

encouraged future proponents to obtain the support of the community for their projects submitted to the Commission through the licensing process.

67. The Commission asked about endpoints, goals and expected outcomes of consultations, viewed in terms of a whole process rather than as an activity that has to be conducted. CNSC staff responded that the consultations are expected to lead to identification of issues and concerns raised by Aboriginal communities that need to be either mitigated or would require accommodation measures. Based on relevant information submitted by CNSC staff and by the proponents, the Commission would render its decision on the duty to consult. CNSC staff noted the importance of documenting the consultation process from the earliest phases of each project.
68. The Commission asked whether the Aboriginal groups, who had questions regarding the document, had been given an opportunity and the capacity to come to this meeting to present their views. CNSC staff responded that there had been no requests from the groups to come to this meeting. CNSC staff noted that the Commission meetings are open to the public and are webcasted, but specified that invitations to participate had not been sent. CNSC staff added that the CNSC had provided participant funding for reviewing the document, and that the comments had been received and discussed during the meetings with the communities, after which the revised document had been sent back to the communities.
69. The Commission asked about ways to resolve potential disagreements that could occur between Aboriginal communities and a proponent. CNSC staff responded that, generally, the CNSC would assess the issue and moderate the consultation so that the licensees and the Aboriginal groups can work together through the review of the project. CNSC staff would make an effort to promote a positive, long-lasting and trustworthy relationship between licensees and the communities. The Commission can determine the duty to consult raised by the proposal and examine all of the information provided to decide if the duty was met. CNSC staff does not have any interest in financial agreements between licensees and the communities; however, if they have made agreements on mitigation or accommodation measures, they would be asked that this matter be brought to the CNSC's attention to help the Commission make its decision. The Bruce Power representative stated that Bruce Power would provide the Commission with all accommodation related information, and noted that they might have a contract with an Aboriginal group that is not related to the consultation.

70. The Commission asked whether so-called impact benefit agreements are part of these Aboriginal agreements. CNSC staff responded that such agreements have different objectives, and that they would ask only for information about such agreements, without requesting access to the entire agreement.
71. The Commission enquired about the translation of information into the native language of engaged Aboriginal groups. CNSC staff responded that, as best practices, a lot of licensees or proponents would provide translation into the local community languages of an executive summary and some key information about their large environmental assessments. If a licensee is giving a presentation at a community meeting it may be translated in the local community language or the licensee may hire a translator. CNSC staff added that there are lot of industry associations that provide guidance to proponents regarding this matter. Asked by the Commission about a number of complaints by the Aboriginal groups that they do not have the appropriate documentation to be able to provide their own ideas on a project, CNSC staff stated that the number of complaints is rather small. The Bruce Power representative confirmed CNSC staff's view and noted that there are generally small things that do not get resolved clearly, and those things get raised in hearings and other places to be dispositioned.
72. After considering the recommendations submitted by CNSC staff, the Commission approved, with minor editorial changes, the regulatory document REGDOC-3.2.2, *Aboriginal Engagement*, for publication and use.

DECISION

Closure of the Public Meeting

73. The meeting closed at 16:03.



Recording Secretary

17.05.2016.

Date



Secretary

13-05-2016

Date

APPENDIX A

CMD	DATE	File No.
16-M2	January 13, 2016	e-Docs 4911766
Agenda of the Meeting of the Canadian Nuclear Safety Commission (CNSC) to be held on Thursday, January 28, 2016 in the Public Hearing Room, 14 th floor, 280 Slater Street, Ottawa Ontario		
16-M2.A	January 21, 2016	e-Docs 4921388
Updated Agenda of the Meeting of the Canadian Nuclear Safety Commission (CNSC) to be held on Thursday, January 28, 2016 in the Public Hearing Room, 14 th floor, 280 Slater Street, Ottawa Ontario		
16-M2.B	January 26, 2016	e-Docs 4921388
Updated Agenda of the Meeting of the Canadian Nuclear Safety Commission (CNSC) to be held on Thursday, January 28, 2016 in the Public Hearing Room, 14 th floor, 280 Slater Street, Ottawa Ontario		
16-M3	January 26, 2016	e-Docs 4915886
Approval of Minutes of Commission Meeting held on December 17, 2015		
16-M4	January 25, 2016	e-Docs 4924718
Status Report on Power Reactors		
16-M8	December 17, 2015	e-Docs 4920444
Transport Accident Involving Uranium Concentrate Near Swift Current, SK Submission from CNSC Staff		
16-M8.A	January 28, 2016	e-Docs 4925877
Transport Accident Involving Uranium Concentrate Near Swift Current, SK – Presentation by CNSC Staff		
16-M9	January 28, 2016	Not publicly available
Event Initial Report – Canadian Nuclear laboratories: Incident during a security related training exercise - contains classified information and is not publicly available		
16-M6	January 12, 2016	e-Docs 4916590
Update on the non-radioactive release at the decommissioned Deloro mine Site Submission from CNSC Staff		
16-M6.A	January 28, 2016	e-Docs 4919904
Update on the non-radioactive release at the decommissioned Deloro mine Site Presentation by CNSC Staff		
16-M5	January 6, 2016	e-Docs 4902292
REGDOC-3.2.2, Aboriginal Engagement – Submission from CNSC Staff		

CMD	DATE	File No.
16-M5.A	January 28, 2016	e-Docs 4921609
REGDOC-3.2.2, Aboriginal Engagement – Presentation by CNSC Staff		
16-M7		e-Docs 4922817
Meeting our mandate: Information dissemination at the CNSC Presentation by CNSC Staff		