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Date: 2025-01-14

**Written Submission from the
Ya'thi Néné Lands and Resources
Office**

**Mémoire du
Bureau des terres et des
ressources de Ya'thi Néné**

In the matter of

À l'égard de

NexGen Energy Ltd.

License application to prepare a site for
and construct its Rook I uranium mine and
mill project

NexGen Energy Ltd.

Demande de permis concernant la
préparation de l'emplacement et la
construction de son projet de mine et
d'usine de concentration d'uranium Rook I

Commission Public Hearing

Audience publique de la Commission

February 2026

Février 2026

YA'THI NÉNÉ LANDS AND RESOURCES INTERVENTION

*In the matter of the NexGen Energy Ltd. Rook I Project: Request
to prepare a site for and construct a uranium mine and mill
project*



13 January 2026

Introduction

NexGen Energy Ltd. (NexGen) proposes to construct and operate a new underground uranium mine and mill on the Patterson Lake peninsula in the southwestern Athabasca Basin in northern Saskatchewan, approximately 155 km north of the town of La Loche. The proposed Rook I Project is within Treaty 8 Territory and includes underground and surface facilities to support the mining and processing of uranium ore. The main components include an underground mine, an onsite mill to process an average of 1,400 tonnes of ore per day, surface facilities to support the short- and long-term storage of waste rock and ore, an underground tailings management facility, water-handling infrastructure, and an effluent treatment circuit, and additional infrastructure to support mining activities.

Before the Commission can make a licensing decision under the Nuclear Safety and Control Act (NSCA), the environmental assessment (EA) for the Project must first be considered under the federal regulatory regime.

The CNSC has scheduled a two-part Public Hearing to consider both the EA and the license application for the Project: the first part will occur on 19 November 2025, and the second part will be held during the week of 9-13 February 2026.

Ya'thi Néné Lands and Resources (YNLR) holds a Participant Funding Contribution Agreement with the CNSC to provide an intervention related to NexGen's application for a license to prepare the site and construct the Rook I mine and processing operation (hereafter, the "Application").

The purpose of YNLR's intervention is to provide the perspective, concerns, and rights-holder context of the Athabasca Denesų́liné and Basin Residents, whose traditional territories will be directly and indirectly affected by the Project.

For the purposes of this intervention, YNLR has referenced its prior submissions, including its intervenor and rights-holder statements for legacy uranium mining projects in the region, and where relevant will draw parallels and contrast lessons learned.

Background of YNLR and Nuhenéné

The Athabasca Denesų́liné First Nations of Black Lake (Treaty 8), Fond du Lac (Treaty 8), and Hatchet Lake (Treaty 10) established YNLR to support the management of consultation and engagement with the First Nations throughout their traditional territory of Nuhenéné. YNLR also supports consultation and engagement activities with municipal communities in the Athabasca Basin (Stony Rapids, Wollaston Lake Post, Uranium City, and Camsell Portage). The Athabasca Leadership have mandated YNLR to protect Nuhenéné and promote the interests of its residents.

YNLR is a federally incorporated non-profit organization that is 100% owned by the Athabasca First Nations and communities. Strategic direction and decision making are provided through elected Leadership and governance structures. YNLR operates five offices in Saskatchewan (Saskatoon, Fond du Lac, Black Lake, Hatchet Lake, and Uranium City) and staff utilize traditional and scientific knowledge to support informed decisions related to land protection and promoting interests of all Basin residents.

YNLR works to protect the lands and waters of Nuhenéné for the long-term benefits of its member Denesųłiné First Nations and Athabasca communities, guided by their knowledge, traditions, and ambitions, while being a respected partner in relations with industries, governments, and organizations who seek to operate in Nuhenéné. Engagement with the Athabasca Communities is necessary to secure social license for activities affecting their rights and interests.

The First Nation members of YNLR are all signatories to treaties with the Crown.¹ A significant majority of the residents of the municipalities represented by YNLR are also Aboriginal persons,² with Aboriginal and/or Treaty rights protected by section 35 of the *Constitution Act, 1982*.

References in this intervention to “the Aboriginal and Treaty rights of YNLR members”, refers to the Aboriginal and/or Treaty rights, as the case may be, held by the First Nations, and/or exercised by the Aboriginal persons resident in the municipalities, as the case may be.

Background of YNLR and NexGen

YNLR has maintained a working relationship with NexGen in relation to the Rook I Project. Since the project’s early stages, YNLR has reviewed NexGen’s Project Description and Environmental Impact Statement to understand potential impacts on Nuhenéné and to identify strategies to mitigate those impacts.

In May 2023, YNLR and the Athabasca Basin communities signed an Engagement Agreement with NexGen that enables communication at defined property locations, including Rook I. This agreement established a framework for information sharing, reinforcing mutual commitments to environmental protection, and community engagement.

YNLR and NexGen continue to meet to discuss YNLR’s concerns and work collaboratively toward resolving outstanding issues in a manner that respects the rights, values, and priorities of Athabasca residents.

¹ Fond du Lac and Black Lake Denesųłiné First Nations are both signatories to Treaty 8. Hatchet Lake Denesųłiné First Nation is a signatory to Treaty 10.

² According to the 2016 census, 89.5% of Wollaston Lake residents, 78% of Stony Rapids residents, and 60% of Uranium City residents are Aboriginal. Data for Camsell Portage is not available.

Document Timeline and Submission

YNLR was notified of this Application on 14 February 2025 and applied for funding to intervene in the Application soon thereafter. YNLR received the fully executed funding agreement on 03 July 2025. Commission Member Documents (CMD) submitted by CNSC Staff and NexGen were made available in October 2025.

YNLR undertook the following tasks:

- Participated in joint in-person and virtual meetings with the YNLR Board of Directors, Athabasca Land Protection Committee (ALPC), and CNSC staff on 18 September 2025.
- Conducted a technical review.

YNLR is providing this submission on behalf of its member communities. This intervention is intended to provide the Commission with a summary of key issues relevant to the Application. YNLR and its advisors have engaged in as much analysis as possible within the time frame available.

YNLR Concerns and Recommendations

YNLR is pleased to provide the following feedback to the CNSC public hearing regarding the licensing of NexGen Energy's Rook I uranium mine and processing project within Nuhenéné. YNLR is dedicated to the environmental and socio-economic sustainability of our ancestral homeland. To this end, we support sustainable development that lives up to these tenets.

The CNSC has very recently concluded:

Taking into account the implementation of the proposed mitigation measures, follow-up monitoring program measures and commitments made by NexGen to Indigenous Nations and communities, CNSC staff recommend that the Commission conclude that the Project is not likely to cause significant adverse environmental effects.³

While YNLR accepts this conclusion, it does so with some caution. Human beings are not infallible and errors in design, modeling, construction, and operation of the mine will likely occur. As a result, YNLR cannot understate the need for a carefully designed and implemented monitoring program for all aspects and phases of the mine. To this end, the CNSC also states:

Should the Commission determine that the Project is not likely to cause significant adverse environmental effects, or that such effects are justified, CNSC staff recommend that NexGen be required pursuant to paragraph 53(4)(b) of CEAA 2012 to further design and implement an EA Follow-Up Monitoring Program to verify the accuracy of the EA predictions for the Project,

³ CNSC 2025 Environmental Assessment Report: Rook I Project

determine the effectiveness of measures taken to mitigate the potential adverse environmental effects and support the implementation of adaptive management measures to address unanticipated adverse environmental effects. Further to this determination by the Commission, other environmental monitoring will be required under permits,⁴ licences and authorizations that may be issued, as part of regulatory oversight for the Project.

The Athabasca region continues to live with the long-term impacts of legacy uranium operations such as the Beaverlodge Mine near Uranium City. Despite decommissioning efforts, contamination, tailings management issues, and landscape degradation remain significant concerns for nearby communities and land users. Earlier this year, YNLR and the seven Athabasca Basin leaders opposed the transfer of ownership of the Beaverlodge site from Cameco to the Government of Saskatchewan's Institutional Control Program (ICP), emphasizing that cumulative effects and environmental liabilities had not been adequately addressed. The decision to approve that handover despite these concerns demonstrates the importance of ensuring that new proposed mines such as Rook I are developed and managed with stronger accountability and transparent, Indigenous-led monitoring from the beginning. The generational impacts of Beaverlodge must not be repeated. Effective closure planning, financial assurance, and long-term stewardship are critical from day one of project approval.

Therefore, YNLR fully supports this requirement with the added emphasis that Indigenous people are fully involved with this and other required monitoring efforts, including the ability to timely review all summarized field data.

YNLR's initial concerns regarding the Rook I mine centered on the issues of:

1. The nature of Indigenous consultation
 - YNLR still desires a more substantial and defined agreement that more fully recognizes the rights of Treaty 8 First Nations and all Athabasca communities.
2. Terrestrial cumulative effects
 - Shared regional infrastructure should be taken into project development consideration to minimize terrestrial disturbance.
 - Revegetation of disturbed areas should be consistent with caribou management objectives.
3. Aquatic cumulative effects
 - Water quality and fish health, especially due to the possibility of a second mine (i.e., Paladin) also being approved on Patterson Lake.
4. Environmental monitoring
 - Indigenous-led environmental monitoring with real-time data sharing.

⁴ CNSC 2025 Environmental Assessment Report: Rook I Project, page iv

Numerous meetings between YNLR, NexGen, and the CNSC have contributed significantly to a greater understanding of these concerns for all parties, and we look forward to further working with NexGen and the CNSC should the Project be approved.

YNLR recognizes that the Province of Saskatchewan has already provided a Ministerial Decision for the Rook I project dated 8 November 2023, which directed NexGen Energy to provide a plan that evaluates effects on woodland caribou together with an offsetting habitat proposal prior to construction. The Ministerial Decision Item further identified the need for a suitable alternative camp location and assessment. It also directed NexGen to work with First Nation and Metis communities to develop the independent Indigenous environmental monitoring programs committed to in the EIS. YNLR would like to review all monitoring plans together with follow up requirements in addition to the above-mentioned plans at the earliest opportunity, considering that NexGen has a submission requirement for some plans prior to initiating construction.

We retain our concern regarding cumulative effects, despite the acceptance of such effects on caribou by NexGen. The total extent of human disturbance on the landscape was not sufficiently accounted for in the EIS. Our own estimate shows that the total amount of known linear disturbance within Nuhenéné is more than 20,400 km and growing. Furthermore, looking into the future, the total number of current mineral claims and exploration activity is also increasing rapidly (see Figure 1). Importantly, the Rook I Project is not occurring in isolation; its development has the potential to exert a compounding influence that accelerates additional mineral exploration and associated disturbance both within and beyond the local and regional study areas as defined by NexGen.

Looking forward, the cumulative terrestrial effects associated with increased exploration activity emphasize the need for improved regional land management approaches. While YNLR recognizes that broader solutions such as a provincial land management policy are beyond the scope of this hearing, interim measures could meaningfully reduce future impacts. These include clearer siting guidelines intended to minimize the creation of new linear disturbances, requirements for the submission of accurate and complete spatial data (including shapefiles) for all new and refurbished linear disturbances with associated dates and usage details, and the inclusion of enforceable mitigation and restoration requirements within surface access permits.

In addition to caribou, there are remaining concerns surrounding aquatic cumulative effects, particularly given the possibility of a second uranium mine (the proposed Patterson Lake South Project by Paladin) also being proposed on Patterson Lake, only 5 km from Rook I. While NexGen has committed to aquatic monitoring, YNLR emphasizes the importance of ensuring that monitoring plans contain sufficient detail to allow regulators and Indigenous

Nations to evaluate their effectiveness, including clear objectives, thresholds, and adaptive management triggers. In this matter,

CNSC has recommended a follow up commitment that NexGen incorporate Patterson Lake South Project's [i.e. Paladin's] most up to date model outputs for all project phases and include all predicted pathways (for instance Patterson Lake South project's far future groundwater pathways) into the Rook I model for the RFD case in the next iteration of the ERA once this data is publicly available, in order to demonstrate that the cumulative effects analysis was performed conservatively and the conclusions remain valid. Any increased risks found through this analysis, if any, would require NexGen to develop mitigation or adaptive management plans.⁵

Given the proximity of the two projects and the shared receiving environment, YNLR further emphasizes the importance of coordination between proponents. Where feasible within the CNSC regulatory process, YNLR encourages collaboration between NexGen and Paladin toward a comprehensive and integrated approach to effluent mitigation, recognizing that cumulative aquatic effects cannot be fully understood or managed in isolation.

⁵ CNSC 2025 Environmental Assessment Report: Rook I Project, page 246

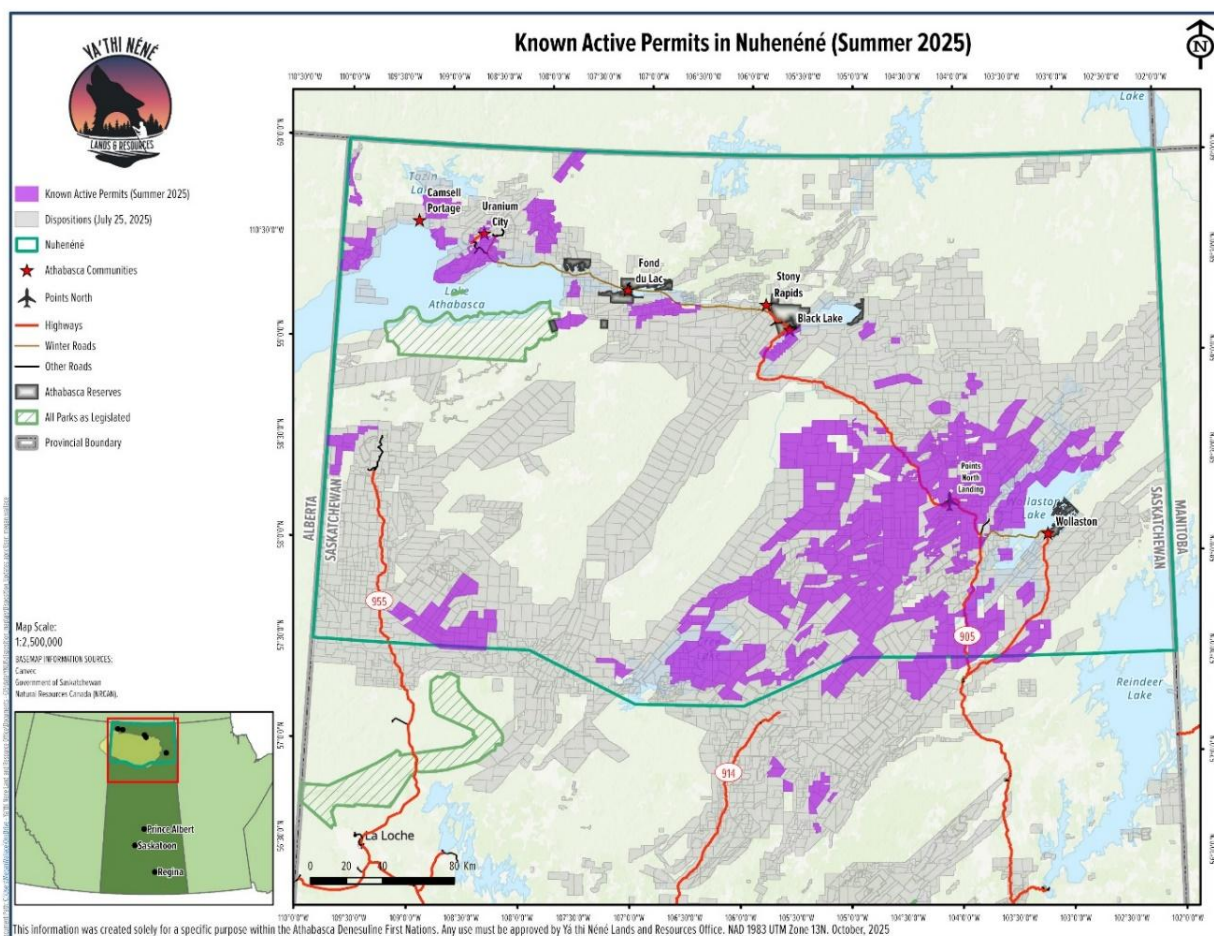


FIGURE 1: MAP SHOWING EXTENT OF MINERAL DISPOSITIONS AND ACTIVE PERMITS WITHIN NUHENÉNÉ AS OF SUMMER 2025

As explained in the 2021 *Yahey v British Columbia* court case, there is a recognized inverse relationship between cumulative effects and the practice of Treaty rights. The test for treaty infringement is not whether there is no ability left to exercise the rights at all, but whether a First Nation's rights have been significantly diminished.

YNLR is not suggesting here that the Rook I mine is significantly diminishing Treaty rights. However, given the unknown true extent of existing human disturbance and the rapid expansion of interest in mineral exploration and development in Nuhenéné, YNLR will remain cautious and watchful on this matter, especially regarding the proposed Paladin mine.

Closing Remarks

The Rook I area has a long history of traditional land use and is culturally important to Athabasca Denesuliné and Athabasca community residents. YNLR appreciates our ongoing

communications with the CNSC regarding this and other Applications pertaining to Rook I. This document summarizes our concerns outlined in the Commission Member Documents authored by the CNSC and NexGen Energy pertaining to the development of the Rook I mine and processing operation.

Once again, thank you for considering this submission. YNLR looks forward to working with both the CNSC and NexGen Energy in the future.