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Subject: Michi Saagiig Anishinaabeg Nations of the Williams Treaties First Nations' Consolidated Review of the Tailored Impact Statement Guidelines, Indigenous Engagement and Partnership Plan, and Summary of Issues for the New Nuclear at Wesleyville Project

1. Introduction

The Michi Saagiig Anishinaabeg Nations of the Williams Treaties First Nations (the MS-WTFNs) – including Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation and the Mississaugas of Scugog Island First Nation – are pleased to provide this submission to the Impact Assessment Agency of Canada (IAAC) and Canadian Nuclear Safety Commission (CNSC) on the current draft of the Tailored Impact Statement Guidelines (TISGs), the Indigenous Engagement and Partnership Plan (IEPP), and Ontario Power Generation's (OPG, the "Proponent") Response to the Summary of Issues (SOI) for the proposed New Nuclear at Wesleyville Project (the "Project").

The MS-WTFNs have assessed IAAC and CNSC's responses to our initial TISGs comments through the concordance table provided by IAAC and determined which comments remain outstanding; reviewed the current draft of the TISGs to evaluate how these issues have been carried forward; undertaken a targeted technical review of nuclear-related sections with support from a subject matter expert; identified areas where content has been removed from earlier drafts and requires clarification; reviewed OPG's Response to the Summary of Issues; and reviewed the Indigenous Engagement and Partnership Plan (IEPP).



Detailed comments are provided in the attached materials:

- Attachment 1. Table 1. MS-WTFNs Review of the TISGs, including:
 - Tab 1: IAAC Concordance Table (the MS-WTFNs' responses to IAAC's comments on Round 1 TISG review);
 - Tab 2: Nuclear Specialist Review of the current draft TISGs; and
 - Tab 3: Summary of deleted text requiring clarification from IAAC. Tab 3 includes a summary of text that has been removed by IAAC/CNSC from earlier draft versions of the TISGs. These deletions are not always clearly explained or tracked in the concordance table. The MS-WTFNs request that IAAC/CNSC review this table and provide clarification on the rationale for these changes, including whether the removed content has been addressed elsewhere in the TISGs or is no longer being considered.
- Attachment 2. Table 2. The MS-WTFNs' Comments on the IEPP.

Across these materials, the MS-WTFNs have focused on identifying where additional direction is required to ensure that the Impact Assessment (IA) is properly scoped and that expectations for the Proponent are clearly defined prior to the Impact Statement (IS) phase. This stage of the process is where expectations must be established. Without this clarity, there is a risk that studies, methodologies, and assessment approaches will not adequately reflect the scale and nature of potential impacts, particularly with respect to MS-WTFNs Rights, Responsibilities, all Relatives, wellbeing, Lands, and Waters.

Accordingly, the MS-WTFNs request that IAAC/CNSC resolve the outstanding comments identified in the attached tables through clear revisions of the TISGs.

In several instances, the MS-WTFNs have identified issues that may not be fully resolvable within the TISGs alone. In these cases, we have provided recommendations for advancing these matters through co-developed processes or formal agreements outside of the TISGs. This includes areas related to governance; incorporation, support and upholding of MS-WTFNs-led assessment work; methodological alignment; and ongoing roles in monitoring, follow-up, and decision-making.

Where issues cannot be fully addressed within the TISGs, the MS-WTFNs request that IAAC/CNSC work with the MS-WTFNs to identify, formalize, and track these items through appropriate agreements, workplans, or process frameworks to ensure they are clearly defined and implemented in the next phase of the IA.

We acknowledge IAAC's continued engagement and responsiveness throughout the Planning Phase, as well as OPG's efforts to strengthen its relationship with the MS-WTFNs. We also recognize improvements in the current draft of the TISGs relative to the version provided for early



review. While many of the comments have been resolved, 114 of the 253 comments raised remain unaddressed or only partially addressed, and certain sections of the TISGs have been significantly revised, with important content appearing to have been removed without clear justification.

2. Key Takeaways from the TISG Review

Role of the TISGs in Advancing the Assessment

The MS-WTFNs view the TISGs as a critical step in structuring the next phase of the IA and ensuring that the Proponent's studies and assessments for the IS reflect MS-WTFNs values and approaches, and that the MS-WTFNs be the ones to define how impacts to Rights, Responsibilities, and all Relatives are understood and assessed based on the Knowledge and values of their Members and Citizens.

The MS-WTFNs are advancing a First Nation-led IA process, which is a significant undertaking that will require appropriate funding, capacity and timelines. This work will include a comprehensive scope of analysis, which is currently being confirmed, but is expected to include:

- Mapping of all Relatives of specific interest or concern to the MS-WTFNs;
- Identification of known and historic harvesting (including hunting, fishing, trapping and gathering) areas as well as areas of harvesting potential, of spiritual significance and cultural landscapes;
- Areas identified as having potential for *Chi weshjigaadeg nike gaazhnaagwaak mewzha*;¹
- Analysis of ecological and cumulative effects; and
- Assessment of impacts to Michi Saagiig Anishinaabeg ways of life, including impacts to Rights, Responsibilities, all Relatives, and wellbeing through a Rights Impact Assessment (RIA) and a Wellbeing Study.

Given the concurrent Proponent/Crown processes and the MS-WTFNs-led IA, alignment is required between Proponent-led studies and MS-WTFNs-led work. This includes ensuring that:

- Study scopes reflect MS-WTFNs values and areas of concern;
- Methodologies incorporate MS-WTFNs-defined approaches to assessing impacts; and
- Results from MS-WTFNs-led work meaningfully inform the IS and the broader IA process.

¹ This phrase expresses our own concept, which most closely corresponds with the western concept, or term, 'restoration'. It can be loosely translated as 'to get it fixed to how it used to look long ago', in English. Our understanding of *chi weshjigaadeg nike gaazhnaagwaak mewzha*, moves beyond western regulations, standards, or baselines. It signifies a return to balance, as it was within our homelands since *me'wzha*, prior to European settlers.



The MS-WTFNs anticipate that findings from the First Nations-led IA will inform both the Proponent's IS (where appropriate, considering timing and community readiness) and the broader IA process, including Panel and Crown decision-making.

Resolving Outstanding Issues in the TISGs

Attachment 1 provides detailed input on the TISGs, identifying where issues have been resolved, partially resolved, or unresolved. Within this table, the MS-WTFNs have provided recommendations to resolve outstanding issues. In many cases, this involves strengthening the TISGs to provide clearer direction to the Proponent. In other cases, issues may need to be addressed through co-developed processes or agreements outside of the TISGs.

At a high level, the remaining issues relate to ensuring that the assessment framework:

- Clearly defines how impacts to Rights, Responsibilities, all Relatives, and wellbeing will be assessed;
- Reflects cumulative, long-term, and intergenerational considerations;
- Considers both current and prospective harvesting, as well as ongoing relationships with Lands, Waters, and all Relatives, particularly in the context of historical and ongoing displacement and disruption to direct access;
- Establishes clear expectations for study scope, methodologies, and integration of MS-WTFNs-led work;
- Does not rely solely on IPD-level information for alternatives assessment;
- Defines how sufficient financial and capacity support will be provided to enable MS-WTFNs-led processes; and
- Establishes clear roles for the MS-WTFNs in mitigation, monitoring, and follow-up.

In addition to this, the MS-WTFNs request that the TISGs specifically include reference to Ontario's 2011 Draft Standards and Guidelines for Consultant Archaeologists, as the standard for the IS. This will help to ensure a higher level of rigour and protection for Kina ngadmawaad² and Aanikoobiganaanan,³ should the proposed amendments to the Act be adopted during the IS phase.

Additional technical input from a nuclear specialist has been incorporated in Tab 2: Nuclear Specialist Review and may further refine these issues. Key considerations from this review include:

- Baseline environmental monitoring programs must be designed and implemented in Discussion with the MS-WTFNs;

² This phrase expresses our own concept, which most closely corresponds with the western concept, or term, 'material culture'. It can be loosely translated as 'what they left behind', in English.

³ This is our word which most closely corresponds with the western concept and term 'Ancestors'.



- Sampling and analytical programs must be robust enough to detect meaningful changes (e.g., 5–10% increases in radioactivity);
- Monitoring must include air, soil, surface water, groundwater, and country foods (including game, fish, and plants); and
- Potential increases in radiation and changes to species abundance and distribution remain significant concerns that require careful assessment and mitigation.

The intent is to resolve these issues at this stage so that the IS phase proceeds with clarity and without the need to revisit foundational questions related to scope, methodology, or approach.

3. Comments on OPG’s Response to the Summary of Issues

The MS-WTFNs have reviewed OPG’s Response to IAAC’s SOIs in the context of the next phase of the IA and implementation of the TISGs. While the Response addresses issues at a high level, it frequently defers key details to the IS phase and signals an intent to advance the assessment through a streamlined or expedited approach. Together, this creates a risk that important aspects of the assessment framework, including study scope, methodologies, cumulative effects approaches, governance roles, and the assessment of impacts to Rights, Responsibilities, Lands, Waters, all Relatives, and wellbeing, are not sufficiently defined at this stage of the process. The MS-WTFNs remain strongly opposed to a streamlined or rushed process for a project of this scale and risk.

The MS-WTFNs remain concerned that foundational assessment requirements may continue to be narrowed, deferred, or addressed through future Proponent discretion rather than clearly established within the final TISGs. The final TISGs must ensure that the IA is rigorous, appropriately paced, and capable of meaningfully assessing impacts to Rights, Responsibilities, Lands, Waters, all Relatives, and wellbeing from a Michi Saagig Anishinaabeg perspective. This includes ensuring that MS-WTFNs Knowledge; governance processes; meaningful consultation; and Free, Prior and Informed Consent (FPIC) are clearly integrated into assessment approaches, cumulative effects assessment, mitigation, monitoring, follow-up, and decision-making processes. The TISGs must also avoid framing impacts solely through western regulatory approaches and instead ensure that the MS-WTFNs-led IA meaningfully shapes the overall assessment framework from the outset of the IS phase.

These broader concerns are reflected throughout the unresolved issues identified below:

- Lack of clarity on the overall pace and structure of the assessment process, including how the MS-WTFNs’ governance timelines and the MS-WTFNs-led IA will be respected;
- Lack of clarity on how impacts to Rights, Responsibilities, all Relatives, and wellbeing will be defined, assessed, and avoided, minimized or meaningfully addressed;



- Lack of clarity on how the results from the MS-WTFNs-led assessment will inform the Proponent's IA process;
- Lack of clarity on how FPIC and meaningful consultation will be ensured, and how the MS-WTFNs will be supported in determining how, when, and whether FPIC and meaningful consultation are achieved;
- Lack of meaningful involvement of the MS-WTFNs in the identification of real and potential project impacts. The Proponent references potential impacts and mitigation measures as detailed in the IPD, which were identified by the Proponent with minimal involvement of Rights-holding First Nations. These potential impacts include, but are not limited to, impacts to wildlife, aquatic biodiversity, fish, migratory and non-migratory birds and their habitats, groundwater and surface water quality and quantity, surface water temperature, watercourses, wetlands, air quality, and noise. Although the Proponent commits to considering engagement feedback in the development of project plans, assessments and mitigation measures, it is of great concern that OPG's IPD and response to the SOI do not detail how they will ensure the MS-WTFNs have the opportunity to meaningfully contribute to the identification of potential impacts, and mitigation and avoidance measures. This lack of detail must be addressed, especially given that these potential impacts will inform both the scope of the assessment and the Crown's Section 16 decision. Any meaningful contributions must also involve respecting MS-WTFNs timelines, capacity support and funding;
- Absence of recognition of non-western knowledge sources in shaping the scope and criteria of studies, including what must be identified and evaluated beyond regulatory designations (such as species at risk and provincially significant wetlands). This includes insufficient recognition of all Relatives of specific interest and concern to the MS-WTFNs by OPG and a lack of clarity on how such Knowledge will be respected, protected, and upheld consistent with OCAP® principles;
- OPG's planned assessments of impacts as outlined in the IPD and response to the SOI are structured through a western lens, failing to consider all Relatives of specific interest or concern to the MS-WTFNs and their interconnected reliance on one another (e.g., habitats);
- Limited detail on cumulative effects assessments at a regional and intergenerational scale, clarity on what the planned baseline for cumulative effects will be (leaving the risk that impacts are only considered from current conditions versus the needed pre-colonial context), and how the MS-WTFNs will be involved in scoping and assessing impacts;
- Insufficient clarity on how climate-driven changes will be considered when defining baseline conditions and influence on impacts, contaminant pathways, and project risks;
- Insufficient information regarding radioactive waste management, including storage, transportation, and long-term stewardship;



- Unclear approach to alternatives assessment and the role of the MS-WTFNs in assessing alternatives;
- Absence of First Nations involvement in plans to assess potential psychosocial impacts associated with living near the project, which risks assessing these potential impacts through a western lens only, while failing to incorporate the MS-WTFNs' physical, mental, spiritual, social and economic concerns. A First Nation assessment of psychosocial impacts must therefore be required to ensure these potential impacts are properly assessed and appropriate mitigation measures are developed;
- Limited detail on community-defined health and well-being, the role of the MS-WTFNs in defining potential impacts to health and well-being, and whether the scope of these impacts will consider cumulative (since colonization) and ongoing impacts;
- Insufficient commitment to upholding MS-WTFNs Knowledge and concerns in the determination of real and potential health impacts, and absence of plans to incorporate the findings of the MS-WTFNs-led process related to potential health impacts to inform the Proponent's Environmental Risk Assessment;
- Deferral of study design and methodological decisions, and lack of the MS-WTFNs' early involvement in their development, which risks creating temporal, geographical and methodological gaps, and the lack of proper consideration of all Relatives of specific interest or concern to the MS-WTFNs and their habitats;
- Inadequate field surveys for all Relatives of specific interest or concern to the MS-WTFNs, including Manoomin, and the use of field data collection methodologies that do not align with our responsibilities to care for these Relatives;
- Lack of consideration of potential injury, stress or mortality of fish and other Relatives during field surveys or details on efforts to prevent these;
- Lack of community involvement in the identification of potential impingement, entrainment, injury, stress or mortality of fish related to dredging, dewatering, in-water works, operation of water intakes, and cooling infrastructure and other project activities, and associated mitigation and avoidance measures; and
- Lack of clarity regarding impact avoidance, mitigation, monitoring, follow-up, and the role of the MS-WTFNs in these processes, including acknowledgement of our authority to define what is considered appropriate.

These gaps reflect a broader pattern of deferring key decisions to later phases of the process. The TISGs must address this by clearly defining expectations now.

4. Summary of Comments on the Indigenous Engagement and Partnership Plan

The MS-WTFNs have also reviewed the Indigenous Engagement and Partnership Plan (IEPP) and have included a comment table detailing the gaps and shortcomings of the IEPP. The comments



focus on ensuring that engagement commitments are clearly linked to defined roles, processes, and outcomes within the IA.

In addition to the detailed comments provided in the attached table, the MS-WTFNs have identified several overarching gaps in the IEPP that should be addressed to ensure alignment with the broader IA process:

- Lack of clarity on how MS-WTFNs-led assessments, including the planned RIA, will be incorporated and upheld in the Review Panel process and decision-making, instead of just being treated as inputs;
- Lack of clarity on how IAAC will support the MS-WTFNs-led assessments by supporting required timelines and capacity constraints;
- Lack of clarity on how funding will be made available, and the timing of these funds, for the MS-WTFNs' process at each project phase;
- Reference of FPIC without defining this as a decision-making standard, including a lack of clear language on how the MS-WTFNs will be supported in determining how, when, and whether FPIC and meaningful consultation are achieved.
- Heavy reliance on non-binding language (e.g., “encourage,” “offer,” “invite”), which limits accountability and does not establish clear expectations;
- Insufficient direction on how MS-WTFNs Knowledge and expertise will inform analysis, conclusions, and decisions, particularly where it differs from technical studies;
- Lack of clarity on governance, including roles in decision-making, dispute resolution, and how potential differing conclusions between the Crown and the MS-WTFNs will be addressed;
- Deferral of key elements to future community-specific consultation plans, without clear minimum expectations or mechanisms for alignment;
- Limited detail on funding, capacity, and timelines required to support the MS-WTFNs-led processes and participation;
- Continued reliance on Proponent-led engagement, without clear direction on how MS-WTFNs-led processes and Crown consultation will guide engagement activities;
- Limited clarity on how MS-WTFNs input will influence outcomes, including protocol development, study design, mitigation, monitoring, and final decisions; and
- Uncertainty regarding the transition to CNSC-led processes post-decision, including how the MS-WTFNs' roles, agreements, and oversight will be maintained throughout the project lifecycle.

5. Conclusion



The MS-WTFNs appreciate the work undertaken by IAAC and CNSC to date and the collaborative approach established throughout the Planning Phase. The TISGs represent a critical opportunity to ensure that the assessment is properly structured and that the work carried out by the Proponent reflects the scope and nature of potential impacts.

By resolving the outstanding issues identified in this submission, IAAC and CNSC can provide the clarity and direction needed to support a rigorous and effective IA process aligned with MS-WTFNs Rights, Responsibilities, all Relatives and wellbeing. **The MS-WTFNs remain committed to working collaboratively to resolve the outstanding issues identified in this submission prior to finalization of the TISGs and commencement of the IS phase.**