

**Federation of Saskatchewan Indian Nations
Lands & Resources Secretariat**

**Nuclear Waste Dialogue
Final Report**

for

**Nuclear Waste
Management Organization**

August 26, 2005

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1.0 INTRODUCTION

The Nuclear Waste Management Organization (NWMO) was created in 2002 as required by Federal Legislation to make recommendations to the federal government on an appropriate long-term management strategy when dealing with nuclear waste. In doing so the NWMO was to consult with a wide audience across the country which includes the Aboriginal population.

The Assembly of First Nations have been carrying out these dialogues to First Nations within Saskatchewan on behalf of the Federation of Saskatchewan Indian Nations and felt that it was not in our best interests to have our National First Nations office meeting with our First Nations without our involvement. The Federation of Saskatchewan Indian Nations Lands & Resources Secretariat (FSIN L&R) secured resources through NWMO to facilitate these dialogues throughout Saskatchewan on behalf of the 74 First Nations that FSIN represents.

The contribution agreement was finalized on July 6, 2005 with a final report to be submitted to the NWMO office by August 31, 2005. Considering that FSIN represents 74 First Nations we were aware of the fact that we would not be able to reach out to all of the communities but we could begin the process.

2.0 PROJECT OBJECTIVES

The objectives of the FSIN Lands & Resources dialogue was to:

- 1) Coordinate a minimum of 11 awareness/information sessions with the 74 First Nations
- 2) Information sharing and feedback with First Nations Youth
- 3) submit a final report to NWMO by August 31, 2005
- 4) provide opportunities for Elders involvement and participation
- 5) engage First Nations in the management approach to nuclear waste

The FSIN Lands & Resources does not perceive these dialogues to represent what constitutes a consultation. We are not promoting nuclear waste management nor are we anti-nuclear; the purpose of these dialogues is to create awareness amongst the 74 First Nations surrounding the nuclear waste management strategy.

3.0 PROJECT METHODOLOGY

There were a total of 12 First Nations and/or organizations where dialogues have been facilitated by the FSIN Lands & Resources Secretariat. The individuals that were present represented a wide spectrum of participants ranging from youth, Elders, Chiefs, Councilors, and technicians. The 12 First Nations where presentations were conducted included:

- 1) July 12 Thunderchild First Nation
- 2) July 13 Agency Chiefs Tribal Council
- 3) July 13 Big River First Nation (Chief and Council)
- 3) July 13 Witchehan Lake First Nation (Chief and Council)
- 4) July 13 Pelican Lake First Nation (Chief and Council)
- 5) July 14 Participated in workshop in Thunder Bay with Ontario Metis Aboriginal Association
- 6) July 25 James Smith First Nation (FSIN Summer Camp)
- 7) July 26 Thunderchild First Nation (Chief and Council)
- 8) July 26 Onion Lake First Nation (Chief and Council)

- 9) August 2 Pelican Narrows (FSIN Summer Camp)
- 10) August 3 Mistawasis First Nation (Chief and Council)
- 11) August 4 English River First Nation (Patuanak, FSIN Summer Camp)
- 12) August 16 FSIN Youth Assembly

The Chief and Council of each First Nation were contacted to ensure that we were not intruding into a community where the elected officials did not approve. Initial presentations were conducted at the elected officials' level before going into the community.

The limited time that FSIN Lands & Resources had to operate within did not permit for FSIN to come up with a personalized presentation to the First Nations. Material was gathered from both the NWMO and AFN Nuclear Waste Coordinator, to ensure that the time was best utilized in getting the information out to the First Nations. However FSIN Lands & Resources is very interested in being given the opportunity to create our own Saskatchewan version of what nuclear waste management would look like in this Province with all of the promotional materials.

Considering that most Chief and Council had limited knowledge surrounding the issues and concerns of nuclear waste management it was quite a learning curve for all those involved. The material that was utilized came by way of an informational kit which included the following;

- 1) AFN Fact Sheet January 2005 Appendix B
- 2) AFN Nuclear Dialogue power point presentation Appendix A
- 3) AFN bottled water
- 4) AFN video
- 5) Reference materials to nuclear related items

- 6) NWMO Choosing A Way Forward, Executive Summary Draft Study Report
- 7) NWMO Understanding the Choices dvd
- 8) NWMO Choosing a Way Forward Draft Study Report

The presentation for each of the dialogues varied as there were different individuals for each session. The facilitators that were involved in facilitating some of these dialogues included:

- Gene Ouellette – FSIN L&R Nuclear Waste Coordinator
- Delbert Wapass – 3rd Vice Chief FSIN
- Dawn Pratt – AFN Regional Nuclear Waste Coordinator

4.0 OBSERVATIONS

4.1 Power Point Presentation - Appendix A

The power point presentation was used to get everyone aware of what exactly nuclear waste is and what are the issues and concerns around nuclear waste management. This was a useful exercise since this was the first time that many participants had been introduced to nuclear waste and the issues and concerns associated as such. The questions that were consistently being brought forward during the power point presentation included:

- Why is it only now that we are being asked
- Would the government still do what they want anyway
- If this is such an issue why is it being brought to us to solve when we were not the ones that created this problem
- Does FSIN take responsibility of what might happen
- Can we have our own scientists research this
- Can you see radiation
- How is nuclear power created

- Could fuel rod bundles be taken apart to make the waste smaller
- Could the waste be stored in mountains like they do in the states

These were some of the immediate questions that were brought forward by a number of the participants.

The 4 questions that were put forward by the NWMO for participants to consider in providing recommendation included:

- 1) Is the NWMO recommended approach appropriate for Canada
- 2) Is it consistent with Traditional Knowledge and Wisdom
- 3) What are the conditions required to successfully implement the approach; are there suggestions for improving it
- 4) What special aboriginal insights and/or concerns should be kept in mind by NWMO as implementation proceeds.

The material that was presented was overwhelming. It would take some time for the participants to fully understand what was presented and were expected to offer constructive feedback. The majority of participants felt that there should be some follow up so we could go back into the communities and sit down with them in a more meaningful manner.

4.2 VIDEO

The AFN video was presented to the participants once the presentation was completed. The video was produced by the AFN with a strong First Nations involvement and as a result was well received by the participants.

Some of the verbatim feedback that was received from the participants after viewing the video:

- if the First Nations in Ontario don't like nuclear waste how are we any different

- Phil Fontaine and David Suzuki know what they're talking about, we should listen to them
- We have enough health problems without having nuclear waste, this could destroy our lands and us forever
- The uranium that is mined here in Saskatchewan is mined for what it is, we did not make nuclear waste out of the uranium
- We cannot jeopardize our Treaty rights
- What is going to happen to the fish that we have now, we have to be careful not to unbalance Mother Earth
- We barely live off the land now and if we take this waste it could destroy any chance of us living off of it in the future

There was a considerable amount of discussion after the participants had viewed the video and having been able to listen to other First Nations concerns only heightened their own.

4.3 TRADITIONAL KNOWLEDGE

The issue of traditional knowledge was also brought forward by many of the participants. The question that came out of the discussions is that how can we have traditional knowledge of something that has never been traditional. We have no experience in dealing with nuclear waste. They felt that the waste is something new that has just been created and that we don't have any way of dealing with this in a traditional way. The communities that we had presented to did not have first hand experience in dealing with uranium mining and did not feel comfortable in speaking to what traditional knowledge would look like.

An attempt was made to dialogue with the Athabasca First Nations. These areas have a strong familiarity with the uranium mining industry. Time did not permit dialogue to take place with them.

4.4 TIMING

These were the formal discussions that took place during the presentations. More time is required with the participants from the communities in order for them to fully appreciate the significance and potential impact that this issue has to First Nations people and their lands. There have been other First Nations that have expressed serious interest in being involved but given that it was summer, it was difficult to schedule time with the community for a dialogue. Many communities were very receptive to a presentation in the fall.

The communities expressed how pleased they were with the FSIN's involvement in ensuring that Saskatchewan's First Nations voices are heard.

It was strongly emphasized that not only more presentations are required, but more lengthy dialogue has to occur with the communities.

4.5 ENVIRONMENTAL CONCERNS

The participants did not fully understand the effects of storing nuclear waste and the impact this would have on Mother Earth. After presenting the information regarding the life span of fuel rod bundles, the participants could not imagine the seriousness, given that we are talking of the life span of rod bundles into the thousands of years.

- we as humans are not aware of anything that could live that long
- all it would take is one accident to happen and all living things could be destroyed
- our lands are not in the best shape now with all the development and pollution that occurs without us even knowing

- what would happen to our water, I don't feel safe drinking it now, would a dog feel safe drinking the water knowing that there is nuclear waste underneath
- all living things are going to have a glow to it from the radiation

4.6 STORAGE

Many of the participants did not like the fact that Saskatchewan is identified as being a possible province to store the waste.

- why should we take it back, that is not the form that we sent it out of province as
- Western Canada is a dumping ground, we have no nuclear power in Western Canada
- we need to protect what we do have in the shape that it is in now
- Saskatchewan is always seen as a dumping ground for the rest of the country

The deep geological storage was presented with the following comments:

- if they are shutting down the research lab in Manitoba, maybe they know something that we don't
- maybe the Saskatchewan Research Council should get involved in monitoring the safety of nuclear waste
- the formations could crack and leak into our lakes and rivers
- earthquakes happen all the time, it would only be a matter of time before one happens to shake up the Canadian Shield
- if there is so much heat coming from the fuel rods could they heat the ground and cause changes in the environment and weather
- Osama bin Laden might be coming after Saskatchewan if he knows we have nuclear waste

Centralized storage was also presented and the participants provided some of the following comments:

- it would be too easy of a target for terrorist attacks
- a plane could crash into it and destroy the entire country
- if it were below ground wouldn't it heat everything up
- security of storage facilities would have to be very strong, our military is not strong
- what happens if there were a nuclear meltdown
- the transportation of the waste to these facilities could be hi-jacked and stolen to make atomic bombs

Storage at nuclear reactor sites was presented and the following comments were made:

- leave it there since that is where it was created
- they benefit from the power that is generated that is the price that they have to pay
- if we had nuclear power we should then have to come up with a solution
- why make it a national issue when the country does not benefit from it
- they should have thought about the waste before they started with nuclear power

4.7 First Nation Selection

The First Nations that were selected reflected the diverse backgrounds that were required. A strong effort was made to dialogue with those First Nations that have the history in uranium mining. But given the time frame, it did not permit us to be able to present to these groups.

The First Nations that FSIN Lands & Resources did contact were receptive to a presentation because of the strong relationships that FSIN

has with the First Nations. This trust relationship allowed many doors to open for this project.

An emphasis was also placed on First Nations that might not have to deal with nuclear waste, but would be impacted by it on a global basis.

5.0 RECOMMENDATIONS

"The issue of managing nuclear waste is an issue that is very serious and will not go away, ever. In order for us, as First Nations to exist, we need to pay a considerable amount of attention to nuclear waste even though we did not create it or benefit from it."

Chief Daryl Watson
Mistawasis First Nation

It is not advisable for FSIN Lands & Resources to make final recommendations on behalf of the 74 First Nations. All we can do is present a summary of the discussions that took place with the 12 First Nations and/or organizations that participated in these dialogues. The recommendations that are outlined below are some of the findings we encountered when dealing with our own First Nations:

- 1) FSIN has to take more time in creating awareness to the 74 First Nations of Saskatchewan;
- 2) FSIN needs to hire their own researchers/scientists to complete studies on nuclear waste;
- 3) FSIN to find out what positives there are in storing nuclear waste;
- 4) FSIN has to consider Treaty Rights/Aboriginal Rights;
- 5) FSIN requires adequate resources to fully educate and inform every First Nation individual; and
- 6) NWMO to provide more financial resources to fully complete meaningful dialogue with all 74 First Nations.

Appendix C

Federation of Saskatchewan Indian Nations

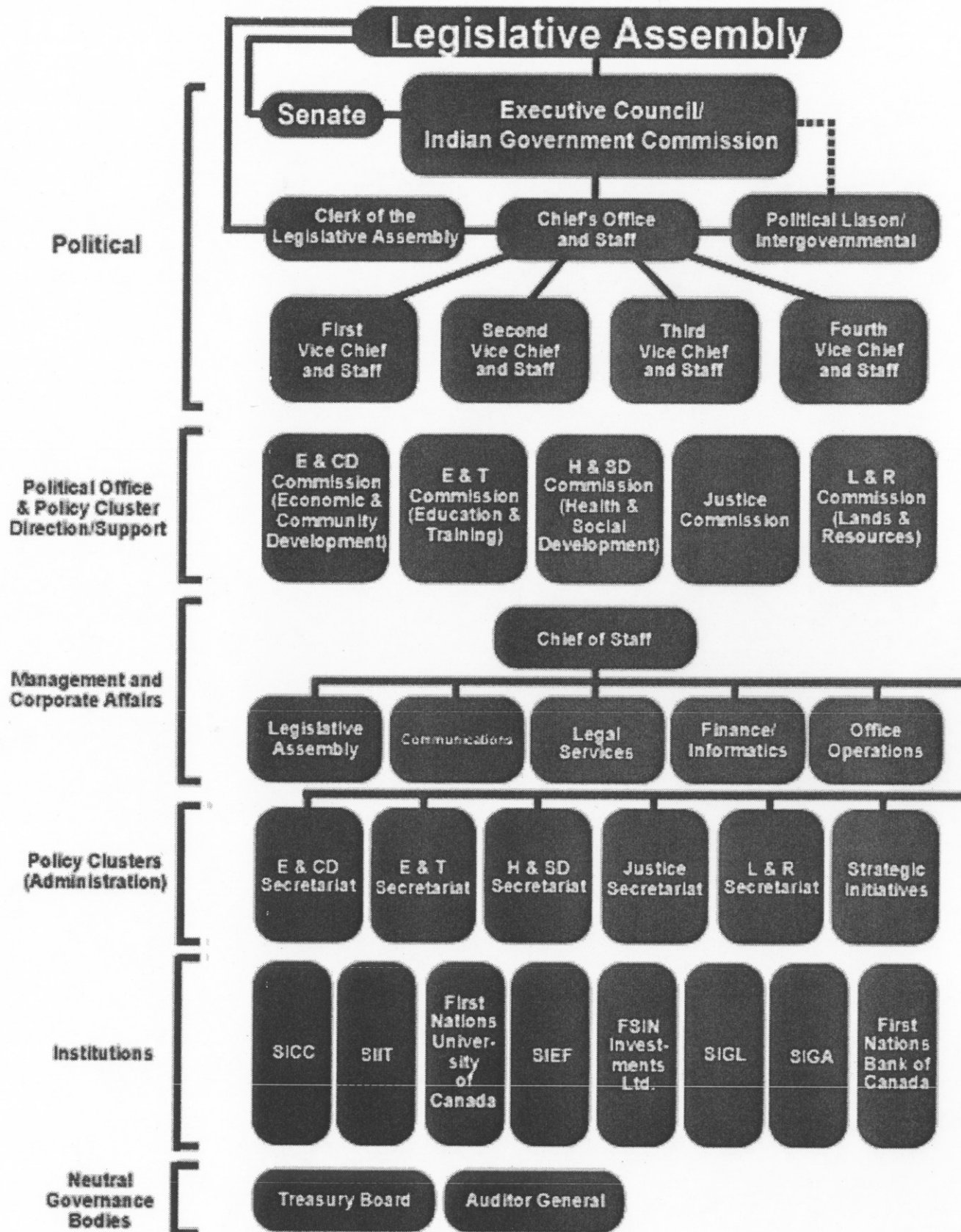
Many of the culture and traditions of First Nations people in Saskatchewan flow from the teachings and practices of our forefathers and Elders of today. Our forefathers, who entered into Treaties with the Crown, did so with the intention of establishing mutually beneficial arrangements between the Crown and First Nations. The Chiefs and Headsmen who negotiated the Treaties also had the wisdom and forethought to provide for our generation and those yet to come.

The Federation of Saskatchewan Indian Nations represents 74 First Nations in Saskatchewan. The Federation is committed to honouring the Spirit and Intent of the Treaties as well as the promotion, protection and implementation of Treaties that were made with the First Nations more than a century ago.

Many of the culture and traditions of First Nations people in Saskatchewan flow from the teachings and practices of our forefathers and Elders of today. Our forefathers, who entered into Treaties with the Crown, did so with the intention of establishing mutually beneficial arrangements between the Crown and First Nations. The Chiefs and Headsmen who negotiated the Treaties also had the wisdom and forethought to provide for our generation and those yet to come. The goals and objectives of the FSIN are:

- The protection of Treaties and Treaty Rights
- The fostering of progress in economic, educational and social endeavors of First Nation people
- Co-operation with civil and religious authorities
- Constructive criticism and thorough discussion on all matters
- The adherence to democratic procedure
- The promotion of respect and tolerance for all people.

The Federation of Saskatchewan Indian Nations is governed by a legislative body which is also overseen by the legislative assembly and is structured as such;



Appendix D

History of FSIN

“Many First Nation men had enlisted to go into battle during World War I, despite the fact that their Treaties exempted them from having to serve in any of Great Britain's conflicts. For most of them, their service overseas was the first taste of life beyond the Indian Act. However, their freedom was short lived. Those who survived the war returned to find that nothing had changed. These young men were denied benefits given to other Veterans and were still expected to submit to the existing government policy. Their experiences overseas however had opened their eyes to their common problems of poor living conditions and government bureaucracy. As a result, things began to change significantly in First Nations politics.

A Mohawk Indian by the name of Lieutenant Frederick Loft sought an audience with the Privy Council and the King of England regarding the serious problems facing First Nations people throughout Canada. Both the Privy Council and the King encouraged Lt. Loft to organize his cause and upon his return to Canada, he did just that.

In 1919, Lt. Loft became instrumental in the establishment of the Indian League of Canada situated in Ontario. Its constitution was subsequently passed and adopted. The League's first goal was to protect the rights of all First Nations people in Canada.

In 1921, the Annual Congress of the Indian League of Canada was held at the Thunderchild First Nation in Saskatchewan. For many of the Saskatchewan delegates who attended and participated, it was their first experience with organized Indian politics on a broad scale.

John Tootoosis of the Poundmaker First Nation was one of the delegates at this meeting. During this time period, Tootoosis became extensively involved in these political changes. In 1929, the Indian League of Canada was renewed in the Treaty 6 area and became known as the League of Indians of Western Canada. John Tootoosis became the first president of this regional organization. Residential schools and land issues were considered to be the key concerns of the day.

At approximately the same time the League of Indians of Western Canada was making inroads in Saskatchewan, a group of Treaty No. 4 First Nations; Pasqua, Piapot, and Muscowpetung, formed the Allied Bands. The leaders, Ben Pasqua, Andrew Gordon, Pat Cappel, Charles Pratt, Harry Ball and Abel Watetch, joined together to express their displeasure over the Soldier Settlement Act.

Under this federal legislation, First Nation veterans were eligible for land just like non-First Nation soldiers. However, the land allocated for First Nation veterans came from existing reserves. As a result, the First Nations' land base was being eroded and many people were beginning to voice their concern.

The Allied Bands soon expanded into the Fort Qu'Appelle area becoming the Saskatchewan Treaty Protection Association. In 1933, the organization again changed its name to better reflect its mandate, becoming the Protective Association for Indians and their Treaties. They adopted the mandate to protect Treaty Rights, Indian Lands and Resources and to work for better education in schools on reserve.

Another First Nation organization was formed in Saskatchewan in 1943. The new group, the Association of Saskatchewan Indians led by Joe Dreaver, quickly became one of the largest in the province.

First Nation political organizations took a major step forward in 1946 when then Premier of Saskatchewan, T.C. Douglas became involved. Premier Douglas was concerned about the plight of First Nation people in Saskatchewan. He was interested in helping to unite the three major First Nation organizations in the province.

A 1946 meeting of the League of Indians of Western Canada was convened at Duck Lake, Saskatchewan. Henry John of the Protective Association and Joe Dreaver of the Association of Saskatchewan Indians were both invited to attend.

The issue of amalgamating the three provincial organizations was discussed at great length during the Duck Lake meeting. The consensus was that one collective, provincial voice would help unify Saskatchewan First Nations' position.

Later that year a second meeting on this issue was held at the Barry Hotel in Saskatoon. It was at this meeting that the three provincial First Nation organizations joined forces to

become the Union of Saskatchewan Indians. The delegates elected John Tootoosis as President, John Gambler as Vice-President and passed a new constitution.

The Union of Saskatchewan Indians identified the following goals:

- The protection of Treaties and Treaty Rights
- The fostering of progress in economic, educational and social endeavours of First Nation people
- Co-operation with civil and religious authorities
- Constructive criticism and thorough discussion on all matters
- The adherence to democratic procedure
- The promotion of respect and tolerance for all people

It was in 1958, the Saskatchewan First Nations organizations became the Federation of Saskatchewan Indians (FSI). The following year the structure of the FSI was determined.

For more than two decades, the FSI worked towards fulfilling its mandate, which was centered on the protection of Treaties and Treaty Rights. Significant progress was made in a number of areas.

New inroads were made in education with a 1972 policy paper that called for "Indian Control of Indian Education". Shortly after, band controlled schools were established to replace residential schools.

The FSI also established various institutions such as the Saskatchewan Indian Cultural College (now called the Saskatchewan Indian Cultural Centre) in 1972 as a teaching institution. As demand for programs grew over the years, the FSI initiated other institutions. The Saskatchewan Indian Federated College, the Saskatchewan Indian Equity Foundation and the Saskatchewan Indian Institute of Technologies were all established by the FSI, as they continued to meet the increasing educational needs of Saskatchewan First Nations.

Despite the progress that the FSI was making on behalf of First Nations people in Saskatchewan, concerns were raised regarding the non-profit status of the organization. It was felt it did not accurately reflect the organizations changing nature or mandate.

In keeping with these concerns, a massive re-organization of the FSI was undertaken. On April 16, 1982 Saskatchewan Chiefs agreed to form Canada's first Indian Legislative Assembly. The political convention they signed restructured the FSI. As a result, the provincial governing body was no longer a non-profit organization but a true Federation of Nations. It was at this time the FSI expanded its name to the Federation of Saskatchewan Indian Nations (FSIN).

The Chiefs gained control of the executive and administrative functions of First Nation government at the band, tribal council and provincial level.

A resolution was adopted on October 19th, 1982 to draft the Provisional Charter of the Federation of Saskatchewan Indian Nations. This charter is now known as the Convention Act, which outlines the governing body and structure of the Federation of Saskatchewan Indian Nations. The first Legislative Assembly of the Chiefs of Saskatchewan was held one year later on October 19th, 1983.

Since that first Assembly, Saskatchewan Chiefs have made significant progress in the struggle toward recognition of Treaty Rights and the creation of a better future for First Nation people. For more than fifty years now the Chiefs have worked as a collective, unified voice for the protection and implementation of Treaty Rights.

Since then the Federation of Saskatchewan Indian Nations has become one of the most respected and influential First Nations political bodies in the country."