

## INVITATION TO FIRST NATION COMMUNITIES AND REGIONAL ORGANIZATIONS

### Program Description and Guidelines for Applications for Resources Available in Early Stages of Step 3

#### **This program is made available for First Nation Communities and their Regional Organizations in areas of the communities involved in the NWMO Adaptive Phased Management Site Selection Process**

The Nuclear Waste Management Organization (NWMO) is committed to the active and meaningful participation of Aboriginal peoples in its work and informed decision-making by affected Aboriginal communities.

The overarching principle which is the foundation for our work with Aboriginal peoples is respectful relations and the recognition that Aboriginal communities have their own priorities and processes which need to be understood in order to have successful engagement and decision-making.

## 1. Background

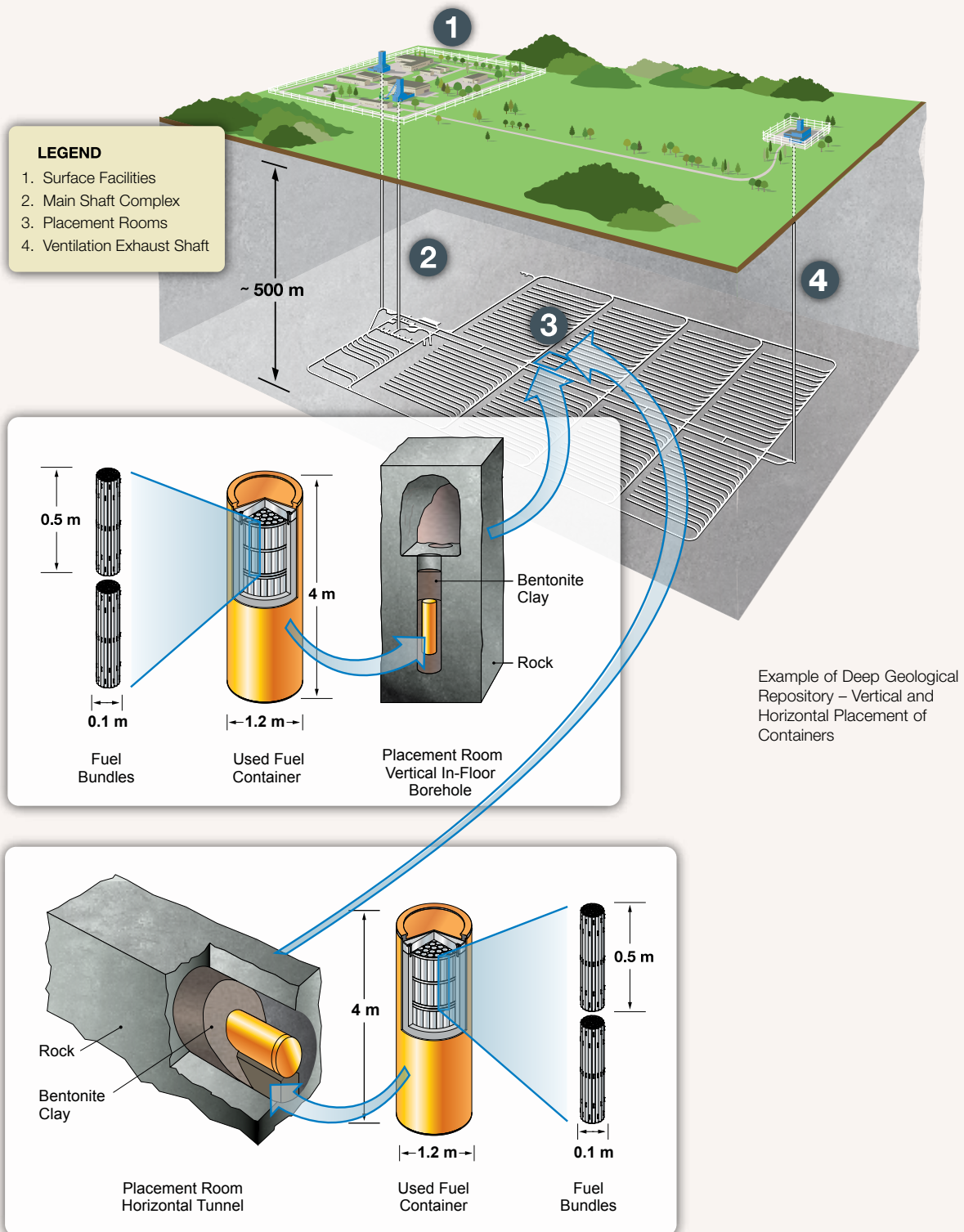
The Nuclear Waste Management Organization (NWMO) was established in 2002 in accordance with federal legislation, the *Nuclear Fuel Waste Act* (2002), to study, recommend and implement an approach for the long-term management of used nuclear fuel in Canada. Used nuclear fuel is presently safely stored on an interim basis at licensed facilities at nuclear reactor sites. In 2005, the NWMO recommended that Canada proceed in a deliberate and collaborative way to contain and isolate the used fuel in a manner that safeguards people and respects the environment, now and in the future. In 2007, the Government of Canada selected the NWMO recommendation, Adaptive Phased Management (APM), as Canada's approach for the long-term management of used nuclear fuel. The NWMO is now implementing this approach.

APM has as its technical end point the containment and isolation of used nuclear fuel in a deep geological repository constructed in a suitable rock formation with ongoing monitoring and potential for retrievability over an extended period of time.

From its inception, the NWMO has sought to develop its processes and plans with the involvement of Aboriginal peoples — laying a foundation for ongoing consultations and engagement that are respectful of traditional practices and approaches to decision-making.

The NWMO acknowledges and respects the unique status and rights of Aboriginal peoples — Indian, Inuit and Métis peoples of Canada — as recognized and affirmed in s.35 of the *Constitution Act* (1982), and is committed to respecting the Aboriginal rights and treaties of Aboriginal communities potentially affected by its work.

In May 2010, the NWMO published the site selection process for the used fuel repository in an informed, willing community. This effectively initiated the nine-step site selection process and the invitation to learn more.



Among the features of the APM plan approved by the federal Cabinet in 2007 are:

- » The technical end point of containment and isolation of used nuclear fuel in a deep repository constructed in an appropriate rock formation where the used fuel will be safely and securely contained by engineered barriers and the surrounding geology.
- » The NWMO will seek an informed, willing community to host the repository, the underground demonstration facility and the associated centre of expertise that will be a hub for national and international scientific collaboration.
- » Siting will be guided by a robust set of safety criteria to protect humans and the environment. This will be a community-driven process that encourages citizen engagement and rigorous assessments to confirm safety for people and the environment. This project will not be imposed on a community.
- » Collaboration, continuous learning and adaptability will underpin implementation of this high-technology, \$16- to \$24-billion national infrastructure initiative that will unfold over many decades, subject to extensive regulatory approvals and oversight.
- » Trust funds are in place to address the future financial obligations for managing used nuclear fuel over the long term.

A number of communities in Ontario and Saskatchewan are engaged in Step 3 of our nine-step siting process and exploring their interest in hosting this \$16- to 24-billion national infrastructure project.

These are:

- Ontario: Ear Falls, Ignace, Schreiber, Hornepayne, Wawa, White River, Manitouwadge, Elliot Lake, Blind River, The North Shore, Spanish, Saugeen Shores, Brockton, South Bruce, Huron-Kinloss, and Arran-Elderslie.
- Saskatchewan: English River First Nation, Northern Village of Pinehouse, Township of Creighton

A smaller number of communities will be selected to advance in the Site Selection Process.

A community would not be required to confirm willingness to host the repository until several years of site investigation, citizen engagement and regional study. This demonstration of willingness from the community is required after detailed site characterization is completed in Step 4, approximately seven to 10 years from now.

As communities enter the *Learn More* program, the NWMO advises First Nation communities in the vicinity, the relevant Treaty, and Tribal organization and the provincial First Nation organization of this community's interest in learning about the project and provides briefings to build understanding of the project.

A detailed description of Step 2 (Initial Screening) and Step 3 (Preliminary Assessment) is provided in the Appendix to this document.



Used fuel bundles from Canada's CANDU nuclear reactors are approximately 0.5 metre long and weigh about 24 kilograms.

## 2. Invitation to Become Involved and Scope of Work

### Purpose

One of the overarching questions we are working towards answering regards the potential that the project be implemented in a way that will foster the long-term well-being of the surrounding area. ***How might the well-being of the surrounding area be fostered through the implementation of the project?***

In answering this question, we wish to meet with First Nation communities and regional First Nation organizations to continue a program of information exchange and dialogue to ensure this is done in a way that reflects their rights and their sense of well-being.

We wish to work together with First Nation communities and regional First Nation organizations that are in the vicinity of the communities involved in Step 3 and are learning about APM and with regional organizations which advocate for member First Nation communities to understand traditional and contemporary perspectives in answering the question, ***"How might traditional and contemporary views regarding land stewardship help us understand how a major development project, such as that proposed by the NWMO, must be implemented?"***

At both the local and regional level we are seeking to answer the following questions:

- » Which First Nations live in the area which is in the vicinity of the communities involved in the APM Site Selection Process and need to be involved in decision-making?
- » Are there cultural practices and traditional laws of which we should be aware?
- » How might First Nations in the area be respectfully involved in learning about the project and decision-making on the path forward?
- » How is well-being\* defined by the community or regional area and what is the vision for the area today and over the long term?
- » What is the traditional, historical and current use of the land and area?
- » What are the considerations in deciding where and how the project will be implemented and how the well-being\* of the people and the environment in the area will be assured?

We seek to understand the traditional laws, practices, decision-making processes and protocols, languages and culture, use of land and areas that would need to be protected, and varieties of, and protection of species in order to ensure appropriate planning and agreements with affected Aboriginal peoples to sustain traditions and community life.

We seek to develop through dialogue a partnership approach to foster respect, stewardship and conservation ethics and values, consultation approaches and agreements with affected Aboriginal peoples.

We recognize that historical experiences and Aboriginal Traditional Knowledge will impact the time and effort needed to accomplish this commitment.

**It is important to note that in order to ensure independence of Aboriginal communities and regional Aboriginal organizations, an application for funds for this program and reports provided to the NWMO at this step in our work will not be considered to constitute support for Adaptive Phased Management or a commitment to continued involvement in this work.**

**If communities involved in the APM site selection process should continue into future phases and Steps of our work we would welcome your continued involvement and will seek to develop more formalized agreements for engagement and dialogue.**

\* In its work, the NWMO is exploring the analytical framework of “community well-being” as a means to help both the NWMO and the community learn, understand, and reflect upon the potential effects of the Adaptive Phased Management (APM) project were it to be implemented in a community. This framework was selected as a starting point for discussions in order to encourage, as much as possible, that a broad, inclusive and holistic approach is taken to exploring the project, understanding how communities and the surrounding area may be affected were the project to be implemented in the area, and identifying opportunities to leverage the project to achieve other objectives important to people in the area.

The framework encourages exploration of the project through five different ‘lenses’:

- » **Human.** Skills, knowledge and essential services fundamental to maintaining well-being;
- » **Economic.** Monetary or financial resources people use to achieve well-being;
- » **Infrastructure.** Basic infrastructure needed to support well-being;
- » **Social.** Social and community activities in which people participate and the resources drawn upon to support well-being;
- » **Natural environment.** Nature and the natural environment important to well-being.

The NWMO understands that dialogue with interested communities and those in the surrounding area is needed in order to begin to identify and reflect upon the broad range of effects which the implementation of the project may bring. Ultimately, the potential effect of the project on a community needs to be identified and assessed by the community itself. This includes identifying the broad range of factors that need to be considered, the approach to measuring potential effect and judgements about the magnitude of this effect. For this reason, ongoing dialogue on these questions is an important component of the site selection process, beginning with interested communities and then expanding the dialogue to include those in the surrounding area which may be affected.

## Proposals

In addition to any briefing that a community or organization might want the NWMO to provide neighbouring Aboriginal communities and regional Aboriginal organizations are invited to submit proposals as follows:

### First Nation Communities

At a local level in 2013 we are interested in working together with First Nation communities that are in the vicinity of the communities involved in Step 3 in learning about APM. This invitation offers resources for:

- » The opportunity to conduct a review of the NWMO site selection process materials and build internal capacity to better understand the project; and provide an understanding of the community's traditional, historical and current use of land including any potential shared use of land and the community's goals and aspirations for the future.  
Information provided in this review will not be considered a traditional land use study, nor as a tool to be used to identify impacts but rather it is designed to build an understanding of the uniqueness of the First Nation community.

The documents we suggest should be reviewed in this analysis include:

- » The NWMO's site selection reports including: *Moving Forward Together: Process for Selecting a Site for Canada's Deep Geological Repository for Used Nuclear Fuel* (May 2010) and *Preliminary Assessment of Potential Suitability – Feasibility Studies* (November 2011);
- » *Implementing Adaptive Phased Management 2013 to 2017*;
- » *Description of Canada's Repository for Used Nuclear Fuel and Centre of Expertise* (October 2012); and
- » *Safe and Secure Transportation of Canada's Used Nuclear Fuel* (Fall 2012).

Additional literature review of other areas of interest such as economic and social analysis and understanding the development of a Deep Geological Repository may be included at the discretion of the community.

## Regional First Nation Organizations

At the regional level, there are organizations which advocate for Aboriginal communities interests. We wish to understand the perspective of the regional organization's members regarding APM and offer resources:

- » To conduct a review of the NWMO Project Description and write a report of the long-term aspirations for the area should communities involved in the APM Site Selection Process continue in the siting process. This report might be approached from many directions and include an understanding of:
  - potential economic development opportunities that might be available from their perspective in their future involvement through APM,
  - education opportunities, and
  - First Nation views and approach to the land including historical aspects as well as the region's goals and aspirations for the future.
- » Included in this report we also seek to understand the traditional, historical and current use of land of First Nation communities which are members of the regional First Nation organization. It will not be considered a traditional land use study, nor as a tool to be used to identify impacts. Through development of a high-level report on a regional basis this report will provide information and dialogue with the NWMO to begin to understand the uses by First Nations of the area. This report may reflect existing documentation or build on existing work.  
This work may be done more properly at the community level or perhaps with more than one community; however, we seek the ideas from the organization on how this might best be accomplished. We are seeking to explore with the regional organization a means to provide a preliminary understanding of the First Nation communities in the region regarding their goals and aspirations for continuing their spiritual, cultural, socio-economic, harvesting and other traditional practices.

The documents for review related to this report include:

- » *Description of Canada's Repository for Used Nuclear Fuel and Centre of Expertise* (October 2012); and
- » The NWMO's site selection reports including: *Moving Forward Together: Process for Selecting a Site for Canada's Deep Geological Repository for Used Nuclear Fuel* (May 2010) and *Preliminary Assessment of Potential Suitability – Feasibility Studies* (November 2011).

### 3. Who can apply to this program?

First Nation communities in the vicinity of communities involved in Step 3 in learning about APM, Canada's plan for the long-term management of used nuclear fuel and their regional organizations.

Communities involved in Step 3 of the NWMO Site Selection Process include:

- » Ontario: Ear Falls, Ignace, Wawa, Schreiber, Hornepayne, White River, Manitouwadge, Elliot Lake, Blind River, The North Shore, Spanish, Saugeen Shores, Brockton, South Bruce, Huron-Kinloss, and Arran-Elderslie;
- » Saskatchewan: English River First Nation, Northern Village of Pinehouse, Township of Creighton.

**It is important to note that in order to ensure independence of Aboriginal communities and regional Aboriginal organizations, an application for funds for this program and reports provided to the NWMO at this step in our work will not be considered to constitute support for Adaptive Phased Management or a commitment to continued involvement in this work.**

**If communities involved in the APM site selection process should continue into future phases and Steps of our work we would welcome your continued involvement and will seek to develop more formalized agreements for engagement and dialogue.**



## 4. Resources Available

Up to \$25,000 per First Nation community and up to \$60,000 per regional organization is available for this work. The NWMO will provide copies of the documents needed for review as well as NWMO experts available for discussion as needed.

## 5. Timeline

Eight (8) communities entered into Step 3 in early 2012 and therefore, for these communities noted below, proposals will be received up to **April 30, 2013** with all reports required to be delivered by **December 31, 2013**.

- » Ontario: Ear Falls, Ignace, Wawa, Schreiber, Hornepayne; and
- » Saskatchewan: English River First Nation, Northern Village of Pneshouse, Town of Creighton.

The remaining communities noted below entered Step 3 in late 2012 and early 2013 and therefore this later timeline reflects their recent decision to proceed to this Step. Proposals will be received up to **September 30, 2013** with all reports required to be delivered by **March 31, 2014**.

- » Ontario: Elliot Lake, Blind River, The North Shore, Spanish, Saugeen Shores, Brockton, South Bruce, Huron-Kinloss, Arran-Elderslie, White River, Manitouwadge.

## 6. Proposals

Proposals must include, at a minimum:

- » Name of community/regional organization;
- » Geographical relationship to communities in Step 3 which are learning about APM in the NWMO Site Selection Process;
- » How the work to be considered will be conducted – roles, responsibilities and accountabilities of people involved in the work proposed;
- » Budget breakdown (how funds will be spent); and
- » Name of person coordinating the study and primary contact for the NWMO on this work.

## 7. Deliverables

### First Nation communities

1. A meeting with the NWMO at the beginning of the work to review APM and the assessment approach.
2. A report that answers at a minimum the following questions:
  - » Which First Nations people live in the area which is in the vicinity of the communities involved in the APM Site Selection Process and need to be involved in decision-making?
  - » Are there cultural practices and traditional laws of which we should be aware?
  - » How might First Nations in the area be respectfully involved in learning about the project and decision-making on the path forward?
  - » How is well-being defined by the community or regional area and what is the vision for the area today and over the long term?
  - » What is the traditional, historical and current use of the land and area?
  - » What are the considerations in deciding where and how the project will be implemented and how the well-being of the people and the environment in the area will be assured?

The community is invited to answer other questions which the community may feel it is important that the NWMO understand.

3. A meeting with the NWMO to deliver and discuss the report.

## Regional First Nation Organizations

1. A meeting with the NWMO at the beginning of the work to review APM and the assessment approach.
2. A report which describes the goals and aspirations of the regional area should communities in the vicinity involved in learning about APM continue in the siting process, in particular the:
  - potential economic development opportunities that might be available from their perspective in their future involvement through APM,
  - education opportunities, and
  - First Nation views and approach to the land including historical aspects as well as the region's goals and aspirations for the future.

This report to answer, at a minimum, the questions:

- » Which First Nations live in the area which is in the vicinity of the communities involved in the APM Site Selection Process and need to be involved in decision-making?
  - » Are there cultural practices and traditional laws of which we should be aware?
  - » How might First Nations in the area be respectfully involved in learning about the project and decision-making on the path forward?
  - » How is well-being defined by the community or regional area and what is the vision for the area today and over the long term?
  - » What is the traditional, historical and current use of the land and area?
  - » What are the considerations in deciding where and how the project will be implemented and how the well-being of the people and the environment in the area will be assured?
3. A meeting with the NWMO to deliver and discuss the report.



NUCLEAR WASTE  
MANAGEMENT  
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SOCIÉTÉ DE GESTION  
DES DÉCHETS  
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