



Consultation Department

January 27th, 2026

Impact Assessment Agency of Canada

RE: Comment on the Summary of an Initial Project Description for the TransAlta Flipi Gas-Fired Generation Project

Project Title/Name: *Flipi Gas-Fired Generation Project*
Proponent: TransAlta Corporation
Due: January 27th, 2026

Summary

The Flipi Gas-Fired Generation Project is planned to occur in a region known to be of significant importance for Métis traditional land uses, and any disturbance with impacts on Crown land, wildlife, water bodies, and habitat are a concern for the Otipemisiwak Métis Government. While direct impacts from the main project footprint appear to be limited, given that it is on previously disturbed/cultivated private lands, we have concerns that construction activities as well as operation of the proposed project may be disruptive to previously documented hunting and trapping activities in the area. Additionally, we have concerns that many ancillary infrastructure works – some of which may have direct impacts on Crown land, water, and wildlife – are not detailed in the Initial Project Document and thus difficult to assess.

Background on the Otipemisiwak Métis Government

The Métis Nation within Alberta, as governed by the Otipemisiwak Métis Government, is an Indigenous nation comprising more than 73,000 registered Citizens. Having begun organizing to advance Métis self-determination and self-government in 1928, the Otipemisiwak Métis Government is the oldest continuous Métis government, and the Métis Nation within Alberta is the largest federally recognized Indigenous Nation in Canada. In 2022, the Métis Nation within Alberta voted to ratify and adopt its Constitution. This established the current Otipemisiwak Métis Government governance structures and further authorized the Otipemisiwak Métis Government to assert and advance collectively held Métis rights, claims, and interests in negotiating and arriving at agreements that advance, recognize, and respect Métis Aboriginal rights as recognized and protected under s.35 of the Canadian *Constitution Act*, 1982.

In 2023, the Otipemisiwak Métis Government and the Government of Canada signed an updated Métis Nation within Alberta Self-Government Recognition and Implementation Agreement which recognizes the Otipemisiwak Métis Government's jurisdiction over its internal and core governance matters, including Citizenship, elections, and administration. It also formalizes the Otipemisiwak Métis Government as an Indigenous governing body recognized by Canada and charts a path forward to establishing an enduring nation-to-nation, government-to-government relationship with Canada through a modern-day treaty.



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Per the Métis Nation within Alberta Constitution, the Métis Nation within Alberta comprises five Territories covering the entire province. These Territories are subdivided into 22 Districts to allow for more effective and localized representation. Each District has its own Citizens' Representative on the provincial Métis Citizens' Council and may have its own District Captain and Council. District Councils are empowered in the Métis Nation within Alberta Constitution to, among other things, conduct environmental monitoring, implement local programming, and oversee Crown Consultation within their District on behalf of the Métis Citizens within that District.

The Consultation Department supports the Otipemisiwak Métis Government's role in Crown consultation processes as requested by, and in collaboration with, District Councils. The Consultation Department is mandated to protect and advance the collectively held rights, claims, and interests asserted by the Otipemisiwak Métis Government as the representative and governing body of the Métis within Alberta, in accordance with the Otipemisiwak Métis Government – Canada Consultation Agreement, the Métis Nation within Alberta Constitution, and relevant domestic and international legislation, regulation, and case law.

Concerns

Based on the Summary of the Initial Project Description, the Otipemisiwak Métis Government has some concerns related to this Project. The Flipi Gas-Fired Generation Project ("the Project") is located within our Battle River Territory, and specifically within Red Deer Métis District 3. It also overlaps with Métis Harvesting Area "D" as defined in Alberta's Métis Harvesting Policy (2018). These are valued areas for Métis Citizens in and around the project area, with documented historical families as well as historic and contemporary cultural activity and rights exercise including, but not limited to, hunting and fishing.

Overarching Concerns

- 1. More information (including environmental studies) is needed on the potential impacts of the project's ancillary infrastructure.**

The environmental and other desktop studies detailed in the Initial Project Description ("IPD") is based on the Project area. However, there are ancillary infrastructure components that are of concern to the Otipemisiwak Métis Government—in particular, the third-party construction and operation of a new natural gas pipeline to connect to an existing transmission line.

The IPD states that TransAlta Corporation (TransAlta, or the "Proponent") has not finalized natural gas supply at this point, and therefore the exact pipeline routing has not yet been determined. Following its surveying, and an assessment of environmental site conditions, the pipeline will be permitted as per Alberta Energy Regulator ("AER") requirements. Similarly, assessment and permitting for the electrical transmission line and route is currently underway and an application has been submitted to the Alberta Utilities Commission ("AUC") for approval (IPD, pg. 4).

The Otipemisiwak Métis Government is concerned about exclusion from the consultation process for projects (in whole or in part) that have the potential to impact the collective Section 35 rights of Métis



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Citizens in Alberta. Although in this case TransAlta has made efforts to engage with us, the Otipemisiwak Métis Government does not expect that the Government of Alberta will require consultation on further permitting or regulatory decisions for this project. The Otipemisiwak Métis Government emphasizes that the ongoing refusal of the Government of Alberta to consult with the recognized, rights-bearing Métis Nation within Alberta comprising more than 73,000 registered Citizens is a violation of our constitutionally protected Section 35 rights and a failure to uphold the Crown's Duty to Consult. In this context, the federal impact assessment process is the only mechanism currently available to the Otipemisiwak Métis Government to be meaningfully consulted on this project. Therefore, unless the Government of Alberta agrees to meaningfully consult with the Otipemisiwak Métis Government as part of their regulatory processes, we call for a full federal impact assessment through the Impact Assessment Agency of Canada ("IAAC") in order to ensure that the honour of the Crown is upheld. By deciding that a federal impact assessment is not required, and consequently leaving the responsibility to assess rights-based impacts of the project to the Government of Alberta, IAAC is making a decision that is likely to result in impacts to the collective Section 35 rights of the Citizens of the Métis Nation within Alberta.

2. Water Concerns

In light of the rising demand for water in the province, one of the most important questions that Proponents of new projects will need to answer is regarding water usage. The Otipemisiwak Métis Government therefore questions why so little detail is required of Initial Project Descriptions on this important component, even in this planning stage of the regulatory process.

Water sourcing and consumption are concerns for this Project in particular, amid existing agricultural and industrial pressures on the Medicine River and local groundwater. According to the IPD, the Project will require an anticipated initial water volume of 6,000 cubic metres per day, which will be recycled throughout power generation, however, the Proponent has not yet decided on how it will source this water:

"TransAlta will engage AEPa to obtain a water diversion licence (as required) or other approvals (as necessary) under the Water Act, R.S.A. 2000, c. W-3 as part of the detailed design phase of the Project. The water source is currently under evaluation with options including groundwater, surface water, or water trucking. If groundwater or surface water are selected for the Project's water sourcing, a license under the Water Act, R.S.A. 2000, c. W-3 will be required" (IPD, pg. 13).

Without readily available information on water sourcing, it is not possible to determine what the potential impacts to rights may be. The **cumulative impacts** of industrial and agricultural demands for water in this area are of particular concern (especially in light of Alberta's Water Amendment Act- Bill 7).

The Otipemisiwak Métis Government calls for ongoing collaboration throughout the regulatory process between the Proponent, the Districts of the Otipemisiwak Métis Government, and Métis land users and



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Knowledge Holders. In particular, the use of **Indigenous water stewardship and monitors** will be needed if water will be sourced from local water bodies (such as the Medicine River).

3. Limited engagement with the Otipemisiwak Métis Government.

In September 2025, TransAlta Corporation acquired the Flipi Combined Cycle Power Plant Project, which was formerly owned by Kiwetinohk Energy Corporation (KEC), with changes to some of the project plans. KEC had conducted some engagement prior to TransAlta's ownership of the project, but the Otipemisiwak Métis Government considers these engagement activities to be very limited.

TransAlta began engagement with Indigenous communities immediately post-closure of the transaction with KEC. However, this timeline only spans October to December 2025. The Otipemisiwak Métis Government received some engagement materials from TransAlta, but direct engagement with Red Deer Métis District 3 has been very recent. We would also like to note that there have been no site visits by any Indigenous community to date. The fact that the main project site is to be located on private land does not remove the duty to consult, as there are potential impacts in the surrounding area. The Otipemisiwak Métis Government wishes to reiterate that it is a best practice for proponents and regulators to consult with the Otipemisiwak Métis Government early and often, and not wait until a contemplated project begins the regulatory process.

Rights Concerns

1. The Otipemisiwak Métis Government asserts our Métis harvesters' rights under *R v Powley*, 2003 SCC 43 within this proposed development area. Additionally, the project occurs within Harvesting Area "D" of the Alberta Métis Harvesting Policy (2018), which is actively used by thousands of Métis Citizens (who reside not only within Red Deer Métis District 3 but across the Province, and who may travel to exercise their harvesting rights in the areas for harvesting activities they have demonstrated historic ancestral connection to).
2. The project area is within historical and contemporary traditional use areas which sustain our Métis citizens way of life and where collectively held rights under Section 35 are being exercised. This includes hunting and fishing areas, medicine harvesting areas, and other land-use areas as confirmed through our records from Elders, Knowledge Holders, and other citizens of the Otipemisiwak Métis Government.
3. The continued failure of the Government of Alberta to meaningfully consult the Otipemisiwak Métis Government on decisions impacting the collectively held rights, claims and interests of Métis Citizens in Alberta, is a violation of Section 35 of the *Constitution Act* and the Crown's Duty to Consult.



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Closing

We commend the Proponent's intention to carry forward the commitments made by KEC as part of engagement with Indigenous communities, and their aim to partner with Indigenous communities to create social and economic value to Indigenous people. The Otipemisiwak Métis Government appreciates their commitment to engagement and partnership. We also wish to reiterate to both proponents and regulators, that early engagement and consultation with the Otipemisiwak Métis Government and its governance structures is a constitutional obligation of the Crown, and a best practice in achieving certainty in any regulatory process for proponents.

The Otipemisiwak Métis Government trusts that going forward IAAC and TransAlta will strive to fulfill best practices in its engagements and consultations with our government, working with us collaboratively to address current and any emerging concerns.



Métis Self-Government Fact Sheet

Key Take Aways

- The [Métis Nation](#)—as a distinct Indigenous People—emerged in the North-West before Canada became a country and Alberta was created. In response to Canada’s failure to recognize Métis rights and the failings of the [Métis Scrip System](#), a distinct group of Métis—the Métis Nation within Alberta—came together to represent Métis and Métis communities in Alberta.
- Today, the Métis Nation within Alberta includes: (1) over 72,000 individuals who meet the [National Definition of Métis](#) and have registered as citizens through an objectively verifiable registry (“**Citizens**”), and (2) Métis communities located throughout Alberta that are comprised of Citizens.
- Through two self-government agreements signed in [2019](#) and [2023](#), Canada has recognized [the Métis Nation within Alberta is a rights-bearing Métis collectivity](#) that holds an inherent right to self-government. Canada is also negotiating a [Treaty](#) with the Métis Nation within Alberta.
- Following the [largest ratification vote ever conducted by an Indigenous Nation in Canada](#), the Métis Nation within Alberta adopted a [Constitution](#) in [November 2022](#) with 96.9% voter approval.
- On [September 29, 2023](#), the Constitution came into effect establishing the [Otipemisiwak Métis Government](#) as the successor to the Métis Nation of Alberta. The government has four branches:
 1. **Citizens’ Gatherings** bring Citizens together to share in Métis social and cultural activities, and serve as a forum for reports, updates, and Citizen proposals.
 2. **District Councils** are the community-level governance structures of the Nation that span Alberta and are recognized and established through the Constitution.
 3. **Citizens’ Council** is the Nation’s legislative body. It also oversees the provincial, national, and international affairs of the Métis Nation with Alberta as a whole, and all other matters that are not within the mandate of District Councils.
 4. **Judicial Branch** is comprised of impartial bodies that resolve disputes in the Nation.
- Based on its unique history and evolution, the Otipemisiwak Métis Government is the oldest continuous Métis government in the Métis Nation. The Métis Nation within Alberta is the largest federally recognized Indigenous Nation in Canada.

The Métis Nation and Métis Nation Collectivities

The Métis Nation: A Distinct Indigenous People in the North-West

- As a part of the development and evolution of the fur trade in the historic North-West, [the Métis](#)—as a distinct Indigenous People—emerged. As a people, the Métis Nation shares an identity, history, language, culture, a special relationship to the land, and relationships with other Indigenous Peoples.
- The Métis Nation also shares a territory, known as the Métis Nation Homeland. This Homeland includes what is now the three Prairie provinces and extends into parts of northern Ontario, northeastern British Columbia, the Northwest Territories, and the northern United States.
- The Supreme Court—as the “[authoritative interpreter](#)” of [s. 35 of the Constitution Act, 1982](#) (“**Section 35**”)—has recognized the Métis as one of the “[Indigenous peoples who were living in the western territories](#)” prior to Canada’s westward expansion following Confederation in 1867.

The Basis for Métis Rights and Claims in the Métis Nation Homeland

- The Métis have inherent rights, recognized in the [United Nations Declaration on the Rights of Indigenous Peoples](#), because they existed as a distinct Indigenous People in the North-West before Canada became a country. This pre-existence also grounds the “existing” rights, interests, and claims of the Métis that are protected by [Section 35](#).
- Based on the honour of the Crown and Section 35, the Crown (federal and provincial) is obligated to [determine, recognize, and respect](#) Métis rights, interests, and claims.
- In 2003, in [R. v. Powley](#), the Supreme Court confirmed “[the status of Métis people as full-fledged rights-bearers](#)” and urged negotiations because the “[inclusion of the Métis in s. 35 is based on a commitment to recognizing the Métis and enhancing their survival as distinctive communities.](#)”

Métis Nation Collectivities within the Homeland

What Is an Indigenous Collectivity?

- The Métis Nation has always been more than just a site-specific settlement or a single Métis community. Like many other Indigenous Peoples (e.g., the Cree, Dene, Anishnaabe, etc.), the Métis Nation has an expansive territory and is made up of multiple Métis collectivities and communities.
- An Indigenous “collectivity” is larger than a single settlement or community; however, it may not be the entire Indigenous People. For example, while “Indian Bands” are now called “First Nations”, they are often a part of a larger Indigenous People or Nation. The Métis are similar in this respect.
- The idea of Indigenous collectivities as self-governing Nations, which may be a part of a larger Indigenous People, was explained by the [Royal Commission on Aboriginal Peoples](#) this way:

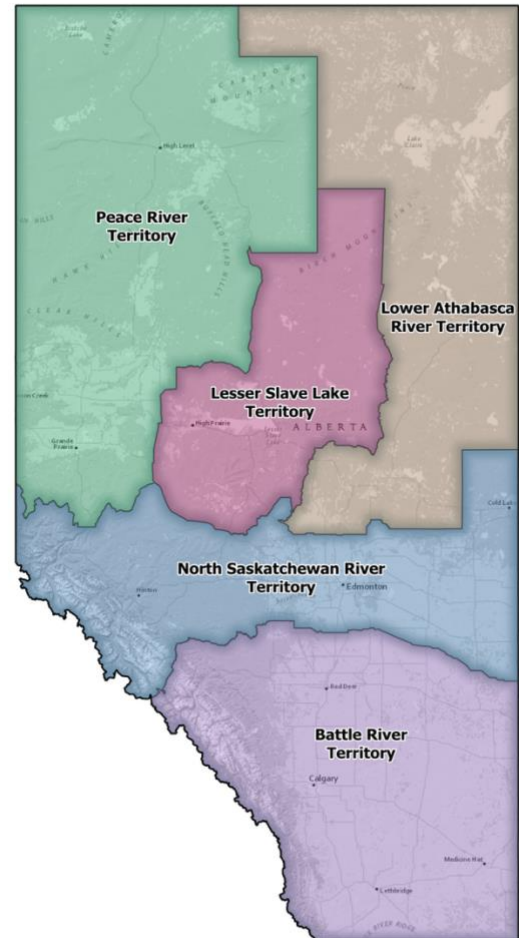
We have concluded that the right of self-government cannot reasonably be exercised by small, separate communities, whether First Nations, Inuit or Métis. It should be exercised by groups of a certain size – groups with a claim to the term ‘nation’. The problem is that the historical Aboriginal nations were undermined by disease, relocations and the full array of assimilationist government policies. They were fragmented into bands, reserves and small settlements. Only some operate as collectivities now. They will have to reconstruct themselves as nations.

- Due to externally imposed pressures such as the Métis Scrip System, Canada’s historical refusal to recognize Métis collective rights, and the imposition of provincial boundaries upon the Métis Nation, distinct Métis collectivities have reorganized (or reconstructed) themselves within the Prairie Provinces.
- To date, every Métis self-government agreement and treaty signed with Canada uses the word ‘collectivity’ because no single Métis government represents the entire Métis Nation or all Métis communities.

Métis Scrip System means the system established by Canada under its constitutional jurisdiction, responsibilities, and obligations as set out in the *Royal Proclamation of 1763*, the *Constitution Act, 1867*, and the *Rupert’s Land and North-Western Territory Order, 1870*, including the legislative authorities and grants in the *Dominion Lands Act* “[t]o satisfy any claims existing in connection with the extinguishment of the Indian title, preferred by half-breeds resident in the North-West Territories outside of the limits of Manitoba” and to “grant lands in satisfaction of claims of half-breeds arising out of the extinguishment of Indian title” and other related policies or Federal Law enacted and implemented to address Métis land related interests in the Historic Métis Nation Homeland.

- Today, the Métis Nation within Alberta is recognized by Canada as possessing the inherent right of self-government as recognized and protected by the *United Nations Declaration on the Rights of Indigenous Peoples* and Section 35. In [2019](#) and [2023](#), Canada signed legally binding [Self-Government Agreements](#) with the Métis Nation within Alberta that recognize it is a rights-bearing Métis collectivity.
- As set out in its Constitution and Self-Government Agreements, the Métis Nation within Alberta is a rights-bearing Métis collectivity that is comprised of: (1) its Citizens (*i.e.*, over 72,000 Citizens as of June 2025); and (2) Métis communities located throughout Alberta made up of its Citizens.
- The Métis Nation within Alberta spans five “Territories” that are inter-connected and inter-dependent regional Métis communities. These include:
 - Peace River Territory;
 - Lower Athabasca River Territory;
 - Lesser Slave Lake Territory;
 - North Saskatchewan River Territory; and
 - Battle River Territory.

Métis Nation within Alberta Territories



The Métis Nation within Alberta Constitution

- For generations, a Constitution had been a [missing piece](#) in the Métis Nation within Alberta’s self-government. Citizens had consistently called for a constitution to be developed in order to further unite the Métis Nation within Alberta and to advance Métis rights and self-government in Alberta.
- In November 2022, after over three years of citizen engagement, a [Constitution](#) was ratified through a province-wide vote with 96.9% voter approval. This ratification vote was the [largest ever undertaken by an Indigenous Nation in Canada](#). Following the province-wide elections for a Citizens’ Council being held in September 2023, the Constitution came into effect on [September 29, 2023](#).
- The Constitution formally established the Otipemisiwak Métis Government as the government of the Métis Nation within Alberta. It is the successor to the Métis Nation of Alberta and its predecessors, which date back to the 1920s. Based on its unique history, the Otipemisiwak Métis Government is the oldest continuous Métis Nation government in Canada.
- The Constitution sets out the Métis Nation within Alberta’s vision for self-government, the rights of the Nation and its Citizens as well as the governance structures of the Nation. It also mandates the Otipemisiwak Métis Government to negotiate and formalize a nation-to-nation, government-to-government relationship with the Crown through a modern-day treaty.

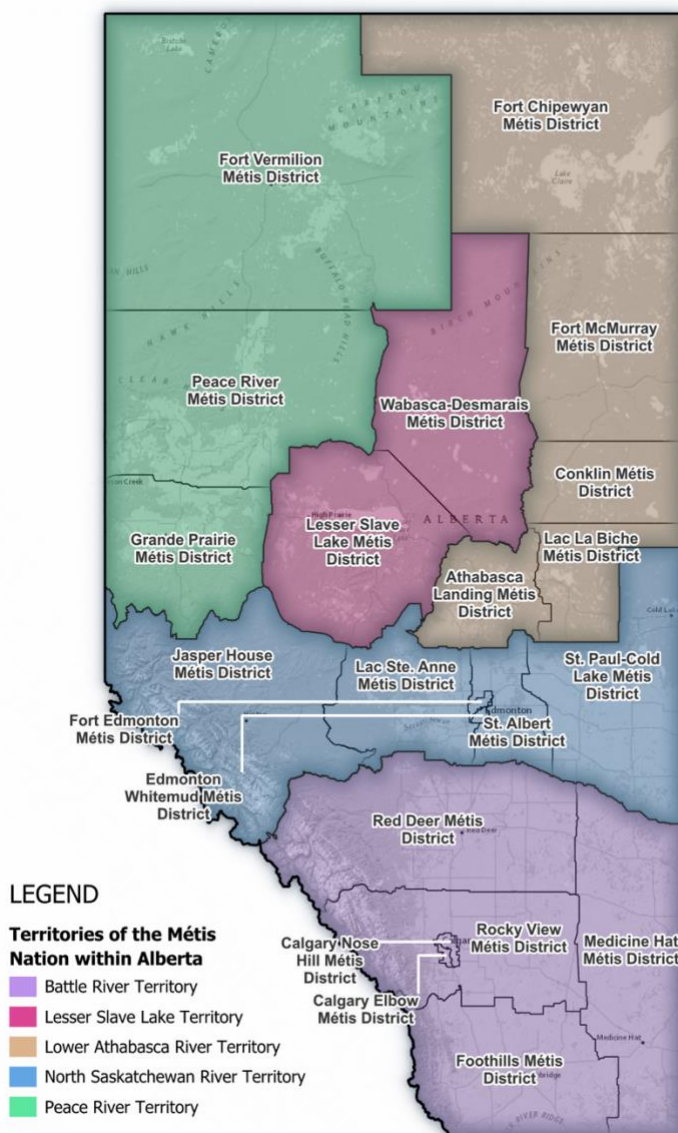
The Otipemisiwak Métis Government

Branches of the Otipemisiwak Métis Government

The Otipemisiwak Métis Government operates under a [Constitution](#) that establishes the four branches of the government:

1. **Citizens' Gatherings:** Citizens' Gatherings bring Citizens together for cultural, social, political, and spiritual activities. One is held each year in the summer and is a forum where reports are provided to Citizens and where Citizens can ask questions, provide feedback, and make proposals, consistent with [Chapter 14 of the Constitution](#). Special Citizens' Gatherings may also be called as required.
2. **District Councils:** District Councils are the community-level "governance structures" of the Métis Nation within Alberta recognized in [Chapter 15 of the Constitution](#). They represent all Citizens living in a District based on the "authority and responsibility" set out in Chapter 15. There are [22 Districts](#).

22 Métis District Councils



Each District Council is also authorized to represent the Métis communities made up of Citizens in their District based on the terms set out in the Constitution as well as their own District Council bylaws.

Each District Council is elected by Citizens over the age of sixteen (16) who reside in that District. Every Council includes a District Captain and other councillors, all of whom must be Citizens and ordinarily resident in the relevant District.

District Council responsibilities include managing the operations and finances of the District, holding community meetings, reporting to Citizens, and delivering District-specific programs and services. They are also responsible for Crown consultation and accommodation on behalf of the Métis community in a given District. In addition, District Councils may own and manage lands, assets, and businesses held by the District for the benefit of Citizens and Métis communities in the District.

Pursuant to the Constitution, each District Council has its own legal status and capacity as recognized by Métis law. Until a Self-Government Treaty is concluded with Canada where each District Council will receive its legal status and capacity through the treaty, they rely on Alberta's [Societies Act](#) to provide them with legal and administrative arm in Canadian law.

3. **Citizens' Council:** Citizens' Council is a 25-member body that is democratically elected every four years through a province-wide election. The following representatives comprise the Citizens' Council:

- a President (elected by all Citizens);
- a Women's Representative (elected by all Citizens);
- a Youth Representative (elected by all Citizens); and
- 22 Citizens' Representatives (elected by all Citizens living in the relevant District).



Citizens' Council is the Nation's legislative body with the power to enact Métis Law. It also oversees the Nation's provincial, national, and international affairs, including being mandated to negotiate a modern day treaty with Canada and deal with outstanding Métis claims (*i.e.*, Métis Scrip), being responsible to oversee the delivery of programs and services for the benefit of all Citizens, repatriating, owning, and managing land for the use and benefit of the Nation, approving an annual budget, and ensuring financial accountability to Citizens. The Constitution also assigns it with responsibility for all other matters of the Nation that do not fall within the mandates of District Councils.

The Constitution requires the President to appoint a Cabinet of Provincial Secretaries from amongst Citizens' Council. Each Secretary receives a [mandate letter](#) from the President that sets out their responsibilities. The Cabinet holds all executive authority required to oversee the operations of Nation that Citizens' Council is responsible for and to implement Métis Laws, including exercising regulatory powers under those laws.

Pursuant to the Constitution, Citizens' Council has its own legal status and capacity as recognized by Métis law. Until a Self-Government Treaty is concluded with Canada, the Nation relies on the Métis Nation of Alberta Association, which is incorporated as an entity under Alberta's [Societies Act](#), to act as its legal and administrative arm in Canadian law.

4. **Judicial Branch:** Consistent with [Chapter 17 of the Constitution](#), this branch is comprised of a [Judicial Tribunal](#) to resolve disputes within the Government and the Nation as a whole.

Officers of the Otipemisiwak Métis Government

The Otipemisiwak Métis Government has various arms-length and impartial Officers, including:

- a **Chair** who presides over all meetings of the Citizens' Council and the Citizens' Gathering based on [Chapter 22 of the Constitution](#) and the [Self-Government Act](#);
- an **Ombudsman** with authority to investigate complaints, mediate disputes, and make recommendations based on [Chapter 23 of the Constitution](#) and the [Ombudsman Act](#);
- an **Auditor General** responsible to prepare audited financial statements for the Government based on [Chapter 24 of the Constitution](#) and the [Financial Management Act](#);
- a **Chief Electoral Officer** responsible for supervising the management and conduct of elections and referenda based the [Elections and Referenda Act](#) that was adopted pursuant to [Chapter 18 of the Constitution](#);

Institutions of the Otipemisiwak Métis Government

Various [Institutions](#) that are accountable to or owned by the Nation have been established, including:

- **Education & Training:** [Rupertsland Institute](#); [Métis Education Foundation](#)
- **Business Development:** [Apeetogosan Development](#); [Pinnacle Business Services](#)
- **Culture & Tourism:** [Métis Crossing](#)
- **Housing:** [Métis Urban Housing Corporation](#); [Métis Capital Housing Corporation](#)
- **Government Real Estate:** [Métis Nation Holdings](#)

The Administration and Departments of the Otipemisiwak Métis Government

- The Administration of the Otipemisiwak Métis Government, excluding the operations of District Councils, is overseen by a **Senior Executive Officer** (“SEO”) who is responsible for managing the day-to-day operations and finances of the Nation. The SEO and the Administration operate in accordance with the Constitution as well as the laws, policies, and procedures of the government.
- The Administration includes various **Departments** that are each led by Directors who report to the SEO and support the Cabinet in their work. Currently, the Departments of the government include:
 - [Métis Identification & Registry](#)
 - [Self-Government](#)
 - [Intergovernmental Relations](#)
 - [Children & Family Services](#)
 - [Health](#)
 - [Justice](#)
 - [Communications & Citizen Engagement](#)
 - [Youth Programs & Services](#)
 - [Environment and Climate Change](#)
 - [Consultation & Accommodation](#)
 - [Finance](#)
 - [Facilities & Building Operations](#)
 - [Human Resources](#)
- In addition, each [District Council](#) may have its own administration to conduct the affairs of the District and the Métis community the District represents.

Contact Information

Citizens’ Council, Cabinet and District Councils

Contact information for Citizens’ Council and Cabinet is available [here](#).

Contact information for District Councils is available [here](#).

Mailing Address: #100 Delia Gray Building, 11738 Kingsway Avenue NW, Edmonton Alberta, T5G 0X5

Office of the President

Andrea Sandmaier, President — asandmaier@metis.org

Sonia Fushtey, Executive Assistant — sfushtey@metis.org

Office of the Senior Executive Officer

Aaron Barner, Senior Executive Officer — abarner@metis.org

Angela Hunter, Executive Assistant — ahunter@metis.org

Self-Government Department

Garrett Tomlinson, Senior Director, Self-Government Department — gtomlinson@metis.org

Consultation Department

Theo Peters, Director, Consultation Department — tpeters@metis.org

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