

**Review of the Initial Project
Description by Nuclear Waste
Management Organization**

**Deep Geological Repository for
Canada's Used Nuclear Fuel Project**

**Manitoba Métis Federation –
National Government of the Red
River Métis**

February 4, 2026



1.0 Introduction

The Nuclear Waste Management Organization (“NWMO”, or the “Proponent”) is proposing a Deep Geological Repository (the “Project”) for Canada’s used nuclear fuel in northwestern Ontario and has initiated the federal Impact Assessment process and submitted the Initial Project Description. The Manitoba Métis Federation (“MMF”) undertook a preliminary review of the Initial Project Description (“IPD”) and identified potential concerns, opportunities, and impacts related to Red River Métis rights, claims, interests, and values. While the IPD concludes a low likelihood of significant adverse effects, it acknowledges that it used incomplete Indigenous baseline information and the need for further engagement to properly identify and assess impacts to Indigenous land use and rights. Pending completion of a Project-specific Red River Métis Knowledge and Land Use Study (“RRMKLUS”), the MMF has identified preliminary values that may be affected, including harvesting areas, ecological knowledge, cultural and historical sites, access routes, and land-based occupancy, underscoring the need for structured, ongoing consultation to appropriately inform impact assessment and mitigation.

Red River Métis Citizens¹ have identified preliminary concerns associated with nuclear projects, including potential:

- downstream effects on water quality and aquatic ecosystems;
- impacts on wildlife habitat and populations,
- risks to the safety and quality of harvested wildlife, plants, and medicines;
- psychological or perceived effects resulting in behaviour modification and adverse impacts on mental wellness;
- cumulative effects of existing development on harvesting and cultural practices;
- the effectiveness of closure and reclamation; and
- emergency preparedness related to operations and transportation of nuclear or radioactive materials.

The MMF’s review also identified a lack of distinction-based engagement opportunities and reliance on generalized socio-economic reporting, which does not constitute meaningful consultation or enable Red

¹ As such term is defined in Article IV of the Manitoba Métis Federation and the Manitoba Métis Federation Inc. Constitution, as ratified by the Annual General Assembly on October 20, 2024 (“MMF Constitution”) and the Red River Métis Self-Government Recognition and Implementation Treaty.



River Métis participation in identifying, assessing, or mitigating Project effects that have the potential to adversely affect Red River Métis section 35 rights. To address these gaps, the MMF has identified opportunities for early, structured collaboration with the NWMO, including MMF-led knowledge and land use studies to inform: defining the impact assessment indicators and end points; adaptive communications and emergency notification protocols; economic opportunities; and monitoring, decommissioning, and reclamation. Advancing this work early in the assessment process will help define valued components that speak to the unique needs and perspectives of Red River Métis Citizens to, ultimately, assess and minimize impacts.

The collaboration opportunities we have identified are necessary to avoid adverse effects on Red River Métis Citizens' section 35 rights. Without early, distinction-based engagement and MMF-led participation in assessment design, studies, monitoring, and planning, there is a risk that Project-related impacts to Red River Métis rights, claims, and interests will not be identified and mitigated, resulting in regulatory consultation and reconciliation failures over the life of the Project.

2.0 Background—The Red River Métis and the Manitoba Métis Federation

2.1 The Red River Métis

The Red River Métis is an Indigenous collectivity and Aboriginal people within the meaning of section 35 of the *Constitution Act, 1982*.

Since 1982, Métis rights have been recognized and affirmed by section 35 and protected by section 25 of the *Constitution Act, 1982*. These rights were further confirmed and explained by the Supreme Court of Canada ("SCC") in *R. v. Powley*, 2003 SCC 43. Manitoba Courts also have recognized Red River Métis rights in *R. v. Goodon*, 2008 MBPC 59 ("*Goodon*"). These decisions have affirmed that the Métis hold existing Aboriginal rights throughout their traditional territories. Our Citizens and harvesters rely on and use the lands, waters, and resources of our traditional territory throughout the Province of Manitoba and elsewhere within the historic Northwest, to exercise the Red River Métis constitutionally protected rights and to maintain their distinct Red River Métis customs, traditions, and culture.

2.2 Red River Métis' Rights, Claims, and Interests

Based on its emergence as a distinct Indigenous people in the Northwest prior to effective control by Canada and the creation of the province of Manitoba, the Red River Métis holds rights, claims, and interests throughout and beyond the Province of Manitoba consistent with the United Nations Declaration on the Rights of Indigenous Peoples, including the right of self-determination and the inherent right of self-government.



MMF – the National Government of the Red River Métis is mandated to promote, protect, and advance the collectively held Aboriginal rights of the Red River Métis. In accordance with this mandate, the MMF engages with governments, industry, and other proponents about potential impacts of projects and activities on rights, claims and interests of the Red River Métis. In 2007, the MMF Annual General Assembly adopted Resolution No. 8, which provides the framework for engagement, consultation, and accommodation with the Red River Métis. Designed by Red River Métis, for Red River Métis, Resolution No. 8 sets out the process that is to be followed by governments, industry, and other proponents when developing plans or projects that have the potential to impact the section 35 rights, claims, and interests of the Red River Métis. It was unanimously passed by Red River Métis Citizens and mandates a "single-window" approach to consultation and engagement with the Red River Métis through the MMF Home Office.²

In engaging with the MMF, on behalf of the Red River Métis, the Resolution No. 8 Framework calls for the implementation of five phases:

Phase I: Notice and Response;

Phase II: Research and Capacity;

Phase III: Engagement and Consultation;

Phase IV: Partnership and Accommodation; and

Phase V: Implementation.

This Project has the potential to impact Red River Métis rights, claims, and interests, therefore, meaningful engagement with the MMF is required to identify and mitigate potential adverse effects. The “postage stamp province” of Manitoba was the birthplace of the Red River Métis. We currently have an outstanding claim flowing from the Federal Crown's failure to diligently implement the land grant provision of 1.4 million acres of land promised to the Red River Métis as a condition of helping to bring Manitoba into Confederation. It is set out in section 31 of the *Manitoba Act, 1870* and must be resolved in accordance with the honour of the Crown.³

² More information about Resolution No. 8 is available online at: <http://www.mmfmb.ca/docs/2013-Resolution%208%20Booklet-VFinal.pdf>

³ *Manitoba Métis Federation Inc. v. Canada (Attorney General)*, 2013 SCC 14, [2013] 1 SCR 623 (“*MMF v Canada*”). The Supreme Court of Canada recognized that this outstanding promise represents “a constitutional grievance going back almost a century and a half. So long as the issue remains outstanding, the goal of reconciliation and constitutional harmony, recognized in s. 35 of the *Constitution Act, 1982* and underlying s. 31 of the *Manitoba Act*, remains unachieved. The ongoing rift in the national fabric that s. 31 was adopted to cure remains unremedied. The unfinished business of reconciliation of the Métis people with Canadian sovereignty is a matter of national and constitutional import” (para. 140).



Prior to the creation of Manitoba, the Red River Métis had always exercised its right of self-determination and developed its own self-government structures and institutions centered around the Red River Settlement and throughout the Northwest. As described by Louis Riel in his 1885 memoirs, Métis self-government was well-established and functioning when Canada came to the Red River Métis in the late 1800s:

When the Government of Canada presented itself at our doors it found us at peace. It found that the Métis people of the North-West could not only live well without it . . . but that it had a government of its own, free, peaceful, well-functioning, contributing to the work of civilization in a way that the Company from England could never have done without thousands of soldiers. It was a government with an organized constitution whose junction was more legitimate and worthy of respect, because it was exercised over a country that belonged to it.

Red River Métis self-government has evolved and changed over time to better meet the needs of the collectivity. Today, the MMF is the recognized, democratically elected, National Government of the Red River Métis. On November 30, 2024, the Red River Métis and Canada signed the Red River Métis Self-Government Recognition and Implementation Treaty (the “Treaty”). The Treaty recognizes the MMF as the government of the Red River Métis.

Since 1967, the MMF has been authorized by the Red River Métis through a democratic governance structure at the Local, Regional, and National levels. As part of this governance structure, the MMF maintains a Registry of Red River Métis Citizens.⁴

By applying for Red River Métis Citizenship, individuals are confirming the MMF is their chosen and elected representative government for the purposes clearly set out in the MMF Constitution,⁵ including as related to the collective rights, claims, and interests of the Red River Métis.⁶

The MMF Constitution confirms that the MMF has been created to promote the political, social, cultural, and economic rights and interests of the Red River Métis. The MMF is authorized to represent the Red

⁴ MMF Constitution, Article III outlines the citizenship definition and application process. This definition ("Métis" is defined to mean " a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal Peoples and is accepted by the Métis Nation ") aligns with the definition of what constitutes a section 35 rights-bearing Métis community as outlined by the Supreme Court of Canada in *Powley* at para. 30.

⁵ *Newfoundland and Labrador v. Labrador Métis Nation*, 2007 NLCA 75 at para 47: "Anyone becoming a member of the [Labrador Métis Nation] should be deemed to know they were authorizing the LMN to deal on their behalf to pursue the objects of the LMN, including those set out in the preamble to its articles of association. This is sufficient authorization to entitle the LMN to bring the suit to enforce the duty to consult in the present case."

⁶ *Behn v. Moulton Contracting Ltd.*, 2013 SCC 26 at para 30: "[A]n Aboriginal group can authorize an individual or an organization to represent it for the purpose of asserting its s.35 rights."



River Métis' collective rights, interests, and claims. This authorization is grounded in the MMF's democratic processes that ensures the MMF is responsible and accountable to the Red River Métis.

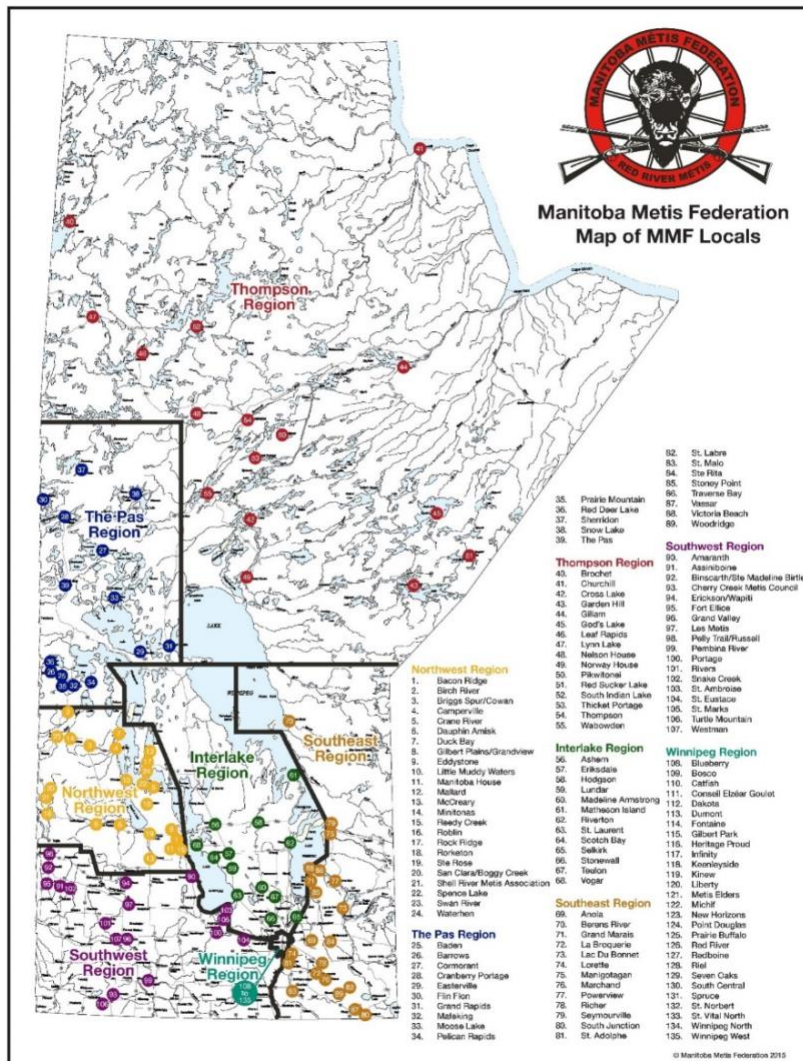


Figure 1. Manitoba Métis Federation (MMF) Regions.

Membership elects a Chairperson, a Vice-Chairperson, a Secretary and a Treasurer (or a Secretary-Treasurer, as the case may be) to serve the Local for a four-year term.

Consistent with the direction of our Citizens in 2014, the MMF removed the arbitrary provincial borders from our Constitution that separated Red River Métis who live outside of Manitoba from those within.

The MMF governance structure includes a centralized MMF President, Cabinet, Regions, and Locals. There are seven (7) Regions and approximately 135 Locals throughout Manitoba (Figure 1). There are thousands of Red River Métis Citizens who live outside of Manitoba. All Red River Métis Citizens are Members of a Local. Locals and Regions work together to authorize and support the MMF Cabinet, and the MMF's various departments and offices. Through elections held every four years, Citizens choose and elect the MMF Cabinet consisting of the MMF President, who is the leader and spokesperson for the MMF, a Vice-President of each Region, and two Regional Executive Officers from each Region. The MMF Cabinet also includes the spokeswoman for the Infinity Women

Secretariat. Each Local's



Today, the MMF represents Red River Métis Citizens within the provincial borders of Manitoba, and thousands more across the Red River Métis Homeland⁷ (the “National Homeland”).

The MMF, as the duly authorized government of the Red River Métis, has been recognized by both the federal and provincial governments in agreements, policies, and legislation. For example, in 2002, *The Child and Family Services Authorities Act* recognized the MMF for the devolution of child and family services to MMF institutions. This Act establishes a series of Child and Family Services Authorities to administer and provide the delivery of services to various distinct Indigenous communities in Manitoba. It creates a Métis Child and Family Services Authority, the directors of which are appointed by the MMF.

In 2008, the courts in Manitoba further recognized that “[t]he Métis community today in Manitoba is a well-organized and vibrant community. Evidence was presented that the governing body of Métis people in Manitoba, the Manitoba Métis Federation, has a membership of approximately 40,000, most of which reside in southwestern Manitoba”.⁸ In 2010, the Manitoba Government adopted a Manitoba Métis Policy, and stated that:

The Manitoba Métis Federation is a political representative of Métis people in Manitoba and represents in Manitoba the Métis who collectively refer to themselves as the Métis Nation. ... Recognition of the Manitoba Métis Federation as the primary representative of the Métis people is an important part of formalizing relationships.

In 2012, the MMF-Manitoba Harvesting Agreement (2012), between the MMF, and the Manitoba Government recognizes some of the collective section 35 harvesting rights of the Red River Métis and relied on the Citizenship processes of the MMF as proof of belonging to a rights-holding Indigenous collectivity:

For the purposes of these Points of Agreement, Manitoba will recognize as Métis Rights-Holders, individuals who are residents in Manitoba and who hold a valid MMF Harvesters Card, issued according to the MMF's Laws of the Hunt. [. . . and will] consult with the MMF prior to implementing any changes to the current regulatory regime that may infringe Métis Harvesting Rights.⁹

In 2013, the SCC recognized the “collective claim for declaratory relief for the purposes of reconciliation between the descendants of the Métis people of the Red River Valley and Canada.” It went on to grant

⁷ The MMF Constitution defines “Red River Metis Homeland” as the area of land within the historic Northwest centered in the Red River Valley as used and occupied as the traditional territory of the Red River Métis.

⁸ *Goodon*, at para 52. Note, the 40,000 number as it relates to membership is based on membership numbers in 2008.

⁹ MMF-Manitoba Harvesting Points of Agreement (September 29, 2012), ss. 3, 6-7.



the MMF standing as the "body representing the collective Métis interest" in the *MMF Case*.¹⁰ Additionally, in 2016, the *MMF-Canada Framework Agreement* stated:

*the Supreme Court of Canada recognized that the claim of the Manitoba Métis Community was "not a series of claims for individual relief" but a "collective claim for declaratory relief for the purposes of reconciliation between the descendants of the Métis people of the Red River Valley and Canada" and went on to grant the MMF standing by concluding "[t]his collective claim merits allowing the body representing the collective Métis interest to come before the court". [and that] "Canada is committed to working, on a nation-to-nation, government-to-government basis, with the Métis Nation, through bilateral negotiations with the MMF."*¹¹

The MMF signed the Manitoba Métis Self-Government Recognition and Implementation Agreement (the "MMSGRIA") on July 6, 2021. This marked a major step forward in reconciliation between the Red River Métis and Canada. The MMSGRIA, among other things, immediately recognized the MMF as the National Government of the Red River Métis and sets out a path forward towards the completion of a modern Treaty. As noted above, that Treaty was signed on November 30, 2024. Once Implementation Legislation is in place, the Treaty will become fully effective and will have constitutional protection, further strengthening the relationship between the Red River Métis and Canada.

3.0 Initial Project Description: Summary of Potential Impacts and Outcomes

3.1 Project Summary

The Project is regulated by the *Impact Assessment Act* and *Nuclear Safety and Control Act*; pursuant to the impact assessment review process, the Proponent has provided an Initial Project Description ("IPD") for review and comment. Additionally, the Project is subject to the Wabigoon Lake Ojibway Nation ("WLON") regulatory process grounded in Anishinaabe law, values, and responsibilities, and reflects WLON's authority to review and decide on development within its territory.

Collectively, all described Project activities are located within the National Homeland of the Red River Métis (the "National Homeland"), which includes the entire provinces of Manitoba, Saskatchewan, and Alberta as well as the western part of Ontario, southern parts of the Northwest Territories, the Northeastern parts of British Columbia, and into the northern United States of America.

¹⁰ *MMF v Canada*, at para 44.

¹¹ *MMF-Canada Framework Agreement on Advancing Reconciliation*, November 15



The Project is located within the Wabigoon Lake Ojibway Nation and Township of Ignace area of northwestern Ontario, approximately 21 km southeast of Wabigoon Lake Ojibway Nation and 43 km northwest of the Township of Ignace along Highway 17. The Project will have a 160-year lifespan, including site preparation, construction, operation, decommissioning, closure, and post-closure monitoring. Waste (5.9 million fuel bundles) will be received from Darlington, Bruce, and Pickering reactors.

The Project scope does not include transportation from the reactor site to the Project site, storage of waste beyond 5.9 million bundles, and the construction and operation of NWMO's corporate infrastructure or offices. Storage beyond 5.9 million barrels will require approval amendments, subject to regulatory review. Transportation between the reactors and the Project site (regulated by CNSC and Transport Canada) is the responsibility of the waste originator and the transportation company. The Project scope involves:

1. An underground storage location: deeper than 500m below surface, where spent nuclear fuel will be placed in engineered containers surrounded by a protective barrier constructed of clay and rock.
2. Surface facilities:
 - a. A processing area (to receive, handle and package the used fuel),
 - b. access (road, rail, haul roads), and transmission line,
 - c. an area for the storage of organics and waste rock from excavating the underground facility,
 - d. a work camp accommodation, and
 - e. ancillary support infrastructure (fencing, utilities, administration building, helipad)
3. Transportation activities along primary and secondary access roads within the Project site.

Low-level and intermediate-level radioactive waste will be generated as part of managing the used nuclear fuel which includes contaminated protective clothing, tools, filters, and other items that are part of the used fuel processing. This ancillary waste will be managed in onsite facilities and ultimately disposed of in near-surface disposal facilities and a separate deep geological disposal repository requiring a consent-based siting process.

The NWMO concluded a 14-year site selection process in 2024 involving engagement and technical assessment resulting in the proponent-coined "community-driven consent-based" advancement to the regulatory phase. The community-driven consent-based decision-making process involved the Wabigoon Lake Ojibway Nation and the Township of Ignace. The Project has committed to demonstrate the As-Low-As-Reasonably-Achievable (ALARA) principle with respect to protecting people and the environment from significant impact. The initial screening to complete the IPD summarized that the Project will have appropriate measures in place so that there is a low likelihood of significant adverse effects. The IPD recognizes two important aspects:



- 1) “Additional engagement with potentially affected Indigenous groups will help identify and characterize potential effects on Indigenous land use and potential impacts on Indigenous Rights. These perspectives will meaningfully inform the assessment of significance and the development of mitigation measures to ensure that Indigenous interests and Rights are appropriately considered and respected as part of implementation of the Project.” (2025, p. x)
- 2) “The current baseline primarily reflects non-Indigenous and municipal communities, the NWMO recognizes that Indigenous data are not yet represented. The NWMO will work collaboratively with potentially affected Indigenous groups through the impact assessment process to ensure that Indigenous social, cultural, economic, and health data are respectfully incorporated into the assessment.” (2025, p. xi)

3.2 Cultural Significance of Northern Ontario

The Red River Métis emerged in the west-central North America with a fur trade history linking the interior of North America. Red River Métis Citizens developed a distinct culture, language (Michif), kinship networks and shared economic life centered around the west-central north including northern Ontario networks. The name “Red River” does not reflect the extent of mobility, the fur trade stretches across northern waterways including what was formerly known as the Keewatin District which encompassed portions of modern-day Manitoba, Ontario and Nunavut (Adese, Leroux, & O’Toole, 2020). Red River Métis history has longstanding connection to economic and subsistence values across northern Ontario. The economic network across northern Ontario links families and homesteads from the center of the National Homeland to the far reaches. Northern Ontario holds contextual and historical significance for the Red River Métis as a region of travel, trade, and occupational presence.



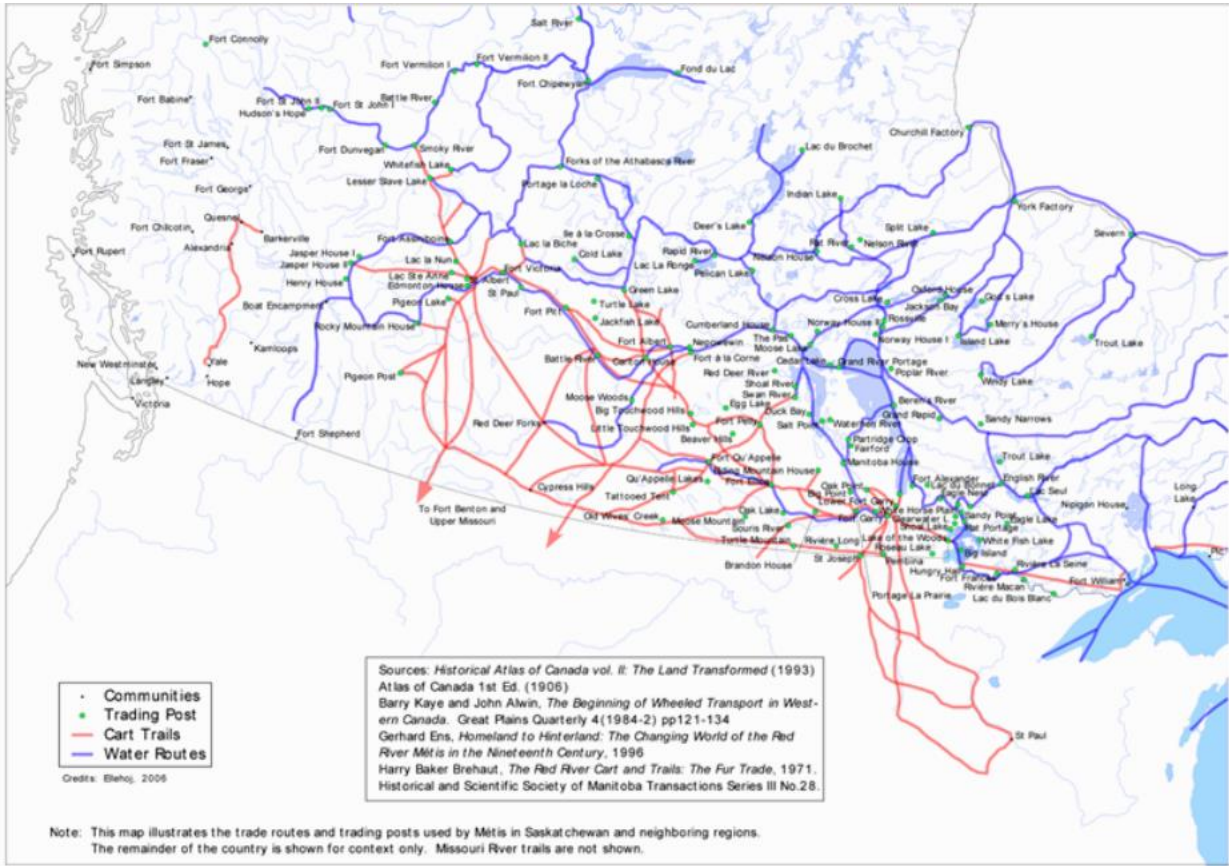


Figure 2: The Fur Trade Network - Routes and Posts Prior to 1870.

The DGR project exists within the National Homeland of the Red River Métis, and the MMF maintains an active interest in all development within our borders, where impacts to Red River Métis rights, claims, and interests may exist. Through this lens, the MMF has reviewed the Project IPD, and, by way of this submission, communicates a series of concerns, opportunities and potential Project impacts for consideration by the Proponent and regulators.

3.3 Red River Métis Values in the National Homeland

In advance of a Project-specific RRMKLUS being undertaken, and as a first step in this discussion, the MMF has provided a list of preliminary rights-based values (Table 1) that may need to be considered over the lifecycle of this Project. It is important to note that this list is not site-specific but rather reflects Red River Métis values throughout the National Homeland more broadly. These preliminary values should not be interpreted as a substitute for comprehensive and Project-specific consultation and engagement with the MMF, or input from Red River Métis Citizens, rather they are a preliminary list of valued areas which have the potential to be adversely affected by the Project.



Table 1: Preliminary Red River Métis Rights-Based Values Within the Project Area.

Preliminary Value	Description
Subsistence Harvesting Areas	<p>Areas where Red River Métis Citizens exercise section 35 rights and harvest for subsistence, including:</p> <ul style="list-style-type: none"> • Hunting • Fishing • Trapping/snaring • Gathering medicines, plants, and other natural materials • Otherwise harvesting for subsistence purposes
Commercial Harvesting Areas	<p>Areas where Red River Métis Citizens participate in traditional economies, including:</p> <ul style="list-style-type: none"> • Hunting • Fishing • Guiding • Trapping/snaring • Gathering medicines, plants, and other natural materials • Other harvesting for commercial purposes
Métis Ecological Knowledge	<p>Areas where Red River Métis Citizens hold specialized knowledge of the lands and waters, including:</p> <ul style="list-style-type: none"> • Fish spawning areas • Mammal habitat • Migration routes and corridors • Bird habitat • Reptile and amphibian habitat • Spring water • Plant habitat • Species at risk • Other significant and sensitive habitat or ecological features
Cultural and Historical Sites	<p>Sites that are culturally and historically significant to the Red River Métis, including:</p> <ul style="list-style-type: none"> • Spiritual, ceremonial, and sacred areas • Historical family, village, or settlement sites • Burial sites • Areas of archaeological significance • Contemporary and historic Red River Métis places • Sites that are otherwise culturally or historically significant
Access	<p>Areas used by Red River Métis Citizens to access the lands and waters throughout the National Homeland, including:</p> <ul style="list-style-type: none"> • Trails • Water routes • Other areas used for access purposes
Occupancy	<p>Areas used by Red River Métis Citizens to stay out on the land, including:</p> <ul style="list-style-type: none"> • Cabins, campsites, overnight locations • Places used to otherwise stay out on the land
Other Areas	<p>As the MMF has not yet undertaken a Project-specific RRMKLUS, there may be other values within the areas being explored that must be included in the NWMO Project planning and assessment.</p>



Based on this preliminary information, the MMF has identified the potential impacts to Red River Métis rights, claims and interests, the concerns are outlined in Section 3.4.1 below.

3.4 Key Concerns and Opportunities

This section identifies preliminary concerns and opportunities for collaborative engagement related to the proposed Project for Red River Métis Citizens.

3.4.1 Concerns and Anticipated Impacts

The MMF note that to date, the Proponent has only conducted superficial engagement with the MMF. While the MMF has worked with Red River Métis Citizens to identify general concerns relating to nuclear projects, it has not yet had the opportunity to work with Red River Métis Citizens to understand their concerns related to the Project particularly. Drawing on the perspectives of Red River Métis Citizens who have participated in prior engagement activities including on other nuclear projects within the National Homeland, the MMF outlines the following preliminary concerns about nuclear waste management (including storage and transportation):

- Downstream impacts on water quality, water levels, and water temperature, and potential radiation on fish and fish habitat.
- Impacts on wildlife habitat and populations, particularly species that are sensitive to development, such as moose and caribou. Citizens are concerned about species of interest to the Red River Métis that are already in decline throughout the region. Citizens described the current moose populations, noting that they are declining or have completely disappeared in certain areas. Citizens emphasized that these species need to be protected to prevent further impacts on populations as a result of the Project. One participant also explained that, on a larger scale, moose, caribou, and deer habitat ranges are changing because of climate change.
- Uncertainty about the quality and safety of wildlife harvested for subsistence, and effects on the health of Red River Métis. Several participants described an increase in abnormalities in the animals they harvest, such as bumps or other signs of disease, making them unsafe to consume.
- Impacts to the quality and safety of plants and other natural materials harvested by Citizens for subsistence or medicinal purposes. Participants emphasized the importance of mitigating Project impacts to prevent additional strain on the environment or compromising the safety of wild foods and medicines.
- Cumulative impacts from development having already had negative impacts on Red River Métis Citizens' ability to hunt, trap, fish, and practice other cultural activities within the National



Homeland. Ongoing and new development, like the Project, together, exacerbate these impacts and further affect traditional and commercial activities of Red River Métis Citizens.

- The effectiveness of Project closure and reclamation, to return the land to pre-existing conditions.
- The emergency preparedness of operations and communication with the MMF in the event of an emergency.
- Nuclear or radioactive waste transportation, incident risk, and emergency management.
- Uncertain influence on energy costs, including the full life cycle of nuclear energy and waste management.
- The social impacts of a transient workforce and increased traffic.
- Access to economic opportunities and social programming tailored to the Red River Métis to provide distinctions-based benefits and mitigations.

These concerns culminate in potential impacts to:

- Red River Métis access rights: these include the right to access the National Homeland and may be impacted due to reduced access or lost rights-of-way during Project construction, operation and decommissioning.
- Red River Métis harvesting rights: impacts on the ability to practice customs, traditions, and ways of life, caused by construction and operation disturbances (lights, noise, traffic), land and resource disturbance (contamination and the up-take of land for industrial purposes).
- Red River Métis cultural and spiritual rights: the decreased quality (or loss) of experience/subsistence on-the-land, leading to a reduced connection to cultural and spiritual practices and resulting in psychosocial impacts.
- Red River Métis inherent right to health and wellness, specifically as it relates to mental health stemming from psychological or perceived effects on behaviour, safety, and trust. The experience of Red River Métis on the nearby Whiteshell Laboratories decommissioning project has identified a range of psycho-social concerns related to how Red River Métis Citizens relate to the lands and waters around the proposed Project site now and for future generations.

Citizen concerns may be based on experience and/or perception, and in either case, affect the exercise of rights; Citizens modify their exercise of rights in relation to the concerns. To this end, the MMF is concerned about the lack of engagement that has taken place and the depth of planned engagement.



We respect the NWMO’s long-standing collaboration and relationship building with the Wabigoon Lake Ojibway Nation and other Indigenous groups; however, applying the product of these efforts to Red River Métis Citizens would reflect a pan-indigenous approach to engagement. To meaningfully address the rights of Red River Métis Citizens, a distinction-based approach must be used. The IPD identifies five (5) First Nations who may be affected by the Project and commits to engaging with others (2025, p. 22 & 252). The MMF is not identified as potentially affected nor offered the same opportunity for dialogue and relationship building, and opportunity which the MMF would welcome.

The NWMO has taken a narrow engagement focus in addressing the Canadian Nuclear Safety Commission (“CNSC”) regulatory requirements. The IPD states that “at each licensing phase, members of Indigenous communities ... will have opportunities to review and comment through the CNSC’s public hearings. ... the NWMO [will continue to document engagement through a triennial report on] the significant socio-economic effects of its activities on a community’s way of life and social, cultural, and economic aspirations.” (2025, p. 193). Using the hearing process and triennial report should not be construed with the relationship building that is necessary for engagement to be meaningful and effects to be collaboratively addressed. The MMF raises the following concerns:

- **Socio-economic reporting:** Distinction-based engagement with the MMF is required to enable accurate socioeconomic reporting. The NWMO’s proposed engagement with affected groups currently does not specify the involvement of the MMF. As a result, it’s unclear how the MMF will have the ability to participate meaningfully in reporting on the potential socio-economic effects to Red River Métis Citizens.
- **Reliance on the CNSC regulatory process to meaningfully engage with the MMF:** Relying on a regulatory hearing process confines the scope and timeline of engagement which reduces the effectiveness and depth of MMF participation. Reviewing and commenting through a hearing process does not create meaningful involvement opportunities. The current engagement plans will not result in opportunities for mitigating impacts to Red River Métis Citizens' rights.

Concerns from Citizens in combination with the lack of engagement to date suggest the potential for the Project to result in significant adverse effects to Red River Métis rights, claims and interests. To resolve these potential impacts, the MMF has identified opportunities for collaboration with the Proponent (Section 4).

3.5 Potential Effects on the Rights of Red River Métis Citizens

The MMF is concerned that the Project effects and subsequent impacts, identified in Section 3.4.1, may adversely impact the rights, claims, and interests of the Red River Métis. The MMF has provided potential opportunities to address concerns in section 4. The MMF recommends that the Impact



Assessment Agency of Canada (“IAAC”) and the Proponent work with the MMF to identify a resolution for these potential impacts through an Impact Assessment or alternative processes. Potential impacts stem from:

- Implicit to the Red River Métis way of life is the land, waters, and ecosystems on the National Homeland, and the species and cultural practices they support. Therefore, a project that has the potential to affect Red River Métis culturally significant species and their habitats could have impacts on Red River Métis’ ability to practice traditional activities and exercise their rights.
- The availability of areas to harvest or having to change harvest locations can be caused by both actual or perceived risks related to harvesting near or downstream of a nuclear development, and construction-induced disturbance. Avoidance or loss of these areas because of uncertainty or feeling unsafe, or construction disturbance would impact Red River Métis rights, claims, and interests in the area.
- The Red River Métis have the right to self-determination and the ability to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. As the elected government of the Red River Métis, the MMF is mandated to promote, protect, and advance the collectively held Aboriginal rights of the Red River Métis. The MMF’s ability to protect the rights, claims, and interests of Red River Métis Citizens and exercise self-determination now, and into the future, may be impacted by the Project or it’s cumulative effects.

3.6 Concerns with the Scope of the Project

The Proponent has made it clear that transportation of any materials beyond the local footprint of the Project falls outside of the scope of the impact assessment. The Proponent further makes the argument that transportation and other upstream activities fall under the responsibility of the CNSC during the licencing process as well as Transport Canada who are responsible for overseeing the transportation of hazardous goods. The MMF rejects this premise, as transportation of nuclear materials is inherent to the Project as described, as the location of the facility directly influences the potential for impacts associated with the movement of nuclear waste material. Further, while the CNSC licencing process does afford opportunity for consultation, it does so with the understanding that the location and impacts under the scope of an integrated impact assessment have been adjudicated through that assessment process. Further, rarely does Transport Canada’s oversight of hazardous goods trigger consultation. As result, for at least some aspects of the decision-making process related to the movement of nuclear waste to the Project, the MMF will be unable to participate in meaningful consultation. We believe that only through appropriately scoping transportation into the integrated impact assessment can consultation on the entirety of Project development and operation be satisfied.



The MMF points to two comparable examples where transportation of material falls within the scope of the impact statement guidelines:

1. Marten Falls Community Access Road

While the Proponents have been clear that the scope of the Marten Falls Community Access Road does not include use of the road to haul ore, and further the project does not specifically connect to the prospective Ring of Fire projects (e.g., Eagles Nest Mine), the Tailored Impact Statement Guidelines for the project require the Proponent to “identify the sources of potential cumulative effects. Specify other projects or activities that have been or that are likely to be carried out that could cause effects to each selected valued component within the boundaries defined, including potential induced effects, and whose effects would act in combination with the residual effects of the Project” this includes “road use past Nakina, including transportation of ore to the proposed future Ferrochrome Production Facility in Sault Ste. Marie, or to the smelter in Sudbury”.¹² This example set an important precedent as while ore hauling and mine-related activities are not specifically scoped into the IPD, the inherent connection between the project and the foreseeable transport of ore material requires meaningful assessment of the cumulative effects associated with its transport.

2. Bruce Power Bruce C Project

Similar to the NWMO, Bruce Power suggests from the onset that “Transportation of nuclear waste is considered outside of the Project scope”¹³, pointing to NWMO who are implementing Canada’s plan for safe, long-term management of used nuclear waste. However, within the Tailored Impact Statement Guidelines, Bruce Power is required to “Evaluation of the suitability of a site for the construction and operation of a nuclear facility must address the following considerations:

- storage and traffic of input and output materials – such as fresh and spent fuel, and radioactive waste;”¹⁴

This direction and context from IAAC and CNSC is important as while there is an underlying assumption that the ultimate long-term storage location for the Project is yet to be determined, it is still necessary to contemplate how materials will be stored and traffic associated with incoming and outgoing nuclear fuel and radioactive waste. In arguing that the transportation of radioactive waste is out of scope for the Project, we see that either as inconsistent with the direction and logic applied to other projects, or

¹² Impact Assessment Agency of Canada. 2020. Marten Falls Community Access Road Project. Tailored Impact Statement Guidelines. Available from: <https://iaac-aeic.gc.ca/050/documents/p80184/133937E.pdf>

¹³ Bruce Power. 2024. Bruce C Project Initial Project Description. Available from: <https://iaac-aeic.gc.ca/050/documents/p88771/158463E.pdf>

¹⁴ Impact Assessment Agency of Canada. 2025. Integrated Tailored Impact Statement Guidelines. Bruce C Nuclear Project. Available from: <https://iaac-aeic.gc.ca/050/documents/p88771/162760E.pdf>



demonstrating a gap in assessing the impacts on transportation corridors between source and the Project, and therefore representing a potential source of significant adverse impacts that are not fully understood.

The MMF therefore requests that IAAC and CNSC, in contemplating their responsibilities to this Project, require the Proponent expand the scope to include transportation and all associated upstream activities from the point that nuclear waste material departs a licenced nuclear waste production facility.

3.6.1 Source of Spent Nuclear Fuel

As noted by the Proponent, the Project is only intended to receive spent nuclear fuel from Darlington, Bruce, and Pickering. Excluded from this list is the Point Lepreau facility in New Brunswick, existing experimental and research reactors in Ontario, Quebec, and British Columbia, and prospective full-scale and Small Modular Reactors (notably the proposed Peace River and Estevan nuclear facilities). The MMF requests that within the scope of the impact assessment, the Proponent explore the potential for receiving spent nuclear fuel from these other facilities, or others not yet considered over the life of the Project.

4.0 Opportunities to Address Concerns and Anticipated Impacts

The MMF is the only party that can articulate concerns regarding potential impacts to Red River Métis rights, claims, and interests. Therefore, the MMF seeks to develop a relationship with the NWMO, allowing the MMF the opportunity to identify issues proactively and establish a platform to collaboratively resolve concerns. Part of this relationship should involve active engagement, inside and outside of the regulatory process, to foster meaningful active engagement and a positive relationship. Accordingly, we request:

- Comprehensive RRMKLUS led by the MMF in the Project area.
- MMF involvement in the identification of valued components, indicators, metrics and assessment endpoints (as identified in IDP Section 19.2.1) to integrate the considerations necessary to protect the Red River Métis exercise of section 35 rights and other traditional land use practices.
- Collaboratively develop gender based analysis (GBA Plus) throughout the impact assessment to ensure the Red River Métis distinction is considered as part of the regulatory process.
- Development of an adaptive communication plan with the MMF that is based on societal factors and changing perceptions toward nuclear energy and includes transparent



and timely Project communications, and education strategies that demystify the risks and benefits of nuclear waste storage.

- Development of an emergency management notification process for addressing and responding to emergencies in relation to operations or transportation.
- Identifying clear economic opportunities for Red River Métis procurement, training, and employment opportunities.
- Collaborative development of a decommissioning and reclamation plan, chance find protocol, and country food monitoring program.
- Conducting MMF-led assessments (potentially cumulative effects assessment psycho-social baseline assessment; economic opportunity assessment; and human health and ecological risk assessment).

Input into the regulatory process and operations management would be based on the results of a site-specific RRMKLUS and of further Citizen engagement activities and could be directly integrated into NWMO Impact Assessment and future reporting throughout operations. The MMF emphasizes the need for involvement of MMF staff and Red River Métis Citizens in pre- and post-construction assessment to build and maintain confidence in the integrity of the Project, providing assurance that rights, claims, interests, and the overall way of life of Red River Métis Citizens is protected.

5.0 Conclusion

To date, the MMF has not been engaged through a meaningful, distinction-based process, despite the Project area being located within the National Homeland of the Red River Métis. Northern Ontario holds historical and contemporary significance as part of the Red River Métis fur-trade transportation routes and economic networks. The recommendations and requests identified by the MMF are not discretionary enhancements to the Project; collaboration on these measures is necessary to avoid, minimize, or accommodate the risk of adverse effects to the constitutionally protected Aboriginal rights of the Red River Métis Citizens. Early collaboration, including a site-specific RRMKLUS is required to inform the preparation of impact assessment (value components, indicators, metrics and end points), emergency planning, and reclamation planning. Reliance on generalized engagement mechanisms, public hearings, or post-hoc socio-economic reporting does not provide the MMF with meaningful opportunities to influence Project design, mitigation, or decision-making and therefore undermines the Crown's duty to consult and obligations to reconciliation. Collaborative implementation of the opportunities identified by MMF herein is recommended to ensure that potential adverse effects are identified early, addressed proactively, and managed adaptively, through both the regulatory process and the Project lifecycle. Otherwise, there is a potential risk that the Project could result in adverse effects on Red River Métis section 35 rights that cannot be adequately mitigated after the fact.



6.0 Bibliography

Adese, J., Leroux, D., & O'Toole, D. (2020). *Historic Métis Communities of Ontario: An Evaluation of Evidence*. Manitoba Métis Federation.

Nuclear Waste Management Organization. (2025). *Initial Project Description - Deep Geological Repository (DGR) for Canada's Used Nuclear Fuel Project*.

