

Council of Elders

Record of Discussion #12

APM-REP-00676-0204

October 2015

**Kathryn Shaver
Bob Watts
Jessica Perritt**

nwmo

NUCLEAR WASTE
MANAGEMENT
ORGANIZATION

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DES DÉCHETS
NUCLÉAIRES

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NWMO

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**Record of Discussion
NWMO Council of Elders
Hôtel-Musée Premières Nations, Wendake, QC
October 28-30, 2015**

Attendees:

NWMO Council of Elders:

Chair: Donna Augustine

Youth Co-chair: Madison Levi

Members: Angus Gardiner, Diane Longboat, Grace Manitouwabi, George Morin, Dorothy Parenteau, Leslie Perley, Joseph Poitras, Billie Schibler, Roland St. Germain, Billy Two Rivers, Gordon Williams, Shavonne Custer, Brandon Petehtegoose, Rayanna Seymore, Norman Stagg, Rebekah Wilson

Guests: Elder David Charles, Ginoogaming First Nation, Elder Willard Pine, Mississauga First Nation, Danine Chief, Wabigoon Lake Ojibway Nation

Advisors: Joanne Barnaby, Fred Kelly, Melanie Hadley

NWMO:

Board of Directors: Ron Jamieson

Staff: Kathryn Shaver, Bob Watts, Jessica Perritt, Derek Wilson, Joe Heil, Ray Hatfield, Devi Shantilal, Jamie Matear, Joe Gaboury, Ross Holden, Greg Plain, Arthur Moore, Goyce Kakegamic

Wednesday, October 28, 2015

Opening Ceremony

Fred Kelly welcomed participants in the Huron-Wendat long house and introduced the Council's Metis members to deliver the opening ceremony. Metis members Joseph Poitras, Billie Schibler, Angus Gardiner and Roland St. Germain and Youth member Rebecca Wilson contributed opening remarks.

Welcoming Remarks

Council Chair Donna Augustine thanked the Metis brothers and sisters for the lovely opening ceremony. She thanked Elder Kelly for lighting the pipe and inviting the spirits of our brothers and sisters to attend the meeting.

Additional welcoming remarks were provided by Kathryn Shaver, Donna Augustine and Bob Watts.

Kathryn acknowledged the Huron Wendat territory where the meeting was held. She welcomed guests David Charles from Ginoogaming, Willard Pine of the Mississaugi First Nation and Danine Chief from Wabigoon Lake Ojibway Nation. Kathryn also recognized Ron Jamieson and noted Ken Nash regrets.

Kathryn summarized recent NWMO activity including:

- Continuation of technical studies and engagement
- Ceremonies are becoming a bigger part of the engagement process
- Observed that the nature of the work (technical and social engagement) looks different in each of the areas
- Learning programs are guided by the communities we are working with
- There is mutual learning for NWMO staff
- Continued NWMO planning including a 5-year plan
- Kathryn acknowledged the personal side of the work NWMO staff do – for example, the demands on staff to be in different parts of province is increasing and staff planning is becoming a big part of our work.

Kathryn concluded her statements by reminding the Council of Elders they had previously expressed interest in the NWMO implementation plan and the Nuclear Fuel Waste Act.

Bob Watts began by recognizing the Huron Wendat territory and commenting that the ceremony in the long-house was a great way to start the meeting.

Bob introduced and welcomed new NWMO staff including Greg Plain from Aamjiwnaang FN, Arthur Moore from Constance Lake First Nation and Goyce Kakegamic, formerly of Nishnawbe Aski Nation.

Bob reviewed the Meeting agenda highlighting that the structure of the meeting was based on guidance from previous Council of Elder's meetings and included the opportunity for the Elders to meet together on day three for review and reflection. Bob also introduced the agenda items including the Watching Brief, implementation plan, and review of the Council of Elders Terms of Reference and discussion of partnerships.

Bob also addressed the question of how NWMO staff act on the Council of the Elders advice and guidance. He mentioned the principles and values recognized in the Aboriginal Policy and Indigenous Knowledge Policy and looks forward to seeing it implemented in the work the team does. Bob gave the example of the Aboriginal Relations team working with NWMO's engineering, geophysical and environmental groups. Bob described the work of the Council of Elders as "profound" even though it may not always be witnessed. Bob thanked the Elders and Youth for this contribution.

Bob concluded by saying we continue to plan for the future, trying to balance the requirements of the Board of Directors and the needs of the communities. NWMO Sr. Management and the Board recognize the importance of balance and want to see it implemented. Bob shared the example of the delay in conducting aerial surveys in one area, which while it incurred a cost, in the long run, it strengthened the relationship with those communities involved.

Chairperson Elder Donna Augustine reminded guests that the Elders are not employees of the NWMO, though meet regularly and offer advice to NWMO. She noted "We are feeling more at ease..." and

“trust continues to develop”. There is a “collective knowledge in the room”, honour, giving, receiving, and listening. She concluded by saying the NWMO takes the Council’s advice and implements it in the work NWMO does.

One Elder described the relationship with NWMO as a type of “Holy Trinity” where the mind is about business and spirit is about relationships.

Youth Report

The youth report was introduced with fun “superhero” logo, developed during the Youth meeting in September, which shows a medicine wheel with a Métis sash. During a September meeting, The Youth made a recommendation to the Council of Elders Terms of reference to include a Youth Co-chair. Their presentation included suggested ideas as to how the Youth could contribute more effectively to the Council of Elders and NWMO. In addition, the Youth also explained an exercise they did with one another to highlight what strength each Youth brought to the group.

One Elder commented that they were delighted the Youth are becoming active. Some Elders thought it would be a good for the whole group to do a similar exercise to highlight everyone’s strengths. There were some question that required clarification from the Youth regarding the Youth Co-chair responsibilities. But everyone agreed that the Youth Co-chair was a good idea and should be incorporated into the Terms of Reference.

Aboriginal Relations Report

Bob Watts then shared highlights of recent engagement including a recent meeting with the US based Great Lakes Indian Fish and Wildlife Commission (GLIFWC) and anticipated future meetings with both them and Pahrump Paiute member Richard Arnold. Bob also described a book presented to staff by GLIFWC called Braiding Sweet Grass. Bob concluded by requesting Aboriginal Relations staff provide updates on their individual work.

Jamie Matear provided updates on the recent visit with GLIFWC and also engagement with Union of New Brunswick Indians, Assembly of First Nations, Manitoba Keewatinowi Okimakanak, Ontario Métis and Aboriginal Association, Wabigoon Metis and New Brunswick’s Mawiw Council.

Joe Gaboury updated the group on budgeting and planning, identifying NWMO staff that participate in meetings and highlighting the benefits of working with NWMO technical staff.

Goyce Kakegamic introduced himself to the group and he sees NWMO is respectful and understands the requirement to recognize the treaties. He spoke highly of NWMO staff and Fred Kelly. He spoke about the importance of education and the requirements for FN’s to implement Free Prior and Informed Consent.

Ray Hatfield spoke about Sagamok engagement and a trip to Biscotasing, including youth who visited the community. Ray also engaged with the Congress of Aboriginal People and Ontario Coalition of Aboriginal People - 5 regional sessions. NWMO looking at further local engagement with Elders and Youth in the interested areas.

Joe Heil explained his role with the Wabigoon Lake Ojibway Nation described recent activities including communications training, ceremonies, photography training, summer students, (including summer students from Ignace) a translation piece and a course on radiation in the community. He also described a recent open house that hosted 70 people and the many positive comments received. The new Chief and Council also had a Learn More Tour of Darlington.

Joe mentioned the focus of NWMO work in the ``Geoscience Walking the land`` activity, and that Wabigoon will work on the upcoming Traditional Knowledge. The Elder from the area contributed to the discussion. She explained the shaking tent ceremony including the feast for the animals, the rocks and the water, hosted by a young man from another community in Treaty #3 territory. She indicated the community was guided by the shaking tent to work with the NWMO. She also applauded the youth that attended the ceremony including a drumming session that Bob Watts participated in.

The NWMO liaison for Wabigoon Lake Ojibway Nation elaborated on additional ceremonies suggested on the recommendation of the shaking tent. These included a sunrise ceremony, drumming ceremony and copper offering to the lake. She noted that 12 students from the community also contributed offerings. They also laid an eagle staff made of willow on the parcels of land that was going to be explored. Joe Heil acknowledged Wabigoon Lake Ojibway Nation for inviting NWMO staff to the ceremony and acknowledged that strength of the women in the community of Wabigoon.

Devi Shantilal described the Sagamok Youth Gathering and her work with team staff.

Greg Plain introduced himself as Little Thunder of the Turtle Clan. He explained his role with communities in Southwestern Ontario and then thanked the NWMO staff for their welcome.

Arthur Moore introduced himself as Yellow Black Wolf. He thanked the Elders for the honour of participating in the meeting and described his work in Manitouwage, White River and Constance Lake. He also thanked NWMO staff for assisting him in understanding the machinations of working with the company. He commented on NAN's reluctance to work with NWMO at this time, but has meetings planned with NAN leadership to explore how to move forward. He also identified upcoming meetings with Eagle Lake and Lac Des Milles Lac.

Ross Holden introduced himself and his honour to participate in today's meeting. Ross' engagements include primarily those with Metis Nation Ontario (MNO), The Red Sky Metis and Historic Saugeen Metis (HSM). Activities included participation at the MNO AGA, the Used Fuel Transportation Package, briefings and booth at the AGA. Ross shared that President Gary Lipinski offered his thanks for NWMO's engagement. They also attended a CNSC briefing and two dry storage tours, and Corporate Social Responsibility Red Sky suggested NWMO consider web meetings and online learning opportunities for those that cannot attend the in-person meetings. The HSM are comfortable in their knowledge of the NWMO project and ask only for regular project updates.

Jessica Perritt identified she has been working with Joe Heil in Wabigoon Lake Ojibway Nation, working on the Indigenous Knowledge Policy and the Council of Elders coordination.

Implementation Plan

Kathryn introduced the forthcoming implementation plan. She highlighted a number of new documents including the Draft Implementation Plan for 2016-2020, an updated Project Description, New

Backgrounders (international programs, multi-barrier system), Economic Modeling and a new NWMO website to be launched in December 2015.

Kathryn described the rollout of the “draft” Implementation Plan in November:

- New planning assumptions include more detailed timelines.
- At present, 2022 is illustrative of a date for the completion of Phase 2 assessments.
- The report refers to Eight Areas for focus for 2016-2020 and to continue to be adaptive and flexible

Derek Wilson spoke about the requirement to develop strategic objectives for moving from testing and research into implementation:

- NWMO is moving away from International design to NWMO design
- The work is running in parallel to the social engagement program
- Maintaining the R&D program, both with NWMO staff and 15 CDN universities (geoscience and biosphere), 6 international agreements for sharing, and collaboration with the engineered barrier system
- Sweden, Finland and Switzerland are partners
- Looking beyond 2023, licensing and construction, the Centre of Expertise is presently being planned for
- There is interest in more information on the issue of transportation

Questions/Comments:

- What the reception was like from our partner countries to the new used fuel container.
- If further consideration was given to transmutation and partitioning?
- Where are light water reactors in the discussion?
- Is there any doubt that funds exist to pay for the “safe, long-term management of Canada’s used nuclear fuel”.
- Have NWMO documents been translated yet? Any translation services provided at the community level?
- Are contracts available for local service providers (e.g. In New Brunswick)

Project Description

Bob described the contents of the new Project Description document, highlighting that project economics are included as part of the larger perspective. Spiritual and cultural aspects are also important parts of the project. New backgrounders will include the Multi Barrier System, International programs, initial borehole drilling and testing, economic modeling and Centre of Expertise.

An Elder shared her experience in speaking with an Elder in her community that recommended that all Canadians need to recognize the importance of learning about the project.

It was recommended that NWMO needs to help municipal governments understand the role of “Treaty Canadians” and allow for people to take personal responsibility for something that is “alive” for Aboriginal people. Another Elder commented that non-aboriginal people are the beneficiaries of Treaties. “We” need to recognize the equality of the Treaty relationship. Another stated there is a void

in the Country's educational system. There needs to be a discourse about rights issues in schools and that the NWMO has an opportunity to influence these types of changes.

One Elder described "how we got here". The freedom to do the right thing. Respect the land and the animals. "We" live in poverty because of greed and bad decisions. Learned message is never forget your neighbours and don't take more than you need. In the old days money was not an issue because we had all the resources we needed. Things remained good until business came to the area to take the resources and people began moving to town. He expressed his belief that FN and Metis are all Anishinabek people. He believes that relationships are important. He spoke highly of NWMO, but not of all industry, whom he felt did not respect the importance of relationship.

Watching Brief

Derek Wilson presented an update on the 2015 Watching Brief as requested previously by the Council of Elders. He clarified the difference between "retrievable" and the "potential for retrievability". Following the presentation a number of questions were asked:

- Can NWMO consider managing the time for these presentations so that more time is available for presentations like this one?
- When you discuss a DGR with a community, is this report shared with the communities?
- If reprocessing is a consideration, would another facility be required? Is 50,000 tons the same as 4.6 million fuel bundles?
- If Canada reprocessed the fuel, would Canada be in conflict with its participation in the Non-proliferation treaty?
- Suggested that the Council of Elders watch "Pandora's Promise".

Thursday, October 29, 2015

Opening remarks Fred Kelly. Prayer by Billy Two Rivers and Diane Longboat.

NWMO Mandate and Legislation

Kathryn Shaver presented on the NWMO mandate as requested from the July 2015 Council of Elders meeting. The presentation include information regarding the following:

- History of DGR developments – AECL effort
- Nuclear Fuel waste act
 - Shareholders/members
 - NWMO
 - Funders
 - APM implementation
 - Reporting – annual and triennial
 - Trust funds
- Overview of federal partners – NRCAN, CNSC – provincial government
- Multi-disciplinary group
- Extended family of experts – councils and peer review

The following Questions or comments were raised:

- The NWMO mission statement as not being inclusive of Aboriginal people
- How reports are made public?
- How are the arising issues on jurisdiction being reported on to NWMO's regulators?
- One Elder expressed their view that the Nuclear Fuel Waste Act is behind the times in terms of recognition of Aboriginal rights
- The NWMO Council of Elders does not have a legislative basis but it is still important and influential
- Can we get list of NWMO Advisory Council members
- How long is it safe to handle used fuel? Re hydro Quebec – now that Quebec is no longer producing what are they doing, and why is Ontario not doing that?

Overview of Nuclear Waste Streams

Derek Wilson provides a summary on the different types of nuclear waste streams as requested by the Council of Elders from the July 2015 meeting. The presentation covered the following topics:

- Commonly referenced waste types (i.e. high level, intermediate, low etc.)
- Common waste sources (operational and refurbishment, research, medical, decommissioning etc.)
- Contributors to waste inventory (OPG, NB Power, Hydro Quebec, AECL, medical)
- Responsibility for long term management (Used fuel, LILW, NBP, AECL/CNL)

Questions/Comments:

- Are any facilities self-regulating?
- Could NWMO provide clarity on roles and responsibilities re elders and NWMO vis-a-vis concerns about power producers?
- "Governance" needs to be included in framework.

Council of Elders Review of Terms of Reference

Bob introduced to the members that the Terms of Reference is under its annual review and NWMO would like to seek guidance from the Council of Elders members to any revisions that may be required. Bob also brought to the groups attention that the terms are up for 8 Council of Elders members in June 2016 and the group could potentially see some changes come next year. He communicated that as we establish closer relationships with some of the communities we are working with there is a strong interest in participation to the Council of Elders. NWMO needs to find a way to recognize this regional interest while still maintaining the consistency of National representation on the Council. Bob then asked the group to provide advice on how NWMO could maintain a national and community balance on the Council of Elders. He also asked for advice on the "Chair" sections of the document as the Youth have brought forward the idea of a Youth Co-chair.

Some of the specific recommendations were as follows:

- Proposed establishing a committee to review terms of reference.
- All members agreed to the Youth Co-chair idea. Jessica Perritt agreed to incorporate these suggested changes into the current Draft of the Terms of Reference
- MANDATE Statement: "Elders will help NWMO protect..."

- “ancient” in 4th para perhaps could be added “contemporary”
- One suggestion to replace “Traditional Knowledge” with “Indigenous Knowledge”
- Strike word “rapporteur”
- Suggested age limit for youth be placed in “Youth” section.
- Mission statement should perhaps put the emphasis on the responsibility of NWMO to protect, and role of Elders in providing advice to NWMO to meet that responsibility
- Re page 2 para 2 meeting to discuss budget: agreed to strike sentence/para.

A lot of discussion was had regarding the appointment process and who the members represented. Generally the Council of Elders members agreed that NWMO needed regional and National representation within the Council but their advice on maintaining this balance required a more meaningful discussion. The Council of Elders requested additional time to provide advice on the annual review of the Council of Elders Terms of Reference for December 2016.

Aboriginal Recognition Program

Bob Watts provided an update on the status of the Aboriginal Recognition Program. Danine Chief from Wabigoon Lake Ojibway Nation provide a brief presentation on how Wabigoon Lake Ojibway Nation used the funds provided by the program to renovate the communities powwow grounds.

Next meeting dates and agenda items

Suggested February 2016. Jessica Perritt will follow up.

Friday, October 30, 2015

Diane Longboat shared a summary list of action items, some of which were discussed at this council of Elders circle held on their own:

- Meeting of the Political Leadership of First Nations with the leadership of NWMO on the matter of jurisdiction.
- Meeting of the Political Leadership of Metis Nation of Ontario with the leadership of NWMO.
- A political forum of First Nations and Metis leaders and NWMO leaders for oversight of the work of NWMO on an ongoing basis with regard to jurisdiction.
- Public Statement from the Council of Elders and Youth to First Nations peoples and Metis peoples on our commitment. What are you doing today to protect our Mother Earth and Her people?
- Revise the Terms of Reference, see Purpose, page 1. Meet on Dec. 11-14 in Toronto over the weekend to work on revisions to the Terms of Reference.
- Annual Elders Council and Youth Council report prepared by NWMO should be ratified by the Councils prior to public release.
- Request to receive our information binders ahead of the meeting for study.
- Reports should be given at the Elders Council meeting and the Youth Council meeting of the visits to the four site communities.
- Request copies of the report, "I am the Land" by the Chiefs of Ontario, via Sue Chiblow.

- A small representative group of the Elders and Youth Councils should visit the uranium mine in Saskatchewan to offer ceremony. The visit is non-official, just a group going to offer tobacco and prayer.

Closing Ceremony

Elder Fred Kelly performed the closing ceremony. The meeting was adjourned thereafter.

Date notes taken: October 28-30, 2015

This note was prepared by staff and has not been approved and/or reviewed for accuracy by other meeting participants.