

REPORT

Waste Management in Crisis:
Recommendations to Strengthen
First Nations Stewardship Over Their
Lands and Waters

A Report of the Joint Table on First Nations Waste Management

APRIL 2026

Submitted to:

The Honourable Minister of Indigenous Services
and the Honourable Minister of the Environment, Climate Change and Nature

Report prepared by:

The Joint Table on First Nations Waste Management

March 2026

Contents

- Executive Summary.....3
- Introduction.....5
- Acknowledgements6
 - Waste Management: A Key to the Environmental Integrity of First Nations Lands.....7
- Calls to Action and Previous Engagements.....8
- Moving Forward on the Calls to Action – Establishing the Joint Table on First Nations Waste Management9
- Joint Table Process and Methodology.....10
- Setting the Context: First Nations Waste Management in Canada11
 - Impacts and Risks of Not Addressing the Gap.....14
- Community Voices: What We Heard16
 - Community Presentations: Diverse Approaches, Shared Barriers.....17
 - Themes Emerging from Community Voices19
 - Why These Voices Matter20
- Findings and Recommendations.....21
 - A Path Forward for Waste Management and Unauthorized Dumping.....22
 - A. Recognition of First Nations leadership in the design and implementation of their own waste regulations and laws.....22
 - B. Waste Management as a Core Public Service Supported by Equitable and Long-Term Funding Mechanisms25
 - C. Strengthening Capacity and Professionalizing Waste Management Roles26
 - D. Advancing a Dual-Track Approach to Address Unauthorized Dumping.....29
 - E. Strengthening Partnerships to Expand Waste Diversion Opportunities32
- Implementation Framework: A Phased Approach34
 - Short-Term (1–2 Years): Establishing the Foundation34
 - Medium-Term (3–5 Years): Building Systems and Expanding Capacity.....34
 - Long-Term (5+ Years): Transitioning to First Nations Jurisdiction35
- Conclusion36
- Appendices37
 - Joint Table Membership37
 - Terms of Reference39
 - Timeline of Joint Table Milestones43
 - Summary Table of Recommendations and Phased Actions44
 - Glossary of Terms and Acronyms47

Executive Summary

The Joint Table on First Nations Waste Management was established in December 2024 by the federal government in collaboration with interested First Nations organizations to address long-standing gaps in environmental protection on reserve lands and to co-develop practical, community-driven solutions to modernize waste management systems. Guided by First Nations organizations, technical expertise, and federal partnership, the Joint Table examined legislative, regulatory, financial, and operational barriers that have contributed to unsafe waste practices, widespread unauthorized dumping, and unequal access to essential public services. This report presents the collective findings and recommendations emerging from that process and provides a clear path forward for building a modern, sustainable, and culturally grounded waste management regime.

The Joint Table's mandate stemmed from the long-standing concerns of First Nations, the findings of the Auditor General of Canada, recommendations of parliamentary committees, and Assembly of First Nations resolutions. Over the last two decades, they have highlighted the negative impacts of the environmental regulatory protection gap created by the limited application of provincial environmental laws on reserves, the inadequacy of the 1978 *Indian Reserve Waste Disposal Regulations* and ongoing funding needs. To address these issues, Members examined the impacts of current policies, studied community-led innovation, and gathered input through meetings, site visits, and presentations from communities across Canada.

Key findings revealed that First Nations continue to face systemic barriers, including unstable, proposal-based funding; chronic capacity shortages; widespread unauthorized dumping by external actors; and outdated regulatory frameworks that do not reflect contemporary environmental standards. Communities stressed the need for culturally grounded enforcement approaches for local members and called for stronger federal tools to deter third-party polluters. Members also emphasized the transformative potential of waste diversion partnerships, including those built on Extended Producer Responsibility, provided that First Nations have equitable access, infrastructure support, and training to participate.

Building on these findings, the Joint Table identified a number of interconnected recommendations across five main themes that, when implemented, would establish a modern waste management regime on reserve:

1. **Adopt stand-alone federal legislation recognizing First Nations' jurisdiction over waste management**, accompanied by co-developed provisional national standards that remain in place until individual First Nations enact their own laws.
2. **Transition to core, sustained, needs-based funding** for waste management services, supported by a regularly updated national needs assessment.
3. **Establish a First Nations-led Waste Operator Training and Certification Framework**, aligned with contemporary safety, hazardous waste handling, and environmental

monitoring standards, and supported by long-term funding for dedicated waste coordinator positions.

4. **Implement a dual-track enforcement approach**, combining culturally grounded, community-based voluntary compliance with federal enforcement tools, such as the *Canadian Environmental Protection Act, 1999 (CEPA) Part 9*, to address external third-party dumping.
5. **Develop a First Nations-specific Extended Producer Responsibility Action Plan**, supporting partnerships with Producer Responsibility Organizations, infrastructure investments, and training in waste diversion operations.

To support implementation, the Joint Table recommends a phased approach. Short-term actions (1–2 years) focus on early capacity building, initiating a national needs assessment, piloting training and certification programs for waste operators, and formalizing collaboration with Environment Climate Change and Nature Canada on applying CEPA to address illegal dumping on reserves. Medium-term actions (3–5 years) include transitioning federal waste funding to core funding, expanding certification of operators nationally, and co-developing a legislative framework. Long-term actions (5+ years) envision enacting stand-alone legislation, transferring jurisdiction to communities as they reach readiness, and establishing a national governance structure to guide ongoing oversight, training, and support.

This report reflects a shared vision for a First Nations-led waste management regime equipped to protect the lands and waters that sustain communities. The recommendations and phased implementation plan presented here represent both an immediate call to action and a plan for long-term reform. Advancing this vision will require sustained partnership and commitment from Canada and First Nations, alike. Through this work, the Joint Table affirms that modernizing waste management on reserve is not only a matter of environmental protection but also an essential step toward reconciliation, equity, and the realization of First Nations jurisdiction and self-determination.



Wiikwemkoong Unceded Territory – Reclaimed Land

Introduction

The protection and environmental stewardship of Indigenous lands and waters are vital to the cultural, physical, and mental well-being and safety of communities. However, past government policies and laws sought to disrupt, both directly or indirectly, the intimate connection between Indigenous peoples and their lands, as well as their historic stewardship role for the environment and natural world. Today, most First Nations do not have recognized law-making authority to enact environmental protection regulations on reserve, nor do they have adequate capacity for service delivery and/or enforcement. As a result, First Nations communities are exposed to environmental risks that off-reserve communities are protected from by regulation and enforcement.

First Nations across the country are working to revitalize their stewardship practices and protect the environmental integrity of their lands through various means. Traditional Indigenous waste ideologies rooted in respect, reciprocity, and minimal waste generation offer valuable lessons for reducing waste and advancing the circular economy. Practices emphasizing reuse, sharing, and stewardship align closely with modern zero-waste principles and can be instructive for both Indigenous and non-Indigenous communities seeking sustainable solutions. Integrating these perspectives not only strengthens waste policy but also honours Indigenous knowledge systems that have long emphasized balance between human needs and ecological health.

Recognizing that proper waste management is a community public service, essential to the health and safety of First Nations, the Joint Table on First Nations Waste Management was established to identify options to improve the delivery of waste management services in First Nations communities.

Throughout its work, the Joint Table heard directly from communities and organizations and witnessed first-hand the cumulative effects of decades of chronic underfunding, jurisdictional gaps, and the absence of modern regulatory tools. Many First Nations described how these systemic deficiencies have left them managing ageing or inadequate waste sites without the resources, personnel, or legal authority available to other jurisdictions. Communities shared the impacts of these conditions on daily life, concerns about groundwater contamination, waste burning, the proximity of landfills to homes and waterways, and the risks these pose to children, Elders, and other vulnerable community members.

These experiences underscore the urgency of developing a modern waste management framework that reflects community realities, addresses long-standing inequities, and supports First Nations in exercising their inherent stewardship responsibilities. For many, waste management is not just a technical or operational matter, but a lived reality that shapes community health, cultural continuity, and the integrity of the lands and waters they are responsible for

For many, waste management is not simply a technical or operational matter, but a lived reality that shapes community health, cultural continuity, and the integrity of the lands and waters.

protecting. Despite the challenges they face, communities demonstrated leadership, innovation, and resilience, often stretching limited resources or self-funding essential services to safeguard their lands.

While the Joint Table consistently heard that chronic underfunding remains a central barrier to effective waste management, this report does not include a detailed financial analysis of national infrastructure and operational needs. Developing accurate cost estimates requires a comprehensive needs assessment that reflects the diverse realities, service models, and geographic conditions across First Nations communities. A full financial analysis was beyond the scope of the Joint Table's mandate, which focused on identifying legislative, policy, and governance options to improve waste management systems and address long-standing jurisdictional gaps.



Acknowledgements

The Joint Table expresses its sincere appreciation to the communities, Elders, waste operators, and technical staff who contributed to the process. Numerous First Nations, including Wiikwemkoong, Whitecap Dakota First Nation, Lower Nicola Indian Band, the Confederacy of Mainland Mi'kmaq, Algonquins of Pikwàkanagàn First Nation, Líl'wat Nation, and others, offered presentations, videos, and case studies that enriched discussions and grounded the Joint Table's work in lived community realities. Their generosity and expertise were central to shaping the Joint Table's findings and recommendations.

Joint Table Membership (Montreal 2026)

Waste Management: A Key to the Environmental Integrity of First Nations Lands

Waste management regulations are an essential part of an effective waste management regime, designed to ensure that waste is disposed of responsibly and sustainably. However, as outlined below, First Nations communities are protected by fewer environmental waste regulations than other communities in Canada, leaving them vulnerable to higher risks of contamination of their water, air, and land.

According to Indigenous Services Canada, roughly 43% of all contamination on reserve lands is due to improper waste management. Currently, waste management on reserve is governed by the 1978 *Indian Reserve Waste Disposal Regulations* (IRWDR). These regulations, developed without First Nations input, are widely considered ineffective and outdated. The regulations are limited in scope and focus almost exclusively on landfill permitting. Additionally, they have few enforcement tools to deter third-party polluters, rendering them functionally obsolete.

43%
*of all
contamination on
reserve lands is
due to improper
waste
management*

Elsewhere, waste management laws cover several aspects of waste disposal, including waste classification, recycling and composting, regulatory compliance and enforcement, and employee protections. Whether it is because of the limitations of the *Indian Act* and the associated Regulations, which were not designed to support effective environmental governance, or ongoing capacity burdens and historic funding inequities, First Nations communities are often left to self-regulate and manage waste systems without adequate funding tools, trained personnel, or technical and legal supports. This leaves First Nations disproportionately exposed to environmental and health risks that other municipalities are able to mitigate through comprehensive laws, policies, and enforcement regimes. These gaps contribute to systemic inequities and reflect broader patterns of environmental racism, whereby First Nations communities experience heightened exposure to pollution and environmental harm without access to equivalent regulatory protections or resources. Addressing these inequities requires sustained and equitable funding to support the development, implementation, and enforcement of effective waste management systems.

Calls to Action and Previous Engagements

Over the last two decades, the Auditor General of Canada, the Chiefs in Assembly of the Assembly of First Nations (Resolution # 41/2017; Resolution #65/2018; Resolution #11/2025)¹, as well as several parliamentary committees, have called upon the federal government to work with First Nations to address the disparity in environmental regulations and protections on reserve, including for waste management. Each found that the environmental protection gap not only puts First Nations living on reserve lands at disproportionate risk to health and safety, but also negatively impacts lands and resources. These reports have called upon the federal government to work with First Nations to take immediate steps to address this gap. Furthermore, the *United Nations Declaration of the Rights of Indigenous Peoples* affirms that Indigenous peoples have the right to the conservation and protection of the environment (Article 29) and commits governments to take appropriate action in this regard.

Since 2018, Indigenous Services Canada (ISC) and Environment and Climate Change Canada (ECCC) have engaged with First Nations representative organizations, technical experts, and communities to address priority areas and close the environmental protection gap. These previous engagements confirmed that addressing improper waste management is a top priority, though funding prevents many communities from prioritizing environmental protection and management. Reports highlight concerns in specific areas, such as illegal dumping, hazardous materials, inadequate standards governing waste, and the need for dedicated resources for capacity development.

“ First Nations communities are often exposed to environmental risks that off-reserve communities are protected from by regulation and enforcement.”

¹ Foot note - Resolutions of the Assembly of First Nations can be consulted online through the document library available here: [Document Library - Assembly of First Nations](#)

Moving Forward on the Calls to Action – Establishing the Joint Table on First Nations Waste Management

In addition to these recommendations the *Truth and Reconciliation Commission's Calls to Action* and Canada's ongoing commitments to environmental justice underscore the need for a modern, rights-affirming approach to waste management. In response to these Calls to Action and the findings of its previous engagements, the federal government is supporting a First Nations-led Joint Table on Waste Management to identify meaningful ways to address gaps in waste management and unauthorized dumping.

In December 2024, Indigenous Services Canada and interested First Nations organizations established the Joint Table on Waste Management, with a mandate to explore options to address the long-standing gaps in environmental protections on First Nations reserve lands, starting with waste management and unauthorized dumping. The Joint Table is a First Nations-led initiative that brings together representatives from 13 national and regional First Nations organizations across Canada, as well as officials from Indigenous Services and Environment and Climate Change Canada. Over the past year, Table Members worked collaboratively to develop practical, community-informed, and culturally grounded recommendations to the long-standing and complex issues surrounding waste management on First Nations reserve lands.

Participating Members include:

- Anishinabek Nation - Ontario
- Assembly of First Nations – Canada
- Chiefs of Ontario - Ontario
- Confederacy of Mainland Mi'kmaq – Nova Scotia
- Environment and Climate Change Canada - Canada
- First Nations of Quebec and Labrador Sustainable Development Institute - Quebec
- First Nations Technical Services Advisory Group Inc. (TSAG) - Alberta
- Indigenous Services Canada - Canada
- Indigenous Zero Waste Technical Advisory Group – British Columbia
- Lands Advisory Board Resource Centre (*ex officio* member) – Canada
- National Aboriginal Lands Managers Association – Canada
- Ontario First Nations Technical Services Corporation - Ontario
- Saskatchewan Aboriginal Land Technicians - Saskatchewan
- Southern Chiefs Organization Inc. - Manitoba
- Wiikwemkoong Unceded Territory - Ontario

Joint Table Process and Methodology

Between December 2024 and December 2025, the Joint Table held a series of in-person meetings, virtual sessions, and community site visits designed to ground policy analysis in operational reality. Six in-person two-day meetings took place in Toronto, Halifax, Ottawa, Whistler, and Montreal, respectively, with additional virtual meetings to maintain momentum between sessions. These meetings included presentations from communities and technical organizations, discussions of best practices, and focused dialogue on potential policy and legislative options.

To deepen their understanding of on-the-ground realities, members participated in multiple site visits to First Nations communities, including the Algonquins of Pikwàkanagàn First Nation and the Líl'wat Nation. These visits allowed members to observe transfer stations, landfills, diversion systems, and community-based enforcement models first-hand. Site visits also provided opportunities for candid dialogue with operators, leadership, and community members, whose experiences shaped the Joint Table's assessment of capacity gaps, operational challenges, and innovative local solutions.

The Joint Table grounded its work in principles of collaboration, consensus, respect, and transparency. Members contributed through facilitated dialogue, technical presentations, and lived-experience insights from their regions. Through various presentations and targeted research, the Table examined the scope of regulatory gaps, funding and legislative models, community capacity needs, enforcement challenges, and waste-diversion opportunities. Throughout this process, members emphasized solutions that recognize the inherent right to self-government, support local law-making authority, and reflect community realities. Federal partners contributed policy, legal, and technical advice but did not direct outcomes, ensuring the process remained First Nations-led.

Setting the Context: First Nations Waste Management in Canada

The federal government's exclusive legislative authority for "Indians and lands reserved for the Indians" under section 91(24) of the *Constitution Act*, 1867, means that provincial environmental laws do not apply to reserve lands. In addition, as is well documented, the *Indian Act* does not provide First Nations with an adequate framework for developing comprehensive environmental management and protection laws and regulations. Accordingly, except where the federal government has developed relevant and suitable federal laws, or where a First Nation has implemented an environmental regime pursuant to a self-government agreement or under the *Framework Agreement on First Nations Land Management Act*, a "gap" exists in the scope of rules that do not apply on reserve lands compared to what applies off reserve.

The regulatory gap includes, but is not limited to, management of solid waste disposal and recycling, aspects of hazardous waste handling and storage, and permitting of industry and business activities. The discrepancies between provincial and federal laws can create significant differences in the level of protections available on reserve compared to the off-reserve context. For example, the financial penalty for illegal dumping under the federal *Indian Reserve Waste Disposal Regulations* is a \$100 fine. By comparison, the financial penalties for commercial entities under provincial regulations begin at hundreds of thousands of dollars and increase with subsequent offences.

As a result of the *Indian Act's* weak and outdated fine structure, many First Nations communities are constrained in their ability to deter and pursue polluters for environmental damages. The table below illustrates the extent of the waste management regulatory gap experienced by First Nations in comparison to non-Indigenous communities. According to the findings of the Auditor General of Canada, the absence of comparative regulations leaves many reserve communities exposed to conditions that other communities are protected from by regulation and enforcement.



The Confederacy of Mainland Mi'kmaq - before and after cleanup photos

Table: Comparison of Typical Waste Management Regime On-Reserve Versus Off-Reserve

	On-Reserve	Typical Provincial Regime
Waste Disposal		
Prohibitions of dumping and unauthorized sites	◐	●
Landfill and Transfer Station sites		
Permit required to operate	●	●
Designation of different types of waste	○	●
Design and siting requirements	○	●
Financial assurance for closure	○	●
Standards for the operation, maintenance, and closure	○	●
Operator Certification	○	●
Protocols for specific streams of waste (i.e., healthcare, fuel, refrigerants etc.)	○	●
Emergency response	○	●
Monitoring and reporting protocols	○	●
Hazardous Materials		
Hazardous waste registry to track storage, transportation, and disposal	○	●
Designation of hazardous waste types	○	●
Recycling		
Permit required to operate	●	●
Site requirements for recycling depots	○	●
Requirements for the operation of recycling and composting programs	○	●
Strategy to promote a circular economy and waste reduction	○	●

Source: Auditor General of Canada, Chapter 6 Land Management and Environmental Protection on Reserve, 2009 (adapted). Blacked-out circles indicate the presence of regulations in that area.

Equally important, this regulatory gap is accompanied by a lack of dedicated core federal funding to support First Nations in the development, implementation, monitoring, and enforcement of environmental protection regulations on reserve. Notably, before 2016, there was little federal support for waste management on reserve lands. This lack of resources left most First Nations without adequate waste management infrastructure and the inability to participate in waste

diversion and recycling activities.² As a result, unmanaged waste sites, open-air dumping, and garbage burning were common practices that posed risks to human health.

To begin addressing this historic underfunding, the federal government launched the First Nations Waste Management Initiative in 2016. Federal investments through the First Nations Waste Management Initiative have significantly improved waste systems in many communities, supporting the development of transfer stations, landfill upgrades, community education, and partnerships with municipalities. Since its inception, the Initiative has funded over 1,000 waste management projects, leaving nearly 50% of communities with inadequate solid waste systems. These gains demonstrate the transformative potential of coordinated and sustained investment. However, the program remains proposal-based, short-term in nature, and insufficient to fully address operational needs, capacity development, enforcement tools, or the modernization of regulatory systems. As a result, substantial gaps remain in infrastructure, training, long-term funding, and legislative support.

An internal 2021 ISC evaluation found that while the First Nations Waste Management Initiative responds to longstanding needs in First Nations: (i) funding is broadly dispersed among remote communities and those living near urban centres; (ii) there are gaps in providing adequate funding for the operations and maintenance of solid waste management systems; and (iii) First Nations living near urban centres and which are members of a tribal council are slightly more likely to access funding. The evaluation called on ISC to consider the full lifecycle of solid waste management and recommended that the department allocate sufficient, reliable, long-term funding for the FNSWMI, including the ongoing costs of operating and maintaining solid waste management systems.

Since 2016, the federal First Nations Waste Management Initiative has invested \$659.5M across 1,304 projects in First Nations communities.

As a result, adequate waste systems increased from less than 2% in 2016 to 49.8% in 2024.

² Indigenous Services Canada defines an adequate waste management system as comprising three key components. Notably, one that:

- diverts household hazardous waste;
- diverts one other waste stream (tires, plastics, cardboard); and,
- all residual waste (garbage) goes to a properly constructed and maintained waste facility.

Impacts and Risks of Not Addressing the Gap

The environmental waste management regulatory gap can, and has, resulted in unregulated solid and hazardous waste management, as well as unregulated industrial and commercial activities on reserve lands. The risks associated with not having environmental protections in place, and in particular, serious health and safety hazards for reserve residents from exposure to contamination, have been well documented in reports such as the *2021 First Nations Food, Nutrition and Environment Study* (FNFES)³ and the 2013 First Nations Biomonitoring Initiative⁴. Contamination also affects traditional food sources, further elevating exposure risks for community members. In the FNFES samples of traditional foods from 92 communities were found to have elevated concentrations of mercury, lead, cadmium, and arsenic, exposure to which is associated with organ damage, neurodegenerative diseases, cancer, and reproductive and developmental disorders.

Funding and regulatory constraints have contributed to contamination of reserve lands from unauthorized dumping and improper waste disposal. Data from the Federal Contaminated Sites Inventory, as of March 31, 2025, indicate that there are over 1,800 contaminated sites on reserve, of which 43% are attributed to improper waste management and illegal dumping. These sites represent a liability to Canada of \$603 million, and failure to address their causes not only contributes to increased federal liabilities and litigation but also continues to negatively impact First Nations outcomes.

The intentional or accidental burning of waste can release harmful pollutants, resulting in poor air quality. Without proper waste management, communities risk water contamination from chemicals from waste leaching into ground and surface water. Efforts to address the current state of waste management in First Nations would only strengthen First Nations' access to clean drinking water and support the goals of the proposed federal Clean Water Act (Bill C-61).

“*Environmental racism isn't just historical, it's ongoing. Our communities get charged more and served less.*”

In addition to health and safety risks, regulatory uncertainty on-reserve places First Nations at an economic competitive disadvantage compared to non-Indigenous communities. This was a key finding of the June 2022 National Indigenous Economic Strategy for Canada, developed with 25 Indigenous organizations across Canada to guide reconciliation and the rebuilding of Indigenous economies. Addressing the regulatory gap was among the calls to action, as "uncertainty and unfamiliarity with the nature of the legal environment on-reserve" are considered barriers to small businesses accessing

³ University of Ottawa, Université de Montréal, Assembly of First Nations “*First Nations Food Nutrition and Environment Study*”, October 2021: report can be accessed here:

https://www.fnfnes.ca/docs/CRA/FNFNES_Report_Summary_Oct_20_2021_FINAL.pdf

⁴ Wuttke, S. et al., 2013. First Nations Biomonitoring Initiative: National Results (2011), Canadian Electronic Library. Ottawa, Ontario. Retrieved from <https://coilink.org/20.500.12592/h7dr2m> on 05 Jan 2026. COI: 20.500.12592/h7dr2m.

loans from financial institutions, thereby preventing communities from "keeping pace with a modern economy".

As shown in the picture below, improperly funded and regulated waste management systems have a real and meaningful impact on the health, social cohesion and economic outcomes in communities.⁵ In most Canadian jurisdictions, waste management is funded and regulated as a non-discretionary public service because it is essential to protecting public health, environmental integrity, and community safety. Municipalities and provinces are not expected to apply for temporary project-based funding to operate landfills, manage hazardous waste, or maintain diversion infrastructure; these services are considered a basic, ongoing responsibility of government. The absence of comparable stable funding and enforceable regulatory protections on reserve creates a double standard, where First Nations communities are expected to manage the same environmental risks without the same predictable resources or legal safeguards.

Understanding the risks, Canadians expect that their waste is properly treated, that it does not leach into their groundwater or adjacent lands, that waste systems are regulated, and that operators are adequately trained. First Nations are not accorded this same privilege. The Joint Table believes this inequity to be a form of environmental racism that must be addressed by governments on a priority basis.



⁵ Groundbreaking research undertaken by Michael Chandler and Christopher Lalonde suggests that First Nation communities that have control over local institutions and services are better able to repond to their most vulerable members and have improved mental health outcomes. Chandler, M. J., & Lalonde, C. (1998). Cultural continuity as a hedge against suicide in Canada's First Nations. *Transcultural Psychiatry*, 35(2), 191–219. <https://doi.org/10.1177/136346159803500202>

Community Voices: What We Heard

A defining strength of the Joint Table process has been its grounding in the lived experiences, knowledge, and leadership of First Nations across the country. The insights shared through site visits, presentations, and facilitated discussions offered members a clear and often moving understanding of the day-to-day realities of waste management on reserve lands. These voices provided the foundation for the Joint Table's findings and recommendations. At the same time, Members recognize that the information shared through these engagements represents a partial snapshot of the diverse circumstances facing First Nations, shaped by the scope of presentations, the number of communities able to participate directly, and the limitations inherent in time-bound site visits and discussions. What follows is a synthesis of those experiences, reflecting both the diversity of local contexts and the common challenges that First Nations continue to face.

Seeing Realities First-Hand: Site Visits

Site visits to the Algonquins of Pikwàkanagàn First Nation and Líłwat Nation brought the operational challenges of waste management into sharp relief. Members observed aging landfill infrastructure, runoff concerns, proximity to ecologically sensitive areas, and the pressures placed on staff who work tirelessly to maintain safe operations with limited resources. Even under these constraints, communities demonstrated strong local commitment to environmental protection, tracking waste, adapting infrastructure where possible, and implementing internal measures to maintain compliance. While the Joint Table was only able to visit a small number of sites due to time and resource constraints, these visits were complemented by extensive community presentations, case studies, and regional validation processes that reflected a wide range of First Nations experiences across the country.

These visits affirmed a shared truth: communities are doing everything they can with what they have, but the systemic gaps in funding, regulatory support, and enforcement capacity have forced many Nations to rely on piecemeal solutions and the personal dedication of their staff. Seeing these realities in person underscored the urgency of developing a modern, sustainable framework that does not rely solely on local resilience.



Algonquins of Pikwakanagan First Nation site visit

Community Presentations: Diverse Approaches, Shared Barriers

Across multiple sessions, First Nations from different regions shared their experiences managing waste under complex and often inequitable conditions. Although the contexts varied, from remote coastal Nations to large, urban-adjacent communities, the themes were remarkably consistent.

Wiikwemkoong Unceded Territory (Ontario)

Wiikwemkoong described its transformation from open dumping to operating a modern transfer station equipped with compactors, shredders, biodigesters, and environmental monitoring systems. Their progress was closely tied to investments in community engagement, including school programs, youth outreach, and annual clean-up initiatives. Their experience demonstrated how sustained funding and leadership can fundamentally improve environmental outcomes and community pride.

Whitecap Dakota First Nation (Saskatchewan)

Whitecap Dakota shared a model of legal and regulatory innovation that has become a national example. By adopting Saskatchewan's environmental regulations through the Framework Agreement on First Nation Land Management and entering into an enforcement agreement with the province, the Nation significantly strengthened compliance and deterrence. This arrangement provided practical, enforceable tools while respecting local autonomy, illustrating how regulatory partnerships can support First Nations jurisdiction when properly designed.

Lower Nicola Indian Band (British Columbia)

Lower Nicola emphasized the importance of strong internal governance. Under its Land Code (a fundamental law created by a First Nation to take control of managing its own reserve lands and resources, replacing outdated sections of Canada's federal *Indian Act*), the community developed internal land-use permitting and referral processes that enable coordinated decision-making across departments, including Lands, Public Works, and Natural Resources. They showcased the use of drones and GIS mapping (Geographic Information System, a powerful computer system for capturing, managing, analyzing, and displaying all types of location-based data to reveal patterns and solve problems) to identify and track illegal dumping sites. Their approach highlights how local systems rooted in self-determination can support both education and enforcement.

Bella Bella (video) (British Columbia)

Bella Bella described the unique challenges faced by remote, barge-dependent communities, where hauling waste is both expensive and logistically challenging. Their adoption of the Earth Flow composting system reduced the volume of waste requiring transport while supporting local food security through compost-fed community gardens. Integrating environmental education into schools and daycare centres reinforced long-term stewardship rooted in community values.

Listuguj Mi'gmaq Government (Québec)

Listuguj presented its experience implementing a nuisance by-law to address illegal dumping and environmental hazards under section 81 of the Indian Act. Section 81 authorizes First Nation band councils to enact by-laws respecting matters of a local nature on reserve lands, including public health, safety, nuisance control, land management, and waste removal. While the by-law plays an important role in establishing community standards and expectations, enforcement remains limited, particularly in cases involving industrial or third-party offenders. The experience demonstrates both the importance of local legislative authority and the structural limitations that prevent First Nations from holding external polluters accountable without additional legal mechanisms and intergovernmental cooperation.⁶

Ochapowace Nation (Saskatchewan)

Ochapowace Nation shared its experience operating a solid waste transfer station under the Indigenous Services Canada permitting regime. The facility has been operational for four years and was officially opened three months ago. The Nation emphasized environmental stewardship, youth involvement, and community education as key elements of its approach, including closing the former landfill and redirecting waste to the transfer station. While the permit outlines operational requirements and is monitored through annual ISC inspections, community representatives noted limited consultation when the regime was introduced and no additional funding to support compliance. Their experience highlights both the value of community-led waste management practices and the ongoing financial and structural challenges created by the current permitting system.

The Confederacy of Mainland Mi'kmaq (Nova Scotia)

The Confederacy of Mainland Mi'kmaq (CMM) outlined its approach to addressing unauthorized dumping in First Nation communities, noting impacts such as soil and groundwater contamination, air pollution, and harm to wildlife habitats. CMM follows a structured process that includes site assessments, community consultation, securing Band Council Resolutions, contracting waste removal services, and overseeing project completion, with funding primarily from the First Nations Waste Management Initiative and support from the Contaminated Sites on Reserve Program. Although three major projects removed more than 826,000 kilograms of waste, challenges persist, including re-dumping, high costs, and limited community awareness. CMM emphasized education, capacity building, and repurposing former dump sites to support long-term prevention and environmental stewardship.

⁶ The Listuguj Nuisance By-Law can be consulted here: [Laws & By-Laws - Listuguj Mi'gmaq Government](#)

Themes Emerging from Community Voices

1. Waste Management Is Fundamental to Community Health and Safety

Communities emphasized that waste management is not simply a technical service. It is inseparable from the health, safety, and cultural well-being of their people. Presenters spoke to the risks posed by contamination, proximity of landfills to homes and waterways, and the impacts on children and Elders. This connection between environmental protection and community health was a central theme across all discussions.

2. Local Leadership Is Driving Innovation Despite Systemic Barriers

The Joint Table consistently heard stories of local innovation, bio-digesters, internal permitting systems, drones, Earth Flow composting, driven not by abundance but by necessity. Many communities are stretching limited resources, cross-subsidizing operations from other departments, or relying on staff who take on waste responsibilities alongside multiple different roles. These efforts reflect extraordinary commitment, but they also highlight systemic inequities that no community should be forced to shoulder alone.

3. Enforcement Approaches Must Reflect Both Culture and Reality

Communities expressed a need for strong enforcement tools to address external dumping and industrial non-compliance. At the same time, many emphasized that punitive approaches are not always appropriate for community members. Restorative, education-based approaches aligned with cultural values were described as more effective and more sustainable. This distinction between internal and external enforcement emerged as a clear and consistent message throughout the Joint Table's work.

4. Funding Instability Undermines Long-Term Solutions

Communities repeatedly described the limitations of short-term, proposal-based funding. These cycles make it difficult to retain trained staff, maintain equipment, plan long-term, or build the kind of resilient systems that other jurisdictions take for granted. Several speakers noted that their Nations often cover gaps themselves because the risks to community health are too significant to ignore. The result is a patchwork of systems that depend heavily on the ingenuity and exhaustive effort of local operators.


5. Environmental Injustice and Racism Is a Shared Experience

Across regions, communities underscored that they face environmental risks and waste challenges at levels disproportionate to those faced by non-Indigenous communities. While each Nation's circumstances are distinct, the collective experience points to a broader pattern of inequity rooted in jurisdictional gaps, underfunding, and limited enforcement authority. These realities shape not only environmental outcomes but also community trust and expectations for federal action.

Why These Voices Matter

The stories, experiences, and leadership shared by First Nations throughout the Joint Table process shaped every aspect of the recommendations in this report. They reveal the human and environmental consequences of outdated regulations, fragmented funding, and jurisdictional gaps. They also demonstrate the creativity, cultural knowledge, and governance strengths that exist within First Nations when communities are supported and empowered.

These voices serve as both evidence and guidance. They affirm that any path forward must be grounded in First Nations-led solutions, address the structural inequities communities continue to experience, and recognize that waste management is not just a technical issue but a matter of health, culture, environmental justice, and self-determination. The recommendations that follow are a direct reflection of what we heard, what we witnessed, and what communities told us is required to protect their lands, waters, and future generations.

A photograph showing a long row of blue recycling bins in an outdoor setting. The bins are arranged in a line on a gravel surface. In the foreground, there are concrete structures with circular openings, possibly part of a waste management facility. The background shows a line of trees under a clear blue sky.

“Even though we lack enforcement authority, we’ve built systems that reflect our values, protect our land, and involve our people.”

Findings and Recommendations

Over the course of a year, Members of the Joint Table have investigated and worked collaboratively to develop options to address waste management and unauthorized dumping on reserve lands. These recommended measures have been informed by community voices, site visits, practitioners and third-party experts. The Joint Table is grateful for their perspectives and knowledge.

Joint Table's work has identified recurring systemic barriers that must be addressed to advance equitable, effective, and culturally grounded waste management solutions for First Nations. These challenges are deeply interconnected, reflecting policy, funding, jurisdictional, and capacity gaps that have persisted for decades. While innovative practices and local leadership have emerged in several regions, meaningful progress will require structural changes at the federal level and strong cross-jurisdictional collaboration.

Foundational Principles

Importantly, the Joint Table wishes to underline that the measures proposed below should be understood as its best advice, but that the ultimate decision on the most appropriate path forward rests with individual rights-holding communities. Members also acknowledge that previous attempts at reform have often encountered numerous challenges, such as inadequate funding and consultation, making it difficult for First Nations to fully support and properly implement the advanced reforms. For these reasons, the Joint Table strongly believes that any options to address the outstanding issues related to waste management, in particular legislative and regulatory reforms, must be grounded in the following guiding principles.

- Waste management is a core community service that directly affects the health and safety of First Nations citizens and is essential to community well-being.
- Waste management funding should reflect the fact that waste is an ongoing public service, and be sustainable and sufficient, rather than discretionary and project-based.
- Proposed regulatory reforms must be supported by adequate funding and capacity, and any additional costs resulting from new standards must be adequately considered.
- First Nations jurisdiction over waste management on First Nations lands, in accordance with the inherent right to self-government, must be recognized and affirmed.
- In accordance with the *United Nations Declaration on the Rights of Indigenous Peoples*, First Nations' right to determine their own priorities, and as far as possible, to deliver programmes and services through their own institutions, must be recognized.
- Properly regulated and funded waste management systems are critical to the health and safety of the lands, waters, food sources and cultures that sustain First Nations communities.
- Responsible waste management includes waste reduction, diversion, and resource recovery, which contribute to enhanced stewardship of the lands & waters.

- Resource development often occurs in proximity to Indigenous lands and can have significant impacts on waste disposal and land use, and must be appropriately considered.
- Indigenous communities are disproportionately exposed to pollution, hazardous waste, and poor environmental conditions, and that measures must be in place to ensure their meaningful inclusion in decisions affecting their lands.
- First Nations leadership and communities must be consulted on any legislative proposals moving forward, including minimum national standards for the delivery of waste management services on First Nation lands, guided by the principles of free, prior, and informed consent.

A Path Forward for Waste Management and Unauthorized Dumping

The options presented below, when read together, support a comprehensive waste management regime grounded in recognition of First Nations jurisdiction, community-based values, and the critical role that waste operators play in community well-being. Together, these measures strengthen communities' collective capacity to preserve cultural practices and secure local control.

While some of the proposed measures can be implemented in the near or medium term, others, such as regulatory modernization, will take longer as they require meaningful consultation with affected communities and the joint development of standards/regulations. Nevertheless, the options presented below outline a framework of measures that interact with one another. Thus, proceeding with training, capacity or funding measures first can help to undergird eventual legislative reforms and better position communities for success.

A. Recognition of First Nations leadership in the design and implementation of their own waste regulations and laws.

Members of the Joint Table recognize that the current federal regulatory framework for waste management is insufficient to meet the contemporary needs of communities and does not reflect the legitimate community aspirations to control activities that directly impact their lands, waters, and citizens.

As noted, roughly 43% of all contamination on reserve lands is due to improper waste management. Regulations are an essential part of an effective waste management regime, designed to ensure that waste is disposed of responsibly and sustainably. Currently, waste management on reserve is governed by the 1978 *Indian Reserve Waste Disposal Regulations* (IRWDR). These regulations, developed without First Nations' input, are widely considered ineffective and outdated. In particular, the regulations are of limited scope, focusing almost exclusively on landfill permitting. Further, as we have seen, they contain few enforcement tools to deter third-party polluters, rendering them functionally obsolete and imperilling the health and well-being of communities.

The Joint Table considered several legislative and regulatory options to address this gap. These included:

- (i) applying provincial laws of general application under s. 88 of the *Indian Act*,
- (ii) introducing federal regulations pursuant to existing federal statutes (i.e., repeal and replace the IRWDR)
- (iii) incorporating provincial solid waste laws into new federal legislation and
- (iv) the application of a federal regime as an interim measure for the provision of national standards for waste management until such time as First Nations governments are able to exercise their own jurisdiction over waste management.

The Joint Table identified some drawbacks to the first two options. While these options could be implemented more quickly, Members felt that First Nations' low acceptance of provincial regimes and the fact that existing statutes are not a broad enough framework for a modern regulatory regime made them less desirable.

Members agreed that the remaining two options were the most workable. However, it was noted that while (sectoral) self-government arrangements, including the Framework Agreement on First Nations Land Management, can provide First Nations with an avenue to address the environmental protection gap on reserve lands, many will not be able to access those arrangements for the foreseeable future readily, or may legitimately choose not to pursue that path.

In the interim, it was felt that a legal mechanism was needed to ensure that all First Nations have the basic requirements and ability to regulate and protect their environment from harm. A viable option should therefore provide *Indian Act* First Nations with the legislative ability to develop environmental laws and regulations. These regulations could eventually be recognized by, and brought under, subsequent self-governing arrangements, thus enhancing the continuum of tools available to communities on the path to self-determination.

A central question members grappled with was whether changes to the *Indian Act's* waste management regulations are an effective way to achieve reform and address deficiencies in the *Act's* environmental and waste provisions. Members recognized that, while this option may be more expedient than broader legislative reform, its inability to affirm First Nations jurisdiction posed a significant challenge.

The underlying assumptions and philosophies of the *Indian Act* are deeply flawed, and these are always at issue when the matter of reform is raised. Members agreed that the goal of any reform is nothing less than capable governments with true decision-making power over the matters that directly affect their lives. It was felt that continued tinkering with sections of the *Indian Act* would not achieve that goal and is akin to painting a house while the foundation is crumbling.

However, Members also recognize that not all communities can immediately exercise jurisdiction in this area. Historic underfunding of waste management on reserve has impeded the development of essential waste management capacities and systems in communities. While recent federal

investments, particularly through the First Nations Waste Management Initiative, have been critical in addressing these gaps, several outstanding issues remain. For this reason, Members recognize that interim standards co-developed with First Nations could provide a more robust regulatory foundation for the delivery of waste management services than is currently available under the IRWDR.

Members highlighted that funding and regulatory reform must be aligned. For any potential reforms to be successful, Members agreed that there would need to be a corresponding commitment to adequate and sustainable funding for communities to implement those reforms effectively and to facilitate closing the gap in waste infrastructure.

Members feel strongly that if self-governance is to have any real meaning, reforms must begin with First Nations communities designing and implementing their own processes in keeping with Article 18 of the *United Nations Declaration on the Rights of Indigenous Peoples*, which provides that:

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights... in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

With these considerations in mind, the Joint Table recommends the following option to address the current legislative and regulatory gap for waste management on reserve:

Recommended Measure

Indigenous Services Canada, in partnership with First Nations, jointly develop legislation recognizing First Nations jurisdiction over waste management, thereby enabling the development of First Nation specific laws in this area, including, but not limited to: waste disposal, handling, storage and disposal of hazardous waste, waste reduction and recycling, employee protections and training, landfill management, compliance and enforcement.

That such legislation include federal provisional minimum standards, co-developed with First Nations partners, that would apply until individual First Nations have enacted laws relating to the operation and management of waste on reserve; and that standards reflect the contemporary needs and values of First Nations.

That such legislation should recognize and affirm waste management as a core and ongoing public service with a corresponding commitment to long-term funding.

The Joint Table is further mindful that First Nations under the *Framework Agreement of First Nations Land Management* and comprehensive self-government agreements currently have

recognized jurisdiction to enact environmental laws. This option in no way seeks to displace these jurisdictional pathways. Instead, it aims to provide the majority of First Nations with the equivalent legal recognition and tools to protect their lands and community members. For those First Nations who choose to opt into the *Framework Agreement on First Nations Land Management*, their laws could eventually be brought into line with that broader framework.

B. Waste Management as a Core Public Service Supported by Equitable and Long-Term Funding Mechanisms

Across all regions, First Nations emphasized that waste management is a core public service essential to health, safety, and environmental protection, yet federal funding models do not reflect this reality. While First Nations have an ongoing need for waste management services, funding is typically time-limited and proposal-based, making it challenging for communities to plan, develop expertise, and maintain service levels. This instability limits long-term planning, contributes to staff turnover, and leaves many communities unable to maintain or upgrade critical infrastructure.

Members noted that the First Nations Waste Management Initiative has significantly improved conditions by supporting infrastructure projects, training, and diversion programs. Nevertheless, the initiative's temporary and competitive nature continues to impede consistency and predictability. Communities stressed the need for sustained, core funding akin to other jurisdictions, supported by a regularly updated national needs assessment that captures infrastructure gaps, operational requirements, northern and remote cost differentials, and long-term environmental risks.

Members highlighted that funding and regulatory reform must be aligned. For any potential reforms to be successful, Members agreed that there would need to be a corresponding commitment to adequate and sustainable funding for communities to implement those reforms effectively and to facilitate closing the gap in waste infrastructure. Failure to do so could compromise communities, potentially placing them in a position of non-compliance, unable to meet regulatory requirements. Such an approach would be justly resisted.

The need to change how the federal government funds waste management in First Nations communities must also be accompanied by a clear sense of what needs to be funded. In its March 2022 report, *Closing the Infrastructure Gap by 2030: A Collaborative and Comprehensive Cost Estimate Identifying the Infrastructure Investment Needs of First Nations in Canada*, the Assembly of First Nations indicates the funding requirement to close the gap for solid waste and recycling by 2030 is \$747 million.⁷

While the Joint Table did not undertake a cost analysis of its policy proposals, Members noted that it is critical to support the full lifecycle of waste management, from infrastructure and operations

⁷ Assembly of First Nations, *Closing the Infrastructure Gap by 2030: A Collaborative and Comprehensive Cost Estimate Identifying the Infrastructure Investment Needs of First Nations in Canada*, December 2023. The full report can be consulted on line: [1-AFN-Closing-the-Infrastructure-Gap-by-2030-National-Cost-Estimate-English-report-1.pdf](#). The figures relate to asset classes and do not include operational funding needs.

to education, diversion, and compliance. Members agreed that the lack of funding extended to several areas affecting environmental waste management, including the capacity to collect baseline data, monitor, and enforce; the ability to develop laws, programs, and policies; and support/hire dedicated waste management officers and other legal or scientific expertise, as required.

Members feel it is necessary to fully understand the nature of the waste management gap to ensure that First Nations can meet any higher standards, and propose as follows:

Recommended Measure

That Indigenous Services Canada, in collaboration with First Nations partners, undertake a needs assessment on a priority basis to identify the infrastructure, operations and maintenance needs of communities, based on an agreed-upon methodology, to support any future funding proposals and reforms. This assessment must also be reviewed periodically by the parties.

As noted, Members feel that the current funding model for a core community service makes it challenging for communities to plan, build expertise, and maintain service levels. The Joint Table feels strongly that waste management funding should reflect the fact that waste is a core public service and be sustainable and sufficient, rather than discretionary and project-based. Members also noted that such an approach would address the current regional inconsistencies in federal funding, and allow First Nations themselves to set and fund their own priorities.

Accordingly, the Joint Table proposes the following measure for federal action:

Recommended Measure

That, the Indigenous Services Canada, in collaboration with other relevant federal departments, take immediate steps to advance proposals to transition all federal funding for waste to core, sustained funding, where waste management is recognized and funded as a fundamental public service, rather than a discretionary program.

C. Strengthening Capacity and Professionalizing Waste Management Roles

Members consistently emphasized that even with improved regulations and sustained funding, First Nations will not be able to operate, monitor, or enforce a modern waste management regime without dedicated, trained personnel. Capacity constraints are among the most significant barriers communities face today. Many First Nations lack full-time waste coordinators, certified operators, environmental monitors, or enforcement staff. In some communities, a single individual is responsible for multiple portfolios, including housing, lands, water, and waste management, making it challenging to operate complex waste systems or implement new standards effectively.

Strengthening capacity is therefore essential to building resilient, community-led waste management systems and ensuring that any regulatory or legislative reforms can be implemented meaningfully. Members stressed that capacity development must go beyond one-time training sessions or short-term program supports. Instead, it requires a comprehensive approach that professionalizes waste management roles, creates viable career paths for community members, and builds long-term institutional capacity within First Nations.

Members identified the development of a First Nations-led waste operator training and certification framework as a key priority. Such a framework would be comparable to successful First Nations-led models in other sectors, such as land management. It would ensure that training is culturally relevant, accessible, and grounded in community realities. A certification program would help establish consistent national standards for waste operations, support safety and compliance, and recognize waste operator roles as specialized and essential professions within communities.

The Joint Table emphasized that certification should be flexible and modular, allowing regions, tribal councils, or technical organizations to support local delivery while maintaining national oversight and consistency. Training should cover key competencies, including landfill and transfer station operations, handling hazardous materials, recycling and composting processes, environmental monitoring, record-keeping, and culturally grounded approaches to community engagement and voluntary compliance. Certification must also align with any new regulatory or operational standards developed under a modernized waste management regime.

Currently, First Nations waste management operators receive sporadic training that often does not reflect on-the-ground realities. However, Members agreed that capacity building is not only a technical requirement but also a governance issue. By investing in people, communities can exercise greater authority, implement their own laws, and strengthen environmental stewardship grounded in Indigenous knowledge and values. For these reasons, Members support the following recommended measures:

Recommended Measure:

That, in partnership with Indigenous Services Canada and First Nations organizations, a First Nations-led Waste Management Operator Training and Certification Program be developed to provide a culturally grounded, accessible, and nationally consistent roach to training waste operators; and that First Nations guide both the design and delivery of all curriculum and certification processes.

The certification pathways developed through this framework should be aligned with contemporary safety requirements, hazardous waste handling protocols, diversion practices, environmental monitoring practices, and any future co-developed regulations or national standards. This will ensure that waste operators possess the technical competencies, environmental knowledge, and operational readiness required to support a modernized waste management regime and uphold the health and safety of their communities.

It is anticipated that this program would be implemented through regional or local delivery models to ensure equitable access to training and certification for remote, northern, and smaller First Nations, including by regional hubs, partnerships with tribal councils and technical organizations, and flexible delivery methods. A decentralized approach would support the participation of all communities, regardless of geography or population, in training pathways and build the professional capacity required to manage their waste systems effectively.

Members further underscored the importance of stable funding for dedicated waste coordinator positions in every community. Without permanent staffing, even well-designed systems cannot be implemented or maintained effectively. Funding for capacity must include salaries, ongoing training, equipment, and access to mentorship networks or professional communities of practice. Examples shared during Joint Table discussions, such as Wiikwemkoong's investment in operator training or Lower Nicola's integration of waste staff across departments, demonstrate that strong internal capacity enables communities to innovate and assert local governance over waste management.

Trained personnel are essential to the effective operation of community waste management systems, often working in conditions with significant safety risks, and can play a key role in minimizing waste impacts and protecting the environment. Across Canada, waste operators and/or coordinators perform the following functions, for which they are remunerated:

- Management and disposal of hazardous waste materials, ensuring compliance with regulations and proper handling techniques.
- Management and operation of landfill facilities, oversight of waste disposal operations, environmental monitoring, and compliance with landfill regulations.
- Management and oversight of recycling programs, including developing recycling plans, coordinating collection services, and promoting recycling initiatives.
- Supervision of waste collection and disposal operations, ensuring proper waste handling, transportation, and disposal methods are followed
- Development and implementation of waste reduction strategies and initiatives, promoting the efficient use of resources and minimizing waste generation

First Nations communities require a similar ability to hire and retain qualified waste management personnel. Accordingly, the Joint Table proposes as follows:

Recommended Measure:

That stable, long-term federal funding should be provided for dedicated waste operator and/or coordinator positions in First Nations communities, as needed, including salary supports comparable to neighbouring jurisdictions.

D. Advancing a Dual-Track Approach to Address Unauthorized Dumping

The unauthorized dumping of harmful waste on reserve lands is a pervasive and harmful issue for many First Nations across the country. Currently, First Nations have few, if any, tools available to them to deter third parties from illegally dumping waste on their lands. As we have seen, the weak fine structure under the IRWDR makes these regulations irrelevant and effectively non-prosecutable in provincial courts. Additionally, communities' monitoring capacity is limited by available funding, which contributes to this growing concern.

The effects of unauthorized dumping on communities can be significant, damaging and overwhelming for residents struggling with its deleterious effects. Cases such as the G&R Recycling facility in Kanehsatà:ke, Quebec, described by former Minister of Crown Indigenous Relations Marc Miller as an "environmental bomb", confirm that the absence of clear and effective environmental legislation makes it extremely difficult to hold polluters accountable for environmental damages on-reserve. The potential health impacts of unauthorized dumping continue to be a concern for residents after years of reports of pollution due to illegal dumping by non-Indigenous residents at the site, far beyond the permitted limit. While the facility closed in 2020, vast amounts of hazardous material remain to be decontaminated. Clean-up is anticipated to be in the tens of millions of dollars, although the full cost of remediation will not be known until the site is fully assessed.

While the G&R case has garnered significant media attention, it is not an isolated case. Similarly, the Cowichan Tribes in British Columbia have been struggling to stop unauthorized dumping of construction and industrial waste, which threatens to leach toxic chemicals into the Cowichan River, and to have the owner prosecuted. The community acknowledges, however, that under the *Indian Act*, its ability to prevent or address these unlawful activities is limited.

Joint Table Members believe that communities require strong enforcement mechanisms to deter external third-party polluters while also reflecting culturally grounded, non-punitive approaches for community members. A scaled approach, or dual-track model, combining community-based voluntary compliance, clear laws regulating on-reserve commercial activities, and leveraging federal enforcement tools against large-scale external polluters was seen as the most balanced and effective way to advance environmental protection while respecting community values.

The Joint Table found that most First Nations communities do not have the extensive resources required to pursue large polluters, both for the unauthorized disposal of waste on reserve lands and for activities conducted off reserve that negatively impact their lands. Members also felt strongly that the federal government has an essential regulatory and enforcement role in protecting reserve lands from these harmful activities, and that it has the tools at its disposal to do so.

Joint Table Members examined the possibility of enacting a regulation under the federal *Canadian Environmental Protection Act* (CEPA) to address unauthorized dumping on reserve lands by third parties and potentially regulating off-reserve operations that affect aboriginal lands. Unlike the *Indian Act*, penalties under the CEPA are significant, with fines ranging from \$5,000 to \$12,000,000,

and imprisonment for up to three years. The act also provides for alternative measures to bring offenders into compliance with regulatory requirements, including the clean-up of environmental damage.

Preliminary analysis shared by federal officials on the proposed application of CEPA to activities that deleteriously affect "Aboriginal Lands" was positive. Officials were also asked to examine whether the act permitted the remittance of fines recovered from polluters directly to communities. In contrast to other arrangements Members heard about in which the province retains fines, there are possibilities through the CEPA Environmental Damages Fund for fines collected under CEPA to be directed to communities. The Joint Table believes that this Fund can significantly contribute to environmental justice goals for First Nations, many of whom are disproportionately affected by their proximity to polluting industries.

Recognizing that CEPA can be an essential regulatory tool to address the dumping of harmful wastes on reserve lands, an especially growing concern for many communities close to major resource development projects, the Joint Table proposes as follows:

Recommended Measure:

That, Environment and Climate Change Canada, in collaboration with First Nations, formally explore the application of Part 9 of the Canadian Environmental Protection Act (CEPA) to address unauthorized dumping by external third-party actors on reserve lands, and that a comprehensive report outlining possible implementation pathways, associated costs, and mechanisms for redirecting fine revenues to impacted First Nations be developed and presented to relevant Ministers and First Nations leadership no later than March 2027.

Research commissioned by the Joint Table found that, at the local level, key challenges include limited infrastructure, high tipping fees, infrequent bulky-item collection events, and limited transfer station hours, while the lack of regulations and monitoring capabilities were more relevant to external polluters. These factors often lead to unauthorized waste disposal at multiple sites within communities. For example:

- **Cowichan Tribes:** Illegal dumping was observed at approximately 33 locations, primarily consisting of bulky items such as furniture, appliances, and mattresses. This is attributed to infrequent bulky item collection events and high tipping fees.
- **Remote Northern Alberta:** Illegal dumping of bulky items is a recurring issue due to limited transfer station hours and inadequate capacity of collection boxes.
- **Inland New Brunswick:** Persistent illegal dumping by residents and non-residents was identified as a challenge, linked to operational difficulties and limited local control over regional infrastructure.

- **Survey Responses:** Community members reported illegal dumping by non-community members at their sites and challenges due to the lack of waste bylaws and diversion programs.

Members, however, affirmed the view of several community presenters that punitive measures are often not appropriate at the community level. While it heard clearly that there is value in establishing transparent regulatory standards, especially for businesses operating on First Nations lands, locally applied regulations should identify tiered enforcement mechanisms such as verbal warnings, written notices, fines, and community service, and align with Indigenous laws and community values. In this view, tiered approaches that emphasize community education and compliance initiatives, including regular bulky-item collection events, enhances security measures such as cameras at security sites, are more appropriate for reducing unauthorized waste disposal.

The research suggests that public awareness efforts and community support are key to improving community-wide stewardship and compliance with local waste management efforts. Punitive measures, such as fines, to ensure compliance with local waste laws/regulations, are seen as less effective and less culturally appropriate. Supporting community awareness and youth engagement grounded in First Nations values can reduce waste and prevent potential contamination through voluntary compliance.

Waste management and disposal costs are often elevated in many First Nations due to factors such as small service populations, dispersed households, and long-haul distances, which means waste reduction and diversion can deliver outsized savings. For many communities, the absence of a landfill in the regional district means waste must be hauled elsewhere, increasing overall management costs. High tipping fees, without convenient alternatives, can be a barrier in First Nations communities, leading to illegal dumping and underscoring the need to balance cost recovery with access and education. As documented in the research commissioned by the Joint Table, bulky waste accounts for most illegal dumping sites and is likely due to both infrequent bulky-item collection events and higher tipping fees for these items.

Joint Table Members feel that federal investments in the following initiative(s) could be implemented quickly and yield positive results:

- Public Awareness Programs to educate households on proper sorting, recycling, and the importance of waste reduction.
- Youth Involvement and youth programs in recycling and environmental initiatives
- Increased funding targeted to regular bulky item collection in communities
- Increased security measures at waste disposal sites

Recommended Measure:

In order to support community-based voluntary compliance, the federal government immediately invest in community-based public awareness and prevention initiatives, such as culturally grounded education campaigns and youth-led environmental stewardship programs, and make targeted investments to address unauthorized dumping.

E. Strengthening Partnerships to Expand Waste Diversion Opportunities

First Nations report lower measured diversion rates for community waste relative to neighbouring communities. The evidence links this pattern to inconsistent access among First Nations to diversion services.

Members emphasized that equitable access to waste diversion programs, particularly those tied to Extended Producer Responsibility (EPR), is fundamental to building sustainable, cost-effective waste management systems. These initiatives aim to divert waste from landfills and cover a broad range of product categories, including tires, batteries, electronic products, packaging and printed paper, beverage containers, and hazardous and special products.

While many Canadian jurisdictions rely on EPR programs to reduce landfill pressures, recover product value, and fund recycling services, First Nations often face barriers to participation, including limited-service availability, high transportation costs, administrative burdens, and a lack of dedicated infrastructure, such as sorting, shredding, and other processing technologies to ensure materials are properly sorted and recycled.

However, through initiatives such as Recycle BC, some communities can leverage Extended Producer Responsibility (EPR) and diversion programs to reduce costs and improve outcomes. By shifting responsibility for managing packaging, electronics, and other materials back to producers, EPR programs can offset the high transportation and disposal costs that challenge remote and northern communities.

First Nations typically access EPR programs through two main pathways: direct enrollment with PROs where infrastructure and reporting capacity exist, or through Municipal Transfer Service Agreements and regional partnerships, enabling communities to leverage municipal routes, facilities, and data systems. These access models reflect local capacity and service availability, with more remote and smaller communities often relying on partnerships rather than direct program participation.

Alternative models for remote and northern communities have also emerged. Manitoba's MMSM program, for example, lacks a direct enrollment pathway for First Nations and instead operates a Winter Road Project to provide seasonal haul-and-backhaul logistics for materials, relying on scale

tickets from downstream processors rather than local transfer agreements. Such models illustrate how provinces tailor EPR access to logistical realities and remoteness, aiming to balance producer responsibility with practical service delivery challenges.

While the pace, scope, and program designs vary significantly by region, increasingly provincial and territorial governments are steadily shifting toward full producer-run EPR systems. Members believe it is critical to expand access to EPR services nationwide to ensure that First Nations are not left behind and can benefit from reduced landfill pressure, lower tipping fees, and increased cost recovery through producer-funded recycling systems. Accordingly, Members propose as follows:

Recommended Measure:

That Indigenous Services Canada and Environment and Climate Change Canada, in collaboration with interested First Nations and provincial jurisdictions, develop and implement a First Nations-specific Extended Producer Action Plan by March 2027 that:

- Builds on best practices, such as British Columbia's EPR system under *Recycle BC*, which supports communities that have signed direct service agreements, by expanding and improving these models nationwide.
- Explores the development of partnerships with existing Producer Responsibility Organizations that serve Indigenous communities directly.
- Identifies appropriate investments in collection and processing Infrastructure to enable meaningful participation in diversion programs and to support long-term cost savings
- Supports training and strengthens community capacity in recycling operations, including skills development to ensure that First Nations have the personnel, knowledge, and operational capability needed to implement and sustain expanded diversion programs.

Implementation Framework: A Phased Approach

Implementing a modern, culturally grounded, and rights-affirming waste management regime will require a carefully sequenced, phased approach that enables communities, First Nations organizations, and federal partners to build capacity, co-develop standards, and establish the necessary institutional structures over time. Members emphasized that immediate action is needed to address urgent gaps, even as longer-term legislative and governance reforms are advanced. The phased framework below outlines a practical pathway that balances the need for early progress with the time required to design, resource, and implement foundational reforms.

Short-Term (1–2 Years): Establishing the Foundation

In the short term, Members stressed the importance of initiating activities that build momentum, strengthen capacity, and prepare communities and federal partners for more comprehensive reforms. During this period, a national needs assessment should begin, supported by standardized data collection tools that reflect First Nations priorities and local operating realities. Short-term efforts should also include launching regional training and certification pilots, developed collaboratively with First Nations organizations, to begin building a skilled workforce capable of supporting future regulatory or legislative changes. In addition, exploring federal enforcement collaboration could potentially provide early support to address persistent third-party dumping while longer-term formal enforcement models are developed.

Medium-Term (3–5 Years): Building Systems and Expanding Capacity

Over the medium term, Members recommended moving from foundational activities to broader implementation of systemic reforms. This period should include the transition to core, funding for waste management, enabling communities to stabilize operations, retain staff, and invest in preventative and long-term planning. The certification program piloted in earlier years should be expanded nationwide, supported by regional delivery models that ensure equitable access for remote and northern communities. Members also emphasized the need to support community law development, enabling First Nations to create and enforce their own waste management laws, with pilot enforcement models tested and refined through collaborative partnerships. During this phase, the federal government and First Nations partners should co-develop the legislative framework that will serve as the long-term regulatory foundation for waste management on reserve lands.

Long-Term (5+ Years): Transitioning to First Nations Jurisdiction

In the long term, Members recommended advancing the implementation of stand-alone federal legislation that recognizes First Nations' jurisdiction over waste management and provides the legal foundation for communities to enact and enforce their own laws. This legislative framework should be accompanied by mechanisms to support the orderly transfer of responsibilities, recognizing that communities will require time, resources, and institutional supports to assume jurisdiction. Members also emphasized the need to establish a national governance structure to provide ongoing oversight, technical guidance, training, and coordination. This structure may involve First Nations-led organizations or networks that can support communities in monitoring compliance, sharing best practices, and addressing emerging environmental challenges. Over time, this phase would support a complete transition to a First Nations-led waste management regime rooted in self-determination, cultural values, and long-term sustainability.



Wiikwemkoong Unceded Territory - Site Transformation

Conclusion

The work of the Joint Table on First Nations Waste Management reflects a shared commitment to addressing long-standing gaps in environmental protection on reserve lands and to advancing a modern, culturally grounded, and sustainable waste management regime. Through months of collaboration, community presentations, site visits, technical discussions, and regional validation, Members developed a comprehensive understanding of the challenges faced by First Nations and a clear vision of what is required to move forward. The insights captured in this report affirm that meaningful progress depends on recognizing First Nations jurisdiction, establishing sustained and equitable funding, building local capacity, addressing unauthorized dumping through both community-based and federal enforcement tools, and strengthening partnerships to expand waste diversion opportunities.

Members agree that advancing a First Nations-led waste management regime is a matter of environmental stewardship and also an expression of self-determination, health, safety, and community well-being. The recommendations and phased implementation framework outlined in this report chart a path toward a system that is responsive to community realities, grounded in Indigenous knowledge, and capable of supporting long-term environmental protection. This work also aligns with Canada's commitments under the *United Nations Declaration on the Rights of Indigenous Peoples*, the Truth and Reconciliation Commission's *Calls to Action*, and federal environmental justice priorities.

The Joint Table expresses its appreciation to all First Nations communities, waste operators, Elders, youth, and technical experts who generously shared their knowledge and experiences throughout this process. Their leadership and dedication formed the foundation of this report and will continue to guide future steps. As the Joint Table concludes its mandate, Members underscore that continued collaboration between First Nations and federal partners is essential to implementing the path forward and ensuring that every First Nation has the tools, authority, and resources necessary to protect their lands, waters, and future generations.

This report represents both a culmination of collective effort and a beginning. It is an invitation grounded in partnership and respect to take the next steps together toward a modernized, just, and sustainable waste management regime that fully reflects First Nations' priorities, values, and inherent rights.

“ Waste management isn't just about garbage. It's about health, safety, and the well-being of our communities.”

Appendices

Joint Table Membership

Region	Organization	Contact
<i>Atlantic</i>	Confederacy of Mainland Mi'kmaq (CMM)	<p>Primary: Trina Khattar, Director Department of Community Services and Infrastructure</p> <p>Alternate: Keaton Fougere, Program Manager</p>
<i>Quebec</i>	First Nations of Quebec and Labrador Sustainable Development Institute (FNQLSDI)	<p>Primary: Flavie Riou-Routhier, Legal Advisor</p> <p>Marcel Rodriguez, Waste Management Project Leader</p> <p><u>Alternate:</u> Laura Morgan, Waste Management Coordinator</p>
<i>Ontario</i>	Chiefs of Ontario (COO)	<p>Kathleen Padulo, Director of Environment</p> <p>Alternate: Ryan Bowie, Associate Director</p>
<i>Ontario</i>	Ontario First Nations Technical Services (OFNTSC)	Heidi Manitowabi, Regional Solid Waste Specialist
<i>Ontario</i>	Anishinabek Nation	<p>Primary: Lorieann Whittaker, Policy Analyst-Environmental Issues</p> <p><u>Alternate:</u> Rhonda Gagnon, Manager, Lands and Resources</p>
<i>Ontario</i>	Wiikwemkoong	Terence Corbiere, Waste Management Coordinator
<i>Manitoba</i>	Southern Chiefs Organization Inc.	Geoff Reimer, Director, Environment Program
<i>Saskatchewan</i>	Saskatchewan Aboriginal Land Technicians (SALT)	David Brass, Team Lead Waste Management

<i>Alberta</i>	First Nations Technical Services Advisory Group Inc. (TSAG)	Primary: Aaron Campbell, Environmental Specialist <u>Alternate:</u> Monica McColman, Director of Technical Services
<i>British Columbia</i>	Indigenous Zero Waste Technical Advisory Group (IZWTAG)	Lucinda Phillips, Executive Director,
<i>National</i>	Assembly of First Nations (AFN)	Primary: Peyton Pitawanakwat, Senior Policy Analyst <u>Alternate:</u> Andrea Lesperance, Senior Policy Analyst
<i>National</i>	National Aboriginal Land Managers Association (NALMA)	Leona Irons, Executive Director
<i>National</i>	Lands Advisory Board Resource Centre (LABRC)	Jennifer Predie, Manager, Land Code Governance
<i>Federal</i>	Indigenous Services Canada	Primary: Laura Mitchell, Director General Alternate: Patrick Haggerty, Manager Norah Kielland, Sr Analyst
<i>Federal</i>	Environment and Climate Change Canada	Primary Jay Sinha, Senior Legislative Policy Advisor Alternate: Mikaela Robertson, Senior Legislative Policy Advisor
<i>Notetakers/ reporting writing services</i>	Imagination Consulting	Colby Delorme, Consultant Marie Delorme, Consultant
<i>Facilitator and Writer</i>		Tonina Simeone, Consultant

Terms of Reference

Terms of Reference Joint Table on Waste Management and Unauthorized Dumping on Reserve

MANDATE

The mandate of the Joint Table is to work collaboratively to co-develop options to address waste management and unauthorized dumping on reserve lands.

THE JOINT TABLE MEMBERS

Active participants:

- Up to fifteen (15) First Nation representative organizations and/or technical experts
- One (1) representative from Indigenous Services Canada, Environment Directorate

Observer:

- One (1) representative from Indigenous Services Canada, First Nations and Inuit Health Branch
- One (1) representative from Environment and Climate Change Canada

Additional members may be added to the Joint Table if endorsed by over 50% of the Table Members and resources are available to support their participation (if required).

SCOPE OF CO-DEVELOPMENT

The Joint Table will identify legislative, regulatory and policy options to address waste management issues on reserve lands such as, but not limited to:

- Unauthorized dumping and improper disposal of waste
- Storage and handling of hazardous waste
- Standards for the operation, maintenance and closure of waste sites
- Recycling, composting, and waste diversion programs
- Capacity to implement proposed measures
- Enforcement

As part of this work, the Joint Table will explore options to improve the regulatory framework governing waste management and unauthorized dumping (whether through amendments to existing laws or a new legal framework), mechanisms to support compliance and enforcement, and avenues to enhance First Nations' capacity to implement a modern waste management regime.

ROLES AND RESPONSIBILITIES OF MEMBERS

In the spirit of meaningful collaboration, Joint Table representatives are expected to actively participate in working group discussions, provide constructive input and expertise related to waste management and unauthorized dumping. More specifically, Joint Table members will:

- Participate in in-person, virtual meetings, and site visits
- Review and provide input on documents developed by the Joint Table
- Participate in the development of the workplan and agendas for meetings

- Present or lead discussions on areas where your organization has subject matter expertise (as needed)
- Provide input on the communications strategy to support public awareness and engagement on the Joint Table's work
- Advise on the approach for engaging regions and First Nations communities on the options proposed by the Joint Table
- Review and incorporate feedback from community engagement sessions into the final discussion paper
- Seek feedback and report to their respective organizations (i.e., First Nations representative organizations, chiefs in assembly, senior government officials), keeping them informed on a regular basis and seeking direction as necessary
- Initiate a process for validating the options developed by the Joint Table with their respective organizations

OBJECTIVES/OUTCOMES

The co-development process is a commitment to work together to advance mutual priorities regarding environmental protection, waste management and unauthorized dumping. The Joint Table will work collaboratively to identify options to address waste management and unauthorized dumping in a manner tailored to address community needs and supportive of self-determination. In particular, it is expected that this process will identify:

- Legislative options that advance mutual interests among the federal government and First Nations
- Capacity development mechanisms needed to implement the proposed waste management regime (i.e., prevention, assessment, monitoring, enforcement, etc.)
- Tools to support First Nations under the *Indian Act* to develop waste management laws and transfer services
- Measures to prevent the contamination of lands related to waste management and unauthorized dumping
- Opportunities to harmonize with provincial environmental regimes and/or enforcement mechanisms, where desired
- Potential impacts on existing and future proposed self-government activities (e.g., The *Framework Agreement on First Nation Land Management Act*, self-government agreements)

The Joint Table's work to develop a modern waste management regime on reserve lands will be presented to First Nations and federal decision makers for their consideration.

DELIVERABLES

A discussion paper will be developed that contains options to enhance waste management in communities. This document will summarize the discussions and recommendations of the Joint Table and include key findings related to:

- The legislative/regulatory framework for governing waste management and unauthorized dumping
- The policy framework to support capacity development
- The environmental standards to guide waste management

PRINCIPLES OF THE JOINT TABLE

The Joint Table will work towards meeting their mandate in accordance with the following principles:

- *Collaboration*: The co-development process will be a collaborative forum for Joint Table members to develop policy and legislative options to enhance environmental protection.
- *Consensus*: Best efforts will be made to develop options on a consensus basis.
- *Information-sharing*: Non-confidential information, summaries, and recommendations will be shared among Joint Table members to support transparency and informed decision-making.
- *Open communication*: Joint Table members will engage in ongoing and active communication.
- *Respect*: Joint Table members will respect each other's values, interests and priorities.

GOVERNANCE STRUCTURE

Discussions will be facilitated by a Chairperson and a Co-Chairperson, to be selected by Joint Table members. The Chairperson/Co-Chairperson will be a full participant of the Joint Table and help to oversee and manage the discussions.

During the first meeting, the ISC representative will act as the Chairperson and facilitate the Joint Table discussions. After this meeting, members will be able to discuss options for facilitation for future meetings.

SUB-WORKING GROUPS (SWG)

There may be specific research and analysis needs that require a focused approach. Should these particular needs be identified, ad hoc SWGs will be established and will report directly to the Joint Table. SWGs will develop terms of reference that articulate the purpose, objectives and deliverables, and will be appended to these Terms of Reference.

SECRETARIAT

The Joint Table will be supported by the National Aboriginal Lands Managers Association, who will provide the following secretariate services:

- Coordinating in-person and virtual meetings
- Preparing and distributing meeting summaries;
- Drafting the interim and final discussion paper that contains the findings of the Joint Table, including translation; and
- Distributing funding to members for travel, hotels, per diems, and professional fees.

TECHNICAL/LEGAL/RESEARCH SUPPORT

The Joint Table may request technical, legal, or research support to assist or provide advice in the development of options to address waste management and unauthorized dumping on reserve lands.

The Joint Table may also invite guests and/or pursue site visits (were possible) to gain a deeper understanding of the effects on communities and the best practices available.

MEETING FREQUENCY

The Joint Table will meet in-person approximately 4–5 times over the course of a 12-month period. Ad hoc virtual meetings may also be held to increase the regularity of meetings and provide an opportunity to follow up on any outstanding items.

COMMUNICATIONS

The Joint Table will ensure there is a common communications strategy to support general public awareness. As part of this work, the Joint Table may need to appoint spokespersons to respond to media-related inquiries, such as press releases, comments, and quotes.

MEETING COSTS

Travel, hotels and meals will be reimbursed for Joint Table members and other agreed upon participants, as per their applicable travel policies. Every effort will be made to book travel in as much advance as possible to ensure cost efficiency and to ensure that advances for expenses can be prepared prior to meetings.

JOINT VALIDATION PROCESS

Members will seek feedback and validation from their respective organizations on the findings of the Joint Table and the proposed options. The validation process is intended to provide organizations with an opportunity to confirm that their views are reflected in the final discussion paper prepared by the Joint Table. Validation processes will be confirmed by each Joint Table member once the co-development process begins.

For clarity, the validation process does not replace government-wide approval processes that are required when new legislation, regulations, or major policy changes are being proposed. Equally important, the engagement and validation process does not replace the Crown's obligations under the Duty to Consult.

NON-DEROGATION

These Terms of Reference and the outcome from the co-development process are intended to uphold the rights of First Nations Peoples recognized and affirmed by section 35 of the *Constitution Act, 1982* and not abrogate nor derogate from them.

The Joint Table, its Terms of Reference, and its activities are without prejudice to existing and future initiatives between First Nations and the Crown, or any other third-party interest, or any legal proceedings.

Timeline of Joint Table Milestones

- **December 2024 – Establishment of the Joint Table**

The Joint Table on First Nations Waste Management and Unauthorized Dumping is formally convened, bringing together 15 First Nations organizations and federal partners from ISC and ECCC.
- **January–March 2025 – Initial Scoping and Issue Identification**

Early meetings focus on identifying systemic issues, reviewing existing legislation and regulations, and outlining the environmental protection gap. Members refine the working principles guiding the co-development process.
- **February 2025 – Site Visits to Pikwàkanagàn and Líłwat**

Members engage in hands-on learning through site visits, observing waste operations and hearing from frontline staff.
- **March–April 2025 – Case Studies and Community Presentations**

Wiikwemkoong, Lower Nicola, Whitecap Dakota, CMM, and others provide detailed presentations on successful models, challenges, and culturally grounded solutions.
- **June 2025 – Preliminary Findings Report Released**

The Joint Table completes and circulates its Preliminary Findings Report, summarizing challenges, community voices, and emerging solution pathways. This report becomes the basis for regional validation processes.
- **July–September 2025 – Regional Validation by Joint Table Member Organizations**

Each participating First Nation organization leads internal engagement with leadership, regional committees, Elders, and technical staff to validate the preliminary findings and identify additional gaps or regional considerations.
- **October 2025 – Options Development Meetings**

Members reconvene to review validation feedback and co-develop policy, regulatory, funding, capacity-building, enforcement, and waste-diversion options. These sessions form the basis of the Issues and Options paper.
- **Fall 2025 – Drafting of Final Recommendations**

Members collaboratively refine the preferred options, focusing on legislative pathways, funding reform, certification and capacity models, dual-track enforcement, and partnerships for waste diversion.
- **December 2025 – Completion of the Final Report**

The Final Report, "*A Report of the Joint Table on Waste Management*," is prepared for submission to the Minister of Indigenous Services Canada and of Environment and Climate Change Canada.

Summary Table of Recommendations and Phased Actions

Area of Focus	Recommended Measure(s)
Regulatory Modernization & First Nations Jurisdiction	Jointly develop stand-alone federal legislation recognizing First Nations jurisdiction over waste management , enabling First Nation-specific laws (e.g., waste disposal, hazardous waste, diversion, worker protection, enforcement). Include federal provisional minimum standards , co-developed with First Nations, that apply until local laws are in place, and recognize waste management as a core, ongoing public service with a corresponding commitment to long-term funding .
	Short-Term (1–2 Years)
	<ul style="list-style-type: none"> • Begin joint policy work with First Nations partners on legislative options and design principles. • Identify priority areas for provisional national standards (e.g., landfill operations, hazardous waste, diversion). • Map linkages with existing self-government and FAFNLM pathways to avoid duplication.
	Medium-Term (3–5 Years)
	<ul style="list-style-type: none"> • Co-develop and publicly consult on draft stand-alone legislation with First Nations. • Co-develop detailed federal provisional minimum standards. • Support community law-development pilots and regulatory design capacity.
Waste Management as a Core Public Service (Funding Reform)	Long-Term (5+ Years) <ul style="list-style-type: none"> • Enact stand-alone legislation recognizing First Nations jurisdiction. • Support the transition of First Nations to exercising their own laws and standards, including alignment with self-government/FAFNLM where applicable. • Maintain and periodically update provisional minimum standards for communities that have not yet enacted local laws.
	Undertake a co-developed National Needs Assessment (infrastructure, O&M, capacity) that is regularly updated; and transition federal funding for waste management from proposal-based to core, sustained funding that recognizes waste management as a fundamental public service.
	Short-Term (1–2 Years)
<ul style="list-style-type: none"> • Launch National Needs Assessment with First Nations partners using agreed methodology and standardized data tools. • Begin aligning program design with the view that waste management is a core public service. • Complete and periodically update the Needs Assessment to guide allocations. 	

	<p>Medium-Term (3–5 Years)</p> <ul style="list-style-type: none"> • Implement transition to core, recurring funding models (A-based, multi-year). • Ensure funding covers full lifecycle costs: infrastructure, operations, staffing, monitoring, education, diversion, and enforcement. <p>Long-Term (5+ Years)</p> <ul style="list-style-type: none"> • Maintain and refine needs-based, core funding tied to service standards and community priorities. • Use updated assessments to adjust funding over time and address emerging risks (e.g., climate, legacy sites).
<p>Strengthening Capacity & Professionalizing Waste Roles</p>	<p>Develop a First Nations-led Waste Management Operator Training & Certification Program with a culturally grounded curriculum and regional delivery, and provide stable, long-term funding for dedicated waste coordinator positions in communities, including salaries, training, and equipment.</p>
	<p>Short-Term (1–2 Years)</p> <ul style="list-style-type: none"> • Co-design training and certification framework with First Nations orgs (e.g., tribal councils, technical bodies). • Launch regional training and certification pilots. • Identify communities that require funded waste coordinator positions and begin initial staffing supports.
	<p>Medium-Term (3–5 Years)</p> <ul style="list-style-type: none"> • Expand certification program nationally through regional hubs and flexible delivery. • Fully fund dedicated waste coordinator positions in communities, including ongoing training and professional networks. • Embed certification requirements and competencies in any new regulations/standards.
	<p>Long-Term (5+ Years)</p> <ul style="list-style-type: none"> • Maintain ongoing national/regional certification systems and communities of practice. • Support advanced training (e.g., hazardous waste, enforcement, data systems). • Ensure sustained funding for waste coordinators as a permanent, professional role.
<p>Dual-Track Approach to Unauthorized Dumping & Enforcement</p>	<p>Formally explore and develop the application of CEPA Part 9 (and related tools) to address third-party dumping on reserve, including options to direct fines back to communities; and invest in community-based, voluntary compliance measures (awareness, youth engagement, bulky-item collection, tiered local enforcement aligned with Indigenous laws and values).</p>
	<p>Short-Term (1–2 Years)</p> <ul style="list-style-type: none"> • Explore in the context of this report, federal enforcement collaboration for persistent external polluters.

	<ul style="list-style-type: none"> • Complete a comprehensive CEPA Part 9 options report (including cost and fine-sharing paths) by March 2027. • Invest early in community awareness campaigns, youth programs, and addressing unauthorized dumping. <p>Medium-Term (3–5 Years)</p> <ul style="list-style-type: none"> • Develop and, where agreed, begin implementing CEPA-based frameworks or pilot regulations addressing third-party polluters. • Scale up community-based voluntary compliance initiatives (education, signage, local bylaws, tiered enforcement). <p>Long-Term (5+ Years)</p> <ul style="list-style-type: none"> • Fully implement CEPA-based enforcement tools where supported by First Nations, ensuring fines and penalties benefit impacted communities. • Maintain ongoing investments in prevention, bulky-item collection, and culturally grounded local enforcement models. • Continue refining enforcement partnerships (federal/provincial/First Nations) as needed.
<p>Strengthening Partnerships & Expanding Waste Diversion (EPR)</p>	<p>Develop a First Nations-specific Extended Producer Responsibility (EPR) Action Plan with ISC, ECCC, First Nations, and provinces, to: build on best-practice models (e.g., Recycle BC); expand access to Producer Responsibility Organizations (PROs); invest in collection and processing infrastructure; and strengthen community capacity in recycling operations.</p> <p>Short-Term (1–2 Years)</p> <ul style="list-style-type: none"> • Initiate co-development of a First Nations EPR Action Plan with interested First Nations and provinces. • Identify early partnership opportunities with existing PROs and regions with mature EPR regimes. • Map current access gaps to diversion services for First Nations. <p>Medium-Term (3–5 Years)</p> <ul style="list-style-type: none"> • Implement regional EPR access models based on the Action Plan (e.g., direct service agreements, municipal partnerships, winter road models). • Fund priority infrastructure (sorting, transfer, processing) that supports meaningful EPR participation. • Provide training and capacity-building for local recycling operations. <p>Long-Term (5+ Years)</p> <ul style="list-style-type: none"> • Maintain and expand EPR participation across all regions, ensuring First Nations have equitable access to diversion services. • Strengthen long-term infrastructure renewal and innovation (e.g., circular economy initiatives). • Use EPR to reduce landfill pressures, tipping fees, and environmental risk over time.

Glossary of Terms and Acronyms

A-Based Funding

Permanent, ongoing federal funding allocated through departmental reference levels rather than short-term program cycles. A-based funding provides stability for essential services such as waste management.

AFN

Assembly of First Nations.

Baseline Standards

Minimum environmental, operational, or safety requirements that apply universally. Baseline standards may refer to provisional national waste management standards co-developed with First Nations until communities implement their own laws.

BCR

Band Council Resolution.

Canadian Environmental Protection Act, 1999 (CEPA), Part 9

A section of CEPA that enables the federal government to regulate activities on federal and Indigenous lands to prevent pollution and protect the environment.

CEPA

Canadian Environmental Protection Act, 1999.

CMM

Confederacy of Mainland Mi'kmaq.

COO

Chiefs of Ontario.

Capacity Building

Processes and investments that enhance a community's ability to plan, deliver, and govern waste management services through training, staffing, infrastructure, and operational tools.

Circular Economy

An economic model focused on reducing waste, reusing materials, and maximizing resource efficiency.

Community-Based Enforcement

Non-punitive, culturally grounded approaches to supporting compliance with local laws, focusing on education, restorative practices, community ownership, and tiered enforcement measures.

Community Well-Being

The social, cultural, health, and economic conditions contributing to the quality of life within a First Nation.

Contaminated Sites Inventory

A federal database that lists contaminated lands on reserve or other federal lands.

Core Public Service

A service considered essential to community health, safety, and sustainability.

Culturally Grounded Approaches

Policies, programs, or enforcement models informed by Indigenous knowledge, values, and community protocols rather than solely Western or punitive systems.

Diversion (Waste Diversion)

The process of redirecting waste away from landfills through recycling, composting, reuse, and producer responsibility programs.

ECCC

Environment and Climate Change Canada.

Environmental Justice

A principle recognizing that all people deserve equal protection from environmental harm.

Environmental Monitoring

The systematic tracking of environmental conditions (air, water, soil) to detect contamination, ensure compliance, and inform management decisions.

Environmental Protection Gap

The regulatory void resulting from the limited application of provincial environmental laws on reserve and the inadequacy of existing federal tools, such as the IRWDR.

Environmental Racism

Systemic inequities that cause Indigenous and other marginalized communities to experience disproportionate exposure to environmental harms due to historic and ongoing policy, funding, and enforcement decisions.

EPR

Extended Producer Responsibility.

ESA

Environmental Site Assessment.

FAFNLM / FAFNLMA

Framework Agreement on First Nations Land Management (also referred to as the Framework Agreement on First Nations Land Management Act).

FNFES

First Nations Food, Nutrition and Environment Study.

FNQLSDI

First Nations of Quebec and Labrador Sustainable Development Institute.

FNSWMI

First Nations Solid Waste Management Initiative (also referenced as the First Nations Waste Management Initiative).

Extended Producer Responsibility (EPR)

A policy approach where producers are responsible for the end-of-life management of their products.

Federal-Provincial-First Nations Forum

A structured mechanism for collaborative dialogue among federal, provincial, and First Nations governments to coordinate policies, enforcement, and environmental management.

First Nations Waste Management Initiative

An initiative that provides support to First Nations to develop sustainable waste management systems through modern infrastructure, operations, training, and partnerships.

Framework Agreement on First Nations Land Management (FAFNLMA)

An agreement allowing participating First Nations to enact their own land and environmental laws, free from certain *Indian Act* restrictions.

GFL

Green For Life Environmental Inc. (waste management contractor).

GIS

Geographic Information System.

Hazardous Waste

Waste posing a risk to human health or the environment (e.g., chemicals, batteries, e-waste). Hazardous waste requires strict handling, storage, and disposal protocols.

Indian Reserve Waste Disposal Regulations (IRWDR)

Federal regulations under the *Indian Act* governing waste disposal on reserves.

Inherent Right to Self-Government

A right recognized under section 35 of the *Constitution Act*, 1982, affirming the authority of Indigenous peoples to govern matters internal to their communities, including environmental protection.

IRWDR

Indian Reserve Waste Disposal Regulations.

ISC

Indigenous Services Canada.

IZWTAG

Indigenous Zero Waste Technical Advisory Group.

Jurisdiction

The legal authority to make, administer, and enforce laws.

LABRC

Lands Advisory Board Resource Centre.

Landfill Certification

A compliance model where landfills are evaluated against operational and environmental standards.

Minimum National Standards

Provisional co-developed standards for waste management that would apply nationally until individual First Nations enact their own laws.

MMSM

Multi-Material Stewardship Manitoba.

NALMA

National Aboriginal Lands Managers Association.

Needs Assessment (National Needs Assessment)

A systematic evaluation of community infrastructure, operations, and capacity gaps guides funding allocations and program planning.

OFNTSC

Ontario First Nations Technical Services Corporation.

PRO

Producer Responsibility Organization.

Producer Responsibility Organization (PRO)

An entity created by producers to implement EPR programs, often responsible for collecting, processing, and recycling materials on behalf of producers.

Proposal-Based Funding

Competitive funding that requires applications for each project.

Restorative Justice (Waste Context)

An approach that focuses on repairing harm and rebuilding relationships rather than imposing punitive penalties.

RFP

Request for Proposal.

SALT

Saskatchewan Aboriginal Land Technicians.

Self-Governance / Self-Determination

The ability of First Nations to make decisions, enact laws, and control systems affecting their lands, citizens, and resources.

Solid Waste Management

The collection, transport, processing, recycling, or disposal of waste materials. Includes landfills, transfer stations, diversion programs, hazardous waste handling, and enforcement systems.

Stand-Alone Federal Legislation

New federal legislation developed outside the Indian Act, recognizing First Nations' jurisdiction over waste management and enabling the enactment of First Nations-specific laws.

Stewardship (Environmental Stewardship)

The responsible planning and management of resources guided by Indigenous teachings and relationships to land and water.

Third-Party Dumping / Unauthorized Dumping

The illegal disposal of waste by external individuals or companies on reserve lands.

Tiered Enforcement

A graduated system of compliance tools ranging from education and warnings to fines or community service, depending on severity and context.

Tipping Fees

Charges for disposing of waste at facilities like landfills or incinerators, also called gate fees, covering operational costs and encouraging recycling by varying based on waste type.

Transfer Station

A facility where waste is temporarily stored and sorted before being transported to a landfill or recycling facility.

TSAG

First Nations Technical Services Advisory Group Inc.

UNDRIP

United Nations Declaration on the Rights of Indigenous Peoples.

Waste Coordinator

A community staff member responsible for overseeing waste operations, diversion programs, environmental monitoring, and community engagement.

Waste Diversion Infrastructure

Physical systems, such as recycling centers, composting facilities, glass crushers, or e-waste depots, that enable communities to divert waste away from landfills.

Waste Management Regime

The combined legislative, policy, funding, operational, and enforcement systems governing waste management within a jurisdiction.

Waste Operator

An individual who manages the daily operations of waste facilities, equipment, hazardous materials, and diversion systems.