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Toxic spill from northern paper mill generates lawsuit from second First Nation

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A second First Nation has filed a lawsuit over a massive 2019 spill of toxic manufacturing byproduct from the paper mill in The Pas into the Saskatchewan River.

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In December 2023, Manitoba's provincial court ordered Canadian Kraft Paper to pay a \$1-million fine after the company pleaded guilty to a charge under the federal Fisheries Act for the spill — marking one of the largest-ever environmental fines issued in the province's history at the time.

The company admitted the mill released black liquor, which Environment Canada calls an acutely lethal toxin, into the river over six days, beginning Feb. 27, 2019. A total 181 million litres of the byproduct flowed into the river.



Chemawawin Cree Nation, in a statement of claim filed earlier this month in the Court of King's Bench, alleges the mill breached its treaty rights by failing to prevent the spill, failing to consult the community about how it was mitigating the incident and by contaminating the waterways its members have traditionally used to fish, hunt and trap.

The Chemawawin Reserve 2 community of approximately 1,300 residents is located about 120 kilometres southeast of The Pas, and is part of the larger Chemawawin Cree Nation — also known as Easterville.

"From the site of the incident, the Saskatchewan River flows downstream through CCN's traditional territory into Cedar Lake, where Chemawawin Reserve 2 is located," reads the new claim.

"This resulted in the flow of the... black liquor through their territory and community, polluting CCN's reserve, land and traditional territory, and impacting their treaty protected rights to hunt, trap and fish."

The court filing also alleges the company was negligent for its failure to prevent the incident, including by allegedly not having proper safety protocols in place, and for failing to notify Chemawawin of the spill. Chemawawin says in its court papers it learned of the spill in the media when Canadian Kraft Paper pleaded guilty in 2023.

The new lawsuit, which names Canadian Kraft Paper and the federal and provincial governments as defendants, comes just over a year after Opaskwayak Cree Nation filed a similar legal claim against the same defendants over the spill.

Chemawawin claims the governments breached the community's treaty rights by failing to "effectively regulate" the mill, notify the community or consult with Chemawawin about remediation and the resolution put before the provincial court in 2023.

Chemawawin's claim is seeking various damages, but does not include a specific dollar figure.

The defendants have yet to respond to Chemawawin's lawsuit in court.

Opaskwayak, which is located adjacent to The Pas, claimed in its 2024 lawsuit its leadership wasn't notified of the spill until several years later, while its members continued to fish and harvest other food from the affected area. Its lawsuit said the potential long-term health effects of the spill on Opaskwayak's members are not yet known.

All three defendants have argued in court filings officials did their due diligence, as required by law, after the spill and that Opaskwayak's suit should be tossed. It remains before the court. Opaskwayak is seeking \$10 million in damages.



Erik Pindera

Reporter

Erik Pindera is a reporter for the *Free Press*, mostly focusing on crime and justice. The born-and-bred Winnipegger attended Red River College Polytechnic, wrote for the community newspaper in Kenora, Ont. and reported on television and radio in Winnipeg before joining the *Free Press* in 2020. [Read more about Erik.](#)

Every piece of reporting Erik produces is reviewed by an editing team before it is posted online or published in print — part of the *Free Press*’s tradition, since 1872, of producing reliable independent journalism. Read more about [Free Press’s history and mandate](#), and [learn how our newsroom operates](#).

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