



ANISHINABEK NATION

Feb 4, 2026

Deep Geological Repository for Canada's Used Nuclear Fuel Project
Impact Assessment Agency of Canada
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Subject: Request to Include Transportation of High-level Nuclear Waste in the Impact Assessment for the Deep Geological Repository (DGR) for Canada's Used Nuclear Fuel Project", Project Reference No. 88774"

Dear Impact Assessment Agency Officials,

On behalf of the Anishinabek Nation, I write to formally urge the Impact Assessment Agency of Canada (IAAC) to ensure that the transportation of high-level nuclear waste is fully and explicitly included within the current Impact Assessment process for the proposed Deep Geological Repository (DGR).

The Anishinabek Nation represents 39 First Nations whose territories span much of the Great Lakes Basin, including Lake Superior, Lake Huron, Lake Erie, and Lake Ontario, as well as the connecting rivers and watersheds. These waters are not merely geographic features; they are living relatives and foundational to our First Nations' cultures, governance systems, economies, and responsibilities as stewards of the land and water for future generations.

Treaty and Aboriginal Title Relationship and Great Lakes

Many of our 39 member First Nations are positioned along the highway 17 and 11 corridor. This waste and construction materials will be transported through their treaty and Aboriginal title lands to the selected site and project. The treaties through which the project materials and waste will be transported did not cede nor surrender our rights to be at least involved in the management of such an undertaking. In fact, it did not even contemplate the enormity of this proposed activity's potential impact. Aboriginal title lands of some of our First Nations include the highways and have not even been addressed. Given that both types

of rights did not contemplate nor address this activity, it is necessary to address transport along with the project.

Further, the Great Lakes Basin generally is central to the exercise of our Aboriginal and Treaty rights, including fishing, hunting, trapping, harvesting medicines, conducting ceremonies, and sustaining community wellbeing. The waters and lands of the Basin are integral to Anishinabek laws, teachings, and obligations handed down through generations. Any activity that threatens the integrity of these waters threatens the cultural survival, health, and self-determination of our Nations.

The Anishinabek Nation has consistently maintained that decisions that may affect the Great Lakes must be guided by the First Nations and respect for their knowledge systems, and a recognition of First Nation jurisdiction and governance responsibilities within our First Nations and their territories.

Legacy of Contamination and Weak Government Diligence

Many of our First Nations have had a negative historical experience with disproportionate impact by poor contaminated waste management including: Nipissing First Nation (niobium), Serpent River First Nation (Sulfuric acid from uranium processing) Aamjiwnaang First Nation (toxic cocktail from Sarnia chemical valley). This history has impacted individuals and entire communities. The government thinking of the time was that all checks and balances were taken care of. However, time has shown otherwise, and First Nations were left to deal with them. We are and must be diligent in ensure the most thorough review of this initiative in its entirety is completed.

The most potentially impacted by the combined effect of the site selection, transportation and the project is Fort William First Nation. This project is in the proximately of their traditional territory, on the main highway transportation route and their community is in the plume of the prevailing wind. This First Nation has had to deal with a nearby effluent spill that included long term mercury contamination. This impact includes health concerns and impact on traditionally harvested food supply.

Cumulative Effects

Segregated assessment of the site, project, transportation concerning this matter does not take into account the cumulative effects on First Nation rights. While the proposed DGR focuses on long-term waste containment, the transportation of high-level nuclear waste to the repository presents cumulative yet distinct and significant risks that must be assessed as part of the same project, not treated as a separate or downstream consideration. These risks include, but are not limited to:

- Potential accidents or incidents along transportation corridors, including rail, road, or marine routes that intersect Anishinabek territory and the Great Lakes Basin;
- Contamination of surface waters, groundwater, and sediments, with irreversible impacts on drinking water sources, fisheries, and ecosystems;
- Cumulative effects on communities already burdened by industrial development, transportation infrastructure, and environmental degradation;
- Emergency preparedness and response capacity in First Nation communities, many of which have not been adequately resourced or consulted regarding nuclear emergency planning;
- Intergenerational impacts, given the long-lived nature of high-level nuclear waste and the Anishinabek responsibility to consider the wellbeing of future generations.

The exclusion of transportation impacts from the Impact Assessment would undermine the purpose of the federal impact assessment regime, which is intended to evaluate all components of a project that may cause adverse effects, particularly those affecting First Nations, their citizens and their rights.

Duty to Consult and First Nation Interests

Canada has legal and constitutional obligations to meaningfully consult and, where appropriate, accommodate First Nations when contemplated activities may adversely impact Aboriginal and Treaty rights. The consultation must be “meaningful”, this is an objective test but must factor in what First Nations see as meaningful of course. This includes the transportation in the project stage. A factor in determining the depth of consultation is possible impact. We can think of nothing with more depth of impact than management of nuclear resources. This duty cannot be fulfilled if a critical project component, such as nuclear waste transportation is excluded from assessment.

Anishinabek First Nation people and communities are not just rights holders. They are also citizens of Canada and Ontario with interests. These interests have a unique perspective as occupying the worst statistics in terms of life expectancy, illness and disease. We are also users of the land, have more or less reserve community boundaries. In First Nation culture we belong to the land.

The Anishinabek Nation respectfully requests that the Impact Assessment Agency of Canada work collaboratively with the Anishinabek Nation to ensure that the 39 First Nations are properly consulted, meaningfully informed, and that communication remains open, transparent, and ongoing throughout all stages of the impact assessment process.

UNDRIP

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which has been supported by federal law, has committed Canada to implement, and affirm Indigenous peoples' right to participate in decision making and to require free, prior, and informed consent for projects affecting their lands, waters, and resources. The various articles speak to a fair and impartial process for considering activities that may impact our rights and includes the requirement to consider indigenous laws.

Holistic Approach

A holistic approach to almost everything in our lives is most certainly Anishinaabe law as we see everything interconnected and interdependent. UNDRIP article 29 specifically concerns storage and disposal of hazardous material to which transportation is necessarily incidental to and government must obtain free prior and informed consent let alone provide redress.

The Anishinabek Nation respectfully requests that the Impact Assessment Agency of Canada:

1. Explicitly include the transportation of high-level nuclear waste as part of the DGR Impact Assessment;
2. Assess all potential transportation routes, modes, and cumulative effects within Anishinabek territory and the Great Lakes Basin;
3. Ensure early, ongoing, and distinctions-based engagement with Anishinabek First Nations, grounded in respect for their knowledge and governance; and
4. Apply the precautionary principle in recognition of the irreversible consequences of potential contamination to the Great Lakes.

The Anishinabek Nation remains committed to engaging in good faith with IAAC and other federal partners to ensure that decisions affecting our territories uphold inherent Aboriginal and protected Treaty rights, protect the Great Lakes, and safeguard the well-being of present and future generations.

Should you require further information or wish to discuss this matter, we welcome continued dialogue.

Respectfully,

<Original signed by>


Linda Debassige
Grand Council Chief
Anishinabek Nation

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 - Regional Grand Chief Melvin Hardy, Northern Superior Region
 - Regional Grand Chief Scott McLeod, Lake Huron Region
 - Regional Grand Chief Marsha Smoke, Southeast Region
 - Regional Grand Chief Joe Miskokomon, Southwest Region
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 - Brendan Huston, Executive Director
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 - Krista Coppaway, Policy Analyst Lands and Resources Department
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