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Fighting for Grassy Narrows: Three Cases, One Community

For decades, Grassy Narrows First Nation has been living with a health and environmental crisis caused by industrial contamination.

In the 1960's, a pulp and paper mill discharged large volumes of mercury into the English-Wabigoon River - mercury that is still moving through the ecosystem today, converting into methylmercury, a dangerous neurotoxin that builds up in fish and, when eaten, in people.

Hydro-electric flooding, clear-cut logging, and mining have compounded the damage over decades. Now, gold mining activity upstream is making things worse: gold mining releases sulphate and other contaminants into local waterways, which accelerates the formation of methylmercury.

Grassy Narrows First Nation, represented by CELA and Cavalluzzo LLP, is fighting back on three fronts.

The **Great Bear Mine** is a proposed gold mine in the Red Lake region, currently seeking provincial permits to take and discharge water for advanced exploration. In May 2026, we filed leave to appeal applications challenging recent decisions to approve both an Environmental Compliance Approval and a Permit to Take Water for this activity.

The **Madsen Mine** is an active gold mine upstream of Grassy Narrows in the same region. Given its location in the watershed, there are serious concerns about how its operations are affecting water quality. We brought a judicial review application challenging the Environment Ministry's refusal to issue orders to address water pollution, and that case was just heard in court earlier this month.

Finally, Grassy Narrows First Nation is challenging **Ontario's 'free entry' system** under the *Mining Act*, which currently allows mining claims to be staked online without any prior notice or consent from affected First Nations. Approximately 10,000 mining claims have been registered in Grassy Narrows territory under this system. This legal challenge is expected to be heard with a similar application brought by other Indigenous communities.

At the heart of these cases is a larger question: how environmental decisions are made in already burdened communities, and whether cumulative impacts and Indigenous rights are being meaningfully considered.

Casework

Proposal for World's Largest Nuclear Facility – CELA recently submitted comments on the draft [Tailored Impact Statement Guidelines](#) and the [legal decision making framework](#) related to OPG's proposal to build a new nuclear facility in Wesleyville. Learn more on CELA's [casework page](#).

Burying Nuclear Waste – Following our notice last month of open comment periods on the Nuclear Waste Management Organization's proposal to permanently place high-level radioactive waste underground in the Revell Lake area, CELA has submitted comments on the draft [Tailored Impact Statement Guidelines](#) and the draft [Public Participation Plan](#). Learn more on CELA's [casework page](#).

Law Reform

Rollbacks to Federal Assessment and Permitting Laws - In May 2026, the Government of Canada released a Discussion Paper that proposes several regressive changes to federal environmental statutes (i.e. *Impact Assessment Act, Fisheries Act, Species at Risk Act*, etc.) in order to fast-track major projects. CELA is currently preparing a detailed brief that urges the federal government to withdraw these unjustified proposals, which collectively represent the most serious rollback in federal environmental law in recent decades. In particular, CELA has significant concerns with the federal government's proposal to transfer the environmental assessment of nuclear power projects to the Canadian Nuclear Safety Commission. In a statement earlier this month, CELA Executive Director Theresa McClenaghan said "This proposal puts the fox in charge of the hen house and should be withdrawn." The deadline for public comments on the [Discussion Paper](#) is June 7, 2026.

Extreme Heat - Earlier this month, CELA Counsel Jacqueline Wilson spoke to the City of Toronto Executive Committee, calling on the City to finally pass a maximum indoor temperature by-law (max 26C) to protect tenants from deadly extreme heat. While we are frustrated by further delays on the systemic, root-cause solution, we [applaud the City](#) for providing some immediate relief: a further \$1 million expansion to the free Air Conditioner program. This is a crucial program for low-income tenants who need cooling now. We will continue to advocate for the passage of a maximum temperature by-law - it is essential to protect low-income tenants, seniors, people with disabilities, and children across the city.

Resources

Protecting Water - Access to clean drinking water begins long before it reaches the tap - it starts with protecting the sources that communities depend on. CELA recently co-hosted a webinar with Chiefs of Ontario, exploring the range of legal tools available to protect drinking water sources in First Nations communities, from provincial and federal frameworks to band council resolutions. A key focus of this session was the federal drinking water protection legislation introduced last year but never passed. We discussed what that bill would mean for First Nations communities, particularly its provisions around protecting drinking water sources. A recording of the webinar is available on [CELA's website here](#).

Inside CELA

We Are Hiring - CELA is currently accepting applications for a ten month Articling Student for the 2027-28 articling term commencing between mid-July and early August 2027. More information can be found on our [website](#).

Need Legal Services?

If you have an environmental justice issue, we may be able to help.

We provide free, confidential legal help to people living on low income as well as vulnerable, under-resourced or Indigenous communities.

We also provide environmental justice legal advice to individuals and groups regardless of income.

Complete an online intake form, call our office at 416-960-2284 or 1-844-755-1420 ext 7216, or email us at articling@cela.ca.

[Click here to complete an intake form](#)

Support Our Work

The Canadian Environmental Law Foundation raises funds to support environmental research, education, and access-to-justice initiatives.

In addition, the Foundation works to preserve and make accessible the history of environmental law in Canada so that future generations can learn from the past. This includes our digital and physical library and archival holdings.

Your gift today will help mentor the next generation of environmental lawyers and sustain the research and education needed to ensure environmental law continues to evolve.

[Support Our Work](#)

From the Foundation

May Feature - This month's feature from the Canadian Environmental Law Archive is a 1978 analysis of Bill C-14, the Nuclear Control and Administration Act, written by Energy Probe and CELA. The submission states that “the use and potential abuse of nuclear energy and the materials and technology require to produce it is one of the most contentious issues facing Canada today”.

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Intervenor, Volume 54, No.1
May 2026

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