 8 January 2025 DNNP LTC Hearing Part 2 assertion, there has been no implementation of UNDRIP and no attempt to seek or obtain FPIC. The opposite was stated by Adam Levine at the 18 November 2024 meeting. He confirmed that there is currently no process or decision which First Nations have any control over.

Miigwech,

Mississaugas of Scugog Island First Nation
Consultation Department