



NUCLEAR WASTE MANAGEMENT ORGANIZATION SOCIÉTÉ DE GESTION DES DÉCHETS NUCLÉAIRES

Preliminary Assessment of Potential Suitability: Step 3 Phase 2

RESOURCES TO SUPPORT ENGAGEMENT OF FIRST NATIONS AND FIRST NATION ORGANIZATIONS IN THE NWMO SITE SELECTION PROCESS



ABORIGINAL PARTNERSHIPS RESOURCES PROGRAM

DRAFT FOR DISCUSSION WITH COMMUNITIES

FEBRUARY 2014

I. Introduction

In May 2010 the Nuclear Waste Management Organization (NWMO) launched a process to identify a safe site in an informed and willing community to host facilities for the long-term management of Canada's used nuclear fuel. The principles and decision-making framework to guide the selection of a site were developed collaboratively through a two-year dialogue involving a broad cross-section of Canadians and Aboriginal peoples.

Canada's plan for the long-term care of used nuclear fuel is called Adaptive Phased Management (APM). The ultimate goal of APM is to safely contain and isolate the used fuel in a single Deep Geological Repository (DGR) in a suitable rock formation. The objective of the site selection process is to arrive at a single location for the DGR and associated Centre of Expertise through several phases of progressively more detailed technical, scientific and socio-economic assessment.

The process is advancing through a multi-year series of steps to ensure that, above all, the site selected is safe and secure and meets the highest scientific, professional and ethical standards. Since launching the process, the NWMO has been working collaboratively with communities interested in learning to begin exploring their potential to meet site selection requirements. In 2013 Creighton in Saskatchewan and Ignace, Hornepayne and Schrieber in Ontario were identified for further study and advanced to the second phase of the preliminary assessment step (Step 3, Phase 2). Upon completion of Phase 1 assessments with other communities, additional communities may be identified as warranting further study by advancing to Phase 2.

The second phase of Preliminary Assessment work involves more intensive community learning and engagement. Work will take on a broader focus to include First Nations and Métis peoples and surrounding communities. Preliminary fieldwork will begin, including aerial surveys, and at later date, limited borehole drilling, to further assess geology and site suitability against technical safety requirements.

Engagement activities in the second phase of preliminary assessment are designed to be implemented through a partnership involving interested communities, First Nation and Metis people, surrounding communities and the NWMO in a process based on trust, fairness and mutual understanding.

The NWMO is committed to the active and meaningful participation of interested communities, Aboriginal communities and surrounding communities. From its inception in 2002, the NWMO has sought to develop its processes and plans with the involvement of interested communities and Aboriginal peoples, laying a foundation for ongoing engagement and partnership.

Throughout the site selection process the NWMO seeks to define the suitability of sites through interweaving scientific and Aboriginal Traditional Knowledge. Ultimately, implementation of the plan will only proceed with the involvement of an interested community, potentially affected Aboriginal peoples and neighboring communities working in partnership.

Aboriginal Traditional Knowledge includes important knowledge about the land and ecology, stemming from long contact with the land. It also includes knowledge about developing and maintaining effective and meaningful relationships between generations and within and between communities. The NWMO will look to Aboriginal people to share their knowledge to the extent they wish to and will ensure that Aboriginal intellectual property is protected, as agreed with those who choose to share their knowledge.

As interested First Nations' communities continue to learn more about the project, the NWMO recognizes that implementation of the plan must be community-driven. The engagement plan is therefore flexible in the pace and manner of its implementation and provides opportunities for engagement to include a range of forms and activities.

Moving towards Partnerships

Building the relationships that would be required to support implementation of the APM Project will necessarily involve many steps over an extended period of time. The NWMO understands that early on, trust and understanding needs to be established to achieve mutual learning. As work advances,

envisioning the project together and planning for its implementation is important. Planning for the project's implementation may include discussion about:

- the potential for strategic hiring, strategic procurement,
- planning and implementation of education and training programs in the area over the extended planning and operation lifespan of the project,
- business incubation support to assist local businesses to position themselves to participate in the project,
- investments in infrastructure that may be required to foster well-being beyond what may be required for the project, and
- business and ownership opportunities associated with the project.

Moving towards Partnerships with Aboriginal Communities

The NWMO recognizes and respects that Aboriginal peoples believe all life is sustained by Mother Earth and that, in carrying out our work, we all have a stewardship responsibility to protect and preserve the earth for this and future generations guided by the seven teachings.

The NWMO acknowledges, respects and honours that Aboriginal peoples - Indian, Inuit and Métis peoples of Canada - have unique status and rights as recognized and affirmed in s.35 of the *Constitution Act (1982)*. The NWMO is committed to respecting the Aboriginal rights and treaties of Aboriginal people especially their interests and rights affecting Crown lands. The NWMO also recognizes that there may be unresolved claims between Aboriginal communities and the Crown to be taken into account in relation to a proposed site.

The NWMO wishes to build relationships and develop partnerships with Aboriginal communities, groups and peoples on a foundation of respect for languages and customs, cultural protocols, and political, social, economic and cultural institutions. The NWMO recognizes and will honour the diversity of spiritual beliefs, practices and governance of Aboriginal people within and among Aboriginal communities.

Phase 2 Preliminary Assessments

Preliminary assessments, which take place in Step 3 of the site selection process, are designed to assess in a preliminary way the potential suitability of an interested community and the surrounding area to host a DGR as part of Canada's plan for the safe, long-term management of used nuclear fuel. The second phase of preliminary assessment is focused on a smaller number of areas than the first phase. By the end of Step 3, the NWMO plans to have advanced technical evaluation of suitable geological formations to a point of being able to understand whether a sound safety case can be built to store used fuel in the long term. The NWMO intends to incorporate both science and Traditional Knowledge into these assessments. Equally important, the NWMO wishes to advance dialogue and seek advice about the land with Aboriginal and non-Aboriginal communities in each potential siting region to understand interest in hosting a repository and whether it may be possible to establish mutually beneficial partnership agreements.

As fieldwork begins in the second phase of Step 3, the NWMO remains committed to respectful dialogue with potential partners to ensure decision-making takes into account the interests of the whole community and includes the wisdom that can be derived from Aboriginal Traditional Knowledge when planning for future generations.

Participation of Aboriginal communities and peoples will enhance fieldwork assessment by providing critical information about such things as locations of sensitive and sacred areas, trap lines that could be

impacted and better understanding of the migration patterns of animal species in each area being assessed. The NWMO is seeking Aboriginal participation in walking the land during the fieldwork assessment to enhance the process through incorporation of Traditional Knowledge.

The project will only proceed with the interested community, Aboriginal peoples in the area, and surrounding communities working in partnership to implement the project. Over the course of the Site Selection Process involvement of Aboriginal peoples is sought in:

- Scoping the project and the assessment
- The collection of baseline information
- Consideration of the effects of the project
- Evaluation of effects and the determination of their significance
- Evaluation of any cumulative effects of the project
- Evaluation of the effects of the environment on the project
- Identification or modification of mitigation or impact management measures; and
- Design and implementation of any follow-up programs

II. 2014 Resource Program Funding with First Nation Communities

Purpose

The Resource Program is designed to deepen understanding and continue learning about APM and what implementation of the project would mean to communities, people and cultural/community practices. The program is designed to help expand learning and discussion while working towards answering the overarching question of whether a safe site can be identified in an area and whether the project can be implemented in a way that will foster the long-term well-being of the area in partnership with Aboriginal peoples and communities in the area.

In answering the question as to whether an area will be an appropriate location for APM facilities, further collaboration through dialogue and sharing of expertise and knowledge with First Nation communities and regional organizations is needed to better define relationships and expectations. The NWMO proposes this be done through activities tailored to foster mutual learning between the organization and communities. This approach will help the NWMO learn about communities that may be affected by the project if it were implemented in their area and understand how they might be involved in decision-making. Activities are also designed to provide First Nation communities with opportunities to learn about who the NWMO is and to get to know the organization from a potential partnership perspective. This work will be done in a way that reflects the rights and sense of well-being for the First Nation communities and regions.

The NWMO is committed to working collaboratively in partnership with First Nations communities and regional First Nation organizations in the vicinity of interested communities involved in the second phase of preliminary assessment. For First Nations, this could involve seeking independent advice to develop a workshop as a way of evaluating potential economic impacts on future generations. The NWMO expects to work with neighboring First Nation communities and regional organizations, sharing knowledge as we continue to learn more together.

In the meantime, opportunities will be provided to communities to learn more about NWMO, used nuclear fuel and how communities themselves wish to take advantage of opportunities to learn more and participate in the plan.

It is important to note that in order to ensure independence of First Nation communities and regional First Nation organizations, an application for funds under 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 interested communities involved in the APM site selection process continue to future phases and steps of the site selection process the NWMO will welcome continued involvement of potentially affected First Nation communities and organizations and will seek to develop more formalized agreements for engagement and partnership.

Program Description

A. First Nation Communities in the Area Surrounding Step 3 Phase 2 Site Selection Process Interested Communities

Funding is available for learning and dialogue with the NWMO and within the community in order to support consideration of the project by the community, and reflection on the opportunities which may come with the implementation of the project.

- At a local level the NWMO is interested in working together with First Nation communities that are in the vicinity of the communities involved in second phase of the preliminary assessment step of the site selection process. This work could be approached from many directions. It could include developing an understanding of potential economic development and education opportunities. It could also seek First Nation views and approaches to use of the land including historical aspects as well as territorial uses and the community's goals and aspirations for the future.
- Activities will be designed together with the NWMO to meet the needs of the community over the course of the work to review APM, the assessment approach and participation in site selection activities. The NWMO will work collaboratively with communities to further understanding and identify potential opportunities as well as concerns and challenges that this project may bring.

Resources for First Nation Communities

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| 1. | Funding for administrative expenses associated with coordinating community activities to expand understanding of the project and engage the community in reflection on the project. | Up to \$65,000 for each 12-month period for the duration of the Phase 2 assessments is available. |
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It is recognized that communities will incur administrative costs. In order for a community to participate, resources are available for administrative expenses incurred through participating in Phase 2 well-being studies. This includes costs associated with:

- Dedicated part-time support staff
- Expenses to support communications, and/or travel associated with community or regional activities.

Note: Costs associated with expenses of part-time staff and with communications among community and Council typically include: costs for payroll, accounts payable, tracking receipts, phone, fax, email, and travel expenses for meetings directly related to the APM process.

Expenses in this category to be covered at cost. An accounting must be kept of activities and money spent suitable for third-party audit and submitted to NWMO every 6 months for duration of participation in this program.

2. **Support for Community planning and reflection**

Up to \$30,000 over each 12-month period for the duration of the Phase 2 assessment is available

During Phase 2 assessments the NWMO will explore the potential social, economic and cultural effects of the facility should it be sited in the area. Activities in this category include opportunities for dialogue and workshops in order to work together with the community to understand how best to sustain the traditional and cultural life of the community. These activities will be conducted in close collaboration with the First Nation and will include discussion and consideration of potential economic and educational opportunities as APM progresses.

Over the course of this work, the NWMO will seek to understand First Nation views and approach to use of land including historical aspects as well as territorial uses and the community's aspirations for the future. The NWMO will also work to assist the community in understanding APM and potential opportunities- should the project be constructed in the Nation's territory- which the communities may wish to develop through partnerships with NWMO regarding the APM project.

A schedule of community information sessions will be planned and organized with the community and as required the NWMO to seek community involvement, joint learning opportunities for shared learning and to share understanding and study findings as they become available. It is expected that community activities including youth, women and Elders will be helpful for planning and advancing the studies that will help sustain traditional and cultural life and build opportunities for retention of youth in communities.

A list of Indigenous Facilitators and Experts will be available to provide technical assistance to communities for social and cultural/traditional planning to conduct meetings and provide reports. Note: all information will remain the property of the community and the community will determine what will be shared with NWMO.

Expenses in the category will typically include: rental of meeting space, meals and refreshments, Elder travel and participation and meeting preparation with the community

3. **Traditional Knowledge Learning and Demonstration** Costs covered up to a maximum of \$15,000 over each 12-month period of Phase 2 assessments is available

Opportunities for communities to share Traditional Knowledge with NWMO geo science field activities and assist the NWMO in learning through demonstration and dialogue. Activities may include learning through cultural and spiritual teachings and contemporary use of mapping and ceremonies as deemed appropriate by First Nation communities.

Teachings shared by communities will assist the NWMO in forming a better understanding of traditional and spiritual land use. Costs covered will relate to NWMO Phase 2 activities such as, airborne geophysical surveys, land use mapping and walking the land with NWMO technicians. Resources to cover expenses incurred for community participation (Elders, trappers, etc.) to help prepare for walking the land with NWMO.

4. **Funding to participate in Forums to understand key topics such as radiation, geosciences studies, protecting the environment, multiple barriers** Costs covered

The NWMO acknowledges the importance to communities of developing a deep understanding of key topics from NWMO specialists, and also from third parties such as academics and consultants.

The NWMO will facilitate opportunities for community representatives to learn from NWMO specialists and academics working in the field by organizing a series of workshops which will bring community representatives and these academics and specialists together.

Modest participant expenses will be covered by the NWMO for community representatives to participate in these workshops or similar learning opportunities.

5. **Funding for Independent expert advice** Costs covered up to a maximum of \$30,000 over each 12-month period of Phase 2 assessments is available

Communities may wish to hire independent expert advice to support community understanding and provide advice to enhance opportunities for sustaining traditional and cultural ways of life. Funding will be determined jointly with the community.

6. **Aboriginal Translation and Communication** Costs covered up to a maximum of \$10,000 over each 12-month period of Phase 2 assessments is available

Funding provided for translation and other communication requirements to support community understanding.

7.	Visit an interim storage facility	Costs covered
	<p>Community members may be interested in seeing how used nuclear fuel is currently managed on an interim basis.</p> <p>The NWMO will cover travel expenses for a small delegation of community representatives to visit an interim waste storage facility in Ontario or other nearby facility.</p>	
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8.	Meet with the Canadian Nuclear Safety Commission (CNSC)	Costs covered
	<p>Community members may be interested in learning about the regulatory framework which governs the NWMO project.</p> <p>The NWMO will cover travel expenses for a small delegation of community representatives to learn more about the regulatory framework governing the long-term management of used nuclear fuel by meeting with the CNSC.</p> <p>The timing and agenda for the meeting is established directly by the CNSC in concert with each delegation, in order to ensure the delegation's areas of interest and questions are addressed.</p>	
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9.	Understanding the International perspective – Speakers	Costs covered
	<p>The NWMO encourages communities to keep abreast of international programs and best practices.</p> <p>The NWMO will facilitate opportunities for community representatives to learn from those involved in the implementation of used fuel management programs in other countries by organizing a series of workshops which will bring together community representatives and these international leaders.</p> <p>Modest participant expenses will be covered by the NWMO for community representatives to participate in these workshops.</p>	

****Please note that all financial support for expenses such as travel and lodging described in the above programs will be in accordance with NWMO's expense guidelines or the approved policies of the community as outlined in the NWMO Participant Expense Guidelines which will be provided by the NWMO. The 12 month period referred to in the Program Description commences on the date of the signing of an agreement.***

As the NWMO and First Nation communities proceed through the APM selection process, funding will be assessed on an annual basis for approved activities.

III. First Nation Regional Organizations

Funding is available for regional planning and reflection, including the development of and/or to augment an existing long-term vision for sustainability and/or strategic plan for the region in order to support consideration of the project at the broader area level, and reflection on opportunities which may come with the implementation of the project.

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| 1. Funding for administrative expenses associated with coordinating community activities to expand understanding of the project and engage the community in reflection on the project. | Up to \$85,000 for each 12-month period for the duration of the Phase 2 assessments is available |
| <p>It is recognized that organizations will incur costs. In order for a regional organization to participate, resources are available for administrative expenses incurred through participating in Phase 2 well-being studies. This includes costs associated with:</p> <ul style="list-style-type: none">• Dedicated part-time support staff• Administrative expenses to support communications, and/or travel associated with community or regional activities. | |
| <p>Note: Costs associated with expenses of part-time staff and with communications among community and Council typically include: costs for payroll, accounts payable, tracking receipts, phone, fax, email, and travel expenses for meetings directly related to the APM process.</p> | |
| <p>Expenses in this category to be covered at cost. An accounting must be kept of activities and money spent suitable for third-party audit and submitted to NWMO every 6 months for duration of participation in this program.</p> | |
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<p>2. Meetings and activities unique to the interests of a regional group for regional planning and reflection.</p> <p>Support for Regional planning and reflection</p> <p>During Phase 2 assessments the NWMO will explore the potential social, economic and cultural effects of the facility should it be sited in an area including understanding of how best to sustain traditional and cultural life.</p> <p>Over the course of the work the NWMO will seek to understand the views and approach to the land of the organization's members including historical aspects as well as territorial uses and the region's aspirations for the future. The studies will also involve assessing current capacity in the region and areas that could be enhanced through regional coordination or to develop regional coordination capacity and will seed regional coordination to identify opportunities for partnerships with the NWMO regarding the APM project.</p> <p>It is expected that regional activities including youth, women and Elders will be helpful for planning and advancing studies that will sustain traditional and cultural life and build a regional approach to youth retention in communities.</p> <p>Expenses in the category will typically include: rental of meeting space, meals and refreshments, meeting preparation and communications with the communities</p> <p>Aboriginal Translation and Communication</p> <p>Funding provided for translation and other communication requirements for community understanding.</p> <p>Traditional Knowledge Learning</p> <p>Traditional Knowledge learning and demonstration from a First Nation perspective, including practices and culture through spiritual, culture and contemporary use of land and ceremonies as deemed appropriate by the First Nations.</p>	<p>\$50,000 for each 12-month period of the Phase 2 assessments is available</p>
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3. **Funding to participate in NWMO initiated meetings, These meetings will address key topics such as radiation, geosciences studies, protecting the environment and the multiple barrier system** Costs covered

The NWMO acknowledges the importance of regions developing a deep understanding of key topics from NWMO specialists, and also from third parties such as academics and consultants.

The NWMO will facilitate opportunities for regional representatives to learn from NWMO specialists and academics working in the field by organizing a series of workshops which will bring regional representatives and these academic and international leaders together.

Modest participant expenses will be covered by the NWMO for regional representatives to participate in these workshops.

Visit an interim storage facility

Regional representatives may be interested in seeing how used nuclear fuel is currently managed on an interim basis.

The NWMO will cover travel expenses for a small delegation of regional representatives to visit an interim waste storage facility in Ontario or other nearby facility.

Meet with the Canadian Nuclear Safety Commission (CNSC)

Regional representatives may be interested in learning about the regulatory framework which governs the NWMO project.

The NWMO will cover travel expenses for a small delegation of regional representatives to learn more about the regulatory framework governing the long-term management of used nuclear fuel by meeting with the CNSC.

The timing and agenda for these meetings is established directly by the CNSC in concert with the delegation, in order to ensure the delegation's areas of interest and questions are addressed.

Understanding the International perspective – Speakers

The NWMO acknowledges the interest of regional areas in keeping abreast of international programs and best practices.

The NWMO will facilitate opportunities for regional representatives to learn from those involved in the implementation of used fuel management programs in other countries by organizing a series of workshops which will bring together community representatives and these international leaders.

Modest participant expenses will be covered by the NWMO for regional representatives to participate in these workshops.

****Please note that all financial support for expenses such as travel and lodging described in the above programs will be in accordance with NWMO's expense guidelines or the approved policies of the community as outlined in the NWMO Participant Expense Guidelines which will be provided by the NWMO. The 12 month period referred to in the Program Description commences on the date of the signing of an agreement.***

IV. Submission of Proposals

First Nation communities and regional organizations in the vicinity of communities involved in APM Step 3 - Phase 2 are invited to submit a proposal to receive funding for all or some of the above programs.

Communities involved in Step 3 – Phase 2 are:

Hornepayne, Schreiber and Ignace in Ontario, and Creighton in Saskatchewan

Proposals must include, at a minimum:

- Name of community/regional organization
- How the work to be considered will be conducted – roles, responsibilities and accountabilities
- A list of the people involved in the work proposed
- An outline of the priorities of the community to be considered within this Resource Program and how the work will be conducted including the community's objectives and steps they will take to answer those objectives through the work with the NWMO.
- Budget breakdown (how funds will be spent);
- Name of person coordinating the study and primary contact for the NWMO on this work

Expected Deliverables

A report, or series of reports, which describe the community's and regional organization's history and traditional use of land in the territory as well as the goals and aspirations for the future and the learnings gained through participating in APM.

The report(s) should also include the potential opportunities identified by the community or regional organization should the DGR be constructed in the territory as well as issues, concerns related to APM and recommendations for continued learning and involvement. Examples of opportunities that the community or regional organization may wish to identify may include:

- Priorities for potential economic development opportunities; and
- Education opportunities, emergency response training and other priorities for ongoing learning;

The community and regional organization are also invited to report on other opportunities as may be identified by the community.

Financial Management and Accounting

An accounting suitable for third-party audit must be kept of all activities and money spent, and submitted to the NWMO every six months for the duration of participation in this program.