



Manto Sipi Cree Nation
P.O Box 97
God's River, MB
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December 8, 2025

Attention:

IAAC - Manto Sipi Cree Nation (MSCN) comments for IAAC's draft Environmental Assessment Report and Conditions for P6

This P6 material is being submitted for Manto Sipi Cree Nation (MSCN) by Whelan Enns Associates Inc - who have provided our Nation technical support regarding P6 since the start of the P6 regulatory process.

Manto Sipi Cree Nation wishes to thank IAAC and its staff for the in-person meeting about P6 in Winnipeg, December 4, 2025. The opportunity to discuss it together, based on previous and then draft responses to the IAAC Draft P6 Report was appreciated. Chief Yellowback was not able to attend – and provided direction and messages. Throughout this very long review period, IAAC and CEAA staff have been a help to MSCN and our technical advisors. MSCN appreciates that our P6 comments in 2019, 2025 and this second 2025 submission - based on the IAAC Draft P6 Report - are in the IAAC public registry.

With a go ahead from the Chief, technicians for MSCN provided important additional information to IAAC in the December 4 meeting. *ECCE has invested resources, and provides support and encouragement for our **Indigenous Led Area Based Conservation project**.* We are aiming for significant boreal ancestral protected land, and a range of land protection, conservation and management decisions. The IAAC staff viewed the map of our ancestral lands/project area for this Two Eyed seeing initiative. During 2024 and 2025 a team of biologists have conducted multiple species inventory field studies to inform future decisions about land. Guides from the community assisted each field trip. Output includes location data, photos, bird song recordings, species identification and seasonal assessments. More field work and reports are forthcoming. The field work to date has identified woodland/boreal caribou herds in two significant regions within our ancestral lands.

1. Ancestral Land/Aboriginal Rights

Manitoba Transportation and Infrastructure (as Crown proponent) has asserted MSCN ancestral land is only the trapline district. This assertion started in the MTI original EIS (Chapter 6, Figure 6-16) and has continued into MTI response to IAAC Information Requests (IR1-12, IR1-24, IR1-30, IR1-77 and IR1-90). Trapline districts were regulated in the 1950s by the Manitoba

government – MSCN ancestral land use and history far pre-dates this period. While some of the P6 identified route is in the Gods Lake trapline district, some of the route also enters the area outside of the trapline district used and identified as ancestral land by MSCN. Any change in route would further impact MSCN ancestral land. **IAAC does not mention or correct this error in identification of MSCN ancestral land in the draft Environmental Assessment Report (section 7.4.1) or draft Conditions report. This is a major oversight and must be remedied.**

It appears that MTI did not do its homework regarding ancestral lands. IAAC does provide a correction to the proponent in IR1-24 of MTI's Response to Information Request – Round 1:

"The Agency notes that the First Nations communities listed above have Aboriginal and Treaty rights in areas outside of the boundaries of reserve lands/TLEs and may practice traditional use activities within the Project footprint, LAA, and/or RAA. Additionally, RTLs may not be representative of Indigenous groups' asserted traditional territory "

The lack of knowledge and confusion by MTI itself establishes a significant risk to MSCN from MTI and the crown proponent's project.

MSCN is also troubled by the assertion by MTI as Crown proponent for P6 that any First Nation inclined to identify further or additional traditional territory – beyond their trapline - they must **PROVE** it (IR1-23, IR1-24, IR1-77). Our neighbouring First Nations who are potentially affected by P6 must also have the opportunity for Consultation, and to contribute to the environmental assessment process by the federal IAAC. MSCN suggests that IAAC and staff from the relevant and responsible federal department inquire about any assumptions or limitations regarding traditional territory or aboriginal rights by MTI. See 2 below. Is it MTI or IAAC who does not understand that 'harvesting areas' are not the primary basis in this century for assessing a Crown project that may impact Aboriginal rights? This quote from the draft IAAC report below also seems to assume, with MTI, that it is appropriate to survey and 'identify potential project effects' after licensing decisions and prior to or during construction. This statement shows the standard from the former National Energy Board, now Canada Regulator are being ignored. It also shows a lack of knowledge and operational standards regarding First Nations and their lands. And it is far less than CEAA guidelines for First Nations in other projects.

2. Lack of Engagement and Consultation

MSCN is concerned that, even being one of the MTI-identified "affected communities", engagement with MSCN by the Crown proponent is lacking, and this is not recognized by IAAC. To date no record of meetings or discussions with MTI about P6 has been forwarded to our Nation by MTI.

While the IAAC Draft Environmental Assessment Report notes "Manto Sipi Cree Nation ...noted concerns that Indigenous knowledge regarding migratory waterfowl, forest birds, and culturally significant species was not considered in the proponent's assessment of effects. This, along with the lack of information on the methodology used to collect Indigenous knowledge, could affect the accuracy of the assessment" (section 7.2). The IAAC still concluded that "that the proponent's proposed mitigation, follow-up, and monitoring measures, including identifying

and mapping harvesting areas prior to construction... are appropriate to address potential project effects to current use.” (section 7.4.1.3). This is illogical given gaps in MTI EIS and answers to IRs during the review.

The two Crowns have not yet fulfilled the ‘honour of the crown’ with respect to consultations with Aboriginal Peoples or MSCN for this project. Clarity on Manitoba crown consultation steps for P6 given MTI is the Crown proponent is needed. Perhaps IAAC can advise whether they will hold an in-person participants’ session in Winnipeg for potentially affected communities like those held under CEAA 2012 for the Channel project.

Any change in project design is likely to require further consultation by each Crown.

3. Uncertainty Regarding Project Components and Reports

MSCN is greatly concerned by IAAC’s acceptance in the draft Environmental Assessment report that MTI will provide the final design for P6 later – after permits and licenses are in place. They also accept that a range of studies, environmental reports and plans etc. would also be prepared later (though it is not clear they would actually be provided). Specifically, MTI responses to IAAC Information Requests suggest that final design for the P6 corridor could be as far as 1 km from the existing winter road corridor going north from Gods River/ MSCN (IR1-02). **There is no indication of how much land this would include, but it could affect more than 50 square km of boreal forest plus many waterways and streams. More specific assessment information is required for review in relation to any change in road route prior to road construction. MSCN assumes that MTI field studies, up-to-date species studies, environmental plans etc. need to be done and available - and they would be available for review prior to construction.**

MTI responses to IAAC Information Requests indicate other design choices would take place after licensing - water crossing infrastructure over God’s River and all the streams identified in the EIS, culverts (type, location, number), quarries and burrow pits, temporary workcamps and laydown areas have not been finalized (IR1-05). To date, there is no satisfactory content in the EIS or those IR answers MSCN had resources to review, that describe the amount of land needed for equipment, camps, etc. Nor is there information about how many of the over sixty streams in the EIS project area would be impacted or possibly destroyed by any change in route. We are concerned that MTI has not indicated how they would move men and equipment in and out of a construction route, how that would affect winter access for the three connected communities, or whether they would be using float planes and boats and snow mobiles etc. for this purpose. Also housing, camps, equipment site options are not identified. Any of these could significantly impact MSCN aboriginal rights, and the environment.

A process for review, consultation, and full technical information available to MSCN needs to be in place. IAAC also notes in the draft Environmental Assessment Report that at least 18 plans, follow-up programs and mitigation measures are currently not available from MTI for P6 (sections: 3.2.3, 6.3.3., 6.4.3, 7.1.3, 7.2.3, 7.4.2.3, 7.4.3, 8.1.3, 8.2.3 and Appendix C).

According to the Environmental Assessment Report, IAAC accepts that the design and route are currently unknown and still recommends the project go ahead (section 3.2.1). Recommendations are also lacking so IAAC needs to take steps. On what basis does IAAC assume that the 18 reports, any redesign or change in road corridor is effectively covered by the current 8-year-old EIS? How will MSCN receive information in advance of changes in route, or the various

environmental reports that are outstanding? How will MSCN identify gaps and errors and effect improvements in the potentially decade long construction process?

Once the IAAC EA process is over, MSCN will need capacity to be meaningfully involved in additional decisions. How will federal and provincial Crown consultations take place? What will information availability going forward be, given what is currently lacking?

IAAC indicates in its draft final report that mitigation for impacts on environment, Aboriginal and Treaty Rights, etc. are adequate and that there will be no residual impacts despite not knowing the final project route or design – and despite not having environmental plans. The eight-year-old EIS is based on content and data that could already be 20 - 25 years old and is not accurate information regarding route, construction, species, waterways, birds, effect on boreal ecosystems, and climate change etc. **IAAC needs to update its findings and recommendations.**

4. Required Applicable Legislation

MTI, as the Crown proponent, has asserted that Canadian Environmental Assessment Act, 2012 (CEAA) is the only Act that applies to the P6 environmental assessment, including its guide to First Nation/ Aboriginal standards (IR1-77). This is not true. No regulated review process by a federal agency and/or a provincial authority ignores the range of other existing Acts, regulations, and combined government requirements for a project that goes forward.

IAAC and the Manitoba government must hold MTI, and their environmental assessment process/filings to the standards of legislation and laws regarding Aboriginal rights, including the Treaty, the Constitution Act, 1982 (Section 35 Rights), as well as the United Nations Declaration on the Rights of Indigenous Peoples Act, 2018 among others. Requirements regarding federal and provincial Crown consultations apply to this P6 process and have not been upheld. We suggest IAAC also review the Interpretation Act for Manitoba and the Path to Reconciliation Act for Manitoba. They both apply to P6. We note this reconciliation act includes the national report regarding MMIGW, which Manitoba leads statistically in Canada. This means decisions regarding construction camps are relevant in this assessment.

Additionally, the Lake Manitoba Lake St Martin Outlet Channels project assessment also took place under CEAA, 2012. IAAC took an important approach regarding affected First Nations, ancestral land, impacts to Rights, etc. in its final recommendations. In its Final Assessment report on the Channels project, it was determined the project should not go ahead because of potential impacts to Indigenous peoples' physical and cultural heritage, current and future use of land and resources for traditional purposes, and sites of historical or archeological significance (Minister of ECCC decision under section 52 of CEAA, 2012 – June 5, 2024).

The Manitoba government has publicly accepted the IAAC report and agreed. MSCN expects an IAAC statement with respect to Aboriginal rights in the final report about the P6 project. We recommend any declaration or definition of 'traditional territory' by any proponent including Crown proponents to IAAC should be immediately checked by IAAC prior to confirming what a proponent that aims to benefit from such a declaration. It should be emphasized that **Aboriginal rights in Canada are modern day rights which do not only apply to hunting, and trapping. A reference as if hunting and trapping are the only Aboriginal rights could be taken as colonial language.**

5. Climate Change

Impacts of the project on the environment and the environment on the project are both required to be described under CEAA, 2012. This includes climate change. IAAC needs to make sure aspects of climate change and on the project from climate change are included both in potential impacts, and in mitigations. Missing aspects related to climate change include:

- **Climate change impacts by the time the project is complete (versus current-day) and while it is operational.** The P6 Project is expected to be completed after at least eight years of construction (IR1-05). IAAC has not identified a remedy for this issue in the draft Report or Conditions. Sufficient data and research exists to assess for the period of road operation also.
- **Climate change impacts on yearly peak water flows.** MTI claims that no ‘tangible trend’ has been observed in recorded peak flows in the study area as a result of climate change. Back casting to provide potential peak water flows or climate change impacts on the project area waterways is insufficient. Complaining about lack of data shows lack of knowhow. Models are available and satellite data to provide MTI tools to consider future impacts on waterways and from climate change on project components.
- **MTI also claims that ‘due to a lack of data’ in northern MB,** MTI “does not incorporate projected flow under future climate scenarios in flood frequency analysis” (IR1-63). IAAC accepts the 1:50 year flood frequency even though climate change impacts are resulting (and expected to continue) in more frequent and more severe floods and from more frequent and severe precipitation events. (Note the number of streams affected by the project.) MTI has also ignored climate change impacts, including temperature changes are already greater in northern Manitoba and northern Canada than global averages, or regions south of where the P6 project would be built.
- **Climate change impacts on increasing frequency of ice jams and flood events.** MTI will build the project to withstand 1:50 year flood events (as determined by historical data) and ice jams are “not anticipated” (IR1-68). IAAC’s Draft Environmental Assessment Report finds the use of 1:50 year scenario acceptable (section 6.3.3 and 8.2.3). IAAC basis for thinking a 1:50 year scenario is not acceptable for a road that would take up to 8 years to build while climate change impacts continue to increase in the same regions of the boreal in Canada – any aspect of assessment for an environmental impact in relation to climate *should be for the life of the project. IAAC may need to review EIS products with a lens that identifies content that simply benefits the proponent, and does not necessarily achieve or fulfill IAAC requirements or sufficiently maintain habitat and environment. We know of no 1:50 year standards for floods in Manitoba. Did IAAC investigate and compare this standard to other boreal region projects?*

Climate change impacts due to increasing permafrost thaw. MTI recognises that Canada’s north has warmed 2.3 degrees Celsius from 1948-2016 which results in permafrost thaw but does not note whether precautionary elements will be incorporated into the road/project design to address permafrost thaw. Instead, MTI says that road maintenance (i.e. adding material to sunken areas) will be the main measure taken. MTI also notes that permafrost thaw, and resulting maintenance taken may result in road closure (IR1-69). There is no information from MTI

regarding the potential for discontinuous permafrost for the current route, the project area, or any potential route for P6. The IAAC Report and conditions do not address these issues.

6. Outdated Project Information

The environmental assessment for P6 started in 2017. Technical work, consultants' work for MTI preceded this date. This extended EIS review timeline of eight years (so far) means that aspects of the EIS, and the project planning process, are now out of date. The crown proponent does not provide age of the data sets it used, and resorts to claiming there is no data available rather than take the steps to obtain available data. Data used for the 2017 EIS could in fact be combinations of data already significantly dated. Did MTI or their consultants combine data from the 1980's, 1990's and early 2000's to use the resulting combined data?

If the project is licensed in 2026, there would then be an additional eight years of construction (according to MTI) with the road completed in approximately 2034. MSCN assumes the construction timeline would be based on funding availability – which means the timeline could be even longer. What would MTI base its decisions during construction and operation on? What approach to the missing reports would the crown proponent take? How will MTI update the basis for its decisions? How will MTI update the affected communities?

The IAAC Final Report and Conditions for P6 needs clear recommendations how the proponent will continue to engage with MSCN, update and share western knowledge, ensure compliance with changes in federal and provincial legislation and be held accountable to First Nations and the IAAC regarding recommendations over a period of approximately 16 years.

One example is the *current protected status of woodland caribou* in Manitoba under SARA. When the project assessment started only certain herds were protected, now all woodland caribou herds and their habitat are determined to be at risk and are protected. *Manitoba has also protected woodland caribou through legislation.* The EIS, project planning, etc. do not reflect this change. There are likely to be other species examples in the future. See the Chart provided by MSCN that lists concerns about the IAAC draft final report, including with respect to species. Migratory birds potentially affected are identified in the Chart but were missed by MTI and by IAAC.

7. Cumulative Effects

CEAA, 2012 requires assessment of cumulative effects of past, current or likely future – including potentially connected - projects on potentially affected Aboriginal peoples and on the environment. The P6 EIS (Figure 1-10) MTI shows the connection of P6 to several other road projects going south, and to the Manitoba highway network of all-weather roads going north toward Thompson, MB.

However, there is no discussion in the EIS of the cumulative effects these connections would bring. The creation of easy access to the P6 region by outside communities and southern Manitoba tourists, hunters, or others will likely have considerable consequences to traffic volumes, noise, pollution, species/habitat, plus social impacts to communities affected by P6 and MSCN members' access to traditional resources, in our ancestral land.

IAAC needs to identify this lack and require MTI to provide the potential cumulative effects in the context of future/intended projects under CEAA 2012 before deciding on the project impact and conditions for its Final Report.

Yours with respect,


<Original signed by>

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Chief Michael Yellowback
Manto Sipi Cree Nation

Attachments:

September 18 MSCN filing to IAAC re MTI IR answers
Chart of Significant Issues IAAC Draft Final Report for P6