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1675 Montgomery Park Road, Pickering, Ontario L1V 2R5

March 4, 2026

CD# P-CORR-00531-24269 P

**MS. C. SALMON**

Commission Registrar  
Canadian Nuclear Safety Commission  
P.O. Box 1046  
280 Slater Street  
Ottawa, Ontario, K1P 5S9

Dear Ms. C. Salmon:

**Pickering Nuclear Generating Station Power and Pickering Waste Facility  
Licence Renewal – Update on Indigenous Engagement Activities**

The purpose of this letter is to provide the Commission Registry with an update on OPG's ongoing Indigenous engagement activities, in order to inform the Commission's ultimate determinations with respect to the duty to consult and, if appropriate, accommodate (the DtCA) for any decision rendered in connection with the Pickering Site Power Reactor Operating Licence (PROL) and Waste Facility Operating Licence (WFOL) renewal application dated June 27, 2025 (Reference 1).

As described in the Application, OPG undertook an initial assessment to determine whether the continued operations, refurbishment and decommissioning activities for which OPG is seeking authorization could give rise to novel impacts on established or asserted Aboriginal and/or treaty rights. At the time, OPG's perspective was that certain activities, specifically the construction and operation of the deep-water intake (DWI) structures, have the potential to result in novel impacts to asserted rights. This preliminary conclusion was informed by frequent and regular pre-filing engagement with the Michi Saagiig Williams Treaties First Nations (the MS-WTFNs), through which the MS-WTFNs shared the perspective that the Lake Ontario lakebed is subject to an assertion of Aboriginal title.

The key potential impacts to the MS-WTFNs' asserted rights which were identified by OPG in its Application in relation to the construction of the DWI structures included impacts arising from disturbance of the lakebed in boat-accessible areas, and methods of material disposal.

Beyond the DWI structures, OPG's preliminary assessment is that authorization of continued operations, decommissioning and other refurbishment activities included in the Application would result in only minimal potential impacts to MS-WTFNs' rights. Among other things, this assessment was based on the fact that the location of proposed operations, decommissioning and refurbishment activities are within the previously developed area of the Pickering Nuclear Generating Station (PNGS) site – a site that is already heavily disturbed and has remained inaccessible to the MS-

WTFNs since its inception (and further, will continue to remain inaccessible for many years, regardless of whether the authorization is provided). Through ongoing engagement with the MS-WTFNs since the filing of the Application, OPG to date has not identified any potential novel adverse impacts to Indigenous rights associated with the Application, beyond those identified with respect to the DWI structure. OPG's current perspective is that, outside of the DWI structure construction, the proposed licenced activities will not give rise to any potential novel adverse impacts to established or asserted Indigenous rights. However, OPG will continue to engage with the MS-WTFNs and seek further input and perspectives.

As set out in CNSC staff's letter to Kate Babony dated February 4, 2026, CNSC staff are aligned that "activities included in OPG's application, including the proposed modification and operation of a deepwater intake system, have the potential to affect the exercise of rights related to fishing and harvesting around the lakebed." Accordingly, CNSC staff have concluded that the DtCA is raised for the Application's decision. In that letter, CNSC staff did not identify any potential impacts to rights in connection with the Application other than those associated with the construction and operation of the DWI structure.

In the Revised Notice of Public Hearing dated January 22, 2026, it was confirmed that in order to "assist the Commission in meeting its duty to consult and, where appropriate, accommodate, the Commission may rely on...engagement work done by OPG, including with respect to avoidance, mitigation or other measures adopted or proposed by OPG for potential accommodation purposes", as well as consultation undertaken by CNSC staff. This is consistent with REGDOC-3.2.2, Indigenous Engagement.

Accordingly, the purpose of this letter is to provide the Commission Registry with a comprehensive overview of the engagement work that OPG has undertaken to date with respect to avoidance, mitigation or other measures adopted or proposed by OPG for potential accommodation purposes in connection with the Application. This overview is set out in Attachment 1.<sup>1</sup> We note that this overview reflects an ongoing and dynamic process with the MS-WTFNs and may be revised as we have further discussions and receive additional comments from the MS-WTFNs. Ultimately, OPG aims to work collaboratively with the MS-WTFNs to reach a mutually agreeable path forward.

For clarity and alignment regarding OPG's engagement activities, we have categorized our activities as follows:

- Accommodation Measures: Actions taken to avoid, mitigate, or accommodate potential impacts to Aboriginal and/or treaty Rights; and
- Deepening Engagement: Initiatives that, while not Accommodation Measures, demonstrate our commitment to addressing concerns raised by Nations and fostering stronger relationships beyond impacts to rights.

OPG will provide regular written updates to CNSC staff to summarize ongoing engagement work, including with respect to further Accommodation Measures adopted or proposed by OPG. OPG continues to make efforts to engage with the

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<sup>1</sup> The activities and measures described in Attachment 1 were developed through monthly meetings with the Michi Saagiig Nations which began in 2024. Further details will be provided as part of OPG's Indigenous Engagement Report.

Chippewa Williams Treaties First Nations, but has not received substantive comments or concerns to date.

Sincerely,

A handwritten signature in cursive script that reads "Sara Irvine".

Sara Irvine  
Vice President  
Nuclear Regulatory Affairs  
Ontario Power Generation  
Inc.

cc: A. Viktorov  
R. Richardson  
K. Campbell

- References:
1. OPG Letter, P. Seguin, K. Aggarwal and L. Ceccato to C. Salmon, "Renewal Application for Pickering Nuclear Generating Station Power Reactor Operating Licence and Pickering Waste Facility Operating Licence", June 27, 2025, CD# P-CORR-00531-23980.

Attachment 1 of OPG Letter, S.Irvine to C. Salmon, "Pickering Nuclear Generating Station Power and Pickering Waste Facility Licence Renewal – Update on Indigenous Engagement Activities", CD# P-CORR-00531-24269

## **ATTACHMENT 1**

OPG Letter, S. Irvine to C. Salmon, "Pickering Nuclear Generating Station Power and Pickering Waste Facility Licence Renewal – Update on Indigenous Engagement Activities".

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### **OPG's Overview of Indigenous Engagement Topics, Work to Date and Commitments**

Prepared By: Meghan Buckham

Checked By: Katie Haddlesley

**Table 1:**

<b>Topic</b>	<b>Description of Concern and/or Interest</b>	<b>Measure to Address</b>	<b>Commitment Type</b>
<p><i>Assessing Risk &amp; Monitoring Potential Impacts on Indigenous People</i></p> <p>Predictive Environmental Risk Assessment (PERA) and Environmental Risk Assessment (ERA) Harvester Receptor</p>	<p>Through ongoing engagement on PERAs and ERAs, Michi Saagiig of the Williams Treaties First Nations (MS-WTFN's) expressed an interest in the inclusion of a Harvester receptor to conservatively account for Indigenous people who may live, work and/or practice rights near OPG's facilities. Concerns were expressed that the receptor groups used previously may not capture how Michi Saagiig members who may live and/or work and/or harvest and consume wildlife, fish and/or plant resources close to the site.</p>	<p>For the PNGS Refurbishment PERA and PCSS PERA (and upcoming PNGS ERA), OPG has included the Harvester Receptor to assess the radiological dose for Indigenous populations who may live and/or work and/or harvest and consume wildlife, fish and/or plant resources close to the site. OPG has also presented the MS-WTFNs with a list of questions/discussion topics that will help understand areas of concern or importance, harvesting practices, and how they would like information received, to guide refinements in future PERA and ERAs. OPG is committed to continued engagement on the design and outcome of environmental risk assessments.</p>	<p>Accommodation Measure – measure supports ongoing monitoring and management of potential impacts in collaboration with Nations.</p>
<p><i>Site Survey Inclusive of Indigenous People</i></p> <p>Site Specific Survey</p>	<p>MS-WTFNs expressed an interest in reviewing and providing input on OPG's draft site specific survey to ensure Indigenous peoples living proximate to Darlington and Pickering stations are appropriately captured for OPG to better understand potential impacts to rights.</p>	<p>As a result of this feedback OPG adapted the Site Specific Survey to make the survey inclusive of Indigenous peoples living and working near OPG's facilities with questions worded based on feedback provided by the MS-WTFNs.</p>	<p>Accommodation Measure - measure supports ongoing monitoring and management of potential impacts in collaboration with Nations.</p>
<p><i>Consideration of Archaeological and Cultural Heritage Values</i></p> <p>Terrestrial &amp; Marine Archaeology Program</p>	<p>MS-WTFNs raised concerns regarding impacts of refurbishment and decommissioning activities on archaeological and cultural heritage resources.</p>	<p>OPG and MS-WTFNs worked collaboratively to develop and execute a site wide archaeological assessment program that goes above and beyond legal requirements. The terrestrial program to date has included conducting a Stage 1 assessment across the entire Pickering site. Based on the outcomes of this assessment, OPG and the MS-WTFN's have proceeded with Stage 2 assessments in recommended areas where ground disturbance work is being contemplated. The marine program includes desktop studies, sub bottom profiling, ROV video capture, archaeological monitoring and sediment screening. The archaeology program will continue to evolve and inform engagement at site to ensure archaeological and cultural heritage values are identified and impacts are avoided and/or mitigated.</p>	<p>Accommodation Measure – measure supports avoidance and mitigation of potential impacts to archaeological and cultural heritage values in collaboration with the Nations.</p>

Topic	Description of Concern and/or Interest	Measure to Address	Commitment Type
<p><i>Monitoring of aquatic species at site</i></p> <p>Aquatic environmental surveys</p>	<p>MS-WTFN expressed an interest in attending aquatic monitoring activities, particularly those related to species at risk and culturally significant, such as Lake Sturgeon. MS-WTFN also raised concerns that only one spot was available (due to boat size) for participants wishing to attend these sampling activities.</p>	<p>OPG will inform the Michi Saagiig Nations and commit to further archaeology assessment if any planned ground disturbance activities are proposed in areas recommended for further archaeology assessment.</p> <p>For sampling activities taking place in the summer and early fall, OPG worked with our vendor to ensure that an additional spot (total of two spots) on the boat would be reserved for any interested First Nations participants while continuing to ensure that boat safety requirements are maintained. For sampling activities conducted during harsh weather conditions in late fall, and in consideration for safety, OPG offered to record videos of the sampling activities and provide shift reports, along with data tables summarizing the species caught. Additionally, OPG worked with our vendor to coordinate with another vendor in Frenchman’s Bay to secure access to a boat with 10 additional spots, should there be increased interest from participants wishing to attend the sampling activities. ROV videos were captured and shared with the Nations to improve our collective understanding of aquatic habitats in areas of interest and to inform project activities.</p> <p>OPG targets to share the monitoring schedule approximately two weeks in advance of planned activities, to assist the Michi Saagiig Nations in coordinating potential monitoring participation.</p>	<p>Deepening Engagement – measures help to facilitate deeper level of engagement and involvement on studies of importance on site.</p>
<p><i>Monitoring of culturally significant aquatic species at site</i></p> <p>Lake Sturgeon targeted monitoring</p>	<p>MS-WTFNs expressed concern regarding the temperature of the lake during the Lake Sturgeon sampling activity conducted from 29-Sep-25 to 2-Oct-25. Specifically, MS-WTFN highlighted the temperature was higher than the preferred temperature range for Lake Sturgeon.</p>	<p>OPG worked with our vendor to conduct an additional round of Lake Sturgeon sampling from 14-Nov-25 to 15-Nov-25, during which the lake water temperatures were within the preferred habitat range for Lake Sturgeon.</p>	<p>Accommodation Measure – measure supports additional data collection that will further inform assessment and further avoidance and/or mitigation measures, as appropriate, in collaboration with the Nations.</p>

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<p><i>Monitoring Fish Entrainment</i></p> <p>Increase sampling due to climate change</p>	<p>OPG engaged the Michi Saagiig Nations on the design for a fish entrainment study at Pickering in 2024. The study is currently in progress and is a requirement of OPG's existing Fisheries Act Authorization. Through engagement, we heard that as climate change continues to impact spawning times and windows, there was an interest in increasing sampling frequency during those time periods.</p>	<p>Based on these comments, OPG increased the monitoring schedule from every other week to weekly during October, November, February and March.</p>	<p>Accommodation Measure - measure supports ongoing monitoring and management of potential impacts in collaboration with Nations.</p>
<p><i>MS-WTFN offsetting considerations</i></p> <p>Selection of an aquatic offsetting location/concept in support of the Fisheries Act Authorization Application for construction of a deepwater intake</p>	<p>MS-WTFN has expressed an interest in being engaged on the selection of an offsetting location/concept early and throughout the process to consider MS-WTFN's worldview. MS-WTFN has also provided feedback from past projects to consider contacting local municipalities for potential offsetting location opportunities.</p>	<p>OPG has been engaging with the MS-WTFN at the MS-WTFN/OPG Pickering Table meetings, where OPG has presented potential offsetting concepts and will be sharing the proposed offsetting opportunities for early input. OPG has also invited MS-WTFN to participate in field visits of potential offsetting locations on Sep 23, 2025. Additionally, OPG has contacted local municipalities as per MS-WTFN's feedback to seek out potential offsetting location opportunities.</p>	<p>Deepening Engagement – measures help to facilitate deeper level of engagement and involvement on studies of importance on site.</p>
<p><i>MS-WTFN offsetting considerations</i></p> <p>Identification of potential offsetting locations/concepts for future projects/operations permitting</p>	<p>MS-WTFN has expressed an interest in being engaged on a holistic approach to planning for offsetting for future permits.</p>	<p>OPG has been engaging with the MS-WTFN at the MSN/OPG Environment Table meetings, where OPG is working collaboratively with the MS-WTFN to develop a scope of work for vendor support to develop a list of potential offsetting locations/concepts that consider both MS-WTFN and future OPG permit needs. OPG shared a draft scope of work document with the MS-WTFN for review and input, prior to finalizing.</p>	<p>Deepening engagement – approach helps to facilitate holistic and coordinated approach to offsetting across various sites and/or projects. Outcomes intended to result in effective avoidance and mitigation measures to potential impacts to rights, as appropriate.</p>
<p><i>Project updates</i></p> <p>Notifications</p>	<p>MS-WTFN has expressed an interest that OPG provides project event notifications that are regularly shared with regulators and/or Crown authorities to support meaningful, transparent engagement.</p>	<p>OPG has committed to MS-WTFN to provide project event notifications such as environmental reportable events and notable wildlife observations/events.</p>	<p>Deepening Engagement – measure is responsive to an interest from the Nations to understand reportable and notable events to deepen engagement discussions.</p>
<p><i>Spoils Management</i></p>	<p>MS-WTFN have an interest in spoil management approaches that avoid</p>	<p>OPG has been engaging with the MS-WTFN on assessment of onshore and offshore disposal options as</p>	

Topic	Description of Concern and/or Interest	Measure to Address	Commitment Type
<p>Assessment of options and approaches for spoils management</p>	<p>and/or mitigate impacts to asserted and/or established Treaty and/or Aboriginal rights. A specific interest has been communicated regarding potential disposal of dredged materials that provides opportunities for shoreline restoration and habitat creation.</p>	<p>well as beneficial reuse opportunities. The MS-WTFNs have engaged a third party consultant (KWL) to support MS-WTFN collaboration with OPG project team relating to spoils management. MS-WTFN engagement to-date has included opportunities to minimize potential aquatic and environmental impacts, as well as requests for further information which may support designation of beneficial reuse (ie. Local, across OPG) pending geotechnical and other requirements are met.</p> <p>Dedicated space for further collaboration with MS-WTFN and consultant KWL has been identified in forthcoming meeting schedules to support project decisions relating to DWI spoils.</p>	<p>Accommodation Measure - measure supports ongoing monitoring and management of potential impacts in collaboration with Nations, if any such impacts are identified.</p>
<p><i>Indigenous Knowledge and Cumulative Impacts</i></p>	<p>MS-WTFN have expressed concerns regarding cumulative impacts of ongoing and proposed nuclear projects along Lake Ontario and interest in enhancing application of Indigenous Knowledge to potentially inform future monitoring and adaptive management approaches.</p>	<p>OPG has committed to financially support the MS-WTFN to undertake an Indigenous Knowledge Study over the next five (5) years. These Indigenous Knowledge studies will be scoped to consider potential impacts of activities across OPG's Nuclear sites and impacts to rightsholders throughout the Williams Treaties First Nations traditional territory. The Indigenous Knowledge Study is the intellectual property of the Nations and respect that the MS-WTFN will share the information gathered through the Indigenous Knowledge Study process with us as the MS-WTFNs deem appropriate. OPG is committed to working with the MS-WTFN's to collaborate on how IKS results and contributions could monitoring activities and additional measures as appropriate.</p> <p>In parallel to the development of the IKS, OPG and MS-WTFN have an on-going relationship that provides opportunity for Indigenous Knowledge to be reflected into consultation and/or engagement process on a continuous basis when shared.</p>	<p>Deepening Engagement – measures support in better understanding how ongoing and proposed initiatives may impact Indigenous values. Outcomes of the IKS, if shared with may inform collaboration on future monitoring activities and adaptive measures at PNGS.</p>

Topic	Description of Concern and/or Interest	Measure to Address	Commitment Type
<p><i>Engagement on Detailed Decommissioning Plan (DDP)</i></p> <p>Ongoing commitment to engaging MS-WTFN's on the DDP</p>	<p>MS-WTFN have expressed concerns that the current version of the DDP was accepted without adequate engagement and/or consultation.</p> <p>MS-WTFN voiced concerns that OPG has decided the end state of Pickering A without the Nations and that this end state decision is influencing present day decommissioning decisions, including the activities contained in the relicensing application.</p>	<p>OPG facilitated engagement on the current DDP in parallel to CNSC review, including the provision of capacity funding for the MS-WTFN to retain a third-party technical review. OPG has dispositioned all comments received and are committed to having the views of the MS-WTFNs, from this third party review and any additional future engagement, reflected in the next DDP update. OPG is committed to ongoing engagement on the DDP, including discussion concerning end-state.</p> <p>OPG also commits to developing and implementing an Indigenous Engagement Plan collaboratively with the MS-WTFNs specific to the Detailed and Preliminary Decommissioning Plans at PNGS. This plan would outline key engagement activities and milestones OPG and the MS-WTFN wish to undertake together before the next PDP and DDP updates.</p>	<p>Deepening Engagement – approach helps to facilitate and strengthen engagement on Preliminary and Detailed Decommissioning Plans at PNGS in collaboration with the MS-WTFN going beyond regulatory requirements. Outcomes intended to enhance opportunities for Indigenous perspectives to inform future decommissioning planning activities, including end-state.</p>

**Table 2: Acronyms**

ERA	Environmental Risk Assessment
MS-WTFN	Michi Saagiig of the Williams Treaties First Nations
OPG	Ontario Power Generation
PERA	Predictive Environmental Risk Assessment
EMP	Environmental Monitoring Program
DGR	Deep Geological Repository