

Initial Project Description Review – Manitoba Hydro Brandon Dispatchable Capacity Project

MMF – National Government of the Red River Métis

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1.0 Introduction

Manitoba Hydro (the “Proponent” or “Manitoba Hydro”) is progressing the development of the Brandon Dispatchable Capacity Project (the “Project”). The Project involves the installation of three natural-gas fired combustion turbines, adding 750 megawatts, at the existing Brandon Generating Station site, a pipeline to deliver natural gas (a preferred route is identified), as well as transmission interconnections and upgraded transmission lines. The Project is intended to provide reliability by delivering power during peak electricity demand and responding to extreme weather events.

The Project will have ancillary components. This includes a backup diesel generator and diesel fuel storage, a water treatment plant, cooling tower, winterized buildings to house administration, electrical facilities, and, potentially, a tank for holding domestic wastewater if the Project is not connected to the City of Brandon municipal wastewater system. The Proponent is currently evaluating the use of treated water from the municipal water reclamation facility but will otherwise withdraw from the Assiniboine River. The generating station power upgrade and its ancillary activities fall within the jurisdiction of the *Impact Assessment Act*¹ and the other components are subject to *The Environment Act* (Manitoba).²

The MMF is participating in these regulatory processes because, for consultation or engagement to be meaningful, it must be grounded in a distinctions-based approach that reflects the distinct culture, concerns, and priorities of the Red River Métis. This includes:

1. Manitoba Hydro collaborating with the MMF to develop an engagement and consultation plan tailored to the MMF, requiring that impacts be assessed and mitigated specifically for the Red River Métis.
2. The Impact Assessment Agency of Canada (“IAAC”) providing meaningful consultation opportunity for the MMF to ensure that potential impacts to Red River Métis section 35 constitutional rights are mitigated or accommodated.

To support these desired outcomes for engagement and consultation, the MMF is providing preliminary comments on the Initial Project Description (“IPD”) that the Proponent submitted to the IAAC.

¹ S.C. 2019, c. 28, s. 1.

² C.C.S.M. c. E125.



2.0 Background—The Red River Métis and the MMF

2.1 The Red River Métis

The Red River Métis is an Indigenous collectivity and Aboriginal People within the meaning of section 35 of the *Constitution Act, 1982*.

Since 1982, Métis rights have been recognized and affirmed by section 35 and protected by section 25 of the *Constitution Act, 1982*. These rights were further confirmed and explained by the Supreme Court of Canada in *R. v. Powley*, 2003 SCC 43 (“*Powley*”). Manitoba Courts also have recognized Red River Métis rights in *R. v. Goodon*, 2008 MBPC 59 (“*Goodon*”). These decisions have affirmed that the Métis hold existing Aboriginal rights throughout their traditional territories. Our Citizens³ and harvesters rely on and use the lands, waters, and resources of our traditional territory throughout the Province of Manitoba and elsewhere within the historic Northwest, to exercise the Red River Métis constitutionally protected rights and to maintain their distinct Red River Métis customs, traditions, and culture.

2.2 Red River Métis’ Rights, Claims, and Interests

Based on its emergence as a distinct Indigenous people in the Northwest prior to the time of effective European control, the Red River Métis holds rights, claims, and interests throughout and beyond Manitoba consistent with the United Nations Declaration on the Rights of Indigenous Peoples, including the right to self-determination and the inherent right of self-government.

The MMF, as the National Government of the Red River Métis, is mandated to promote, protect, and advance the collectively held Aboriginal rights of the Red River Métis. In accordance with this mandate, the MMF engages with governments, industry, and others about potential impacts of projects and activities on Red River Métis rights. In 2007, the MMF Annual General Assembly adopted Resolution No. 8, which provides the framework for engagement, consultation, and accommodation with the Red River Métis. Designed by Red River Métis, for Red River Métis, Resolution No. 8 sets out the process that is to be followed by governments, industry, and other proponents when developing plans or projects that have the potential to impact the section 35 rights, claims, and interests of the Red River Métis. It was

³ As such term is defined in Article IV of the Manitoba Métis Federation and the Manitoba Métis Federation Inc. Constitution, as ratified by the Annual General Assembly on October 20, 2024 (“MMF Constitution”) and the Red River Métis Self-Government Recognition and Implementation Treaty.



unanimously passed by Red River Métis Citizens and mandates a "single-window" approach to consultation and engagement with the Red River Métis through the MMF Home Office.⁴

In engaging the MMF, on behalf of the Red River Métis, the Resolution No. 8 Framework calls for the implementation of five phases:

- Phase I: Notice and Response;
- Phase II: Research and Capacity;
- Phase III: Engagement and Consultation;
- Phase IV: Partnership and Accommodation; and
- Phase V: Implementation

This Project has the potential to impact Red River Métis rights, claims, and interests and as such, engagement and consultation with the MMF, through the process set out above, must be followed. The “postage stamp province” of Manitoba was the birthplace of the Red River Métis. The MMF currently has an outstanding claim flowing from the Federal Crown's failure to diligently implement the land grant provision of 1.4 million acres of land promised to the Red River Métis as a condition of helping to bring Manitoba into Confederation. It is set out in section 31 of the *Manitoba Act, 1870* and must be resolved in accordance with the honour of the Crown.⁵

Prior to the creation of Manitoba, the Red River Métis had always exercised its inherent right of self-determination and developed its own self-government structures and institutions centered around the Red River Settlement and throughout the Northwest. As described by Louis Riel in his 1885 memoirs, Métis self-government was well-established and functioning when Canada came to the Red River Métis in the late 1800s:

When the Government of Canada presented itself at our doors it found us at peace. It found that the Métis people of the North-West could not only live well without it... but that it had a government of its own, free, peaceful, well-functioning, contributing to the work of civilization in a way that the Company from England could never have done without thousands of soldiers. It was a government

⁴ More information about Resolution No. 8 is available online at: <http://www.mmfm.ca/docs/2013-Resolution%208%20Booklet-VFinal.pdf>

⁵ *Manitoba Métis Federation Inc. v. Canada (Attorney General)*, 2013 SCC 14 (“*MMF v Canada (AG)*”). The Supreme Court of Canada recognized that this outstanding promise represents “a constitutional grievance going back almost a century and a half. So long as the issue remains outstanding, the goal of reconciliation and constitutional harmony, recognized in s. 35 of the *Constitution Act, 1982* and underlying s. 31 of the *Manitoba Act*, remains unachieved. The ongoing rift in the national fabric that s. 31 was adopted to cure remains unremedied. The unfinished business of reconciliation of the Métis people with Canadian sovereignty is a matter of national and constitutional import” (para. 140).



with an organized constitution whose junction was more legitimate and worthy of respect, because it was exercised over a country that belonged to it.

Red River Métis self-government has evolved and changed over time to better meet the needs of the Red River Métis collectivity. Today, the MMF is the recognized, democratically elected, national government of the Red River Métis.

Since 1967, the MMF has been authorized by the Red River Métis through a democratic governance structure at the Local, Regional, and National levels. As part of this governance structure, the MMF maintains a Registry of Red River Métis Citizens.⁶

By applying for Red River Métis Citizenship, individuals are confirming the MMF is their chosen and elected representative government for the purposes clearly set out in the MMF Constitution,⁷ including as related to the collective rights, claims, and interests of the Red River Métis.⁸

The MMF Constitution confirms that the MMF has been created to promote the political, social, cultural, and economic rights and interests of the Red River Métis. The MMF is authorized to represent the Red River Métis' collective rights, interests, and claims. This authorization is grounded in the MMF's democratic processes that ensures the MMF is responsible and accountable to the Red River Métis.

The MMF governance structure includes a centralized MMF President, Cabinet, Regions, and Locals. There are thousands of Citizens who live outside of Manitoba. All Red River Métis Citizens are members of a Local. Locals and Regions work together to authorize and support the MMF Cabinet, and the MMF's various departments and offices. Through elections held every four years, Citizens choose and elect the MMF Cabinet consisting of the MMF President, who is the leader and spokesperson for the MMF, a Vice-President of each Region, and two Regional Executive Officers from each Region. The MMF Cabinet also includes the spokeswoman for the Infinity Women Secretariat. Each Local's Membership elects a Chairperson, a Vice-Chairperson, a Secretary and a Treasurer (or a Secretary-Treasurer, as the case may be) to serve the Local for a four-year term.

⁶ MMF Constitution, Article III outlines the citizenship definition and application process. This definition ("Métis" is defined to mean "a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal Peoples and is accepted by the Métis Nation") aligns with the definition of what constitutes a section 35 rights-bearing Métis community as outlined by the Supreme Court of Canada in *Powley* at para. 30.

⁷ *Newfoundland and Labrador v. Labrador Métis Nation*, 2007 NLCA 75 at para 47: "Anyone becoming a member of the [Labrador Métis Nation] should be deemed to know they were authorizing the LMN to deal on their behalf to pursue the objects of the LMN, including those set out in the preamble to its articles of association. This is sufficient authorization to entitle the LMN to bring the suit to enforce the duty to consult in the present case."

⁸ *Behn v. Moulton Contracting Ltd.*, 2013 SCC 26 at para 30: "[A]n Aboriginal group can authorize an individual or an organization to represent it for the purpose of asserting its s.35 rights."



Consistent with the direction of our Citizens in 2014, the MMF removed the arbitrary provincial borders from our Constitution that separated Red River Métis who live outside of Manitoba from those within. Today, the MMF represents Red River Métis Citizens within Manitoba, and thousands more across our National Homeland, and around the world.

The MMF, as the duly authorized government of the Red River Métis, has been recognized by both the federal and provincial governments in agreements, policies, and legislation. For example, in 2002, *The Child and Family Services Authorities Act*⁹ recognized the MMF for the devolution of child and family services to MMF institutions. This act establishes a series of Child and Family Services Authorities to administer and provide the delivery of services to various distinct Indigenous communities in Manitoba. It creates a Métis Child and Family Services Authority, the directors of which are appointed by the MMF.

In 2008, the courts further recognized that “[t]he Métis community today in Manitoba is a well-organized and vibrant community. Evidence was presented that the governing body of Métis people in Manitoba, the MMF, has a membership of approximately 40,000, most of which reside in southwestern Manitoba.”¹⁰

In 2012, the MMF-Manitoba Harvesting Agreement (2012) negotiated between the MMF and Manitoba, recognizes some of the collective section 35 harvesting rights of the Red River Métis and relied on the Citizenship processes of the MMF as proof of belonging to a rights-holding Indigenous collectivity:

*For the purposes of these Points of Agreement, Manitoba will recognize as Métis Rights-Holders, individuals who are residents in Manitoba and who hold a valid MMF Harvesters Card, issued according to the MMF's Laws of the Hunt. [... and will] consult with the MMF prior to implementing any changes to the current regulatory regime that may infringe Métis Harvesting Rights.*¹¹

In 2013, the SCC recognized the “collective claim for declaratory relief for the purposes of reconciliation between the descendants of the Métis people of the Red River Valley and Canada.” It went on to grant the MMF standing as the “body representing the collective Métis interest.”¹²

The MMF and Canada signed the *Manitoba Métis Self-Government Recognition and Implementation Agreement*¹³ (“Recognition and Implementation Agreement”) on July 6, 2021. This marked a major step forward in reconciliation between the Red River Métis and Canada. The Recognition and Implementation Agreement, among other things, immediately recognized the MMF as the National

⁹ CCSM c C90.

¹⁰ *Goodon*, at para. 52.

¹¹ MMF-Manitoba Harvesting Points of Agreement (September 29, 2012), ss. 3, 6-7.

¹² *MMF v Canada (AG)*, at para 44.

¹³ Manitoba Métis Federation. 2021. Manitoba Métis Self-Government Recognition and Implementation Agreement. Available from: https://www.mmf.mb.ca/wcm-docs/docs/news/manitoba_metis_self-government_recognition_and_implementation_agreement.pdf



Government of the Red River Métis and sets out a path forward toward the completion of a modern treaty.

In accordance with the Recognition and Implementation Agreement, the MMF and Canada signed the *Red River Métis Self-Government Recognition and Implementation Treaty*¹⁴ (the “Treaty”), and on February 12, 2026, the Government of Canada introduced Bill-C21, *An Act to give effect to the Red River Métis Self-Government Recognition and Implementation Treaty and to make consequential amendments to other Acts*. Once this implementation legislation comes into force, the Treaty will become fully effective and will have constitutional protection, further strengthening the relationship between the Red River Métis and Canada.

3.0 Review of the Proposed Project and its Location in the National Homeland:

3.1 Summary of Rights, Values, and Interests

The Proponent’s proposed Project is within the Red River Métis Homeland (the “National Homeland”). The National Homeland is West-Central North America—it extends from eastern British Columbia to northwestern Ontario, including the entirety of the three prairie provinces (Manitoba, Saskatchewan, and Alberta), and the northern United States.

The Red River Métis have historically exercised, and continue to exercise, their section 35 rights throughout the National Homeland supporting traditional and contemporary ways of life through sustenance, subsistence harvesting, and commercial harvesting, accessing culturally and historically significant sites, and passing Red River Métis knowledge on to younger generations. Given these deep connections to the land, the Red River Métis also hold unique knowledge of the area, including knowledge of wildlife and plant populations, ecologically or culturally sensitive areas, and more.

As part of early engagement on the Project, the MMF provided input to the Proponent on the pipeline route options and the potential impacts associated with each.

Since 2010, the MMF has collected and documented land use and occupancy information from Red River Métis Citizens across the National Homeland of the Red River Métis. This information is stored in the Red River Métis Land Use and Occupancy Catalogue (the “Catalogue”). The Catalogue is a database of locations where Red River Métis Citizens practice traditional activities, considered Aboriginal rights

¹⁴ Manitoba Métis Federation. 2024. Red River Métis Self-Government Recognition and Implementation Treaty. Available from: https://www.mmf.mb.ca/wcm-docs/freetext/mmf_treaty_digitalcompressed_20250127152926.pdf



as identified in and protected under section 35 of the *Constitution Act, 1982*, and areas that are culturally and historically significant to the Red River Métis.

This Catalogue has over 22,500 features and represents data collected from over 400 interviews with individual Red River Métis Citizens. The data from these interviews is indicative of patterns of historical and present-day use and occupancy. The MMF's studies are generally project-specific and include interviewing Red River Métis Citizens who frequently use or have knowledge of the lands and waters in a specific geographic area. Given this, any volume of data in an area does not indicate a complete record of Red River Métis land use and occupancy.

The MMF reviewed the pipeline route options in relation to the data in the Catalogue, which, as noted above, contains data typically gathered through project-specific and project-funded studies. As a result, there are, understandably, gaps in the dataset, given both the geographic scale of the National Homeland of the Red River Métis and the variable willingness of proponents to provide capacity funding to support project-specific studies. An absence of data in an area does not indicate an absence of Red River Métis land use and occupancy. Furthermore, presence of data does not denote that the data collection is complete.

Despite these gaps, the review of the proposed pipeline route options in relation to the Catalogue revealed documented use in areas around the proposed Project. These are described below.

3.2 Red River Métis Values in the National Homeland

A Project-specific Red River Métis Knowledge and Land Use and Occupancy Study ("RRMKLUOS") has not been undertaken. As a first step, the MMF has set out below a list of preliminary values that may need to be considered over the Project lifecycle. It is important to note that this list is not site-specific but rather reflects Red River Métis values throughout the National Homeland more broadly. These preliminary values should not be interpreted as a substitute for comprehensive and Project-specific consultation and engagement with the MMF or for input from Red River Métis Citizens.

Preliminary Value	Description
Subsistence Harvesting Areas	Areas where Red River Métis Citizens exercise their section 35 rights and harvest for subsistence, including: • Hunting • Fishing • Trapping/snaring • Gathering medicines, plants, and other natural materials • Otherwise harvesting for subsistence purposes



Commercial Harvesting Areas	Areas where Red River Métis Citizens participate in traditional economies, including: • Hunting • Fishing • Guiding • Trapping/snaring • Gathering medicines, plants, and other natural materials • Other harvesting for commercial purposes
Red River Métis Ecological Knowledge	Areas where Red River Métis Citizens hold specialized knowledge of the lands and waters, including: • Fish spawning areas • Mammal habitat • Migration routes and corridors • Bird habitat • Reptile and amphibian habitat • Spring water • Plant habitat • Species at risk • Other significant and sensitive habitat or ecological features
Cultural and Historical Sites	Sites that are culturally and historically significant to the Red River Métis, including: • Spiritual, ceremonial, and sacred areas • Historical family, village, or settlement sites • Burial sites • Areas of archaeological significance • Contemporary and historic Red River Métis places • Sites that are otherwise culturally or historically significant
Access	Areas used by Red River Métis Citizens to access the lands and waters throughout the National Homeland, including: • Trails • Water routes • Other areas used for access purposes
Occupancy	Areas used by Red River Métis Citizens to stay out on the land, including: • Cabins • Campsites • Overnight locations • Places used to otherwise stay out on the land



Other Areas	As the MMF has not yet undertaken a Project-specific RRMKLUS, there may be other values within the areas being explored that must be included in Project planning and assessment.
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3.3 The Cultural Significance of the Project Area

In the early engagement phase of the Project, when the MMF provided input to the Proponent on the pipeline route options, various pipeline segments were combined to create 66 possible pipeline routes. Using the provided shapefiles for the proposed Project, the MMF conducted a review of the 66 route permutations to determine potential interactions with existing Red River Métis land use and occupancy.

At the outset, it is important to note that, in response to proposed developments with a perceived risk to alter the environmental, social, and cultural integrity of the National Homeland, a buffer is included around the proposed Project site and area of disturbance. The extent of the buffer, or “avoidance area” is determined based on each Project and its anticipated impacts on ecological and human health. In general, however, buffers attempt to capture the both the direct loss associated with the Project footprint and the indirect loss of the avoidance area(s).

The preliminary review of the pipeline segments shows that there are:

- Almost 300 instances where sites of Red River Métis Knowledge, Land Use, and Occupancy would be within 30 m of the proposed routes.
- Over 325 instances where sites of Red River Métis Knowledge, Land Use, and Occupancy would be within 500 m of the proposed routes.
- Over 465 instances where sites of Red River Métis Knowledge, Land Use, and Occupancy identified in the Catalogue would be within 1,000 m of the proposed routes.

The sites of Red River Métis Knowledge, Land Use, and Occupancy within proximity to the pipeline routes include:

- Harvesting sites (fishing, hunting, and gathering)
- Commercial trapping and snaring
- Areas of ecological importance:
 - habitat for birds of cultural importance, including migratory birds
 - spawning areas and habitat for fish of cultural importance
 - habitat for ungulates, reptiles, and amphibians
 - important wetland areas
 - vegetation of cultural importance including habitat for white lady slipper (listed on both the provincial and federal species at risk list)
- A historical site of significance (trading post)
- A site of spiritual significance



- Sites of observed changes, specifically to bird habitats, and observed decrease in insect populations.

The preliminary analysis of the pipeline route segments indicates the potential for Red River Métis rights to be impacted, regardless of which route segments are chosen. Similar impacts presumably occurred with the growth of Brandon and its industrial area as well as from the original development of the local transmission lines.

The pipeline will cross the Assiniboine River and several tributaries that are near the Brandon Generating Station site. The Assiniboine River will also likely receive runoff and groundwater from the proposed Project site. This is of concern to the MMF, as the Assiniboine River holds historic and contemporary significance for the Red River Métis whose “cultural identity crystallized along the waterways of the Red and Assiniboine Rivers, where they developed vibrant communities that blended Indigenous and European traditions into something distinctly their own. Métis culture is ... grounded in a deep connection to the land. Hunting, trapping, and harvesting are not only economic activities but also ways of sustaining traditional knowledge and fostering community.”¹⁵

3.4 Previous Input on the Project’s Pipeline Siting

The review of the MMF Data Catalogue demonstrates that the proposed Project is situated within a landscape where Red River Métis land use and cultural presence are well established and documented. The Project area has historically sustained and continues to sustain harvesting, access and cultural practices, all of which are protected rights, and which remain fundamental to Red River Métis way of life, livelihood, and intergenerational land use.

At the time of reviewing the Project’s proposed pipeline options, the MMF was unable to identify a route that it prefers due to the extent of Red River Métis land use within proximity of all proposed routes. In the submission providing input on the various options, the MMF articulated the need to undertake a Project-specific RRMKLUOS, to provide more detailed input on the routes, and ideally, identify route preferences. This work has not been initiated, and capacity support from the Proponent has not been provided to the MMF. The following recommendation, made in the earlier submission, remains relevant:

Project-Focused RRMKLUOS: Preliminary analysis indicates that the proposed Project segments and activities will interact with sites of Red River Métis Knowledge, Land Use, and Occupancy. It can be assumed that there are additional sites used by Red River Métis Citizens that have not yet been identified due to the lack of Project-specific citizen engagement. The MMF

¹⁵ Manitoba Metis Federation Child Family and Community Services Agency Inc. (2026). Metis Culture and Culture and Identity From: <https://www.metiscfs.mb.ca/communityandculture/>



requests capacity support to complete a focused RRMKLUOS once the preferred route is selected.

In addition to requesting a Project-specific RRMKLOUS, the MMF made the following recommendations and requests in the earlier submission on pipeline routes:

Protections for Culturally Significant Species: The proposed Project segments and activities are within a culturally and ecologically significant area for the Red River Métis. The MMF would like to work with Manitoba Hydro to identify and implement protections for important species, including Red River Métis led monitoring initiatives, that are founded in Red River Métis Ecological Knowledge. The MMF requests that Manitoba Hydro work with the MMF on the environmental assessment to ensure the assessment can adequately address anticipated impacts.

Harvesting and Access Protections: The MMF would like Manitoba Hydro to commit to ensuring that Red River Métis Citizens can continue to access lands in the Project area in exercise of their section 35 rights and in line with the *United Nations Declaration on the Rights of Indigenous Peoples Act*.¹⁶ The MMF is concerned that, given the level of Red River Métis land use, the Project's anticipated and likely impacts on the resources and species that rely on that land will have an impact on Citizens' ability to harvest and use those resources. Impacts to the environmental conditions necessary for land use may be the result of direct, indirect, or cumulative effects to the environmental conditions. Manitoba Hydro should work with the MMF to minimize disruption to the conditions necessary for the exercise of rights by implementing MMF-designed measures to protect Red River Métis harvesting and cultural practices, and ensuring that all future activities do not disrupt Red River Métis use. This recommendation entails working collaboratively on the environmental assessment to ensure the assessment can adequately address anticipated impacts.

Protection of Species at Risk: Ten of the pipeline route segments are within 500 m or 1,000 m of sites in the Catalogue identified as habitat for species at risk (burrowing owl, ferruginous hawk, golden winged warbler, and white lady's slipper). These route segments do not appear to have been selected as the preferred route; however, the proximity of all route sections and options to these noted sites of habitat makes adequate assessment still relevant and necessary to ensure mitigation will protect species at risk. Collaboration with the MMF to minimize disruption of the conditions necessary for the exercise of rights must also include minimizing disruption to species at risk and their habitat.

¹⁶ S.C. 2021, c. 14.



Sites of Cultural Importance Protections: Five of the pipeline route segments are within 1,000 m of sites that the Catalogue identifies as culturally significant to the Red River Métis. It appears as though three of these segments remain as part of the preferred route. These routes should be removed from the potential route alternatives. If these route options are not removed, the MMF should undertake an impact assessment to identify and address adverse effects and collaboratively mitigate or accommodate impacts with the Proponent. The MMF will need additional time to consult with Red River Métis Citizens to identify additional sites of cultural significance that may be intersected by the Alternative Route segments. Further, the MMF expects ongoing collaboration to establish protection plans and address the psycho-social impacts from effects to these cultural areas, if impacts cannot be avoided.

Protection of Crown Lands: Red River Métis Citizens may harvest on occupied and unoccupied provincial Crown lands. Cumulative disturbances and impacts to Crown lands have impacted where Red River Métis Citizens can access harvesting areas. Manitoba Hydro should make sure to choose route segments predicted to have the lowest impact on Crown lands and sites of harvesting and access for Red River Métis Citizens.

Avoidance of Water Crossings: Maintaining the health of all bodies of water is important for Red River Métis Citizens for cultural continuity and transmission. Manitoba Hydro should prioritize choosing route segments that do not cross wetlands and water bodies.

Protections for Red River Métis Citizen Economic Well-Being: Five pipeline route segments have potential to interact with sites where Red River Métis Citizens engage in commercial trapping and snaring activities. Three of these appear to be part of the preferred route. Direct collaboration with harvesters, assessment of the socioeconomic impacts to harvesting, and the identification and implementation of mitigation is required. If the route options intersecting commercial harvesting sites cannot be removed as potential alternatives, accommodation should be addressed with harvesters. Socioeconomic impacts may be meaningfully evaluated through a collaborative assessment process or an assessment led by the MMF.

Communication, Risk Reduction, and Incident Management: The MMF is concerned that Red River Métis Citizens who use the lands and waters within proximity to the Project may not be aware of the risks and emergency management protocols in the event of an incident. The MMF is further concerned that risk reduction measures implemented by Manitoba Hydro may not be sufficient to protect Red River Métis Citizens. Commitment to collaborative and ongoing Red River Métis Citizen communication is essential to ensure that Citizens are informed and empowered to provide feedback into risk reduction and incident management processes for the protection of rights.



The above-noted recommendations are centralized around the common theme of ongoing involvement of the MMF in the pipeline site selection process and the Project's assessment of effects. To summarize, the MMF reiterates its earlier requests and recommendations:

- Responses to the previous MMF input on route selection;
- Support for MMF to conduct MMF-led engagement with Red River Métis Citizens on the Project;
- MMF involvement in the environmental assessment process, including:
 - Collaboration on the environmental assessment, including demonstration from Manitoba Hydro that the results of Citizen Engagement will inform the proponent's environmental assessment or support for MMF to conduct its own environmental assessment.
 - If such collaboration does not occur, a technical review to be supported, so that the MMF can identify gaps and deficiencies in the environmental assessment and try to identify ways to address these and impacts on Red River Métis Citizens.

4.0 Comments on the Initial Project Description

The MMF has undertaken a focused review of the IPD based on the concerns and recommendations identified in the preliminary pipeline review. The preliminary identification of values covers a range of rights and interests and as such the pipeline review is potentially representative of the values, interests and impacts that may result from the Project at the Brandon Generating Station.

The review comments below should not be interpreted as representative of all Red River Métis rights, claims, and interests related to the Project. Additional Red River Métis Project-specific engagement, including a RRMKLUOS, is necessary to provide a more comprehensive understanding of the Project's potential impacts on Red River Métis rights, claims, and interests.

4.1.1 Socioeconomic Environment (Section 3.7)

Comment 1: Population Demographics. Section 3.7 identifies the percentage of the population that identifies as Indigenous but fails to describe the social and health conditions of Indigenous populations, let alone the Red River Métis. Aggregating distinct populations fails to appropriately assess nuanced impacts, some of which are better represented through Gender Based Analysis Plus (GBA+) assessment. In the absence of recognizing economic or social characteristics of different demographics, it is unclear how the Project is able to draw meaningful conclusions regarding Project impacts.

Recommendation 1: A distinctions-based approach must be applied to recognize how the Project stands to differentially affect Canadians, Manitobans, Indigenous communities (including First Nations, Inuit,



and Métis), and Red River Métis. This includes the use of a GBA+ analysis to assess Project effects on various demographics of the population. Ideally, the MMF would conduct an Indigenous-led Impact Assessment (“ILIA”) and provide the findings to the Proponent and IAAC as part of the Project’s assessment process.

Comment 2: Historical Resources Assessment. The Project location and footprint have a high potential for the presence of historical or archaeological resources. This is particularly true for Project infrastructure outside of the Generating Station area. Traditional archaeological assessment typically identifies target areas for field work based on preliminary desktop assessments. This approach may be inadequate to identify Métis historic land use because many possible sites are not recorded. While the MMF agrees that existing and available information should be used by the Proponent to support an understanding of potential archaeological and cultural heritage resources that may be impacted by the Project, this data should be considered incomplete, as it has not been informed by Red River Métis-specific information.

Recommendation 2: The MMF should be involved in determining the scope of the archaeological and historical resource assessment, including the information involved in the desktop review, as well as the scope (i.e., extent and locations) and methods of the fieldwork that is conducted.

4.1.2 Biophysical Environment (Sections 3.6, 5.1, 5.2 and 5.5)

Comment 3: Project Emissions. This Project is intended to align with the Manitoba Hydro 2025 Integrated Resources Plan which includes the goal to “enable a net-zero grid by 2035 and support a pathway to a Manitoba net-zero economy by 2050.”¹⁷ This objective will not be met by developing a natural gas-fired combustion turbine. Not only does gas combustion create greenhouse gas (GHG) emissions, but the backup diesel is a worse emitter. Moreover, reliance on natural gas enables the proliferation of the oil and gas industry, which is a significant contributor to GHG emissions, and, without significant mitigation, does not support meeting Canada’s climate goals as outlined in the 2030 Emissions Reduction Plan.

The upstream GHG emissions associated with the Project will contribute to existing air quality concerns and impacts. In addition to the Air Emissions section under Section 3.6, the Proponent has included Section 5.5, GHG emissions. In Section 5.5, the Proponent states that because the grid composition is unknown post-2035, and as the province is stewarding to be net-zero by 2050, it will not be necessary to understand emissions related to this Project after 2035.

¹⁷ Manitoba Hydro. (2025) Integrated Resources Plan. Pg 35. From: <https://www.hydro.mb.ca/docs/corporate/irp/2025-irp-report-final.pdf>



This rationale does not account for several uncertainties, including the ability of Manitoba to achieve net-zero by 2050. Further, the emissions models in Section 5.5 have other gaps and shortcomings, including, for example, that they do not account for the use of diesel, and it is unclear whether they include pipeline construction and operations.

Recommendation 3: The MMF is concerned that full Project GHG emissions and air quality potential effects are not addressed. Moreover, there is no plan for this Project to meet net-zero, particularly given the planned use of diesel generation as a backup. This Project should demonstrate an attempt at alignment with Canada's climate objectives, and conduct an accurate account and assessment of the Project's GHG emissions and air quality impacts.

Comment 4: Noise. The full scope of Project components include more than the Brandon Generating Station, and the noise from the construction and operation of these components has the potential to affect Red River Métis land use.

Recommendation 4: The assessment of effects from Project-generated noise must extend beyond construction at the Brandon Generating Station and include all Project components. Disturbance to Red River Métis Citizens' land use and harvesting must be assessed to be able to identify effective mitigation of impacts to section 35 rights, or the conditions necessary to exercise rights.

Comment 5: Surface Water and Groundwater Quality. The IPD focuses narrowly on impacts to drinking water wells only and excludes consideration of other important aspects related to hydrology and water quality. The Project is located adjacent to the culturally significant Assiniboine River, where near-surface groundwater flows toward the river and is influenced by existing surface water management infrastructure. Project activities have the potential to affect groundwater, surface water, and ultimately the Assiniboine River.

The IPD does not adequately assess the potential effects of the natural gas pipeline watercourse crossings on surface water or groundwater quality. Nor does it describe the proposed installation methods (e.g., horizontal directional drilling or open trenching) or associated risks.

The IPD does not adequately represent the importance of healthy aquatic ecosystems to Red River Métis rights and interests. Potential pathways of contamination include sedimentation, erosion, accidental spills or releases, groundwater pathway alteration or contamination of shallow groundwater, and changes to surface water quality that could affect fish, fish habitat, wildlife, vegetation, and the quality of resources harvested by Red River Métis Citizens. During previous engagement, Citizens have identified declining environmental quality and the condition of natural resources as an ongoing concern.

Recommendation 5: Avoidance of water course crossings and addressing potential impacts to water quality are important for Citizens to continue to maintain the Red River Métis way of life. The Proponent should provide a comprehensive assessment of potential effects to surface water and groundwater quality associated with construction and operation of both the Generating Station and pipeline



watercourse crossings. The assessment should identify all watercourse crossings and proposed crossing methods in order to evaluate potential pathways for degradation of surface water and groundwater quality.

Comment 6: Hydrology and Water Quantity. The IPD does not clearly identify the Project's water sources or quantify anticipated water demands during construction or operation. While the Proponent indicates that recycled water may be used, these amounts are not quantified, and the Proponent has not ruled out withdrawals from the Assiniboine River or other local watercourses. Cumulative water use from construction activities, including for dust suppression, hydrostatic testing, or other temporary uses, may require additional water, the source of which has not been identified and the amounts not quantified. Although flows in the Assiniboine River near Brandon are managed through upstream water control infrastructure, water availability remains seasonally variable, and neighbouring watersheds and smaller watercourses may experience less uniformity in flow conditions and more easily become stressed.

The IPD does not assess whether proposed withdrawals are compatible with environmental flow requirements to support fish, fish habitat, aquatic ecosystems, and the continued exercise of Red River Métis harvesting rights. Furthermore, because the Project water source(s) has not been defined, it is unclear whether new water intake infrastructure or instream works will be required.

Recommendation 6: The MMF is concerned that additional water use, for both construction and operation, will strain aquatic habitats, leading to impacts on fish and fish habitat, other aquatic species and vegetation, and the rights of the Red River Métis. It is recommended that the Proponent identify all proposed water sources and quantitatively evaluate Project needs against instream flow needs. It is important that the Proponent accurately identify potential impacts to water quality and quantity, including for both surface water and groundwater, for the protection of the aquatic ecosystems that support healthy fish and wildlife populations, and the conditions necessary for exercising section 35 rights.

Comment 7: Vegetation and Wetlands. The 1-km buffer selected to understand impacts to vegetation and wetlands does not sufficiently include the scope of the Project. Project-related activities outside of the Generating Station, necessary for the Project to be viable, should not be removed from consideration, as these will contribute to the Project's impacts. The MMF's review of pipeline siting options identified the ecological and cultural importance of wetlands. Reclamation of wetlands is known to be difficult and slow in comparison to other ecosystems, making it important to prioritize avoiding disruption to wetlands. While wetlands currently comprise a low proportion of the Generating Station and its study area (1-km buffer), this is not necessarily the same for the pipeline right-of-way. The MMF review also identified the presence of at-risk vegetation, which is indicative of its potential to be located along other areas of the pipeline.

Recommendation 7: The MMF is concerned that the Proponent has not prioritized the avoidance of wetlands, nor appropriately characterized potential impacts to wetlands. The MMF requests that the



Proponent a) prioritize the avoidance of wetlands, b) where avoidance will not occur, clearly identify the locations and amounts of wetlands that will be disturbed, c) identify site-specific mitigations to reduce impacts, and d) provide detailed information about plans for wetland reclamation.

Comment 8: Wildlife Habitat. The MMF preliminary review identified wildlife habitat in proximity to the pipelines, including the areas closest to the Generating Station, for species of importance for subsistence harvesting. Project construction and operation have the ability to affect subsistence harvesting and wildlife population in proximity to the Generating Station as well as along the pipeline. The Proponent has identified that approximately 40% of the Project area (Generating Station only) and 70% of the 1-km buffer study area is suitable habitat for wildlife and migratory birds. Project construction and operation have the ability to affect subsistence harvesting and wildlife population in proximity to the generating station as well as along the pipeline. The MMF is concerned about potential direct and indirect effects on species of cultural importance relied upon for subsistence harvesting. Moreover, these effects are not fully acknowledged in the framing of the IPD, as it focuses only on the Generating Station and a limited buffer, excluding potential impacts from pipeline construction and operation.

Recommendation 8: The MMF reiterates that more work is required to understand the amount of habitat degradation and loss and concomitant impacts to wildlife and migratory birds in the area of the Project and the National Homeland of the Red River Métis.

4.1.3 Indigenous Peoples of Canada (Section 5.4)

Comment 9: Harvesting Sites and Assessment of Impacts on Rights. The Proponent has suggested including Harvesting and Important Sites as a valued component (VC), however it is not clear how this significantly differs from the standard Impact Assessment requirement to consider impacts to section 35 rights and the conditions necessary to exercise rights. The Proponent notes that inclusion of this VC is intended to address the diverse locations and features of the land that provide cultural value for the entire Project scope (inclusive of the pipeline). The Proponent has committed to ongoing engagement.

Recommendation 9: For the assessment to be both meaningful and effective, it must allow for the MMF to provide direct input into it. This would include the MMF providing information from Project-specific, MMF-led engagement with Red River Métis Citizens, and the MMF being supported to conduct an ILIA, the results of which would form part of the assessment process for this Project. It is important that ongoing engagement activities are defined by the MMF in order to ensure they have the potential to meaningfully capture Red River Métis inputs into the VC which consider impacts to rights.

Comment 10: Health, Social, Economic Conditions. This section of the IPD notes that Project impacts on air, noise, soil, vegetation, wildlife, heritage resource, fish, and fish habitat are all anticipated to be limited. As such, the Proponent concludes that impacts to land use are anticipated to be negligible, and socioeconomic effects are anticipated to be positive. These conclusions are based on incomplete data, on thresholds not relevant to Indigenous communities, and do not consider the present-day reality of



cumulative effects. The Proponent has not provided a detailed analysis or any discipline-specific information to inform this conclusion. The Proponent has noted that any effects on Indigenous Peoples (health, social, economic, culture etc.) are expected to be mitigated, but this is not substantiated by the IPD content. Nor is there a commitment from the Proponent to support MMF-led engagement and analysis of this VC.

Recommendation 10: The Proponent has not yet established a relationship with the MMF that would enable the MMF to appropriately identify Project-specific impacts and mitigations on this topic. The MMF requests that the Proponent meet with the MMF, with the purpose of developing a Project engagement plan that meets the distinct needs of the Red River Métis, and includes MMF-led engagement and opportunities for MMF-led assessment and analysis. The plan would also identify the timelines and process through which this information could be included in the impact assessment process for this Project.

This plan should involve:

1. Support for a comprehensive MMF-led Project-specific RRMKLUOS.
2. MMF involvement in the assessment process, including in the identification of VCs and indicators, and in the determination of significance. This will ensure the VCs reflect Red River Métis values, concerns, and perspectives. This includes:
 - a. An enhanced Project scope such that the assessment considers all Project components.
 - b. Red River Métis input into the ecological (i.e., terrestrial and aquatic) VCs selected for assessment, and input into the evaluation of residual effects. This will ensure that a “not significant” residual effect determination to, for example, wetlands or moose, does not automatically correlate to an insignificant effect on land use.
 - c. Support for a comprehensive MMF led socioeconomic assessment that examines the Red River Métis baseline socioeconomic status, potential impacts, and mitigation recommendations. Mitigations will identify economic opportunities for Red River Métis procurement, training, partnership, profit sharing, and employment opportunities.
 - d. Red River Métis input into the scope of the Heritage Resource Impact Assessment and co-development and implementation of a chance find protocol that includes mechanisms to ensure Red River Métis cultural heritage is protected.
 - e. MMF involvement in developing mitigations, including long-term environmental and cultural monitoring and oversight throughout the lifecycle of the Project, including



decommissioning, and monitoring ground-disturbing activities to ensure Red River Métis cultural heritage is protected.

3. A comprehensive cumulative effects assessment and GHG assessment that encompasses the broader context of cumulative effects of development in the region and upstream GHG emission impacts to address the Project's alignment with net-zero objectives, Canada's climate objectives, and cumulative effects on the rights of Red River Métis.
4. MMF involvement in decision-making. It is critical for the MMF to be an active party throughout the regulatory process and Project lifecycle.

5.0 Conclusion

The MMF has identified the Project's potential for impacts to Red River Métis rights, claims, and interests. The IPD provides a narrow description of this potential and includes limited mitigations to address potential impacts to the exercise of rights or the conditions necessary to exercise Red River Métis rights. The requests and recommendations made above and in the previous MMF submission underscore the importance of continued involvement of the MMF and the need for Project-specific Red River Métis knowledge, land use, and occupancy to be integrated in the environmental assessment and evaluation of the Project.

Ongoing, meaningful engagement and consultation with the Proponent or regulator must be informed by and rooted in a distinctions-based approach that reflects the distinct culture, concerns, and priorities of the Red River Métis. Collaborating with the MMF to develop a tailored engagement and consultation plan will allow Red River Métis concerns and potential Project impacts to be assessed and appropriate mitigation to be identified.

The MMF acknowledges that the information in this submission is based on the currently available Project information as well as existing Red River Métis knowledge, land, resource use, and occupancy data which was collected for other projects. As additional Project information becomes available, and once the MMF has conducted a RRMKLUOS specific to the Project, further information related to the Project's potential impacts on Red River Métis rights, claims, and interests will be made available.

The MMF looks forward to continued collaboration with the Proponent and regulators throughout the regulatory process. The MMF remains committed to working collaboratively to support informed decision-making and respects and upholds the constitutionally protected rights of the Red River Métis.

