



ANISHINABEK NATION

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RESOLUTION – #2021-26

Subject: Supporting an Alternative to the Line 5 Pipeline
Mover: Ogimaa Duke Peltier, Wiikwemkoong Unceded Territory
Seconder: Ogimaa-kwe Linda Debassige, M'Chigeeng First Nation
Status: Carried
Date: November 2, 2021
Opposed: None
Abstentions: None

WHEREAS:

1. Enbridge Pipelines Inc. operates Line 5, a 645 mile, 30 inch diameter pipeline that was built in 1953. Line 5 is a four-mile underwater section which crosses the Straits of Mackinac between Lakes Huron and Michigan, splitting into twin pipes that run along the lake bed. This pipeline transports a variety of petroleum products to Sarnia;
2. Enbridge Line 5 was designed for a 50 year life, and has now expired its life design and numerous small ruptures have already occurred. There are tribal, First Nation and public concerns about the potential for a catastrophic environmental impact if a further Line 5 rupture(s) was to occur. The waters of the Great Lakes and ecosystems habiting life would be impacted;
3. The non-government organization, Environmental Defence has provided the Anishinabek Nation with a confidential preliminary draft report for review entitled "**Potential Enbridge Line 5 Closure: Alternatives for Crude Oil Supply to Ontario and Quebec Refineries and Associated Impacts on Ontario and Quebec Refined Product Markets, September 2021**". This draft report provides perspectives and evaluates the impact of the potential closure of Enbridge's Energy Line 5 on refineries and refined products markets; and
4. The Environmental Defence draft report suggests that there are alternative routes within the main pipeline system that could support the economic driver of crude oil if Line 5 was potentially closed. More discussions with the Chiefs-in-Assembly are needed to better understand the Anishinabek Nation landscape with respect to the alternatives to Line 5.

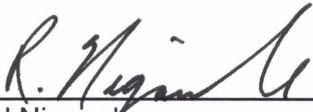
THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

1. Support the preliminary findings of the draft report provided by Environmental Defence and discuss the findings once the report has been finalized and publically released that will provide a strategic framework to advocate for the final alternative decision to Line 5;
2. In addition to seeking a seat at the 1977 Treaty table with Canada and the United States, we reaffirm our solidarity with US tribal opposition to Line 5 through the advocacy efforts


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of our Anishinabek Nation Chiefs-in-Assembly at the Chiefs of Ontario and at the Assembly of First Nations; and

3. Continue to provide support to Anishinabek First Nations on their positions to pipelines, and the Lands and Resources Department to continue to provide updates on the draft report to ensure the Anishinabek First Nations discuss the alternatives suggested as not all the Anishinabek First Nations may be in support of the draft report findings and suggested alternatives.



Reginal Niganobe
Grand Council Chief



James Marsden Minmaazo
Southeast Deputy Grand Council Chief

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RESOLUTION – #2021-27

Subject: Minister Zoning Orders and the Impacts to First Nations
Mover: Chief Peter Collins, Fort William First Nation
Seconders: Chief Emily Whetung, Curve Lake First Nation
Status: Carried
Date: November 2, 2021
Opposed: None
Abstentions: None

WHEREAS:

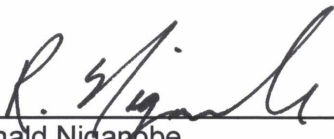
1. Municipalities are mandated through the recommendations of the Truth and Reconciliation Commission (TRC), the 2020 Provincial Policy Statement (PPS), and Environment and Land Tribunals Ontario to incorporate Aboriginal and treaty rights into their official planning policies and processes;
2. On April 12, 2021, the *Supporting Broadband and Infrastructure Expansion Act, 2021* received Royal Assent, where Schedule 3 amended the *Planning Act* so that the Minister Zoning Orders (MZO) are not subject to the legislative requirement to be consistent with PPS. However, the Minister is to have regard to provincial interests including the protection of ecological systems when exercising the authority to make MZOs;
3. The *Planning Act* gives the Minister of Municipal Affairs and Housing the authority to zone and thereby control the use of any land in the province. MZOs can be used to protect provincial interest (protect sensitive feature) or to address barriers or delays to critical projects (speed up planning approvals);
4. An MZO is an authoritative tool that is used to support and expedite the delivery of government priorities, including transit oriented communities, affordable housing, long-term care homes, and strategic economic recovery projects by removing barriers and delays. When a Minister implements an MZO, the Minister acts at their discretion, and grants the authority to provide their complete support for these projects; and
5. First Nations are challenging many of the MZOs.

THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:


1. Direct the Grand Council Chief to send correspondence requesting to meet with the Minister of Municipal Affairs and Housing to discuss the impact of MZOs on First Nations and request for exemption of MZOs within the Anishinabek First Nations and their territories, until further notice;

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2. Direct the Anishinabek Nation to discuss internally and draft a framework that would support the First Nations to:
 - a. Better navigate and be informed of municipal planning processes;
 - b. Engage in proactive relationship-building with local governments; and
 - c. Seek inclusive participation in land use and environmental decision-making that affects interests; and
3. Direct the Lands and Resources Department to report to the Regional Chiefs Meetings, and the Grand Council Assembly on the progress made and findings to date.



Reginald Nigapobe
Grand Council Chief



James Marsden Minmaazo
Southeast Deputy Grand Council Chief

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RESOLUTION – #2021-28

Subject: Nuclear Waste and Small Modular Reactor Roadmap Development
Mover: Chief Duncan Michano, Biigtigong Nishnaabeg
Seconder: Chief Judy Desmoulin, Long Lake #58 First Nation
Status: Carried
Date: November 2, 2021
Opposed: None
Abstentions: None

WHEREAS:


1. **AFN Resolution 62-2018** (passed in December 2018) outlined that free, prior and informed consent is required to ensure that no storage or disposal of hazardous materials take place within First Nation lands and territories. The Government of Canada needs to cease funding and support of the Small Modular Reactor (SMR) Program because of the potential impacts on the environment, climate change and health;
2. **The Chiefs of Ontario Resolution 21-08** (passed in February 2021) has demanded that the multi-billion dollar refurbishment of Ontario's nuclear power reactors be halted and further investments be made in alternative energy solutions;
3. **Anishinabek Nation Resolution 2020-10 Nuclear Waste and Small Modular Reactor Roadmap Development** (passed in November 2020) reiterated that Canada abandon support of the SMR program and increase funding into research and development into the reuse of fuel waste and renewable technologies;
4. The Canadian Nuclear Safety Commission has commenced an Environmental Assessment and formal hearing process under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) for Global First Power's (GFP) proposed Micro Modular Reactor (MMR) Project at Chalk River;
5. The Nuclear Waste Management Organization (NWMO) has identified, and are conducting further investigations into, two potential sites for a deep geological repository in Teeswater and Ignace Ontario;
6. The federal government has initiated a radioactive waste policy review to modernize Canada's radioactive waste policy;
7. **The Anishinabek Nation and the Iroquois Caucus have signed a Joint Declaration** on the Transport and Abandonment of Nuclear Waste that speaks to the need for no abandonment of radioactive waste materials, the need for better containment and packaging, calling for monitored and retrievable storage away from major water bodies, and calling for no import or export of radioactive waste materials;


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8. There is a need to conduct research, develop a strategic approach and secure resources and capacity funding to inform Anishinabek Nation communities of the threats these actions pose to human health and the environment; and
9. The United Nations Declaration on the Rights of Indigenous Peoples states that Nations must "ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent".

THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

1. Call for the Government of Canada to establish a process that respects the Nation-to-Nation relationship based on inherent Aboriginal treaty rights and Aboriginal title that will also provide adequate resources and capacity to enable First Nations to truly engage in the development of a federal radioactive waste management policy;
2. Direct the Grand Council Chief to meet with the Minister of Natural Resources Canada and advocate for capacity funding and support and the development of a partnership with the Anishinabek Nation to fund a full time position to enable capacity to be able to provide information to communities on the Small Modular Reactor Roadmap and other nuclear related initiatives;
3. Support the 5 Principles agreed to in the Joint Declaration between the Anishinabek Nation and the Iroquois Caucus:
 - a. No abandonment of radioactive materials;
 - b. Better containment and packaging;
 - c. Monitored and retrievable storage waste;
 - d. Away from major water bodies; and
 - e. No import or export of radioactive materials;
4. Direct the Lands and Resources Department to update and report back progress to the Chiefs-in-Assembly at the 2022 Grand Council Assembly; and
5. State that this resolution in no way demonstrates support for Nuclear Waste Management Organization (NWMO) Nuclear Projects and advocate for the development of a plan to manage nuclear power and waste appropriately.


Reginald Nigahobe
Grand Council Chief


James Marsden Minmaazo
Southeast Deputy Grand Council Chief

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RESOLUTION – #2021-29

Subject: Supporting the Establishment of an Anishinabek Nation Harvesting Task Force

Mover: Ogimaa Shining Turtle, Whitefish River First Nation

Seconders: Chief Marcus Hardy, Red Rock Indian Band

Status: Carried

Date: November 2, 2021

Opposed: None

Abstentions: None

WHEREAS:

1. The Creator gave the Anishinaabe the sacred responsibility to care for Mother Earth and all the gifts she provides. Harvesting and gathering is fundamentally about the inherent right to self-government;
2. The Anishinabek First Nations have harvesting and gathering Anishinabek laws and protocols in place and have our own inherent decision-making processes, which evolves and adapts over time in response to the changing environment;
3. Seven (7) generations planning is critical to protect Mother Earth and her gifts for future generations;
4. The areas of harvesting and gathering are a significant area of discussion as various issues and concerns arise, for example, particularly concerns about moose and fish populations;
5. The Chiefs-in-Assembly continue to discuss harvesting complaints, concerns and issues such as others harvesting within treaty territories with or without permission, First Nation citizens not respecting their own harvest laws/protocols, increase of use by others impacting fish and wildlife populations that have been on-going for nineteen (19) harvesting seasons; and
6. More discussions with the Chief-in-Assembly are needed to better understand the Anishinabek Nation landscape with respect to harvesting and gathering.

THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:


1. Direct the Lands and Resources Department to establish an "*Anishinabek Nation Harvesting Task Force*";
2. Direct the development of an Anishinabek Nation Harvesting Task Force terms of reference to support data collection, discussions and provide resources and findings to

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better understand of the Anishinabek Nations' harvesting landscape. This Task Force will allow:

- a. Anishinabek First Nations to share inter-treaty/inter-territorial protocols, codes, laws, etc., as this will provide background for a First Nation with no working policy in the areas of hunting and fishing;
 - b. Research and review the external forces impacting harvesting such as population growth, increase of users, industry, climate change, etc.;
 - c. Review of the right-of-ways, as these corridors are used by different harvesters;
 - d. Review our relationship with other Indigenous nations, for instance, Grand Council Treaty 3, Nishnawbe Aski Nation (NAN), Métis, etc., as some First Nations have friendship agreements in place;
 - e. Examination of the Ontario's *Public Lands Act* and its implications to treaty lands;
 - f. Review of the industrial landscape such as mining, forestry, aggregates, etc.;
 - g. Research, objectively, of the validity and evidence of moose/fish populations trends as there are conflicting reports;
 - h. Research of the poacher numbers, the moose/fish wasted, bows vs guns harvest, etc.;
 - i. Research the Ontario Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR) moose tag allocation and fishing management processes and advocate for input from Anishinabek Nations into the allocation process, as some of these management processes have changed over the last two (2) years;
 - j. The creation of a survey/guide for First Nations to monitor their citizens moose/fish harvests;
 - k. Discussions of the current approach of First Nation moose/fish management;
 - l. Discussions on alternative approaches and potential for uniform policy for the Anishinabek Nation on harvesting that will support the First Nations; and
3. Direct the Lands and Resources Department to report back to leadership at the Regional Chiefs Meetings and at the June, 2022 Grand Council Assembly on the progress made and findings to date.


Reginald Niganobe
Grand Council Chief


James Marsden Minmaazo
Southeast Deputy Grand Council Chief