# Federation of Saskatchewan Indian Nations Year End Report 2012-2013

**APM-REP-00621-0004** **June 11, 2013**

**Federation of Saskatchewan Indian Nations**

nwmo
NUCLEAR WASTE MANAGEMENT ORGANIZATION
SOCIÉTÉ DE GESTION DES DÉCHETS NUCLÉAIRES

Indian Governments of Saskatchewan

Federation of Saskatchewan Indian Nations

# Year-End Report 2012-2013
# Information Sessions regarding NWMO

**Prepared by:**
**Lands and Resources Secretariat**
**Federation of Saskatchewan Indian Nations**

**-Submitted to-**
**Nuclear Waste Management Organization**

**Date Submitted: June 11, 2013**

## Staffing Report:

The following is the list of the FSIN Lands and Resources staff positions and contractors under the Executive Director for the fiscal year 2012/2013:

A. Marlene Lumberjack, FSIN-NWMO Technician / Interim Executive Director
B. Chris Morin, Interim Executive Director
C. Brian Scribe, FSIN-NWMO Technician
D. Josephine Williams, Administrative Assistant
E. Milton Gamble, Consultant
F. Barbara Lavallee, Consultant

## Financial Update:

Confirmed: NWMO - $577,544.00 (Salaries, travel, 10% FSIN fee, office operations, information sessions, Lands and Resources Commission, and FSIN discretionary).

The FSIN annual audited report will be provided to you by July 31, 2013.

## Introduction

The Federation of Saskatchewan Indian Nations (FSIN) Lands and Resources Secretariat (LRS) has recently expended the third year of funds available under the Contribution Agreement between the Nuclear Waste Management Organization (NWMO), and is pleased to provide the NWMO with the 2012-2013 FSIN-NWMO Contribution Agreement Year-End Report.

The term of the Agreement was for October 1, 2010 to March 31, 2013 with potential extension of long-term funding pending activity in Saskatchewan. The purpose of the Agreement was, and continues to be, to build internal capacity within the FSIN that will provide education and awareness to all First Nations and Tribal/Agency/Grand Councils in Saskatchewan involved in the NWMO's site selection process for Adaptive Phased Management and general information to all First Nations in Saskatchewan.

The Agreement includes the FSIN along with the NWMO staff to conduct informational sessions with the 10 Tribal/Agency/Grand Councils and 11 independent bands on three phases. The completion of the Agreement was scheduled for March 31, 2013.

The NWMO will provide an opportunity for interested individuals, organizations and communities to learn more about Canada's plan for the long-term management of used nuclear fuel, the activities of the NWMO, and the process it will use to select an informed and willing community to host this project. Communities that express interest in learning more are *not* obliged to participate in the site selection process. The site ultimately selected for the project must meet a robust set of technical safety requirements.

## Background

The FSIN is the provincial organization representing the 74 First Nations governments and ten Tribal Councils within the Province of Saskatchewan. One aspect related to the mandate of the FSIN is to ensure that the interests and needs of the First Nations are addressed, which includes the commitment that First Nations are given equal opportunities to access and participate in resource developments that will enhance and improve the lives of First Nation citizens.

Since 2007, the FSIN has been in discussions with the NWMO. The primary goal was to initiate a process where FSIN would engage First Nations and share information regarding the long-term management, storage and transportation of used nuclear fuel.

On January 20, 2009 the FSIN Chiefs of the Lands and Resources Commission passed Motion #09-131, *Nuclear Waste Management Organization* (January 20, 2009) mandating the FSIN Lands and Resources Secretariat to assume responsibility for coordinating the NWMO site selection discussions with First Nations. The Commission recognized that it was, and is still, important for the First Nation leadership to be well-

informed about both, the positive and negative aspects of the issues surrounding industry and the storage of nuclear fuel storage.

In September, 2010, an agreement was reached between the FSIN and the NWMO. Its purpose was to build internal capacity within the FSIN on used nuclear fuel management so that the FSIN might support and provide independent advice to individual First Nations in Saskatchewan involved in the NWMO's site selection process for Adaptive Phased Management and general information to all First Nations in Saskatchewan.

In October, 2010, the FSIN Lands and Resources Commission passed Motion #10-023, *Authorization to Proceed with Educating and Fully Informing First Nations on Storage of Nuclear Waste* (October 12, 2010) authorizing the FSIN Lands and Resources Secretariat to sign the funding agreement with the NWMO and deliver the education and awareness workshops with all First Nations and Tribal/Agency/Grand Councils in Saskatchewan.

## 1. FSIN Mandate

The FSIN mandate includes the promotion and protection of First Nations' Inherent and Treaty rights; the FSIN has consistently taken the position that consultation with First Nations must occur on any developments that have the potential to impact First Nations' rights. This consultation requirement applies to the NWMO, inclusive of designing the process for site selection, the implementation of selecting a site, the actual site selection process, and beyond.

The Chiefs in Saskatchewan, through Resolution #1627, *First Nations Strategy on Consultation, Accommodation and Resource Revenue Sharing*, directed the FSIN to support and/or work with the Tribal, Agency and Grand Councils, the Independent First Nations and the Treaty organizations to develop a unified declaration and strategy on consultation and accommodation.

The FSIN continues to work with First Nations in developing a consultation process that will further the complimentary goals of developing long term sustainability, achieving peace and reconciliation, and creating certainty and predictability over lands and resources in Saskatchewan. First Nations have directed that the *First Nations Strategy on Consultation, Accommodation, and Resource Revenue Sharing* be based on First Nation Inherent and Treaty rights, including the following Treaty Implementation Principles:

1. We, the First Nations, come from Mother Earth, and this determines our relationship with nature, our role as stewards of this land, and all forms of life and our sovereignty;
2. We, the First Nations, occupied North America as sovereign Nations long before other people came to our shores;
3. We, the First Nations, have always made our own laws, institutions and jurisdiction, which reflects our cultures, values and languages;

4. Our sovereignty enables us to enter into Treaty and other political accords with other Nations;
5. The *Royal Proclamation of 1763* affirmed our sovereignty, institutionalized the Treaty-making process, and made our consent a condition before our lands and resources could be alienated;
6. First Nations and the Crown affirmed each other's sovereignty in the Treaty process;
7. Our sovereignty will continue forever and will continue to define our nationhood forever;
8. Our Treaty has international stature;
9. The spirit and intent of the Treaty relationship is more valid than the written text and will last "as long as the sun shines, the rivers flow and the grass grows;" and
10. Canada has an on-going obligation to fulfill the Treaty according to the Spirit and Intent.

In addition, the First Nations consultation process will always ensure that the following legal principles, which have been established by the Courts, are respected and upheld:

1. Consultation is an ongoing process and is <u>always</u> required (*Haida*);
2. Consultation is a "two-way" street with obligations on each side (*Ryan, Halfway River*);
3. Consultation and accommodation are constitutional obligations (*Kapp*);
4. First Nations' input must be seriously considered, substantially addressed and, as the context requires, may require accommodation (*Mikisew, Halfway River*);
5. Stakeholder processes will not be sufficient to discharge the Crown's duty to consult (*Mikisew*) nor will public processes open to First Nations, such as participation in Public Hearings, be sufficient to discharge the Crown's duty to consult (*Dene Tha'*);
6. The Crown has a <u>positive obligation</u> to provide full information on an ongoing basis, so that First Nations can understand potential impacts of decisions on their rights (*Jack, Sampson, Halfway River*) and such information must be responsive to what the Crown understands to be the concerns of the First Nations (*Mikisew*);
7. The Crown must properly discharge both its procedural and substantive duties in any consultation process (*Mikisew*) and a failure to properly satisfy process-related concerns of First Nations, irrespective of the ultimate impact on substantive rights, may be a basis upon which a decision can be struck down (*Mikisew*);
8. The Crown must have sufficient, credible information in decision making and must take into account the long-term sustainability of section 35 rights (*Roger William*);
9. The purpose of consultation is reconciliation and not simply the minimization of adverse impacts (*Dene Tha'*);
10. Consultation must take place early, before important decisions are made – at the "strategic planning" stage (*Haida, Dene Tha', Squamish Nation*);

11. Consultation cannot be postponed to the last and final point in a series of decisions (*Squamish Nation*);
12. Consultation is required in respect of the design of the consultation process itself (*Huu-ay-aht*);
13. First Nations must be consulted about the design of environmental and regulatory review processes (*Dene Tha'*);
14. Consultation cannot just be in respect of "site specific impacts" of development – but must also focus on the cumulative impacts, derivative impacts, and possible injurious affection resulting from development (*Dene Tha', Taku River, Mikisew, Roger William*);
15. The Crown must approach consultation with an open mind and must be prepared to alter decisions depending on the input received; (*Haida*) and
16. Consultation cannot be determined simply by whether or not a particular process was followed, but on whether the results are "reasonable" in light of the information presented, degree of impacts, and related matters. (*Wil'itsxw).*

## 2. Deliverables

The primary deliverable was to ensure that First Nations in Saskatchewan are informed and educated on the NWMO and its processes for implementing Adaptive Phased Management and the site selection process, as it relates to the Province of Saskatchewan.

The Executive Director was responsible for:

- Implementing the NWMO/FSIN work plan;
- Adherence to FSIN legislation, policies and regulations;
- Adherence to the direction established by the Chiefs-in-Assembly under resolutions dealing with consultation, accommodation;
- Engaging contractors (i.e. Technical experts and Legal Advice); and
- Reporting to the Vice Chief, and supporting the Vice Chief to report to the Lands and Resources Commission Chiefs, and the FSIN Chiefs' Legislative Assembly.

The Project Director was responsible for:

- Reporting to the Executive Director;
- Research and policy analysis;
- Establishing working relationships with relevant agencies and organizations;
- Communications, through the Vice Chief's office, with Tribal Councils and First Nations;
- Providing research and technical support to First Nations;
- Acting as a liaison between the NWMO and the FSIN;
- Identifying potential First Nation organizations and assess their interest;
- Organizing, coordinating and facilitating the NWMO sessions; and
- Develop and complete annual and technical reports.

The NWMO was responsible for:

- Increasing awareness about the long-term care of used nuclear-fuel, the siting process and the NWMO policies and protocols;
- Providing relevant information that would meet the needs of First Nations;
- Adhere to FSIN policies and protocols related to customary practices;
- Increasing/enhancing its working relationship with FSIN; and
- Providing the FSIN with an opportunity to review any final documents in draft before release.

### 2.1 Salary & Benefits

- Marlene Lumberjack: Salary and benefits during time that Brian Scribe was employed; Salary and benefits for remainder of year;
- Chris Morin: Salary and benefits during time that Brian Scribe was employed; Salary and benefits for remainder of year;
- Patrick Derocher: Salary and benefits during the time he was employed with the FSIN; Replaced by Brian Scribe;
- Brian Scribe: Salary and benefits for the term of his employment on the NWMO file with the FSIN; and
- Josephine Williams: Administration support to Chris Morin and Marlene Lumberjack; Portion of salary & benefits.

### 2.2 Consultants

Milton Gamble

- First Nation Elder Liaison - engaged First Nations' Elders and facilitated work with them at each of the NWMO Information Sessions.

Barbara Lavallee

- Catering Contractor for Environmental Youth Council Kee-Way-Tahn Youth Culture Camp July 8-12, 2012 and Northern Trappers Association meetings. The NWMO component was presented at both gatherings.

Turnstone Security Ltd.

- Contractor provided security for Environmental Youth Council Kee-Way-Tahn Youth Culture Camp from July 8-12, 2012, where the NWMO component was presented.

### 2.3 FSIN Information Sessions

The FSIN was to develop, facilitate and coordinate information sessions under which First Nations would receive timely and relevant information regarding the NWMO and its proposed process. The FSIN has a long-term and well-established relationship with the 74 First Nations which has continued to allow for easy distribution of information required for analysis and discussion. The Project Director was to coordinate, monitor and provide analysis throughout the entire

process. Subject experts were to be contracted by the FSIN for internal capacity requirements.

**Regina Meeting of February 20, 2013**

The discussion included an overview of nuclear waste, the safety and security of transporting and the storage of used nuclear fuel. There were concerns about whether an emergency response plan would be in place in the event of a natural disaster, as well as, who will be liable if such a disaster was to occur? Many participants questioned the structure of the storage containers and specifically, how the NWMO gathered their information and research. Also, at what stages of the Adaptive Phased Management process will First Nations be formally consulted by government? When will the duty to consult be triggered?

-12 Participants:

- 3 FSIN (Including Vice Chief Bobby Cameron, Chris Morin and Marlene Lumberjack)
- 4 NWMO (Including Pat Patton, Janice Hudson, Andre Vorauer and Lawrence Joseph [Liaison with the NWMO])
- Ocean Man First Nation – 1
- Piapot First Nation – 2
- Ochapowace First Nation – 1
- Sakimay First Nation – 1

**Saskatoon Meeting February 21, 2013**

At this meeting, transportation, storage facilities, risk and risk scenarios, and multi-barrier systems were discussed. Many questions were raised in regard to the multi-barrier systems utilized during the Adaptive Phase Management and whether water can enter the storage cells at any time during their lifecycle. Many First Nations wanted more information in terms of risk and risk scenarios regarding Nuclear Waste, including worst case scenarios and whether the facility would impact on the surrounding water bodies?

A participant questioned the laws and regulations regarding the storage and transportation of used nuclear fuel and whether the NWMO is required to have third party reviews of its work. Another question was what other models exist, today, in Canada and around the world, that utilize this type of facility? Participants had expressed their concern about Nuclear Waste Storage in Saskatchewan and mentioned that currently, there is a petition to *oppose* a Nuclear Storage facility in Saskatchewan circulating around the province.

-18 Participants:

- 3 FSIN (Including Vice Chief Bobby Cameron, Chris Morin and Marlene Lumberjack)

- 4 NWMO (Including Pat Patton, Janice Hudson, Andre Vorauer and Lawrence Joseph [Liaison with the NWMO])
- Ahtahkakoop First Nation – 1
- Beardy's & Okemasis First Nation – 3
- Kinistin First Nation – 2
- Red Pheasant First Nation – 1
- Onion Lake Cree Nation – 1
- Waterhen First Nation – 1
- Sweetgrass First Nation – 1
- Yellowquill First Nation – 1

**Prince Albert Meeting February 22, 2013**

First Nation participants voiced their concerns about the hazards associated with storing and transporting used nuclear waste in Saskatchewan and questioned the safety in storing/transporting nuclear waste. The participants were concerned that there may be health effects associated with both, the short and long term storage of nuclear waste. They wondered if the NWMO and Canada have a contingency plan in place in the event of a natural disaster involving nuclear waste. Many participants raised concerns about the structure of the containers during various phases of the Adaptive Phased Management Model. The duty to consult and accommodate was also addressed at this information session, and it was explained by the hosts that these sessions were information gatherings only.

-26 Participants:

- 4 FSIN (Including Vice Chief Bobby Cameron, Chris Morin, Marlene Lumberjack and Josephine Williams)
- 4 NWMO (Including Pat Patton, Janice Hudson, Andre Vorauer and Lawrence Joseph [Liaison with the NWMO])
- Metis Nation of Saskatchewan – 1
- Prince Albert Grand Council- 3
- Lac La Ronge Indian Band – 5
- James Smith Cree Nation– 1
- Beardy's First Nation – 2
- English River First Nation – 3
- Muskoday First Nation – 2
- Muskeg Lake Cree Nation – 1

## 2.4 Office Operations

Specific project-related expenses of an administrative nature, for example, printing or photocopying of material specifically for programs directly related to the agreed project activities or the funds described in the amended budget as "Office Operations/Direct Project Related Costs" will be considered in addition to

the Administration percentage and are identified in this Agreement with the Organization as part of the agreed project costs.

### 2.5 FSIN Discretionary Funding

Expenses were required to improve distribution of information to communities and its members who reside off the reserve. In addition, this category includes the travel costs for Chiefs that the Executive Member in charge of the Lands and Resources Portfolio needed to meet with during the year who might not otherwise have been able to attend Information Sessions.

The FSIN understands the importance of Chief and Council providing as much information to their membership, thus providing nominal travel assistance to reimburse their travel expenses. The Chiefs and councillors would attend urban meetings in different urban areas to share information received on the NWMO's presence in Saskatchewan. The purpose for these off-reserve meetings was to provide information and awareness to the membership as required by each First Nation. Chief and council must consult with all band members of their dialogues and disclose all information of particular importance. The information that was shared included compact discs containing the NWMO information on "Managing Canada's Used Nuclear Fuel, Transporting Canada's Used Nuclear Fuel to a Central Repository, and Safely Managing Used Nuclear Fuel in Canada".

The following will provide information on meeting dates, First Nations involved and total number of membership:

1. Saskatoon Meeting April 4, 2012
    a. Beardy's & Okemasis First Nation – 1 member
2. Lloydminster Meeting April 10-12, 2012
    a. Piapot First Nation – 1 member
    b. Peter Ballantyne Cree Nation – 1 member
3. Edmonton Meeting April 1-12, 2012
    a. Red Pheasant First Nation – 2 members
4. Regina Meeting April 10-12, 2012
    a. Ahtahkakoop First Nation – 1 member
    b. Fond Du Lac Denesuline Nation – 1 member
    c. James Smith Cree Nation – 1 member
5. Regina Meeting April 13-16, 2012
    a. Moosomin First Nation – 1 member
    b. Montreal Lake Cree Nation– 1 member
    c. Witchekan Lake First Nation – 1 member
    d. Pelican Lake First Nation – 1 member
6. Prince Albert Meeting April 13-15, 2012
    a. Kawacatoose First Nation – 1 member
7. Saskatoon Meeting April 17-18, 2012
    a. English River First Nation – 1 member
    b. Saskatoon resident – 1 person

8. Prince Albert Meeting April 20-22, 2012
    a. Standing Buffalo Dakota Nation – 1 member
9. Regina Meeting April 20-22, 2012
    a. Sweetgrass First Nation – 1 member
    b. Big River First Nation – 1 member
10. Morley, Alberta Meeting April 23-26, 2012
    a. Big River First Nation – 1 member
11. Regina Meeting April 27-30, 2012
    a. Witchekan Lake First Nation – 1member
    b. Peter Ballantyne Cree Nation – 1 member
    c. Mistawasis First Nation – 1 member
12. Prince Albert Meeting May 2-4, 2012
    a. Fishing Lake First Nation – 1 member
    b. Witchekan Lake First Nation – 1 member
    c. Black Lake Denesuline Nation – 1 member
    d. Cumberland House Cree Nation – 1 member
    e. Mistawasis First Nation – 1 member
    f. Red Pheasant First Nation – 1 member
    g. George Gordon First Nation – 1 member
    h. Onion Lake Cree Nation – 1 member
    i. Pelican Lake First Nation – 1 member
13. English River First Nation Meeting May 7- 9, 2012
    a. Meadow Lake Tribal Council – 1 member
14. Saskatoon Meeting May 10, 2012
    a. Sturgeon Lake First Nation – 1 member
    b. Beardy's & Okemasis First Nation – 1 member
15. Regina Meeting May 11-13, 2012
    a. Canoe Lake First Nation – 1 member
    b. Lac La Ronge Indian Band– 1 member
16. Little Pine First Nation Meeting May 12, 2012
    a. Sturgeon Lake First Nation – 2 members
    b. Beardy's & Okemasis First Nation – 1 member
    c. Little Pine First Nation – 1member
17. Prince Albert Meeting May 16-19, 2012
    a. Cowessess First Nation – 1 member
18. Yorkton Meeting May 16-17, 2012
    a. Onion Lake Cree Nation – 1 member
19. Regina Meeting May 18-21, 2012
    a. Shoal Lake Cree Nation – 1 member
20. Meadow Lake Meeting May 18-20, 2012
    a. Chakastaypasin First Nation – 1 member
21. Yorkton Meeting May 18-20, 2012
    a. Buffalo River First Nation - 1 member
22. Regina Meeting May 18-20, 2012
    a. Moosomin First Nation – 1 member
    b. Buffalo River First Nation - 1 member

23. Swift Current Meeting May 18-20, 2012
    a. Little Pine First Nation – 1 member
    b. Poundmaker First Nation – 1 member
24. Swift Current Meeting May24-26, 2012
    a. James Smith Cree Nation – 1 member
    b. Big River First Nation – 1 member
    c. Pelican Lake First Nation – 1 member
25. Meadow Lake Meeting May 25-27, 2012
    a. Peepeekisis First Nation – 1 member
26. Prince Albert Meeting May 25-27, 2012
    a. Starblanket First Nation – 1 meeting
27. Saskatoon Meeting May 26, 2012
    a. Sturgeon Lake First Nation – 2 members
    b. Beardy's & Okemasis First Nation – 1 member
28. Swift Current Meeting May 30-31, 2012
    a. James Smith Cree Nation – 1 member
29. Yorkton Meeting May 31-June1, 2012
    a. Poundmaker First Nation – 2 members
30. Meadow Lake Meeting May 31-June1, 2012
    a. Standing Buffalo Dakota Nation – 1 member
31. Regina Meeting June 1-3, 2012
    a. Birch Narrows First Nation – 1 member
    b. Big Island First Nation – 1 member
32. Lloydminster Meeting June 1-3, 2012
    a. James Smith First Nation – 1 member
33. Swift Current Meeting June 1-3, 2012
    a. Muskeg Lake Cree Nation – 1 member
34. Meadow Lake Meeting June 6-8, 2012
    a. George Gordon First Nation – 1 member
35. Prince Albert Meeting June 6-8, 2012
    a. Peepeekisis First Nation – 1 member
36. Regina Meeting June 6-8, 2012
    a. Cumberland House Cree Nation – 1 member
37. Meadow Lake Meeting June 5-7, 2012
    a. Ochapowace First Nation – 1 member
38. Pinehouse Meeting June 7-8, 2012
    a. Big River First Nation – 1 member
39. Meadow Lake Meeting June8-10, 2012
    a. Carry-the-Kettle First Nation – 1 meeting
40. Swift Current Meeting June8-10, 2012
    a. Sweetgrass First Nation – 1 member
41. Estevan Meeting June8-10, 2012
    a. Sweetgrass First Nation – 1 member
42. Prince Albert Meeting June8-9, 2012
    a. Sturgeon Lake First Nation – 2 members
    b. Beardys' & Okemasis First Nation – 1 member

    c. Poundmaker First Nation – 1 member
43. Waskesiu Prince Albert National Park Meeting
    a. Sturgeon Lake First Nation – 2 members
    b. Beardy's & Okemasis First Nation – 1 member
    c. Poundmaker First Nation – 1 member
    d. Saskatoon residents – 6 members
    e. Prince Albert resident – 1 member
44. Regina Meeting June13-15, 2012
    a. Pelican Lake First Nation – 1 member
    b. Sturgeon Lake First Nation – 1 member
    c. Mistawasis First Nation – 1 member
45. Swift Current Meeting June13-15, 2012
    a. Sturgeon Lake First Nation – 1 member
    b. Mistawasis First Nation – 1 member
46. Onion Lake Cree Nation Meeting June 13, 2012
    a. Sturgeon Lake First Nation – 2 members
    b. Beardy's & Okemasis First Nation – 1 member
    c. Onion Lake Cree Nation – 3 members
47. Prince Albert Meeting June 13-15, 2012
    a. Peepeekisis First Nation – 1 member
48. Meadow Lake Meeting June 13-15, 2012
    a. Peepeekisis First Nation – 1 member
49. Yorkton Meeting June 14-16, 2012
    a. Big River First Nation – 1 member
    b. South End First Nation – 1 member
    c. Peter Ballantyne Cree Nation – 1 member
50. North Battleford Meeting June 14, 2102
    a. Pasqua First Nation – 1 member
51. Saskatoon Meeting June 19-20, 2012
    a. Buffalo River First Nation – 1 member
52. North Battleford Meeting June 20-21, 2012
    a. Peepeekisis First Nation – 1 member
53. Yorkton Meeting June 20-22, 2012
    a. Sweetgrass First Nation – 1 member
54. Regina Meeting June 21-23, 2012
    a. Moosomin First Nation – 1 member
55. Maple Creek Meeting June 21-23, 2012
    a. Moosomin First Nation – 1 member
56. Yorkton Meeting June 22-24, 2012
    a. Pelican Lake First Nation – 1 member
57. Swift Current Meeting June 22-25, 2012
    a. Witchekan Lake First Nation – 1 member
58. Regina Meeting June 22-24, 2012
    a. Pelican Lake First Nation – 1 member
59. Estevan Meeting June 22-24, 2012
    a. Onion Lake Cree Nation – 1 member

60. Meadow Lake Meeting June 25-27, 2012
    a. Okanese First Nation – 1 member
61. Saskatoon Meeting June 28, 2012
    a. Sturgeon Lake First Nation – 1 member
62. Yorkton Meeting June 28-30, 2012
    a. Beardy's & Okemasis First Nation – 1 member
63. Regina Meeting June29-July 1, 2012
    a. Big River First Nation – 1 member
    b. Peter Ballantyne Cree Nation– 1 member
64. Meadow Lake Meeting July 6-8, 2012
    a. Kawacatoose First Nation – 3 members
    b. Sturgeon Lake First Nation – 3 members
    c. Beardy's & Okemasis First Nation – 1 member
    d. Mosquito Grizzly Bear's Head First Nation – 1 member
    e. Red Pheasant First Nation – 3 members
    f. Starblanket First Nation – 1 member
65. Swift Current Meeting July 9-10, 2012
    a. Shoal Lake Cree Nation – 1 member
    b. Standing Buffalo Dakota Nation – 1 member
    c. Big River First Nation – 1 member
    d. Buffalo River First Nation – 3 members
    e. Birch Narrows First Nation – 2 members
    f. Moosomin First Nation – 2 members
66. Yorkton Meeting July 11-12, 2012
    a. Muskeg Lake Cree Nation – 1 member
67. Regina Meeting July 11-13, 2012
    a. Muskeg Lake Cree Nation – 1 member
68. Maple Creek Meeting July 11-13, 2012
    a. Moosomin First Nation – 1 member
69. Regina Meeting July 19-22, 2012
    a. Sweetgrass First Nation – 1 member
    b. Prince Albert resident – 1 person
70. Prince Albert Meeting July 20-22, 2012
    a. Starblanket First Nation – 1 member
71. Whitebear First Nation Meeting July 28-29, 2012
    a. Big River First Nation – 1 member
72. Buffalo Narrows Meeting August 6-9, 2012
    a. Piapot First Nation – 1 member
73. Regina Meeting August 6-9, 2012
    a. Sturgeon Lake First Nation – 1 member
    b. Peter Ballantyne Cree Nation – 2 members
    c. Standing Buffalo Dakota Nation – 1 member
74. Yorkton Meeting August 9-12, 2012
    a. Sturgeon Lake First Nation – 1 member
    b. Poundmaker First Nation – 1 member
    c. Peter Ballantyne Cree Nation – 1 member

75. Meadow Lake Meeting August 10-12, 2012
    a. Standing Buffalo Dakota Nation – 1 member
76. Regina Meeting August 10-12, 2012
    a. Muskoday First Nation – 1 member
    b. Peter Ballantyne Cree Nation – 1 member
    c. Lac La Ronge Indian Band – 1 member
    d. Big River First Nation – 1 member
77. Swift Current Meeting August 10-12, 2012
    a. Peter Ballantyne Cree Nation – 1 member
78. Meadow Lake Meeting August 15-17, 2012
    a. James Smith Cree Nation – 1 member
79. Regina Meeting August 15-17, 2012
    a. Red Earth First Nation – 1 member
    b. Sturgeon Lake First Nation – 1 member
    c. Beardy's & Okemasis First Nation – 1 member
    d. Poundmaker First Nation – 1 member
    e. Little Pine First Nation – 1 member
    f. Ahtahkakoop First Nation – 1 member
80. Buffalo Narrows Meeting September 11-12, 2012
    a. Moosomin First Nation – 1 member
81. Estevan Meeting September 11-12, 2012
    a. Canoe Lake First Nation – 1 member
82. Regina Meeting September 11-12, 2012
    a. Canoe Lake First Nation – 1 member
    b. Saulteaux First Nation – 1 member
    c. Makwa Sahgaiehcan First Nation – 1 member
83. Swift Current Meeting September 11-12, 2012
    a. Canoe Lake First Nation – 1 member
84. Yorkton Meeting September 11-12, 2012
    a. Canoe Lake First Nation – 1 member
85. Fort Qu'Appelle Meeting September 21-23, 2012
    a. Beardy's & Okemasis First Nation – 1 member
86. Yorkton Meeting September 26-27, 2012
    a. Meadow Lake Tribal Council – 1 member
87. Montreal Lake FN Meeting November 2-4, 2012
    a. Big River First Nation – 1 member
    b. Beardy's & Okemasis First Nation – 1 member
88. Saskatoon Meeting December 14-16, 2012
    a. One Arrow First Nation – 1 member
89. Creighton Meeting December 19-21, 2012
    a. Beardy's & Okemasis First Nation – 1 member
    b. Moosomin First Nation – 1 member
90. Regina Meeting December 19-21, 2012
    a. Cumberland House Cree Nation – 1 member
91. Lloydminster Meeting January 28-30, 2013
    a. Beardy's & Okemasis First Nation – 1 member

b. Sturgeon Lake First Nation – 1 member

92. Meadow Lake Meeting – February 6-7, 2013
    a. Pelican Lake First Nations – 1 member
    b. Sakimay First Nation – 1 member
93. Prince Albert Meeting February 6-8, 2013
    a. Carry-the-Kettle First Nation – 1 member
94. Peter Ballantyne Cree Nation Meeting February 7-8, 2013
    a. Beardy's & Okemasis First Nation – 1 member
95. Creighton Meeting February 7-8, 2013
    a. Sturgeon Lake First Nation – 1 member
96. Ochapowace First Nation Meeting February 7-9, 2013
    a. Beardy's & Okemasis First Nation – 1 member
97. Regina Meeting February 20, 2013
    a. Nekaneet First Nation – 1 member
98. Saskatoon Meeting February 21, 2013
    a. One Arrow First Nation – 1 member
99. Prince Albert Meeting February 22, 2013
    a. Saskatoon Tribal Council – 1 member
100. Buffalo Narrows Meeting March 4-6, 2013
    b. Moosomin First Nation – 1 member
101. Regina Meeting March 4-6, 2013
    a. Moosomin First Nation – 1 member
    b. Beardy's & Okemasis First Nation – 1 member

### 2.6 FSIN Administration Fee

10% FSIN Administration Fee (non-funded areas include: finance, payroll, audit, legal services, computer services, human resources, reception, mail room, office manager, communications, legislative costs).

## 3. Capacity Development and Joint Work Plans

The ability of First Nations to assume greater control in resource management and environmental protection rests with their capacity to undertake such responsibilities. The key challenge in achieving this objective is the lack of understanding of their right to be involved and their responsibilities and abilities in relation to lands and resource management. In order to address this, the FSIN has, and will continue to strive to develop communication awareness initiatives that can be implemented within First Nations communities. Capacity building also requires community opportunities in employment and careers, economic development, funding opportunities and equal, as well as supportive, partnerships.

The FSIN and the NWMO must draft a joint communication strategy that will enhance the communication process between the FSIN, the NWMO, First Nations and Tribal Councils. It is imperative that this partnership remain productive and transparent to the

people we serve. A draft communication strategy will require further discussion and final approval from the FSIN Lands and Resources Commission.

The FSIN and the NWMO will benefit immensely by way of a *cooperative approach* to a sustainable future for everyone in Saskatchewan. The establishment of an Elder and Youth Council will greatly enhance education, awareness, capacity building with a key focus on the development of a sustainable development strategy. It is our hope that the FSIN Environmental Youth Council will take the lead role in organizing and coordinating the FSIN-NWMO Elder & Youth initiatives.

The FSIN and NWMO must develop a long-term joint work plan that will identify long-term funding, support increased collaboration, encourage the development of joint education programs, promote collaboration in quality assurance, support executive leadership programs, build capacity, create First Nation education/awareness, support the liaison between the FSIN-First Nations-NWMO, establish an Elder & Youth council, establish a bilateral task force, enhance community engagement and other tasks as identified by both parties. Furthermore, the work plan must be open and transparent to ensure accountability.

## 4. Recommendations and Forward Planning

In continuing to build upon a long-term working relationship between the FSIN and the NWMO, the development of a formal memorandum of understanding must be explored and eventually implemented. A formal relationship as such would function to establish the ground rules for a respectful and well-informed partnership/relationship between Treaty First Nations in Saskatchewan and the NWMO with regard to the duty to consult and accommodate, as well as with other areas of common interest.

Development of an agreement of this nature must respect the FSIN's internal decision making processes, including the FSIN Consultation Policy and any/all First Nations' law and procedure regarding consultation and accommodation. As well, some initial information gathering will be required to enable an informed decision by First Nation leadership (i.e.: Tribal Councils, FSIN Lands and Resources Commission, etc.) on proceeding with the memorandum and establishing an ongoing relationship with the NWMO as it moves through the subsequent phases of nuclear waste management.

A number of working groups can assist in the development of a memorandum. The primary objective would be to enable informed decision making at the community level based on factors including Treaty, scientific evidence and traditional knowledge. We want to establish a stable process for information sharing and gathering. And furthermore, we want to bring all First Nation interests together, along with others, in a non-competitive and collaborative way. Overall, a memorandum of understanding would establish rules and responsibilities that will be in place to guide the collaborative efforts of all parties involved.

The working groups could consist of a Tribal Council Technical Working Group that would assist in the drafting of the memorandum, including the consultation process and other joint initiatives. The Tribal Chiefs Steering Committee would authorize these drafts to proceed to the FSIN Lands and Resources Commission (LRC) and in turn, the LRC would mandate said memorandum, consultation process and other joint initiatives. Of course, the FSIN Chiefs-in-Assembly would provide final authority.

**Summary**

The NWMO continues to provide an opportunity for interested individuals, organizations and communities to learn more about Canada's plan for the long-term management of used nuclear fuel, the activities of the NWMO and the process it will use to select an informed and willing community to host this project. Communities that express interest in learning more are not obliged to participate in the site selection process.

In September, 2010, an agreement was reached between the FSIN and the NWMO. Its purpose was to build internal capacity within the FSIN regarding used nuclear fuel management so that the FSIN might support and provide independent advice to individual First Nations in Saskatchewan involved in the NWMO's site selection process for Adaptive Phased Management.

As a part of the agreement, the FSIN, along with the NWMO staff, were to conduct informational sessions with the 10 Tribal Council's and 11 independent First Nations of Saskatchewan regarding the first three phases of the NWMO's strategic plan. The completion of the information sessions, as per the agreement, was on March 31, 2013.

Because of the risks posed, we believe that the decision to bring nuclear waste to Saskatchewan is a provincial issue which would involve all First Nations, not just a local one. As a result, the Federation of Saskatchewan Indian Nations and the Nuclear Waste Management Organization must detail a renewed long-term funding agreement which identifies specific deliverables that can address this issue. These deliverables, whatever they may be determined to be, must continue to focus on the promotion of education and awareness about Canada's plan for the long-term management of used nuclear fuel, the activities of the NWMO and the balance that must be found in creating a sustainable environment for us all.