



The Joint Chiefs and Councils
of the Saugeen Ojibway Nation

September 10, 2025

Larry Shuter
Senior Policy Analyst, Consultation Operations Division
Impact Assessment Agency of Canada (IAAC)

Kirsten Sellers
Senior Policy Officer
Canadian Nuclear Safety Commission (CNSC)

Dear Mr. Shuter and Ms. Sellers:

We write to address your recent correspondence with Saugeen Ojibway Nation (SON) staff and advisors regarding the impact assessment process for the Bruce C Project, and specifically, your update that IAAC and CNSC have entered into a “project charter” with Bruce Power outlining how the Bruce C Project could be assessed within a three-year timeframe.

We are deeply disappointed by this development. For months, SON has made it clear to IAAC, CNSC, and Bruce Power that we are concerned that the assessment of the Bruce C Project is being rushed and that the timing constraints will erode the value of the process to both support SON’s ability to assess and make decisions respecting the proposal, and to be the basis of sufficient and meaningful consultation and free, prior, and informed consent processes between SON and the Crown. We have conveyed this in numerous meetings, as well as in correspondence including, most recently, in our letters dated May 28, 2025, and July 22, 2025.

To date, IAAC and CNSC have not addressed those concerns. In meetings, IAAC representatives have indicated that IAAC has limited abilities under the *Impact Assessment Act* to affect timelines and that this discretion lies with Bruce Power. Now, we are learning that IAAC has been working with Bruce Power and CNSC to generate plans for how the phases of the assessment can be even further compressed, beyond what the legislation requires, to “support an expedited assessment timeline”. This is fundamentally unacceptable. IAAC and CNSC are not only failing to address our concerns but are now acting in direct opposition to our interests, having explicit knowledge of those interests.

That the project charter was negotiated without SON’s knowledge is also deeply problematic. SON is owed constitutional obligations not only with respect to the ultimate decision on the proposal, but also on strategic higher level decisions relating to the design of the review process.¹ Although IAAC and CNSC

¹ *Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council*, 2010 SCC 43, [2010] 2 S.C.R. 650. *Dene Tha’ First Nation v. Canada (Minister of Environment)*, 2006 FC 1354, [2007] 1 C.N.L.R. 1, aff’d 2008 FCA 20, 35 C.E.L.R. (3d) 1.

have been careful to qualify the project charter with assurances that it “is not a legally binding agreement and does not impose any legal requirements”, the document—signed by vice presidents from each of the parties—commits the parties to aiming to achieve “key milestones and service standards” and will no doubt influence the impact assessment process.

As we have communicated repeatedly, SON has not rejected the Bruce C Project. We are prepared to consider the proposal with open minds and fully engage in a credible assessment process. But we have been clear that the proposal must be studied carefully and comprehensively to allow us to determine whether its potential impacts can be adequately addressed and whether SON can ultimately support the project. The three-year process currently being advanced by IAAC and CNSC, allowing less than one year of actual study and analysis time is patently inadequate and cannot support a meaningful decision process by SON and certainly will not discharge the Crown’s constitutional obligations to SON.

We have heard the argument advanced that the Bruce site has been extensively studied and that there is data to support an expedited process. We disagree strongly. Much of the existing data is incomplete and outdated. The recent gizzard shad crisis which killed more than four million fish earlier this year clearly illustrates that we still fail to understand critical and fundamental impacts of the environment around the Bruce facility and the extent of its very significant adverse impacts. The historical and continued operation of the existing facility complicates the analysis of the impacts of a new facility, rather than simplifies it. The potential effects of a Bruce C Project will be on an environment that has already been seriously compromised. Whether a major new stressor can be tolerated is a difficult question that requires extremely careful consideration. And the necessary processes between SON and the Crown to properly consider this question cannot be cut short due to external time pressures.²

We understand that a meeting has been arranged for September 24, 2025. We expect that at that meeting we will have an opportunity to seriously discuss the concerns raised in this letter and SON’s letter dated July 22, 2025.

Miigwetch,

Signature redacted

Signature redacted

Ogimaa Kwe Darlene Johnston
Chippewas of Nawash Unceded First Nation

Ogimaa Conrad Ritchie
Saugeen First Nation

² *Squamish Nation v. British Columbia (Minister of Community, Sport and Cultural Development)*, 2014 BCSC 991 at para. 214. *Eabametoong First Nation v. Minister of Northern Development and Mines*, 2018 ONSC 4316 at para. 114.