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Oral Presentation

Exposé oral

**Written submission from the
Historic Saugeen Métis**

**Mémoire de la Communauté
métisse historique de Saugeen**

**Regulatory Oversight Report for
Canadian Nuclear Laboratories
Sites: 2020**

**Rapport de surveillance
réglementaire des sites des
Laboratoires Nucléaires
Canadiens : 2020**

Commission Meeting

Réunion de la Commission

November 25, 2021

Le 25 novembre 2021

Historic Saugeen Métis (HSM)
Written Submission to Canadian Nuclear Safety Commission

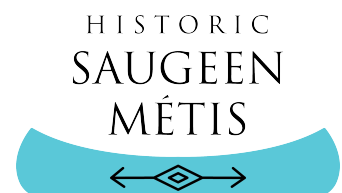
2020 Regulatory Oversight Report
for Canadian Nuclear Laboratories (CNL)
(Douglas Point Site)

Prepared for CNSC Public Hearing

Scheduled for: November 24th and 25th, 2021.

Submitted by:

Historic Saugeen Métis



EXECUTIVE SUMMARY

The Historic Saugeen Métis (HSM) continue their subsistence fisheries and land-based harvesting practices and assert Aboriginal rights over the lands and waters surrounding the Douglas Point site. These lands and waters provide vital support for our Métis culture and way of life, as well as the economy, health and social relationships in the HSM community.

HSM's intention with regard to the environment is long-term preservation of natural features and resources. HSM supports development that meets the needs of the present without compromising the ability of future generations to meet their needs, specifically where it relates to HSM's ability to continue their traditional harvesting practices, rights and interests.

Our concerns are for safe operations/decommissioning with minimal imprint on the water and lands that support our community's asserted Aboriginal rights. These are communal Aboriginal rights affirmed by Section 35 of the *Constitution Act* (1982), and relate to sustenance and harvesting on the land and in the waters surrounding the Douglas Point Site (CNL).

Given HSM's traditional use of the lands in the area of the historic nuclear generating station and surrounding lands, the Historic Saugeen Métis have a profound need for involvement in the management and decommissioning of the site. Accordingly, HSM has a substantial interest in any decisions relating to the management of nuclear facilities and materials at the Douglas Point Site

INTRODUCTION: HSM OVERVIEW

The local Historic Saugeen Métis (HSM) consists of the politically independent historic Métis, whom have resided for over two-hundred years along the Lake Huron proper shoreline from the islands at the tip of the Bruce Peninsula to the Ausable River in the vicinity of Port Franks, Ontario.

Our distinctive Métis community is rooted along the shoreline of eastern Lake Huron. For almost three decades prior to settlement of the Saugeen territory, the Historic Saugeen Métis traded in a south-north axis along the shoreline from above Sarnia to Lake Huron's North Shore.

Present-day Historic Saugeen Métis community members are descendants of the *historic* Métis who have lived in, cared for the land around the CNL Douglas Point Site.

OVERVIEW OF HSM PRACTICES

Prior to 19th century treaties with the Crown, the HSM harvested the lands and waters bordering Lake Huron proper and the Saugeen Peninsula to as far south as the Port Franks area. This area included HSM places of residence, places where HSM pursued their traditional practices and pursuits, and places of cultural and spiritual significance.

Today, HSM continue their subsistence fisheries and land-based harvesting practices and asserts aboriginal rights over the lands and waters surrounding the Douglas Point Site. These lands and waters provide vital support for our Métis culture and way of life, as well as the economy, health and social relationships in the HSM community.

Historically and to the present day, the Historic Saugeen Métis rely on the lands that include the Douglas Point site and surrounding area to harvest deer and other mammals, water and land fowl, and plants.

HSM LONG-TERM ENVIRONMENTAL GOALS AND OBJECTIVES

HSM’s long-term vision and objective is focused on promoting and protecting the sustainability of the environment as it relates to local Métis interests, rights and way of life.

HSM’s intention with regard to the environment is long-term preservation of natural features and resources for future generations. Prudent and sustainable use and reuse of natural resources while providing for continued improvements to quality of life and economic development for future generations is included in HSM’s long-term vision.

HSM is committed to providing an environmental legacy to future generations of HSM citizens that they can be proud of and be confident will continue to support at least the next seven generations of HSM citizens. The involvement of local Métis decision-makers is essential to these goals.

HSM ENGAGEMENT & SUPPORT PROCESS

Purpose – Duty to Consult

The HSM are among the Indigenous peoples who have lived in, cared for and relied on the traditional Saugeen territory for generations. It is the responsibility of the current HSM Council to ensure a sustainable environment for current and future Métis families claiming Section 35, Canada Constitution Act (1982) aboriginal rights in the traditional Métis Saugeen territory.



The HSM Lands, Resources, and Consultation Department supports the policies of HSM Council by advising and assisting development proponents with their duty-to-consult about projects occurring within Métis Saugeen territory.

Consultation and Engagement – We review Archaeological Assessment, Built Heritage Resources, Cultural Heritage Resources, and Environmental Assessment Reports on proposed developments to ascertain the impacts on our Métis Community.

Engagement Plan and Log - In instances when projects evolve over a longer period of time we work with proponents to prepare an Engagement Plan and complete an Engagement Log of events and activities for specific projects.

Letter of Support - For larger projects, and as may be required by legislation or regulations, a Letter of Support can be issued by the Historic Saugeen Métis Council.

Capacity and Benefit Agreements - Often our staff effort and communication of project information to Métis Community members will require a Capacity Agreement to enable our work. Benefit Agreements may also be reached with proponents where the effects of projects are predicted over several years.

CNL ENGAGEMENT ACTIVITIES WITH HSM

HSM began consultation with CNL in 2019 regarding a license amendment to the Douglas Point Site to begin active decommissioning of the site. Since that time, CNL has made an exceptional effort at engaging and consulting with HSM staff, council and community. CNL has provided several methods and modes for sharing of information and provided an on-site tour for HSM staff and council. A strong relationship has developed between HSM and CNL and an five-year Engagement Agreement was finalized September of 2021.

CNSC ENGAGEMENT ACTIVITIES WITH HSM

The Crown law duty to consult with Aboriginal groups applies when the Crown contemplates actions that may adversely affect asserted or established Aboriginal and/or treaty rights. The CNSC, as an agent of the Crown and as Canada’s nuclear regulator recognizes and understands the importance of building relationships and consulting with Canada’s Aboriginal peoples. The CNSC ensures that all its licensing decisions uphold the honour of the Crown and consider Aboriginal peoples’ potential or established Aboriginal and/or treaty rights pursuant to Section 35 of the *Constitution Act*, 1982.



The CNSC is committed to ongoing consultation with HSM staff, council and community regarding the Douglas Point Site. CNSC has demonstrated excellence in Indigenous consultation with the HSM community and relationship continues to grow in a positive direction.

CONCLUSIONS AND COMMENTS

Given HSM's traditional use of the lands in the area of the Douglas Point Site and surrounding lands, the Historic Saugeen Métis have a profound need for involvement in the ongoing management and decommissioning of the Douglas Point Site.

Further, the duly-elected local Historic Saugeen Métis Community Council, who has been entrusted to protect the local Métis communal rights, must be part of any process that determines what is being done to monitor and ensure the safe management/decommissioning of the nuclear generating stations. HSM are among the Indigenous peoples who have lived in, cared for and relied on the traditional Saugeen territory for many generations. Accordingly, HSM has a substantial interest in many decisions relating to the management of the CNL Douglas Point site.

HSM has reviewed the *Regulatory Oversight Report for Canadian Nuclear Laboratories Sites: 2020*. HSM feels is satisfactory and has no additional comments at this time.

