



Métis Nation – Saskatchewan

SaskPower Virtual Engagement Sessions

February 2022

March 31st, 2022

Métis Nation–Saskatchewan

Métis Nation–Saskatchewan (MN-S)

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1.0. Métis Nation of Saskatchewan

“Métis means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and who is accepted by the Métis Nation.”

Métis are unique and distinct rights-bearing Aboriginal peoples, whose rights are recognized and affirmed in Section 35 of the Canadian Constitution. The Métis are recognized in the 1982 Canadian Constitution “Section 35 (1) the existing Treaty and Aboriginal Rights of the Aboriginal peoples of Canada are hereby recognized and affirmed;” (2) In this Act, “Aboriginal peoples of Canada” includes Indian, Inuit and Métis peoples. The Métis are recognized within Canada’s current distinctions-based approach to relationships with Indigenous peoples.

Métis Nation–Saskatchewan (MN-S) is a government and has been recognized as such by the Federal Government in The Métis Government Recognition and Self-Government Agreement (2019). The MN-S represents the political, socioeconomic, cultural, and educational interests of the province’s more than 80,000 Métis citizens through a representative system based on 12 Regions and approximately 82 active Locals. The MN-S’s expectations for engagement and consultation are based in recognition of its Section 35 rights, its status as a recognized government, and as an Indigenous Nation that is distinct from other Indigenous groups in Saskatchewan.

2.0 Small Modular Reactors

An impetus for the development of SMRs is to realize the Government of Canada’s goals of achieving net zero emissions by 2050 (Net Zero Emissions by 2050; Canadian Net Zero Accountability Act). The implementation of SMRs contributes to reducing proponents’ overall carbon emissions by transitioning from hydrocarbon energy to other sources of energy, such as nuclear. In 2018, Natural Resources Canada brought together provincial and territorial governments, industry, utilities and other interested stakeholders for a 10-month, pan-Canadian conversation on Canada’s SMR opportunity, leading to the launch of Canada’s SMR Action Plan in December 2020. The Action Plan involved extensive engagement with the industry and potential end users, an initial dialogue with Indigenous and northern communities and expert analysis. It contained over 50 recommendations in areas such as waste management, regulatory readiness, and international engagement. It also highlighted the need for ongoing engagement with Indigenous communities, as well as civil society, northern and remote communities, and environmental organizations.





2.1 Role of Organizations Participating in the Engagement Sessions

2.1.1 SaskPower

SaskPower is Saskatchewan’s main supplier of electricity, generating and distributing power for residential, business, and commercial customers. SaskPower is evaluating the economic and technical feasibility of deploying 300 MW of nuclear power from SMRs by 2032. They are also evaluating the potential deployment of an additional 900 MW of generating capacity from SMRs between 2035 and 2042. SaskPower as the proponent of a project that may impact Aboriginal Rights is responsible for engagement, as well as consultation “duty-to-consult” with Metis. Metis duty-to-consult rights result from Section 35 of the Canadian Constitution and are defended and supported by the MN-S.

2.1.2 Natural Resources Canada

Natural Resources Canada (NRCan) promotes the sustainable development and responsible use of Canada’s natural resources. As part of its commitment to ongoing, meaningful engagement on SMRs, NRCan launched an ongoing Indigenous engagement process in 2020 to engage Indigenous groups and organizations on SMRs across Canada.

2.1.3 Canadian Nuclear Safety Commission

The Canadian Nuclear Safety Commission (CNSC) is an independent, quasi-judicial administrative tribunal and court of record. Staff of the CNSC work to enforce federal and CNSC standards within the Canadian nuclear industry, including uranium mines, and nuclear energy facilities. Part of their role is ensuring that meaningful consultation and engagement with the public and Indigenous Nations and communities has occurred. Their staff make recommendations to the seven independent members that make up the Commission. The Commission then reviews these recommendations and prepares reports of recommendations to the federal Minister of Natural Resources regarding approvals and other governmental actions.

The CNSC licensees and nuclear proponents are responsible for safety and play a key role in building trust with the Indigenous Nations and communities and are responsible for establishing their long-term relationships based on cooperation, information-sharing, and robust communication amongst Indigenous Nations and communities. The CNSC has [multiple tools and approaches](#) to ensuring meaningful consultation with potentially impacted Indigenous Nations and communities on new nuclear projects.

2.1.4 Nuclear Waste Management Organization

The Nuclear Waste Management Organization (NWMO) was established in 2002 by the nuclear energy corporations (Ontario Power Generation Inc., Hydro-Québec, and New Brunswick Power Corporation) under the *Nuclear Fuel Waste Act*. The NWMO's mandate is to create a nuclear waste technical method (a way to dispose of the waste) as well as a management system. The Adaptive Phased Management plan developed by the NWMO was adopted by Natural Resources Canada in 2007. The NWMO has been conducting engagement with communities across the country including Pinehouse and English River First Nation on the creation of a final repository for the country's waste. The site selection has since been narrowed down to two communities in





Ontario, with final selection expected in 2023. The NWMO has developed an Indigenous Knowledge Policy to help guide them in their work, and engagement is informed by the Council of Elders and Youth, an advisory body to NWMO management.

3.0 MN-S and SaskPower Virtual Engagement Sessions

The MN-S Ministry of Lands and Environment, and Engagement Team, working with SaskPower, hosted two online engagement sessions on February 10th and February 26th, 2022. Métis citizens from the north, central and south regions of the province participated in the virtual sessions. The engagement sessions were developed as a tool to share information with MN-S citizens from across the province and to have meaningful conversations on small nuclear reactors, the regulation process, environmental impacts, health concerns, business opportunities, and how citizens want to be engaged in the future.

Métis Nation - Saskatchewan collected minutes, breakout session notes, chat questions and presentation videos for review and analysis. The information below is a synthesis of information collected by the MN-S during and following the engagement sessions. Verbatim comments from participants have been retained by the MN-S for further review and follow up as the SMR initiative develops.

4.0 Outcomes of the Engagement Sessions

Analysis of the presentations and MN-S feedback identified four major themes of interest and concern to the MN-S regarding SMR's: engagement, economic development, environment, and health. More detailed aspects of these themes are provided below. An important outcome of these sessions is that they have provided the opportunity for the MN-S to engage and obtain feedback from its citizens on energy-related issues in the province.





Key MN-S Areas of Interest and Concern:

| Long-Term Engagement | |
|---|---|
| • Accountability | • Decision making |
| • Elder Participation | • Youth Participation |
| • Information clarity | • Mandates |
| • Métis input | • Preparation |
| • Research | • Saskatchewan 2010 Consultation Guideline |
| • Transparency | • Security |
| Economic Development | |
| • Employment, contracts, skills, and training | • Co-ownership |
| Environment | |
| • Traditional Knowledge and Land Use | • Climate change |
| • Emergency response | • Energy Provisioning |
| • Maps | • Project description or location and process |
| • Perceptions of nuclear power | • Regulatory process |
| • Resource Protection | • Power supply and cost |
| • Sustainability | • Risk vs benefit |
| | • Water quality and quantity |
| Health | |
| • Food Production and Food Security | • Health Impacts |

Overall, the position of MN-S citizens and leadership on SMRs has not yet been finalized, as more information and data are required for review and consideration. SaskPower identified potential areas for Indigenous involvement in SMRs including business and supply chain, operations, training, and community relationships. The February 2022 engagement sessions represent an initial step in building relationships and in engagement, and provided a starting point for MN-S’s understanding of the scope and objectives of the SMR program. The remaining items require further information and discussion regarding SaskPower’s perspectives on MN-S’s possible involvement. In particular, the MN-S would like more information on potential economic benefits to the Nation, and where those may be located.





5.0 Key Considerations

5.1 Further Engagement

There are overarching considerations for engagement related to Section 35 rights. Métis Nation – Saskatchewan has Section 35 rights which have been reinforced with respect to energy development through the enacting of the [Impact Assessment Act](#) (C-69; 2019), and [An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples](#) (C15; 2021). These acts reaffirm the constitutional rights of Indigenous Nations and Peoples and sets a policy framework through which the Crown can establish regulations and policies. Métis are an essential component in the decision-making process for any proponent or government that is developing projects which will have an impact on Métis communities.

Continuing engagement with SaskPower is important to MN-S as SaskPower continues to advance in the project phases. It is worth noting that MN-S has a stewardship obligation to work with all governments to interpret the regulatory and policy outcomes of these Acts, as well as all other provincial and federal laws, regulations and policies.

Effective engagement with the Métis has evolved from information sharing to a more active and collaborative process that involves Métis, proponents, and government representatives. Effective engagement ensures that MN-S citizens and leadership are provided with current and complete information, and remain active participants in the engagement and feedback process. These sessions were important for the MN-S Ministries of Land and Environment, Saskatchewan Metis Economic Development Corporation, and SaskPower, as it is the start of what MN-S is confident will be a positive and productive relationship with SaskPower. It is also important to acknowledge that there are many different opinions/perspectives amongst our Métis citizens. It is not the MN-S thinking to assert a certain perspective as the "right" one but rather to work towards understanding different perspectives. Taking the time to collect and analyze the quantitative and qualitative data that comes from MN-S citizen engagements will ensure that it is meaningful and effective for Métis citizens.

While the decision was made to proceed with these sessions virtually, this may have resulted in some limitations in attendance and access to the sessions. Participation in virtual consultation inherently presents both technological and access barriers to full engagement, especially for disadvantaged and northern communities. The MN-S looks forward to enhanced engagement when in-person community sessions are deemed safe.





5.2 Natural resource and geographical considerations

Métis communities across North, Central and South Saskatchewan are facing a growing number of challenges related to the management of natural resources, resource development, along with concerns about meaningful engagement, and the long-term health and sustainability of the environment.

The Métis context regarding land tenure and resource management differs from other Indigenous organizations, and also varies within the MN-S. For these reasons, it is important to consider the opportunities for SMR development from a geographic and resource perspective. For example, we recognize that SaskPower can acquire nuclear fuel from any provider, but we are also aware that this will likely be sourced in northwestern Saskatchewan. The MN-S has relationships with many of the mining proponents in this largely undeveloped area, and most often these relationships are developed through the regulatory requirements for the proponents. Similarly, the development of SMRs will involve the acquisition, transport and use of nuclear fuels, and will require the disposal of nuclear waste. We suggest that in this case, the extensive geographical presence of the MN-S is an asset in exploring the procurement and business development aspects of these processes.

SaskPower has identified siting considerations including technical, environment, Indigenous knowledge, land use, feedback and input, and cost. These are complex considerations which will require local knowledge, and focused collaboration between SaskPower and MN-S. The MN-S would like to work closely with SaskPower to provide the unique Métis Knowledge required for the satisfactory and enduring establishment of this and other clean energy options. This includes any knowledge of potential cumulative effects arising from the implementation and operation of SMRs.

6.0 Analysis

One of the fundamental responsibilities for MN-S is the engagement of Métis citizens in planning, implementation and evaluation of MN-S projects, programs, and services. The long timelines associated with the development of SMRs present an opportunity to complete meaningful and adequate engagement, and to undertake planning for specific activities related to SMRs.

The MN-S continues to build capacity with its citizens and communities so they have informed positions on SMRs and other resource development projects. This is done by engagement through all phases of the project including the licence application, environmental review and monitoring of compliance through operational life. In addition to the broad scope of engagement completed at the February sessions, we suggest more specific engagement activities with key MN-S leaders, land users, land managers, and technical staff. We also suggest that the MN-S Government engage in discussion with SaskPower's Senior Management.





MN-S continues to support interested communities in having meaningful economic partnerships and inclusion, through early-stage dialogue on SMR plans, priorities, and policies. In particular, early engagement sessions on the project's plan, environmental review and licensing processes can facilitate MN-S participation in activities such as an Engagement and Partnership Plan, Engagement Protocols/Frameworks and Co-operation Agreements.

The MN-S proposes the establishment of a technical working group, to which it commits membership. Through this working group, relevant technical information can be shared to ensure that MN-S can independently assess the SMR pathway. The MN-S would commit to creating an annual technical review and sharing this review with SaskPower.

At this stage, the range and types of services anticipated for SMR projects may not have been historically provided by Indigenous service providers. Nonetheless, given the early stages of SMR development in general, and in Saskatchewan in particular, we suggest that this provides a clear opportunity for co-development of service provision to align with potential opportunities identified by SaskPower. In addition, there are opportunities for MN-S designated service providers to conduct engagement and environmental work.

7.0 Recommendations

Métis Nation – Saskatchewan makes the following recommendations in advancing engagement with SaskPower on SMRs:

- Proceed with engagement broadly across MN-S regions, as well as with focused participants such as resource managers, and with the Métis Nation-Saskatchewan Government
- Continue to discuss alignment of SaskPower's perspectives on opportunities with MN-S interests and concerns
- Design and plan for engagement that will address Section 35 rights
- Seek and implement the unique Métis traditional knowledge required for the success of this and other projects
- Establish a technical working group in which MN-S participates
- Hold early discussions regarding potential for MN-S service providers
- As soon as feasible, return further engagement to an in-person model

Acknowledgements

The Métis Nation-Saskatchewan thanks its citizens and leadership for their participation and input into these engagement sessions. We thank SaskPower, Natural Resources Canada, the Canadian Nuclear Safety Commission, and the Nuclear Waste Management Organization for their participation and shared knowledge on this important initiative.

