



GICHI OZHIBI'IGE OGAAMIC
ADMINISTRATIVE OFFICE

Via E-mail

July 16, 2026

Mr. Terence Hubbard
President, Impact Assessment Agency of Canada
22nd Floor, Place Bell
160 Elgin Street
Ottawa, ON K1A 0H3

Mr. Pierre Tremblay
President, Canadian Nuclear Safety Commission
280 Slater Street
P.O. Box 1046, Stn B
Ottawa, Ontario K1P 5S9

Re: GCT3's Reply to IAAC's June 30 Letter respecting the DGR Project

Dear Mssrs. Hubbard and Tremblay:

Mr. Hubbard's June 30, 2026 letter to me makes clear that we are at an impasse.

The Anishinaabe Nation in Treaty #3 (Nation), as represented by Grand Council Treaty #3 (GCT3), have provided the Impact Assessment Agency of Canada (IAAC) and Canadian Nuclear Safety Commission (CNSC) with numerous opportunities for continued collaboration. However, IAAC/CNSC appears to believe that an Impact Assessment Act – Manito Aki Inaakonigewin harmonization plan is no longer relevant and/or necessary. IAAC and CNSC have many means of doing so under Canada's Impact Assessment Act (IAA), Declaration on the Rights of Indigenous Peoples Act (DRIPA), Duty to Consult and Accommodate (DTCA), and the Canadian Constitution.

Your June 30 letter appears to have concluded that the jurisdiction of the Anishinaabe Nation in Treaty #3 through the GCT3 administration is irrelevant to your future impact assessment. You also appear to have concluded that the jurisdiction of twenty-two of the Treaty #3 First Nations are irrelevant to your future impact assessment, as IAAC has identified only six Treaty #3 First Nations in its Indigenous Engagement and Participation Plan (IEPP).

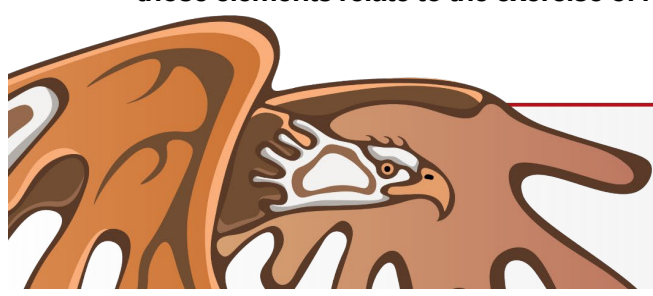
I cannot accept that the Nation does not have a role in your future impact assessment. As you are no doubt aware, on June 26, 2026, Ogichidaa Francis Kavanaugh wrote to Prime Minister Mark Carney stating that the proposed DGR Project is subject to Manito Aki Inaakonigewin. I have enclosed that letter here. Ogichidaa Kavanaugh wrote "[f]or a proposal that will cause significant adverse effects to collective inherent and Treaty #3 rights for our Nation and to Treaty #3 Territory for the next 1 million years, the DGR must be scrutinized diligently." Implementing a harmonized IAA – Manito Aki Inaakonigewin plan would have significant benefit in providing Canada a robust process to ensure that DTCA processes were tailored to consider the Nation's laws, knowledge and practices, and to create a middle ground to cooperatively and collaboratively assess the DGR Project.

While GCT3 is aware that the IAAC's impact assessment process is not a rights-determination process, IAAC and the CNSC appear to misconceive its responsibility to consider the nature and extent of rights and the seriousness of potential impacts. It is clear from Mr. Hubbard's June 30 letter that **IAAC and, implicitly, the CNSC also have a fundamental misunderstanding of the Nation's system of governance, jurisdiction and authority, and how those elements relate to the exercise of rights guaranteed by Section 35 of the Canadian Constitution.** The

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Nation's system of governance, jurisdiction and authority has been clearly explained through GCT3's comments recognized by Mr. Hubbard in his June 30 letter (page 1), so I will not repeat that here. However, it bears emphasis that **Canadian courts have confirmed that it is for Aboriginal peoples to define themselves and choose by what means to make their decisions, according to their own laws, customs, ceremony and practices.** These choices are consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration). It is well-established that **the inherent right to self-determination, including decision-making authority in relation to land and resources, is constitutionally guaranteed under Section 35 of the *Constitution Act, 1982*.**

GCT3 believes that the approach set out in the June 30th letter misunderstands Section 35 of the Canadian Constitution, Canada's laws (i.e. IAA and DRIPA), the UN Declaration, the 2004 Haida DTCA Framework, Canada's commitment to Reconciliation and the Nation's law of Manito Aki Inaakonigewin. These are significant issues which need to be addressed immediately to mitigate the possibility of further consequential errors being made by IAAC during the federal impact assessment for the DGR Project.

GCT3's mandate is to protect the future of the Anishinaabe people by ensuring the protection, preservation, and enhancement of inherent and Treaty rights. For the DGR Project, a clear mandate from Treaty #3 Chiefs has been provided to GCT3 as its traditional governing administration. Specifically, GCT3 has been directed to work constructively with IAAC and CNSC to establish a harmonized IAA – Manito Aki Inaakonigewin plan. GCT3 has repeatedly communicated this mandate to Canada; Canada has knowledge of the Nation's desire to be involved in the impact assessment and implement Manito Aki Inaakonigewin.

In the years of prior dialogue with IAAC, the Nation and GCT3 were led to believe that IAAC staff understood the lessons and guidance that was offered on Manito Aki Inaakonigewin. This consensus was memorialized in communications, mutually endorsed meeting minutes, as well as a finalized visual representation of the Impact Assessment Act – Manito Aki Inaakonigewin framework. I have enclosed a copy of this documentation here. This co-developed framework helps to address the questions that your letter raises on page 2: "how its member Nations would like to apply Manito Aki Inaakonigewin and how this work would align with IAAC and the CNSC's ongoing discussions with the six Treaty #3 members". As Ogichidaa Kavanaugh stated on June 26, 2026, the Nation has been directed by Treaty #3 Chiefs to implement Manito Aki Inaakonigewin for the DGR Project. The framework depicts the Nation and Treaty #3 First Nation regulatory processes co-existing and working in harmonization, in parallel, and alongside Canada's IAAC/CNSC processes.

In response to GCT3's request that the Agency recognize Article 29(2) of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), Mr. Hubbard ignores Article 29(2) and all Articles in UNDRIP. Instead, Mr. Hubbard advises that the IAAC and the CNSC are "committed to aligning with the principles and objectives of UNDRIP." Instead of recognizing the Nation as "Indigenous peoples" under UNDRIP, Mr. Hubbard advises that IAAC and the CNSC will be "seeking the free, prior and informed consent of Indigenous Nations and communities whose rights may be adversely affected by the project" in relation to "six GCT3 member First Nations." As noted by GCT3, Manito Aki Inaakonigewin authorizations are required, in addition to consent of Treaty #3 First Nations other than the "six GCT3 member First Nations" that IAAC has arbitrarily identified from a non-Anishinaabe perspective and process. Additionally, IAAC and CNSC are choosing to ignore Treaty #3 First Nations direction to implement the Nation's Manito Aki Inaakonigewin.

I ask that you immediately change course to (1) consult and accommodate the Nation and the , (2) recognize and respect Manito Aki Inaakonigewin during the impact assessment of the DGR Project, (2) IAAC/CNSC will share a proposed plan to recognizing and respecting Manito Aki Inaakonigewin, and (3) resume harmonization negotiations to address Manito Aki Inaakonigewin. I look forward to hearing back from IAAC and CNSC on this request. **Time is of the essence.**

Additionally, I have asked Mr. Chris Herc, Director, Territorial Planning Unit, to reach out to Ms. Kim Noble, Indigenous Consultation Manager to (1) resume the Impact Assessment Act – Manito Aki Inaakonigewin harmonization negotiations, and (2) discuss the Nation's issues with IAAC's Integrated Tailored Impact Statement Guidelines, Cooperation Plan, Indigenous Engagement and Partnership Plan, and Permitting Plan.

Sincerely,



Lucas King

Chief Executive Officer
Grand Council Treaty #3

cc: Ogichidaa Francis Kavanaugh, GCT3
Gaakinawataagizod Cheyenne Vandermeer, GCT3
Chief Terry Allen, Chair, GCT3 Environmental Chiefs Committee
Treaty #3 Chiefs
Mr. Chris Herc, Director, Territorial Planning Unit, GCT3
Mssrs. Gary Allen & Dan Morrieseau, Political Office, GCT3
Right Honourable Prime Minister Mark Carney
Honourable Minister Julie Aviva Dabrusin, Environment, Climate Change and Nature
Honourable Minister Tim Hodgson, Energy and Natural Resources
Honourable Minister Dominic LeBlanc, One Canadian Economy
Honourable Minister Mandy Gull-Masty, Indigenous Services Canada
Ian Ketcheson, Vice President, Indigenous Relations Sector