Manitoba Hydro Pointe du Bois to Whiteshell PREP (PW75) Transmission Line

Technical Review

Manitoba Métis Federation

December 18,2024

Contents

1.0 Introduction

Manitoba Hydro (the Proponent) submitted their Environmental Assessment Report to the Province of Manitoba for the Pointe du Bois to Whiteshell (PW75) Transmission Project in July 2023. This proposed transmission line Project, located in southeastern Manitoba, falls within the Southeast Region of the National Homeland of the Red River Métis. The Project crosses a total of 32 watercourses, including larger waterbodies such as the Winnipeg River, Lee River, and Boggy Creek (See Figure 1 for project area).

The Red River Métis maintain substantial historic and ongoing Métis Land Use, Occupancy, and Traditional Ecological Knowledge in this region. This includes hunting, fishing, trapping, gathering, and cultural and occupancy sites within 20 km of the Project (See Figure 4). Considering the historic and contemporary Red River Métis presence in the area, project planning, approval, and all other associated activities must be analyzed for their impacts on the rights, interests, and claims of the Red River Métis.

The Manitoba Métis Federation (MMF) reviewed Manitoba Hydro's Environmental Assessment Report for the proposed Pointe du Bois to Whiteshell Transmission Project. This review was undertaken to meet the following objectives:

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*. Based on our emergence as a distinct Indigenous People in the Northwest prior to effective control by Canada and the creation of the province of Manitoba, the Red River Métis holds rights, interests, and claims throughout and beyond the Province of Manitoba.

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 ("SCC") in *R.* v. *Powley,* 2003 SCC 43. Manitoba Courts also have recognized Red River Métis rights in *R. v. Goodon,* 2008 MBPC 59. These decisions have affirmed that the Métis hold existing Aboriginal rights throughout their traditional territories. Our Citizens 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 their 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 effective control by Canada and the creation of the province of Manitoba, the Red River Métis holds rights, claims, and interests throughout and beyond the Province of Manitoba consistent with the United Nations Declaration on the Rights of Indigenous Peoples, including the right to self-determination.

The MMF is mandated to promote, protect, and advance the collectively held Aboriginal rights of the Red River Métis. Through this mandate, the MMF engages with governments, industry, and others about potential impacts of projects and activities on our community. 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 Métis, for 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 unanimously passed by MMF Citizens and mandates a "single-window" approach to consultation and engagement with the Red River Métis through the MMF Home Office.[1]

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 development of transmission lines have had impacts throughout the National Homeland of the Red River Métis. The "postage stamp province" of Manitoba was the birthplace of the Red River Métis. We currently have 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 for bringing Manitoba into Confederation and set out in section 31 of the *Manitoba Act, 1870* in accordance with the honour of the Crown.[2]

Red River Métis section 35 rights are distinct from First Nations rights and must be respected. The Manitoba Métis Federation is the National Government of the Red River Métis.

Prior to the creation of Manitoba, the Red River Métis had always exercised its inherent right of self-determination to develop 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 with an organized constitution whose junction was more legitimate and worthy of respect, because it was exercised over a country that belonged to it.

Métis self-government has evolved and changed over time to better meet the needs of the Red River Métis. Today, the MMF is the recognized, democratically elected, national self-government representative of the Red River Métis. On November 30, 2024 the Red River Métis and His Majesty the King signed the Red River Métis Self-Government Recognition and Implementation Treaty. The Treaty recognizes the Manitoba Métis Federation as the 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.[3] By applying for Red River Métis Citizenship, individuals are confirming the MMF is their chosen and elected representative for the purposes clearly set out in its Constitution,[4] including as related to the collective rights, claims, and interests of the Red River Métis.[5]

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 seven (7) Regions and approximately 135 Locals throughout Manitoba (Figure 1). There are more than three thousand Citizens who live outside of Manitoba. All MMF 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 from the Infinity Women Secretariat.

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 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 in Manitoba 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 Manitoba Métis Federation, has a membership of approximately 40,000, most of which reside in southwestern Manitoba."[6] In 2010, the Manitoba Government adopted a Manitoba Métis Policy, and stated that:

The Manitoba Metis Federation is a political representative of Métis people in Manitoba and represents in Manitoba the Métis who collectively refer to themselves as the Métis Nation.... Recognition of the Manitoba Métis Federation as the primary representative of the Métis people is an important part of formalizing relationships.[7]

In 2012, the *MMF-Manitoba Harvesting Agreement (2012)* negotiated between the MMF and the Manitoba Government recognized 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 Aboriginal community:

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.[8]

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" in the *MMF Case.*[9] Additionally, in 2016, the *MMF-Canada Framework Agreement* stated:

the Supreme Court of Canada recognized that the claim of the Manitoba Métis Community was "not a series of claims for individual relief" but a "collective claim for declaratory relief for the purposes of reconciliation between the descendants of the Métis people of the Red River Valley and Canada" and went on to grant the MMF standing by concluding "[t]his collective claim merits allowing the body representing the collective Métis interest to come before the court. [and that] Canada is committed to working, on a nation-to-nation, government-to-government basis, with the Métis Nation, through bilateral negotiations with the MMF."[10]

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

Government of the Red River Métis and sets out a path forward towards the completion of a modern Treaty. As noted above, that Treaty was signed on November 30, 2024.

Consistent with the direction of our Citizens, 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 over 125,000 Citizens within Manitoba, and thousands more across our National Homeland, and around the world. Because of this the MMF has a regional, provincial, national, and international mandate.

Our modern Treaty was ratified by thousands of Red River Métis Citizens in June 2023 and builds upon the important work of the MMSGRIA. The signing of the Treaty with His Majesty the King, and passage of its implementation legislation will enable the Red River Métis, acting through its National Government the MMF, to renew its partnership with Canada.

- Review Findings, Section 3.0 of this report
- Identify the areas of the proposed project that will require meaningful and ongoing communication with the MMF
- Propose mitigations, accommodations, and/or licencing conditions to protect the rights, claims, and interests of the Red River Métis

The MMF hosted a community engagement session on November 20, 2024, in Lac du Bonnet, MB, with Red River Métis Citizens. The MMF presented an overview of the Manitoba Hydro PW75 Transmission Line Project and explained the technical review methods used to identify key concerns and recommendations. The MMF presented the key concerns and recommendations for the Project as they relate to fish and fish habitat, terrestrial ecology and the physical environment, and heritage resources and socioeconomics. Additionally, the MMF asked Citizens about their land use and commercial harvesting in the area. Red River Métis Citizens provided feedback and expressed concerns about the Project based on the information provided. Citizen feedback is summarized in What We Heard: Red River Métis Citizen Engagement, Section 3.2.

In addition to the *What We Heard* section, the MMF has identified concerns, comments and recommendations related to aquatic impacts in Section 5.1, terrestrial impacts in Section 5.2, socioeconomic impacts in Section 5.3, harvesting and important sites impacts in Section 5.4, as well as a Red River Métis Rights Impact Assessment (RIA) in Section 6.0. Appendix 1 provides a table with comments specific to the Environmental Assessment Report and related recommendations.

Lastly, the MMF identified discrepancies between the chosen route and the evaluation of the preferred route based on Manitoba Hydro's weighting system. The table in Appendix 2 presents the corrected evaluation of the preferred route option based on the weighting and scoring scheme presented by Manitoba Hydro. Given this potential oversight, the MMF is concerned about the potential implications

for other aspects of the project, and requests additional dialogue on how Manitoba Hydro anticipates proceeding.

2.3 Project Description

The proposed Pointe du Bois to Whiteshell is a transmission line consisting of two segments, Pointe du Bois to Lee River and Lee River to Whiteshell. The first segment is replacing the existing 66 kV line with an upgraded 115kV line, requiring the expansion of the width of the existing right-of-way by 38 m. The second segment, Lee River to Whiteshell, is a new 115kV line requiring a 60-m right-of-way to be cleared. Several other components at the Pointe du Bois, Lee River, and Whiteshell generating stations will be replaced or retrofitted.

The Project scope consists of pre-construction, construction, mobilization, access route development, right-of-way clearing, deposit of granular materials, biosecurity measures, marshalling yards, tower construction, clean-up, and eventual decommissioning. Most of the existing land cover is comprised of natural forest (49%) and wetland habitat (19%) (Figure 2). The Project has a proposed completion timeline of fall 2026, however as this figure is from 2023, there is likely to be a six-month delay in the construction timeline.

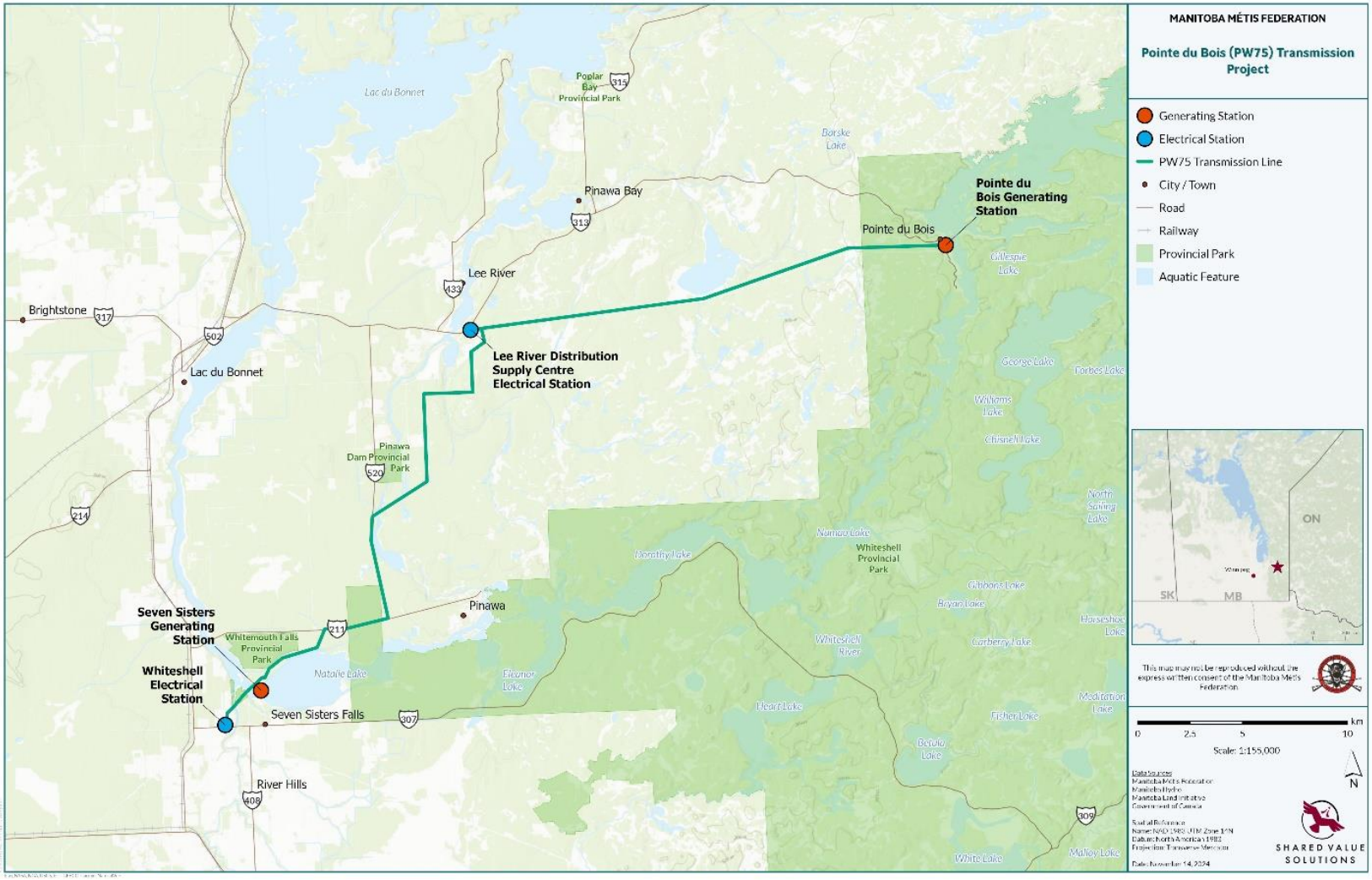

Figure 1. Map of the project area for the proposed Pointe du Bois to Whiteshell (PW75) Transmission Line.

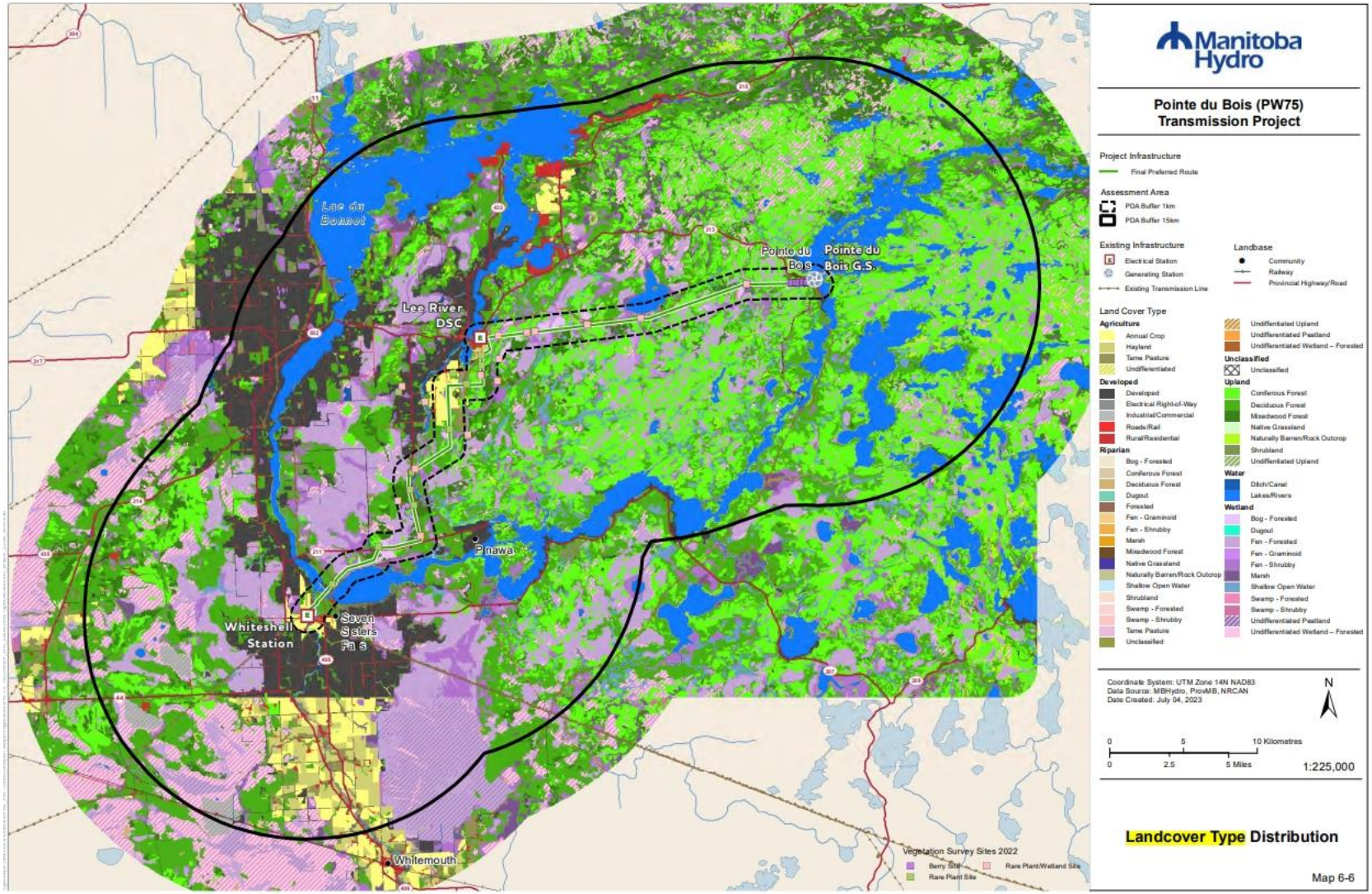

Figure 2. Landcover distribution within a 15-km buffer of the proposed Transmission Line (Source: Manitoba Hydro)

2.4 Review Methodology

This document provides a review of concerns, along with recommendations related to potential impacts to the rights and interests of the Red River Métis. There are three main components:

- Community concerns and feedback from a community consultation session
- A technical review of the Environmental Assessment Report
- Assessment of potential Project impacts on Red River Métis Rights and interests, including the identification of mitigations or accommodations to limit impacts

Manitoba Hydro's proposal outlines their assessment of potential effects on the environment and socioeconomics in the regions but misses a significant list of considerations and protections for the land, waters, and land users. The full extent of the MMF's technical concerns and their potential impacts on the rights, interests, and claims of the Red River Métis within our National Homeland are discussed in this report. The Red River Métis expect Manitoba to consider and provide written responses regarding the concerns and recommendations outlined in this report while contemplating the Pointe du Bois to Whiteshell (PW75) Transmission Project.

3.0 Background—The Red River Métis and the MMF

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4.0 Review Findings

4.1 Red River Métis Knowledge, Land Use and Occupancy

The MMF's data catalogue of Red River Métis Knowledge, land use and occupancy (MKLOU) demonstrates longstanding and extensive cultural land occupancy within the project development area (PDA), the local assessment area (LAA) and the regional assessment area (RAA) (Figure 4). Many Citizens hunt, trap, fish and gather for food, social, commercial, recreational, or ceremonial purposes, and have extensive knowledge about the land and resources in this area.

Within MMF's existing database, there is a total of 238 fishing data points, 150 gathering data points, and 121 hunting data points. More specifically, the MKLOU data shows that Red River Métis Citizens occupy and use this area for the following purposes:

- Boat launching and landing, and water navigation routes,
- Portage,
- Land transportation by vehicle and Skidoo,
- Historic and contemporary cultural gatherings,
- Camping, bush camp sites, building cabins, and temporary structures,
- Commercial harvesting, including but not limited to muskrat, raccoon, weasel, fisher, otter, marten, squirrel, wolf, rabbit, fox, lynx, beaver, coyote, mink, and various fish species,

- Harvesting firewood, including but not limited to poplar, spruce, jack pine, and birch,
- Harvesting fish, including but not limited to pike/northern pike, lake whitefish, pickerel, walleye, bass, yellow perch, lake sturgeon, sucker, jackfish, goldeye, catfish, smallmouth bass, largemouth bass, mooneye, freshwater drum, sauger, rock bass, bullhead, tullibee, carp,
- Harvesting edible and medicinal plants, including but not limited to blueberries, pin cherry, cranberry, saskatoon berry, balsam fir, pine, spruce, wild rice, asparagus, chicory, dandelion, mushrooms, wild onion, sumac, mullein, goldenrod, hyssop, fireweed, and fiddleheads.
- Harvesting land mammals, including but not limited to spruce grouse, ruffed grouse, sharptailed grouse, mallard duck, teal, pintail, prairie chicken, goose, rabbit, waterfowl, white-tailed deer, moose.

In addition, the following Red River Métis Knowledge has been documented within 20 km of the PDA:

- Multiple fish spawning areas for longnose/white/redhorse sucker, pickerel, walleye, yellow perch, jackfish, northern pike, and goldeye,
- Habitat for several mammals including beaver, moose, marten, weasel, bear, elk, wolf, caribou, moose, deer, and cougar,
- Habitat for bird species including trumpeter swan and migratory birds such as geese, ducks, and grosbeak,
- Habitat for fish species including lake trout, muskellunge, and sucker,
- Habitat for plant species including berries, plums, prickly pear, cactus species, and wild rice
- Habitat for reptiles and amphibians including spring peeper frog, snakes, and snapping turtle,
- Presence of species at risk (SAR) including woodland caribou, piping plover, red headed woodpeckers, bats, lake sturgeon, lady's slipper, and leopard frog.

Lastly, the MKLOU data demonstrates that Citizens have noticed substantial changes to the environment, animal health, fish population, mammals, plant and plant habitat and water quality within 20 km of the PDA. These comments reflect the changes mentioned during the Citizen engagement session (Section 4.2), with Red River Métis Citizens noting considerable concerns regarding water quality, fish and fish habitat, wildlife and plant habitat, and the impacts of these changes on their harvesting activities, experience on the land, and way of life.

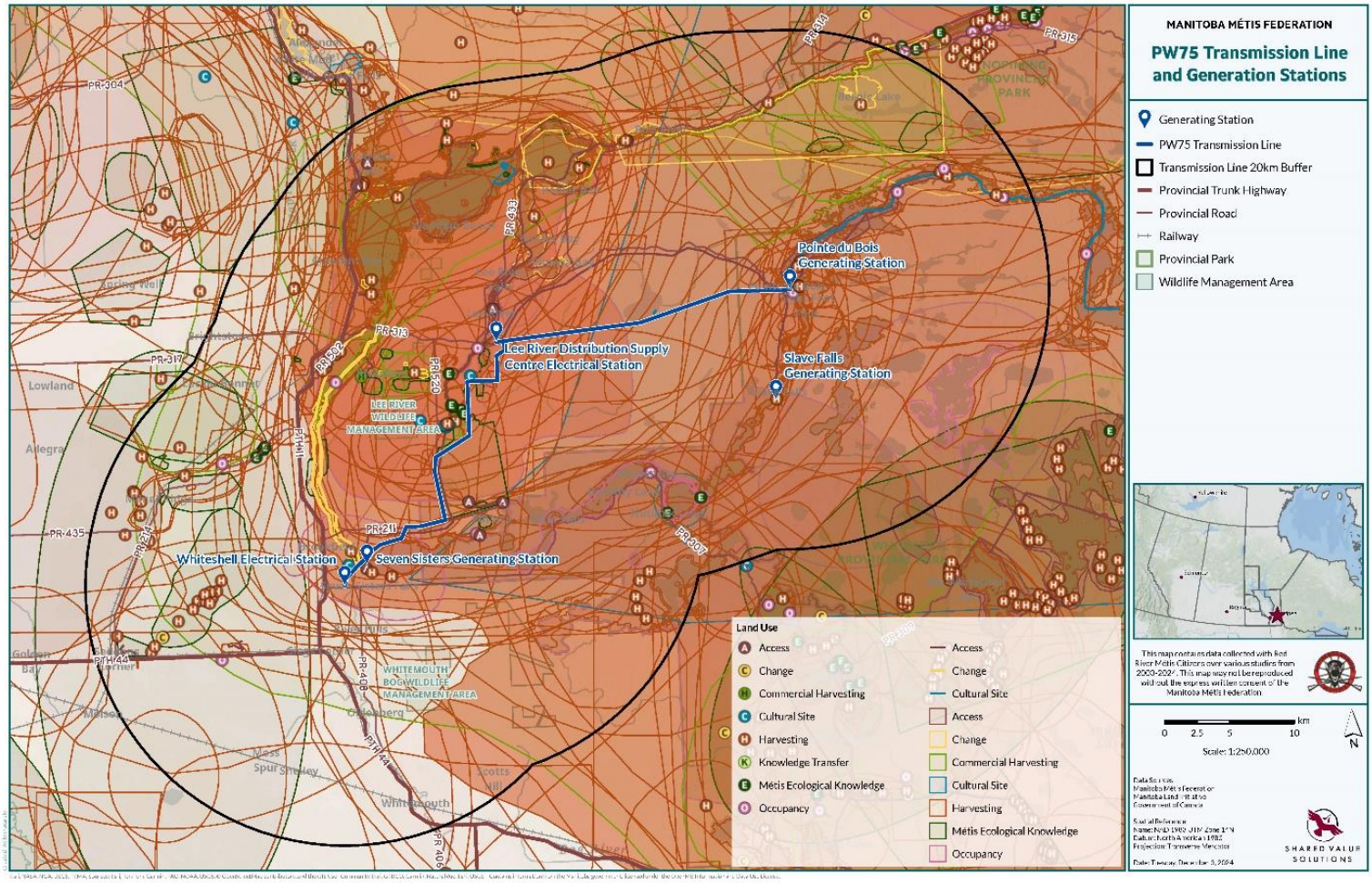

Figure 3. Red River Métis ecological knowledge and land use in the area surrounding the project

4.2 What We Heard: Red River Métis Citizen Engagement

The MMF hosted a Citizen engagement session with Red River Métis Citizens on November 20, 2024, in Lac du Bonnet, MB. The MMF presented an overview of Manitoba Hydro's Pointe du Bois to Whiteshell (PW75) Transmission Line Project, including key components and project timeline. The MMF also presented potential impacts related to fish and fish habitat, forest and wetland habitat, and the physical environment, as well as potential mitigations and accommodations.

Red River Métis Citizens provided feedback and expressed concerns about the Project based on the information provided. Their feedback is outlined below.

4.2.1 Terrestrial Flora and Fauna Species and Habitat

Citizens mentioned that the project area is home to many terrestrial, avian and reptile/amphibian species at risk (e.g. woodland caribou, piping plover, brown bats, white lady slippers, leopard frog) and culturally valued and harvested species (e.g. moose, caribou, rabbits, squirrels). One Citizen mentioned that the last time they saw a caribou was around Wallace Lake, north of the proposed project development area.

They are concerned about the impacts of the loss of forest and vegetation on wildlife and wildlife habitat. Many edible plants (e.g. berries, wild rice, fiddleheads), medicinal plants (e.g. mullein, goldenrod, hyssop, and fireweed) and fungi (e.g. lobster mushrooms, morels) were mentioned as being harvested in the project area. Citizens anticipate that the loss of forest and vegetation from right-of-way clearing will have an impact on wildlife and plants and the various harvesting practices of Red River Métis Citizens.

4.2.2 Fish and Fish Habitat

Citizens mentioned concerns about the state and decline of the lake sturgeon and walleye populations in the area, which are extremely vulnerable to changes in water levels and habitat quality. Citizens are also concerned about the impacts of the project on fish spawning sites, as well as the overall impact of hydro activities on fish and fish habitat, which includes both infrastructures associated with electricity generation and distribution. Because of this, Red River Métis Citizens are concerned about the cumulative impacts on fishing activities along the proposed line, and more broadly throughout the Winnipeg River watershed.

4.2.3 Watercourses and Water Quality

Citizens are concerned about pesticide and herbicide use to ensure vegetation doesn't grow in the transmission line right-of-way. They have noticed a significant decrease in water quality in the area, reporting unusual growths (e.g., tumours, lesions, abnormalities) on fish and an increase in the presence of algae blooms.

Red River Métis Citizens have noticed water level changes and water spilling since the beginning of hydro activity in the area. They have also noticed increased erosion in the area over the past decades due in particular to water build-up and release caused by dam activity. Additional concern was raised regarding the safety of the water for recreational use and harvesting. Citizens suggest that changes in water levels due to dam operations, combined with the increase of recreational boat activity in the area contribute to this concern.

4.2.4 Wetlands

Some Citizens expressed concerns about the impacts of this project on wild rice and the draining of wild rice fields, and the potential impacts to other important species that grow in wetland habitats within the project area.

4.2.5 Access for Harvesting Activities

As previously mentioned, Red River Métis Citizens exercise various harvesting activities in the PDA, LAA and RAA. Loss of access for Red River Métis Citizens and increased access for non-Citizens due to Manitoba Hydro activities were mentioned as important concerns. Citizens have observed a higher level of disturbance in the area caused by quad and jeep parties as it is becoming more accessible by road and quad trails, which has an impact on harvesting activities and Red River Métis way of life.

4.2.6 Project Construction Timeline

Citizens are concerned about the project construction timeline, as they mention project activities are often undertaken during harvesting season.

4.2.7 Cumulative Effects

Considering the increase in hydro activity in the area, and the growing demand for renewable energy globally, Red River Métis Citizens are concerned about the cumulative impacts of these hydro projects on their National Homeland and on wildlife habitat, which has already been significantly altered.

4.2.8 Proposed Mitigation and Accommodation Measures

During the engagement session, Citizens identified the following mitigation, accommodation, and follow-up measures that should be implemented to reduce or offset the anticipated impacts of the project:

- Manitoba Hydro should avoid the use of pesticides and herbicides for this project, to decrease the risk of water and soil contamination.
- Wood that is collected/harvested from forest clearing for the right-of-way should be distributed to Red River Métis Citizens for personal use.
- Manitoba Hydro should ensure access to the right-of-way and to intersecting shorelines is maintained for Red River Métis Citizens throughout the lifecycle of the project.
- Manitoba Hydro should implement a tree planting initiative to offset the impacts of tree cutting required for this project.
- One Citizen mentioned the use of fish ladders in dams, to ensure that fish can safely cross dams and to reduce the impacts on fish and fish habitat.
- Citizens mentioned that Manitoba Hydro should monitor changes in shoreline (erosion), as well as the changes in water level and water quality throughout the lifecycle of the project.

- Red River Métis would also like to receive a work schedule, to ensure that there is no conflict with harvesting seasons.

- Lastly, a few Citizens mentioned that alternative energy sources should be assessed to meet the increasing demand. Regional environmental assessments could provide a good decision-making tool in planning for future development.

5.0 Technical Concerns and Recommendations

The MMF has reviewed the Environmental Assessment Report, focusing on the potential effects associated with the PW75 project, and the possible intersection with Red River Métis Rights, interests, and values. Specifically, we focus on examining the potential effects and resultant impacts associated with the aquatic environment, terrestrial environment, socioeconomic setting, and ability to use the land. The following sections highlight our overarching concerns; however, additional details can be found in Appendix 1 at the end of this report.

5.1 Aquatic Impacts

Manitoba Hydro proposes to conduct no instream work as part of the project scope for PW75. Because of this, they anticipate that direct effects related to impacts to fish and aquatic habitats will be limited, with indirect effects such as the degradation of riparian habitat being the primary source of impacts.

For this assessment, Manitoba Hydro considers effects on fish and fish habitat through two lenses:

- Change in Fish Habitat

- Change in Fish Mortality

Manitoba Hydro further consider that fish mortality may be affected by project activities associated with right-of-way clearing, temporary water crossings, and vegetation management. Fish habitats may be affected by these activities as well as those associated with rehabilitation.

5.1.1 Application of Mitigation Measures

Right-of-way clearing entails the removal of trees within the riparian zone, which can impact nearby fish habitats by increasing erosion and reducing shade. Much of Manitoba Hydro's plan for mitigating or limiting impacts to the aquatic environment is based on a plan to maintain a 30 m buffer on either side of each water crossing. Notably, Manitoba Hydro notes that they assume that all watercourse crossings maintain at least marginal fish habitat which can support a fish population, however, suggest elsewhere that mitigations associated with crossing activities will only be applied to fish-bearing watercourses. This contradiction suggests that Manitoba Hydro, in the absence of data to inform which watercourses are

fish-bearing and maintain fish habitat, will assume that all watercourses have at least marginal habitat capable of bearing fish, yet they will only apply some mitigations at watercourse crossings where fish are present. As a result, some mitigations may not be applied where they should be due to a lack of consistent direction from Manitoba Hydro and baseline knowledge regarding the watercourse crossings. This inconsistency may contribute to the degradation of water quality, fish habitat, and fish health overall, which may adversely affect the local fishery and Citizens' ability to sustainably harvest from the LAA.

The MMF requests that Manitoba Hydro review how it plans to apply mitigation measures to watercourse crossings, ensuring that where adequate knowledge exists, site-specific mitigations are applied to address the potential sources of disturbance and safeguard valued components. Where knowledge gaps exist, it is the MMF's expectation that Manitoba Hydro either conduct additional assessment or apply conservative mitigation measures with the assumption that watercourse crossings are sensitive and of high ecological/cultural value. This approach will ensure that mitigation measures applied will be comprehensive and redundant.

5.1.2 Protection of Aquatic Species at Risk

A 50-metre riparian buffer on either bank of the Whitemouth River is designated as a critical habitat for Carmine Shiner.[1] Removing riparian vegetation at this location will modify the critical habitat for Carmine Shiner, a species which is listed as Endangered due to its rare and localized populations.

Although the Whitemouth River is designated as critical habitat for the endangered Carmine Shiner, it has been found in other areas of the Winnipeg River watershed, including Lee River (Figure *5*). It is likely that viable habitat exists throughout the local assessment area (LAA)[2], and possible that undetected populations of Carmine Shiner may exist in waters crossed by the project development area (PDA)[3].

Given the potential threat to this endangered species, the MMF requests that Manitoba Hydro expand its riparian buffer at all watercourse crossings along the right-of-way from 30 m to 50 m.

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[1] Government of Manitoba. 2008. Forest Management Guidelines for Riparian Management Areas. Manitoba Conservation, Forestry Branch. Winnipeg, MB. Available at: https://www.gov.mb.ca/nrnd/forest/pubs/practices/riparian_mgmt_re_sept2009.pdf. Accessed September 29, 2022.

[2] The LAA encompasses the area where environmental effects from project activities and components are predicted to occur. The definition of the LAA will vary for each valued component and is provided in each valued component section. (Environmental Assessment Report, pp. 5-3).

[3] The PDA encompasses the anticipated area of physical disturbance associated with the construction and operation of the project. As such, the PDA represents the physical project footprint and consists of the area of physical disturbance associated with the transmission line, right-of-way, marshalling and fly yards, station components and structures as described in the project description (Chapter 2.0). (Environmental Assessment Report, pp. 5-3).

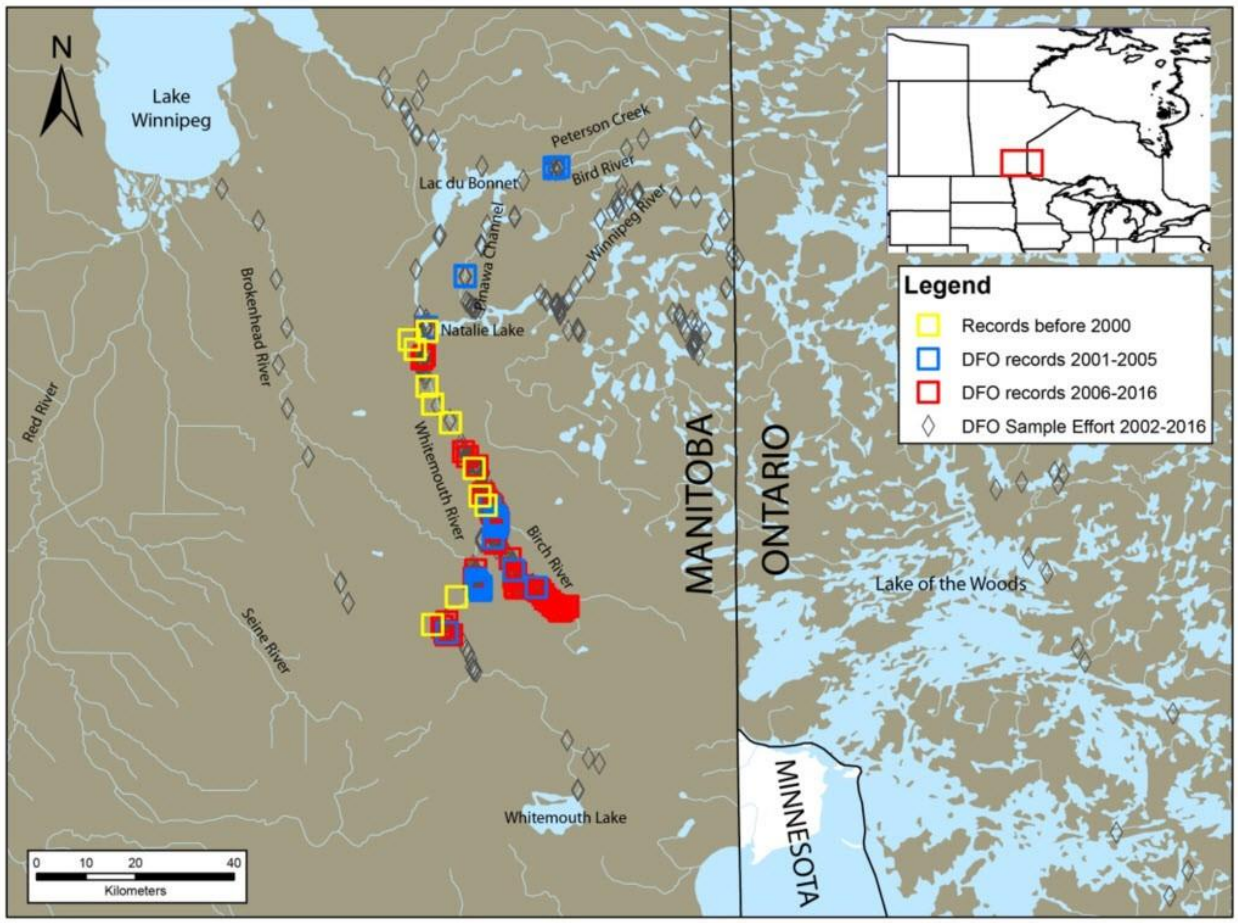

Figure 4. Distribution of fish collection sites where Carmine Shiner was captured in the Whitemouth and Winnipeg River watersheds within Manitoba and northwestern Ontario. Yellow squares represent records collected before 2000. Blue squares represent observations from 2001-2005, and red squares represent observations from 2006-2016. Black diamonds represent sample sites where no Carmine Shiners were detected. Adapted from Carmine Shiner (Notropis percobromus): COSEWIC assessment and status report 2018.

5.1.3 Water Crossings

Temporary vehicle crossings may be necessary to facilitate construction activities. Structures placed below the high-water mark could temporarily alter fish habitat by reducing availability (e.g., loss of habitat within the crossing footprint) and affecting quality (e.g., changes to substrate and benthic invertebrate populations). Additionally, ice bridges and snow fills may alter downstream flows, potentially impacting fish habitat and increasing mortality risks.

Water crossing methods are not described within the Environmental Assessment Report, as a result, there is a lack of information to determine the potential impacts on aquatic habitats within watercourses being crossed.

The MMF requests that Manitoba Hydro identify a primary and contingency watercourse crossing method for each crossing, avoiding watercourse crossings where possible. Based on these proposed crossing options, the MMF requests that Manitoba Hydro then develop site-specific mitigation which will ensure effects are minimized or eliminated. Where Manitoba Hydro may be required to use a watercourse crossing that may adversely affect fish, the MMF requests that the proposed design and plan be submitted to the DFO for appropriate Fisheries Act Authorization screening and approval.

Where culverts or other in-water structures are required to support watercourse crossings, the MMF specifically requests that no culverts or structures be perched or otherwise result in the creation of barriers to fish passage or the alteration of natural flows.

5.2 Terrestrial Impacts

Impacts on terrestrial resources (e.g., wetlands and vegetation, wildlife and wildlife habitat - including birds, amphibians and reptiles, mammals) are presented in the Environment Assessment Report prepared by Manitoba Hydro. Changes to the terrestrial environment will occur primarily through the removal of forest and wetland cover, and maintenance of the right-of-way to retain low shrubs and grasses during operations. This will result in temporary habitat conversion (and therefore subsequent use and quality for wildlife), edge effects and reduced intactness of forest cover in the Project area, improved access into previously undeveloped areas, and residual sensory impacts (e.g., noise/lighting, periodic vegetation maintenance activities, etc.). Full wetland or natural lands avoidance for the Project is not possible, based on route selection.

5.2.1 Terrestrial Habitat Fragmentation

Red River Métis Citizens are generally concerned with the increase in linear disturbance traversed by Manitoba Hydro or other transmission projects, resulting in significant fragmentation of habitat for wildlife and vegetation (including SAR/SOCC, and traditional use species), increased access to harvesting traditional use species by non-Indigenous land users, and long-term changes in habitats (including intact Crown Lands), among other effects. The primary mitigation for Project interactions with terrestrial resources is—notably—the routing process. From a Métis perspective, all habitat (regardless of perceived quality or quantity) is important and contribute to our way of life. Manitoba Hydro justifies its assessment of “low” impacts to terrestrial resources based on the paralleling of existing infrastructure (the shared transmission line right-of-way between Pointe du Bois Station and Lee River Distribution Supply Center), the small amounts of natural habitats traversed by the final preferred route (increasing linear disturbance features density in the LAA by approximately 12%), and decommissioning activities for the P3/P4 line is expected to provide overall benefit by reducing landscape level fragmentation and increasing habitat availability in the region. This does not reflect the MMF’s perspective on impacts to terrestrial resources.

5.2.2 Wetland Offsetting Requirements

There will be Project impacts to Class III and IV wetlands, which will require accommodation or offsetting, and potentially further assessment/monitoring, per *The Water Rights Act*. Offsetting habitat is recommended by MMF, to adequately address concerns related to the loss and/or alteration of wetlands and forested areas by the Project. The Project area is considered important for many species of vegetation, birds and wildlife, and overlaps six locally uncommon native vegetation cover types observed in Manitoba (which may also support other locally uncommon habitat types). The construction and presence of the Project may result in residual changes to wildlife movement and behaviour, transmission or establishment of forest diseases and pests (including invasive species), and changes in vegetation community structure and species diversity, among other effects. Offsetting may be provided in the form of wildlife corridors/linkages across the shared portions of right-of-way, targeting seed collection/distribution, rooting new cuttings, and/or transplanting SAR/SOCC and traditional use species to address the Project's adverse residual effects, improve aesthetics, address new access concerns, and enhance potential benefits for birds and wildlife.

5.2.3 Follow-up Monitoring

Follow-up monitoring is proposed by Manitoba Hydro to verify the accuracy of the Environment Act Proposal, assess the effectiveness of mitigation measures/actions, and determine regulatory compliance. It is unacceptable that Manitoba Hydro identifies no specific Environmental Protection Plan (EPP) for the operations and maintenance phases of the proposed Project: given that several terrestrial resources will be repeatedly (directly/indirectly) impacted throughout the defined Project operations/maintenance Project life (approximately 75 years), with cumulative and residual effects identified. No environmental monitoring programs have been developed for terrestrial resources at the Project, due to the "understood effects to natural habitat" traversed by the Project, "confidence in predictions based on monitoring results learned from recently completed projects" in Manitoba. As mitigation measures have been proposed for vegetation and wetlands, and wildlife and wildlife habitat resources, the MMF expects Manitoba Hydro to conduct follow-up and monitoring actions to verify their assessment of impacts and effectiveness of mitigation measures. This information will ultimately be used to determine the appropriate rehabilitation measures for decommissioning and ensure that mitigation measures are effective and operating as intended.

5.3 Socioeconomics

5.3.1 Economic Opportunities and Benefit

During construction, Manitoba Hydro anticipates requiring a workforce of up to 112 persons. These workers will largely be contractors to Manitoba Hydro, requiring a range of skills and expertise. The MMF believe that there are significant mutually beneficial opportunities for Red River Métis-owned businesses

to work with Manitoba Hydro in support of this work. Additionally, local Red River Métis Citizens may be well positioned to provide skilled and general labour to support Manitoba Hydro and ensure project benefits are maximized for those in the Pointe du Bois/Whiteshell area.

In the review of the Environmental Assessment Report, the MMF are concerned about Manitoba Hydro's approach to considering the potential economic impacts of this project on Red River Métis Citizens, and further, how Citizens may be positioned to benefit from this project. Although Manitoba Hydro does take steps to ensure that First Nations economic baseline is characterized, a similar assessment is not conducted for Red River Métis Citizens. As noted in Figure 4, Red River Métis Citizens harvest commercially within the LAA and RAA, however, as this is not well understood by Manitoba Hydro it creates a significant gap in their ability to mitigate or compensate for these effects. Further, even those who do not derive their income from on-the-land activities within the LAA/RAA, Red River Métis Citizens may be adversely affected by changes in access to services locally or be excluded from job and procurement opportunities aimed at Indigenous workers or businesses.

Manitoba Hydro must work with the MMF to better understand how this project will impact Red River Métis Citizens from an economic perspective, ensuring that programming aimed at removing barriers for Indigenous employees and businesses from participating maintains a capacity to address the distinct challenges and opportunities for ensuring full and meaningful participation by Red River Métis Citizens and businesses.

5.3.2 Impacts to Way of Life

For Red River Métis Citizens, connectedness to the land is integral to maintaining the Red River Métis way of life. Specifically, many Citizens rely on natural spaces to support cultural practice, and personal well-being, as well as harvest from the land and waters for sustenance or commercial benefit. The PW75 transmission line presents a significant challenge for Citizens who use the lands and waters in the Whiteshell – Pointe du Bois area, as not only does the area represent an important place-based area for cultural practice but also represents a significant portion of the remaining naturalized Crown Lands in southern Manitoba. These lands in their relatively natural state are important not only because of the rarity they present but also because of their accessibility for many Red River Métis Citizens. The MMF agrees that the total amount of natural land to be occupied by this transmission line is relatively small, however, as this is a linear disturbance the impact of the right-of-way, bisecting a large area of natural wetlands and forest, effectively divides this area in two, reducing the amount of large natural areas, with disproportionately great impacts. Some of the environmental effects of this project may be mitigated by minimizing disturbance related to noise, or emission of dust and other contaminants, but from a psychological perspective, the impact of fragmenting this large tract of land impairs the aesthetic and personal value it holds for Citizens. The result may be a decreased desire by Citizens to visit this area, or feelings of trauma from the loss of the natural value this area holds, which in turn may degrade Citizens' personal and social well-being.

The MMF seeks for Manitoba Hydro to work with the MMF and Red River Métis Citizens to identify and implement opportunities to reduce the fragmentation of natural areas along the right-of-way. The MMF requests that Manitoba Hydro work to incorporate naturalized habitat crossings in the form of elevated transmission towers within the right-of-way to intentionally enable habitat to be able to naturalize without the risk of impacts to the integrity of the transmission lines. These crossings will serve to improve migration across the right-of-way, as well as the relative psychological effects of maintaining a continuous clearing along the right-of-way.

5.4 Harvesting and Important Sites

This section describes the types of potential effects the project may have on harvesting and important sites, the pathways through which these effects may occur, and the parameters that will be used to measure changes to harvesting and important sites. The identified types of effects that the project may cause to harvesting and important sites are as follows:

- Change in access to harvesting areas and important sites
- Changes to harvested resources
- Changes to important sites
- Change in the experience of harvesting and visiting important sites

The nature of this project, like other forms of linear disturbance (e.g., pipelines), results in two unique forms of disturbance to harvest and areas of importance to Red River Métis Citizens. The first form of disturbance is related to the direct loss of natural lands within the PDA. For PW75, this includes 27 km of new right-of-way, largely through natural lands (e.g. forest, wetlands), and the expansion of the 23 km of existing right-of-way, also largely through natural lands including Whiteshell Provincial Park. The second form of disturbance relates to the fragmentation of surrounding lands. As both segments of PW75 pass through large tracts of natural lands the impacts on wildlife habitat will be significant, and further as the area between Whiteshell and Pointe du Bois represents some of the largest intact tracts of Crown Land in southern Manitoba, fragmentation of this land has significant impacts on the ability of Red River Métis Citizens to harvest from the area.

The MMF agrees with Manitoba Hydro that with the creation of the new and expanded right-of-way, new opportunities will be created to access areas of Crown Land which may have been previously inaccessible for some Red River Métis Citizens, enabling new harvest opportunities. However, we also agree that these right-of-ways will enable access from non-Indigenous persons, increasing local and regional harvest pressures as well as various forms of disturbance associated with increased travel and recreation through the right-of-ways.

The combined impact to harvesting, gathering, other cultural activities and Métis knowledge transfer is that for those who use the lands and waters within the regional assessment area (RAA)[4], these lands will be forever altered by the presence of a 51 km clearing bisecting lands of importance for Red River Métis Citizens. Manitoba Hydro views the interruption of harvest activities and Métis Knowledge transmission will be limited to the construction phase of the project. This is not correct, as any instance in which Red River Métis Citizens are not able to access the land to harvest, gather, or otherwise relate to the land, or where the environmental context changes in a way such that place-based knowledge cannot adapt, the ability for knowledge to be transmitted can be lost for a significant period of time.

The MMF is concerned that this is the case with respect to PW75, as while Red River Métis Citizens will be prevented from physically accessing the project development area (PDA) during the construction of the transmission line, the context of the PDA, LAA, and RAA will be permanently altered, which may prevent knowledge from being transmitted across generations.

The MMF in highlighting this concern suggests that the magnitude of impacts to knowledge transmission are high rather than moderate, and further that these impacts are permanent. As these residual effects are significant in the view of the MMF, we strongly request that Manitoba Hydro work to minimize disturbance to access and context of the PDA/LAA/RAA by minimizing access restriction to only that which is necessary to prevent risk to health and safety. Additionally, we request that Manitoba Hydro work with the MMF to identify opportunities for the right-of-way to be constructed in a manner that minimizes habitat fragmentation and reduces the overall change in environmental context.

6.0 Rights Impact Assessment

The Rights Impact Assessment (RIA) details potential impacts to Red River Métis Rights, claims, and interests as a result of the proposed PW75 transmission line and identifies appropriate mitigation and follow-up measures to reduce or avoid these impacts (Table 1). Definitions for the terms in this table (Geographic Extent, Reversibility, Duration, and Likelihood) as they apply to this RIA are provided in Table 1 below.

[4] The LAA encompasses the area where environmental effects from project activities and components are predicted to occur. The definition of the LAA will vary for each valued component and is provided in each valued component section. (Environmental Assessment Report, pp. 5-4).

Table 1: Red River Métis Rights Impact Assessment

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
Hunting, trapping, fishing and gathering for food, social, or ceremonial purposes	"The Red River Métis rely on and use the lands, waters, and resources throughout the National Homeland of the Red River Métis to exercise their constitutionally protected rights and maintain their distinct Red River Métis customs, traditions, and culture. As demonstrated through Red River Métis land use and occupancy data, this includes the proposed PW75 project development area (PDA), local assessment area (LAA), and regional assessment area (RAA). The practices of hunting, trapping, fishing, and gathering serve as key sources of food or subsistence for the Red River Métis. These practices are also critical in supporting Red River Métis social and cultural values including the preservation and transfer of Red River Métis knowledge, practice	Lands become inaccessible for harvesting	PDA	Reversible	Medium	High	• Ensure the PDA and LSA remain accessible for Red River Métis harvesters during operation when it's safe to do so • Work alongside the MMF to develop and share a detailed construction schedule with local Red River Métis harvesters to ensure they can continue to use the area whenever possible • Work alongside the MMF to allow Red River Métis harvesters access to the PDA and LSA in advance of any clearing activities to harvest species of importance • Avoid restricting access during important times of the year for Red River Métis harvesters (e.g. hunting season), and work with the MMF to identify these times
		Avoidance Behaviour	LAA	Partially Reversible	Long-term	Moderate	• Work with the MMF to develop appropriate monitoring and sampling programs focused on

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
	of ceremony, and other elements of traditional ways of life. The proposed PW75 project has the potential to impact Red River Métis hunting, trapping, fishing, and gathering for food, social, or ceremonial purposes through: • Reduced access to ROW during construction, maintenance, and decommissioning • Disturbances to the land and wildlife through construction (e.g. noise, vehicles, lighting, implodes) • Disturbances to the land and wildlife through operation (e.g. chemical sprays, increased human presence) • Direct removal and/or alteration of terrestrial habitat and forest/wetland resources • Disturbances (physical and chemical) to nearby watercourses that support fish and other wildlife						the safety of wild foods in the area • Work alongside the MMF to develop a communications plan with local Red River Métis harvesters to ensure they are informed of the results of monitoring and sampling programs
		Reduced Resource Availability	LAA	Partially Reversible	Long-term	High	• - Refer to technical comments related to fish and wildlife in the MMF's technical review of Manitoba Hydro's Environmental Assessment Report to ensure outstanding issues and concerns are appropriately addressed • Work alongside the MMF to develop appropriate programs and methods to monitor Red River Métis values and species of importance over time, and ensure Red River Métis knowledge is included in these programs appropriately • Work alongside the MMF to develop offsetting and vegetation
		Reduced Resource Quality	LAA	Partially Reversible	Long-term	Moderate	

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
	• Decreased quality of experience, aesthetic loss						support programs where clearing and other impacts to vegetation are unavoidable to ensure these programs are aligned with supporting Red River Métis values

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
Knowledge Transmission and Way of Life	Implicit to the Red River Métis way of life is the intergenerational knowledge transfer about the lands and waters used for harvest and traditional practice. While intergenerational knowledge transfer is often not an activity within itself, but rather an action inherent when families share time on the land, harvest from the land, engage in trade or activities common to the Red River Métis way of life. Project effects which interrupt the ability of Red River Métis	Intergenerational Knowledge Transfer	RAA	Non-Reversible	Long-term	High	• Manitoba Hydro work with Red River Métis to develop programming to support "on-the-land" programming. • Notification and communication of areas which are closed • Red River Métis Citizens be invited to support transplanting SOCC • Manitoba Hydro to commit to offsetting and natural area compensation (especially as it relates to caribou and SOCC)

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
	Citizens to engage in such activities, even for short periods of time, and or where reversible can significantly alter how knowledge is reflected and passed between generations. Instances where cumulative effects from multiple disturbances can mean that Red River Métis Citizens are forced to adapt to an ever changing patchwork of a landscape comprised of unimpacted lands or waters, impacted lands or waters, and recovering lands or waters, which may further interrupt or in some instances prevent knowledge transmission and the Red River Métis way of life. • Possible project effects which may adversely impact knowledge transmission and way of life include: Reduced access to ROW during construction, maintenance, and decommissioning						• Red River Métis Citizens to be Citizen monitors • Red River Métis Citizens to support mapping of SOCCs and sensitive features post-constructions • Manitoba Hydro to support programming aimed at capturing and sharing knowledge throughout the RAA

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
	• Disturbance and decreased quality of experience or aesthetic loss, resulting in avoidance or behavioural modification • Clearing or earthworks altering the environmental context of PDA/LAA • Increased access leading to increased harvest competition and pressure						

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
Cultural, historical, or otherwise significant sites and the practice of Red River Métis customs, traditions, and ways of life.	"The Red River Métis are deeply connected to the lands and waters throughout the National Homeland of the Red River Métis, which is home to numerous sites of cultural and historical significance. These sites continue to support the Red River Métis in exercising their constitutionally	Physical Access	PDA	Reversible	Short-term	High	• - Ensure the PDA and LSA remain accessible for Red River Métis Citizens during operation when it's safe to do so • Work alongside the MMF to develop and share a detailed construction schedule with local Red River Métis Citizens to ensure they can continue to use

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
	protected our, and maintaining our distinct Red River Métis customs, traditions, and culture. As demonstrated through Red River Métis land use and occupancy data, this includes the proposed PW75 project development area (PDA), local assessment area (LAA), and regional assessment area (RAA). Red River Métis cultural, historical, or otherwise significant sites include historical family or village sites, burial sites, important landscape features, locations supporting the transfer of Red River Métis knowledge, recreational or gathering areas, spiritual or ceremonial sites, sites that support Red River Métis traditional economies and others. The proposed PW75 project has the potential to impact Red River Métis cultural, historical, or otherwise significant sites and the practice of Red River Métis						and travel through the area whenever possible • Work alongside the MMF to allow Red River Métis harvesters access to the PDA and LSA in advance of any clearing activities to harvest resources of importance (e.g. medicines, natural materials)
		Avoidance Behaviour	LAA	Partially Reversible	Long-term	Avoidance behaviour	• Avoid the spray of herbicides and other chemicals wherever possible and use mechanical means to manage vegetation. Work alongside the MMF to determine culturally appropriate methods of vegetation management. • Work alongside the MMF to develop and share a detailed schedule of activities, including spraying and vegetation management efforts, to share with local Red River Métis Citizens that may be interested in accessing the area, or travelling through the area to access other

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
	customs, traditions, and ways of life through: • Reduced access to ROW during construction, maintenance, and decommissioning • Disturbances to the land and resources through construction (e.g. noise, vehicles, lighting, implodes) • Disturbances to the land and resources through operation (e.g. chemical sprays, increased human presence) • Potential identification or disturbance of heritage resources during project activities • Decreased quality of experience on the land and psychosocial impacts "						Red River Métis cultural, historical, or other sites of importance
		Reduced quality of experience	LAA	Partially Reversible/ Irreversible	Long-term	High	• Replace/reclaim other linear disturbances in the RAA; Develop a series of "wildlife habitat crossings" to intersect the ROW and reduce the effective length of linear disturbance. Recommend one habitat crossing to be created every 5 km
		Disturbance of Red River Métis cultural or heritage resources	LAA	Irreversible	Long-term	Low	• Manitoba Hydro should ensure information related to Red River Métis cultural, historical, or otherwise significant sites in the area provided by the MMF in recent Métis Knowledge and Land Use studies is effectively included in their assessment and planning processes related to heritage resources (e.g. the presence of historically significant sites, burial sites, and other cultural sites in the LAA and RAA)

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
							• Co-develop a Heritage Resource Protection Plan with the MMF to ensure that the approach meaningfully recognizes Red River Métis rights, claims, and interests in the area and reflects a distinctions-based approach to chance finds that is in alignment with Red River Métis heritage protocols
		Disruption to Traditional Economies	LAA	Partially Reversible	Long-term	Moderate	Work with the MMF to verify the presence of Red River Métis commercial harvesting (especially trapping) intersecting with or in close proximity to the proposed PDA, and work with local Red River Métis commercial harvesters to develop appropriate mitigation measures for their specific practices. This could include: • Avoid reducing access during key harvesting times through the year • Avoid wildlife disturbances at sensitive times for wildlife through the year

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
							• Ensure continued access to harvesting areas whenever possible • Avoid the use of interventions such as herbicide or other chemical sprays in proximity to Red River Métis commercial harvesting areas

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
The MMF's ability to protect the rights, claims, and interests of Red River Métis Citizens, and exercise self-determination	The Red River Métis have the right to self-determination and the ability to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. As the elected government of the Red River Métis, the MMF is mandated to promote, protect, and advance the collectively held	Loss of ability to determine future land use	PDA	Irreversible	Long-term	High	• Involve the MMF in any discussions related to project decommissioning and site rehabilitation or reclamation plans to ensure the land can continue to support Red River Métis rights, claims, and interests after the project is complete

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
now and into the future.	Aboriginal rights of the Red River Métis. The MMF's ability to protect the rights, claims and interests of Red River Métis Citizens and exercise self-determination now, and into the future, may be impacted by the project through: • Cumulative effects as a result of this project in combination with other development projects and disturbances throughout the National Homeland of the Red River Métis • Land use change associated with this project, or those initiated by other related projects and reinforced by this project • Lack of meaningful consultation and engagement with the Red River Métis surrounding involvement in the project and equitable opportunities to benefit from the project	Loss of ability to meaningfully participate in economic opportunities	LAA	Irreversible	Long-term	Moderate	Work alongside the MMF to create a plan to ensure that the Red River Métis are able to equitably benefit from the project. This plan could include measures for • Procurement of Red River Métis businesses • Employment and training opportunities • Opportunities for partnerships with the MMF or Red River Métis businesses • Employment of Red River Métis environmental or cultural monitors

Established/ Potential/ Asserted Right	Context	Potential Impact	Geographic Extent (PDA, LAA, RAA)	Reversibility	Duration	Likelihood	Mitigation and Follow-up Measures
	• - Lack of consultation and engagement with the Red River Métis surrounding future use of the land, decommissioning, reclamation, and restoration initiatives						

Table 2: Definition of terms used in the Rights Impact Assessment

Term	Definition	Rating		
Geographic Extent	The area over which the impact is expected to occur. This may differ from the physical footprint of the change.	**Project Development Area (PDA)**. As defined by Manitoba Hydro: Footprint of the proposed project including the transmission line right-of-way, any additional areas such as fly yards or marshalling yards and access road allowances.	**Local Assessment Area (LAA).** As defined by Manitoba Hydro: Represents the area where direct and indirect or secondary effects of construction, operation, and maintenance are most pronounced or identifiable.	**Regional Assessment Area (RAA).** As defined by Manitoba Hydro: Encompasses the area where D83W project-specific environmental effects overlap with those of past, present, and reasonably foreseeable future projects and activities.
Reversibility	Ability to return to an established baseline. Considers both the reversibility of the impact pathway and the reversibility of the impact to the exercise of rights.	**Reversible.** Easily reversible without delay or intervention.	**Partially Reversible.** Reversible but requires significant effort and cost or will take a long time via natural processes.	**Irreversible.** Permanent or persistent.
Duration	How long an impact may last in relation to the activity.	**Delay.** The ability to exercise the right will be delayed in the short term. For example, a few days of a harvesting season are missed.	**Prevention.** The ability to exercise the right is temporarily prevented. For example, an entire harvesting season is missed.	**Destruction.** The ability to exercise the right is lost for a generation or more. For example, harvesting can no longer occur in the area.
Likelihood	An estimate of the probability that a potential impact on the exercise of rights will occur as a result of the Project. Considers the degree of evidence available and level of certainty to characterize the likelihood of occurrence.	**Low.** Potential impact on the exercise of rights is unlikely but could occur.	**Moderate.** Potential impact on the exercise of rights is probable and likely but may not occur.	**High.** Potential impact on the exercise of rights is highly likely to occur.

7.0 Recommendations and Conclusions

The MMF has completed a review of the Environmental Assessment (EA) report for the Pointe du Bois to Whiteshell (PW75) transmission line project. In this report, the MMF has provided **37 comments specific to the EA, and has targeted recommendations for each.** The comments are related to fish and fish habitat, terrestrial ecology and physical environment, harvesting and important sites and socioeconomic impacts. They concern every phase of the Project, from pre-project surveys to decommissioning. The MMF also identified potential impacts on the Rights of the Red River Métis in the Rights Impact Assessment section, as well as specific recommendations for each. This report also includes a *What we Heard* section based on comments, concerns and proposed accommodations raised by Red River Métis Citizens during the engagement session in December.

Overall, the MMF is disappointed in Manitoba Hydro's engagement process for the PW75 project. Manitoba Hydro failed to engage meaningfully with the MMF and failed to take a distinctions-based approach to consider the unique impacts and opportunities of the project on Red River Métis Citizens. To this end, considerations for impacts to rights, health and well-being, and opportunities specific to Red River Métis in regard to this project are lacking. The resultant outcome is that Red River Métis Citizens may experience disproportionate impacts of the project compared to others affected, while not being provided with the same opportunities to realize project benefits.

In this report, the MMF identified inadequacies in the EA report with respect to many components, including but not limited to:

- Manitoba Hydro's proposed mitigations for fish and fish habitat.
- Impacts to terrestrial resources and habitat fragmentation caused by increased linear disturbance.
- Manitoba Hydro's proposed project and construction schedule, and potential disturbances with Red River Métis harvesting periods.
- The omission of an Environmental Protection Plan.
- The shortcomings of the decommissioning plan.
- Manitoba Hydro's determination of the temporal scale of impacts on harvesting activities of Red River Métis Citizens.
- Inadequate oversight of the EA prior to review.

In addition to the comments and recommendations included in this report, the following high-level recommendations aim to guide Manitoba Hydro to engage meaningfully with the MMF and address identified concerns and potential impacts:

1. Manitoba Hydro to provide written responses to each comment and recommendation put forward in this report. Responses should include specific information and actions to be taken by Manitoba Hydro to minimize the identified potential impacts. Where recommended actions by the MMF will not be taken by Manitoba Hydro, a rationale and alternative recommendation should be given by the latter. MMF recommends the use of a comments and recommendations tracking table to ensure adequate follow-up.

2. Manitoba Hydro to engage meaningfully with the MMF to discuss distinctions-based economic and training opportunities for Red River Métis Citizens and businesses.

3. Manitoba Hydro to engage meaningfully with the MMF to discuss how the recommendations, mitigation and accommodation measures will be implemented to ensure that there are no significant residual impacts of the PW75 project on Red River Métis Rights and interest.

4. Manitoba Hydro to engage meaningfully with the MMF prior to any future project on and around the Red River Métis National Homeland, to ensure a distinctions-based assessment of impacts and opportunities for Red River Métis is undertaken in all future EA reports. This process should be undertaken as early as possible in the development of the project.

Appendix 1: Technical Comments and Recommendations

Table 3: Comment and Recommendation Table

Comment #	Section Reference	Comment	Recommendation
General			
1.	General	The MMF believe that there are significant mutually beneficial opportunities for Red River Métis-owned businesses to work with Manitoba Hydro in support of this work. Additionally, local Red River Métis Citizens may be well positioned to provide skilled and general labour to support Manitoba Hydro and ensure project benefits are maximized for those in the Pointe du Bois/Whiteshell area.	It is requested that Manitoba Hydro engage with Christian Goulet christian.goulet@mmf.mb.ca to discuss economic and training opportunities for Red River Métis Citizens and businesses
2.	2.7.4 Right-of-Way Clearing	Manitoba Hydro notes that Manitoba Hydro, where practical, may set aside a limited quantity of timber for use and/or auction. Red River Métis Citizens may have interest in forest resources from the clearing activity.	The MMF request Manitoba Hydro engage the MMF regarding potential use of both commercially viable and waste forest resources by Red River Métis Citizens for personal or commercial use.
3.	2.10.1.1 Vegetation Management	The MMF does not support managing vegetation in the ROW that does not promote habitat connectivity. While the nature of this project means that some level of habitat fragmentation is necessary,	Where possible, the MMF supports the active management of beneficial "short growing" species which can provide ground cover, food sources, and habitat for species, minimizing the impacts of fragmentation. This would include allowing some species to grow to heights

		minimizing vegetation will prevent the migration of animals across the ROW	which do not interfere with infrastructure but can support wildlife, as well as harvest by Red River Métis Citizens.
4.	2.10.1.1 Vegetation Management	The MMF does not support the use of broadcast pesticide spraying. This spraying is indiscriminate and can introduce unwanted contaminants into the environment. Additionally, as some Métis Citizens may intentionally harvest from the transmission ROW, herbicides can present concerns for human health for those harvesting foods and medicines to be consumed or otherwise applied to the body.	The MMF requests that Manitoba Hydro avoid use of chemical herbicides where at all possible, especially if standing water is present. If herbicides are the only option to prevent the spread of invasive species, the MMF requests that Manitoba Hydro only apply targeted narrow-spectrum herbicides. The MMF also request that Manitoba Hydro clearly communicate through the use of signs where herbicides are used including information regarding human and environmental exposure risks.
5.	3.8 Evaluating the Routes Using the Route Evaluation Model	Table 3-1 outlines the criteria and weighting used to identify the preferred route option. Manitoba Hydro weight "Cost" as representing 40% of the total score, whereas the natural environment only represents 7.5% As a result, Cost is considered more than five times more important than impacts on the environment. The MMF does not agree with this approach and strongly recommends that both the selection criteria and the relative weights applied to each criterion should be justified by community priorities. From the MMF's perspective, this means that	The MMF acknowledges that even in an instance where weighting enables community and environment (natural) criteria to be weighted equal or higher than cost, the outcome based on what is presented in Table 3-1 would not change the overall ranking appreciably, as Route D and C (ranked 1 and 2) have the lowest relative impacts on Community and Environment (Natural) criteria. However, we also note that the selection of D as the preferred route is perhaps an arithmetic mistake based on the weighting associated with each criterion. As noted in Appendix 2, the weighting criteria for "Community" and "System Reliability" is switched, with the value presented in Table 3-1 reflecting a "Community" weight of 5% and a "System Reliability" weight of 30%. The MMF agrees that route options B and D are preferred to C given the lower relative impacts to community, environment and system reliability than that which would be associated with Route

		community and natural environmental factors (especially those which may influence the ability to exercise rights), should be weighted equal, if not higher than technical factors such as cost.	C, however, we still raise significant concern regarding the route selection process and potential unforeseen implications.
Fish and Fish Habitat			
6.	7.5.1.2 Considerations of Issues Raised During Engagement	Manitoba Hydro proposes no instream work, however, does suggest that they will need to make water crossings, which may have similar adverse impacts if not appropriately designed or mitigated.	The MMF requests that Manitoba Hydro clarify where they intend to make watercourse crossings and the method which will be employed to do so. Further, the MMF requests that Manitoba Hydro outline site-specific mitigation measures for each watercourse crossing to minimize direct adverse impacts on water quality, fish, and aquatic habitat.
7.	7.5.2 Potential Effects, Pathways, and Measurable Parameters	Manitoba Hydro notes that an effect pathway for change in fish habitat is construction activity leading to changes in bank stability, loss of riparian habitat, sedimentation, and/or increased erosion potential. While we agree with this pathway, we are concerned that it may overlook potential changes in water chemistry beyond an increase in sediment load. Many contaminants may be found bound to sediment or other solids, and not be mobilized until sediment material is eroded. The contaminants include both nutrients and metals and may act to degrade water quality in correlation with increased sediment.	The MMF requests that Manitoba Hydro consider not only changes to the physical environment as a result of construction activities but also changes to the chemical (and resultant impacts on the biological) environment which may occur in parallel.

8.	Table 7-18 Potential effects, effects pathways and measurable parameters for fish and fish habitat	The MMF note that beyond direct mortality associated with changes in sediment load, changes in timing, duration, and frequency of flow, entrainment or impingement of small fish, the establishment of access barriers for spawning, and/or the release of deleterious materials or contaminants, fish populations may be impacted in other measurable ways such as reduced reproductive or recruitment success, and the development of tumours, lesions, or diseases.	The MMF requests that Manitoba Hydro examine the potential adverse impacts experienced by fish beyond direct mortality, including assessment of possible changes in recruitment success and fish health indicators.
9.	7.5.6.2 Change in Fish Habitat	Manitoba Hydro states that fish may be affected by watercourse crossings, however, the design for these crossings is unknown. The MMF is concerned by Manitoba Hydro's ability to fully characterize effects in instances where water crossings are unknown yet may affect fish habitat. Some crossing structures used inappropriately may result in significant adverse effects on fish and fish habitat.	A) The MMF requests that Manitoba Hydro identifies a primary and contingency watercourse crossing method for each crossing, avoiding watercourse crossings where possible. Based on these proposed crossing options, the MMF requests that Manitoba Hydro develop site-specific mitigation which will ensure effects are minimized or eliminated. Where Manitoba Hydro may be required to use a watercourse crossing that may adversely affect fish, the MMF requests that the proposed design and plan be submitted to the DFO for appropriate Fisheries Act Authorization screening and approval. B) Where culverts or other in-water structures are required to support watercourse crossings, the MMF specifically requests that no culverts or structures be perched or otherwise result in the

			creation of barriers to fish passage or the alteration of natural flows.
10.	7.5.6.2 Change in Fish Habitat	Although the Whitemouth River is designated as critical habitat for the endangered Carmine Shiner, it has been found in other areas of the Winnipeg River watershed, including the Lee River. It is likely that viable habitat exists throughout the LAA, and possible that undetected populations of Carmine Shiner may exist in waters crossed by the PDA.	Given the potential threat to this endangered species, the MMF requests that Manitoba Hydro expand its riparian buffer at all watercourse crossings from 30 m to 50 m.
11.	7.5.6.2 Change in Fish Habitat	If danger trees require felling, within the 7m machine-free zone, the MMF requests that Manitoba Hydro commits to not using heavy machinery to do so or to remove felled trees from the machine-free zone.	The MMF requests that only hand felling using chain saws or other handheld equipment be used to deal with danger trees.
12.	7.5.6.2 Change in Fish Habitat	Manitoba Hydro suggests that only chemicals approved by the Pesticide Use Permit will be used with respect to this project. The MMF does not support the use of Glyphosate at any location within the PDA or otherwise as part of this project.	The MMF requests that Manitoba Hydro not include Glyphosate or “Round Up” as part of its list of approved herbicides given the growing evidence of the persistence of glyphosate in the environment.
13.	7.5.6.2 Change in Fish Habitat	Manitoba Hydro state that herbicides will note be applied, other than backpack applications or handgun spot applications, within 30	To safeguard aquatic organisms, water quality and habitat, the MMF requests that no herbicide be applied within 30 metres of open water which includes lakes, streams, and wetlands.

		metres of open water area. The MMF does not support the use of any herbicides within 30 metres of open water.	
14.	7.5.6.2 Change in Fish Habitat	Previously, Manitoba Hydro based the assessment of impacts on the assumption that all water crossings maintained at least marginal fish baring habitat. However, Manitoba Hydro casts doubt on that assumption by suggesting that mitigations measures will only be applied to watercourse crossings with the potential to support fish habitat.	The MMF requires that Manitoba Hydro apply mitigations to all watercourse crossings with the assumption that all watercourses have or have the potential to maintain complex productive fisheries and fish habitats.
15.	7.5.6.3 Change in Fish Mortality Risk	For both Fish Mortality and Changes to Fish Habitat, Manitoba Hydro does not propose any form of monitoring to determine the effectiveness of mitigation measures. Specifically, while Manitoba Hydro suggests that physical inputs, changes to water quality, changes to flow characteristics, and changes to water temperature all serve as project pathways, to which Manitoba Hydro impress that mitigations will be completely, and nearly completely effective in mitigating environmental effects. However, the MMF is concerned that these mitigations are not paired with a	The MMF requests that Manitoba Hydro work with the MMF to identify and develop a monitoring plan to safeguard fish and fish habitat as well as an adaptive management framework employing triggers which are sensitive enough to trigger management response prior to the observance of biological detriment.

		monitoring plan nor a corresponding adaptive management framework for understanding the effectiveness or modifying plans as necessary.	
Terrestrial resources (Vegetation, Wetlands, Wildlife and Wildlife Habitat [birds, amphibians and reptiles, mammals])			
16.	2.1 – Project overview (General comment)	51km of new 115-kV transmission line, Station and supply centre upgrades, and decommissioning of the existing 66-kV P3/P4 transmission line (the Project), will traverse diverse land cover dominated by upland vegetation, developed lands, wetlands, and some agricultural lands. Project avoidance of wetlands is not possible. The Project will be located within an existing transmission ROW (paralleling approximately 23km existing transmission lines in a ROW) resulting in approximately 1% additional linear disturbance in the regional assessment area (within 15 km of the Project). The preferred route will require expanding the shared ROW by 38 m (at minimum) and access for the Project also necessitates a trail within the ROW easement adjacent to the Project.	Red River Métis Citizens are generally concerned with the increase in linear disturbance traversed by Manitoba Hydro transmission projects, resulting in significant fragmentation of habitat for wildlife and vegetation (including species at risk and -of concern; SAR/SOCC, and traditional use species), increased access to harvesting traditional use species by non-Indigenous land users, and long-term changes in habitats, among other effects.

17.	General comment	Many chapter numbers and associated table/figure numbers, Appendices, proper names of regulatory authorities, etc. throughout the EA Report are incorrect, repeated, or out of order (e.g., "Table 7-33-2" is supposed to reference Table 7-2). This leads to questions regarding adequate oversight of the document.	Please update the EA Report to ensure all referenced information is correct throughout the document.
18.	2.4.3 – Lee River Distribution Supply Centre; 2.5 – Project Schedule; Appendix H - CEnvPP	Targeted receipt of the EA licence was scheduled for August 2024 and Station work was anticipated to begin fall 2024. Construction for the Project was intended to start the winter of 2024-2025, and salvage activities for the P3/P4 transmission lines (part of construction activities for the Project) are scheduled to commence spring 2025, to maintain an in-service date of summer 2026. Several pre-construction surveys are required for clearing prescriptions, siting of tower foundations, potential environmental constraints, etc. in advance of ROW clearing. Construction on the ROW is intended to be completed under frozen conditions (based on mitigation/protection measures and residual effects identified) but may	Please provide a fulsome list of potential implications of projected delays in scheduling related to license acquisition, pre-construction, other potential permitting (e.g., wildlife salvage/relocation, installation of compensation habitat features), and construction activities (e.g., if clearing cannot be completed in the first winter).

		also extend in to spring. Station work is intended to be completed year-round. As this proposed schedule may not be feasible, the Project scheduling will be pushed back and potentially impact work on localized construction activities and the in-service date, and timing of construction activities may be more likely to extend into sensitive timeframes for wildlife (fall/spring), to retain the in-service date schedule.	
19.	2.7.2 – Mobilization; 2.7.7 – Marshalling yards	There is a possibility for the requirement of mobile construction camps and marshalling/fly-yards to fulfill construction needs at the Project. The locations of camps or yards, and areas of associated "temporary" disturbance will be determined after the planning and design stages are completed for the Project, and approvals have been received. Contractor specifications and agreements will influence the number and locations of these areas.	Manitoba Métis Federation requests the opportunity and capacity funding for future further engagement regarding the location(s) of proposed mobile construction camps and/or yards required for the Project. There are already access limitations proposed to traditional use/cultural heritage areas along the ROW during construction, and the locations of camps and yards may increase edge effects, sensory effects, and other disturbance associated with the Project workforce (e.g., waste, sewage), impacting rights-based activities.
20.	2.7.4 – ROW Clearing; Appendix H - CEnvPP	The Proponent suggests disposal of cleared trees or other vegetation will occur where practical (must conform to the CEnvPP), a limited quantity may be set aside for use and/or	The MMF requests the opportunity and capacity funding to review the Clearing Management Plan once developed. Red River Métis Citizens request the opportunity to harvest traditional and medicinal use plants along ROW

		auction. Remaining debris and timber will be chipped and/or mulched. A clearing management plan has not yet been developed for the Project. The CEnvPP notes disposal of cleared vegetation will be determined by the method of clearing used, and conditions of the licence (if granted). The Project anticipates cleared vegetation disposal will include burning (and selective use for vegetation maintenance such as invasive species management), or mulching/chipping.	prior to construction, with the cleared wood available for community use following ROW clearing activities. MMF also requests that remaining cleared vegetation not be disposed of or burned, but rather mulched/chipped for use in progressive rehabilitation measures at the PW75 and P3/P4 transmission line ROWs during construction.
21.	2.7.8 – Tower Construction	Ground disturbance will be required for tower foundations. Piles will be required in shallow bedrock areas with crevices that may provide hibernacula habitat to SAR bats (e.g., myotis species), small furbearers, or reptiles (e.g., snakes). These areas are also considered uncommon vegetation cover types in Manitoba (e.g., naturally barren/rock outcrop), which have been largely avoided through the routing process; however, there is still potential for Project interactions and subsequent effects.	If shallow bedrock or naturally barren/rock outcrop vegetation cover type is encountered during pre-construction surveys for tower siting, clearing prescriptions, etc., these habitat types will require: • Further pre-construction monitoring (e.g., vegetation and wildlife SAR/SOCC, traditional use species) • Adequate protection and mitigation measures • Adaptive management measures with associated triggers/criteria to measure the effectiveness of protection and mitigation measures
22.	2.10 – Project operations and maintenance; 7.8 –	The ROW will be maintained on an ongoing basis throughout the	"Manual/mechanical and biological treatments are Manitoba Hydro's preferred methods for controlling

	Vegetation; Appendix H - CEnvPP	operational phase using an integrated vegetation management approach to address undesirable or non-compatible vegetation issues. The integrated vegetation management approach includes mechanical, chemical or biological controls, or a combination of these. Vegetation management during operations will be repeated over longer cycles (every five to seven years throughout the life of the Project). Mechanical methods include grubbing at tower structure sites where foundations are required, or access necessitates. Danger trees will be selectively removed. Hand cutting, mechanical cutting, and winter shearing will be used for ROW clearing based on time of year and local vegetation growth/existing conditions. Chemical herbicide treatments will target stumps for trees under 2.5m tall, with broadcast treatments targeting other vegetation less than 2.5m tall or used as a follow-up action to previous vegetation management work throughout operations. Tree injection methods may also be used selectively for trees over 2.5m tall. Fertilizers may also be	weeds and non-native invasive plants and will be used over chemical methods when possible. Herbicide application will be used when other control options are not viable, such as areas of existing high weed abundance, or mechanical and biological methods are not practical." While the MMF understands safe and reliable operation of the Project necessitates the ROW vegetation management proposed, the MMF prefers the use of manual/mechanical and biological methods over chemical controls. The MMF requests Manitoba Hydro install wildlife linkages/crossings across the existing ROW, in areas of frequent use by mammals (as identified by wildlife surveys) to offset residual Project and legacy Manitoba Hydro impacts to wildlife and wildlife habitat. The linkages, at minimum, should provide security coverage (e.g., for line-of-sight issues that contribute to predation), forage/mast species compatible with the requirements of the ROW for operations (e.g., traditional use species, small shrubs, berries, and/or SAR/SOCC from other areas affected by nearby tower footprints, etc.), and areas that provide relief from deep snow (significant barrier for select wildlife in winter). Vegetation species should be locally sourced from pre-construction seed collections (e.g., for use in seeding efforts, or for propagation in nurseries for future use), cuttings, or transplanting. Linkages may target species (e.g., moose) or species' groups (e.g., small mammals, amphibians) to enhance aesthetics, wildlife habitat and biodiversity along the ROW, while reducing the potential for invasive species establishment, and potentially contributing information to the recovery of SAR/SOCC or harvesting opportunities for Indigenous communities exercising rights-based

		used to promote vegetation growth in rehabilitation areas. Biological controls encourage competing native and desirable vegetation growth that encourage wildlife use and control unwanted vegetation species (e.g., invasive or noxious species). This may also include seed collection, seeding, cuttings, and transplanting activities during rehabilitation efforts.	activities. These linkages should be considered ESSs in the CEnvPP and subject to monitoring activities throughout the Project duration. The MMF runs several Citizen Science and Guardians Programs that use remote cameras and ARUs to monitor wildlife populations across the National Homeland. These programs may be expanded to support Manitoba Hydro in monitoring activities for offsetting areas, such as the wildlife linkages/corridors.
23.	2.0 – Project description; 4.0 – Project engagement; 7.9 – Terrestrial wildlife and habitat	The Project area is considered important for many species of vegetation, birds and wildlife, and overlaps six locally uncommon native vegetation cover types observed in Manitoba (which may also support other locally uncommon habitat types). The construction and presence of the Project may result in residual changes to wildlife movement and behaviour, transmission or establishment of forest diseases and pests (including invasive species), and changes in vegetation community structure and species diversity, among other effects.	"Habitat connectivity between patches is important in maintaining local and regional wildlife movements. Fragmenting forested areas may present a barrier for some species that reduce their risk of predation by avoiding open areas (e.g., American marten [Kurki et al. 1998], some species of mice and voles [Storm and Choate 2012])…. Habitat fragmentation may reduce patch size that is important in maintaining biodiversity (Environment Canada 2013)" Offset habitat is recommended, to adequately address concerns related to the loss and/or alteration of wetlands and forested areas by the Project (see Comment #22). Offsetting may be provided in the form of wildlife corridors/linkages across the shared portions of ROW, targeting seed collection/distribution, rooting new cuttings, and/or transplanting SAR/SOCC and traditional use species to address the Project's adverse residual effects, improve aesthetics, address new access concerns, and enhance potential benefits for birds and wildlife. To identify locations for optimal offsetting options, pre-construction surveys targeting select wildlife for

			enhancements (e.g., moose), and vegetation transplanting (e.g., riparian rehabilitation areas) must be completed, in collaboration with the MMF.
24.	5.2 – Assessment of project effects; 5.4 – Follow-up and monitoring; 6.0 – Existing Conditions (General); Appendix H - CEnvPP	"Measurable parameters provide defensible and acceptable means to characterize change in a VC attributable to the project and contribute to the determination of significance for those effects." Bird and Wildlife mortality have not been formally assessed in the Project area. Regular inspections and maintenance of the ROW and infrastructure is required for the operation phase of the Project. Inspections are routine examinations or evaluations to compare against requirements and standards to ensure the activity conforms to requirements. Inspection provides an essential function in environmental protection and implementation of mitigation measures. "Much of the success in environmental protection will be attributable to how well environmental inspection is carried out during the construction phase of a project." Air patrols and ground patrols for unscheduled maintenance or unexpected repairs typically occur once/year by ground and up to three	Although there are several well-defined pathways of direct effects (e.g., vehicle-wildlife collisions, bird-wire strikes) and indirect effects to terrestrial resources (e.g., sensory disturbance, changes in predator-prey dynamics, etc.), standard mitigation measures may not be adequate to deal with mortality risk associated with transmittable diseases, such as chronic wasting disease associated with vegetation clearing activities that open up new habitats to infected deer (e.g., previously inaccessible or unpalatable until improved by ROW access). Chronic wasting disease was not discussed in the report; however, this has been an ongoing concern in southern Manitoba (testing/monitoring since 1997) and a positive case was first identified in 2021, the disease can be transferred between deer and moose, and is fatal to moose. Bird-wire collisions may also show elevated levels of mortality at the Project, especially in areas parallelling other transmission line infrastructure or overlapping ESSs. Some of the effects to VCs, and projected residual effects of mitigation and protection measures may be misinterpreted by the Project: • "Effects to swamp – forested wetlands could equal 13.0%; however, the abundance of this wetland class is likely underestimated." • "Effects conclusions for plants of interest to Indigenous groups and plant species of conservation concern may be underestimated. Publicly available

		times/year by air. Timing for annual patrols has not been specified. "Follow-up and monitoring are intended to verify the accuracy of the environmental assessment, assess the implementation and effectiveness of mitigation and the nature of the residual effects, and to manage adaptively if required. Follow-up and monitoring will be implemented through inspection, monitoring, management, and auditing actions." "Monitoring determines if environmental effects occur as predicted, residual effects remain within acceptable limits, regulatory limits, criteria, or objectives are not exceeded, and mitigation measures are as effective as predicted. Monitoring also allows for adaptive management where monitoring results show there is a need for additional environmental protection or enhancement." "Due to understood effects to natural habitat traversed by the project, and confidence in predictions based on monitoring results learned from recently completed projects in southern Manitoba, an environmental	regional data sets on plant abundance by community type are not available for the RAA, or the Lake of the Woods ecoregion, and this limits the understanding of the regional and local abundance of plants of importance to Indigenous groups." "Moreover, plant species of conservation concern are difficult to detect (e.g., unsurveyed areas, imperfect detection, survey timing, seasonal changes) and undocumented plant species of conservation concern occurrences may be affected by vegetation clearing but supporting vegetation and wetland cover types will be retained in the LAA. Therefore, it is difficult to determine the magnitude of effects from the project due to the high level of uncertainty regarding potential vascular plant species of conservation concern occurrences in the non-surveyed areas." • Forested swamps are likely more abundant than indicated in landcover data as they often occur at the margins of other peatlands, such as fens (available information did not always support identification of smaller features such as swamps or bog islands contained in larger wetland complexes) • Residual effects to wetland vegetation may affect the abundance and distribution of undocumented occurrences of these species • Naturally barren/rock outcrop, an uncommon cover type in the LAA, may be present in the PDA. As these naturally barren/rock outcrop areas are small, more

		monitoring plan has not been prepared for this project." Figure 1 of the CEnvPP identifies an Environmental Monitoring Plan as one of the associated management plans for the Project. Manitoba Hydro Key Responsibilities (Table 1) also indicate post-construction monitoring and reporting requirements per the "Environmental Monitoring Plan".	may be present on the landscape than were captured at the scale of the land cover mapping • A majority of the mitigation measures presented for terrestrial resources are contingent upon the associated construction activities being completed under frozen conditions, which may not be feasible or possible given scheduling delays. • Several portions of the PDA were underrepresented by data collection in 2013. Additional surveys were completed in 2022; however, data gaps remain. Per the EA Report, inspection is anticipated to occur one to two times annually, outside of critical life stages for wildlife. This schedule is insufficient to determine appropriate management actions should mitigation measures be inadequate for vegetation, and wildlife and wildlife habitat. As such, the scheduled inspections should increase in frequency during the operations and maintenance periods to ensure all mitigation and protection measures are functioning as required, and adaptive management actions are successful. Management plans are prepared to address important management issues, regulatory requirements and corporate commitments identified in the EA report; however, there are currently no management plans prepared for clearing (to be developed) or comprehensive protection documents for wildlife (outside of birds and amphibians) at the Project (only general mitigation measures are presented for wildlife, but this does not capture all potential wildlife features that may be present

			along the preferred route or sensitive timeframes as noted in other comments). The MMF requests opportunity and capacity funding to review future management plans for clearing. We further request a management plan or protection document be prepared in advance of construction, specifically for mammals and reptiles. The MMF recommends that Manitoba Hydro adopt a conservative approach for the timing of air and ground patrols (unless an emergency arises), to avoid sensitive timeframes for birds and wildlife (e.g., rutting/calving/migration seasons for ungulates). It is unacceptable that Manitoba Hydro has not prepared a monitoring plan for vegetation or wildlife and wildlife habitat; based on the protection and mitigation measures presented for these VCs, and the predictions presented in the EA report, Manitoba Hydro is obligated to ensure the adequacy of protection measures utilized for SAR/SOCC/traditional use species, and the effectiveness of mitigation measures, at minimum. The MMF requests Manitoba Hydro prepare monitoring plans for vegetation and wildlife that consider: • SOCC, SAR, and traditional use species that have potential to occur at the Project • Measures to determine the effectiveness of mitigation and management measures • Adaptive management measures and triggers/criteria that establish various actions

25.	7.9 – Terrestrial wildlife and wildlife habitat; Appendix H – CenvPP	"Where the project does traverse natural habitat, mitigation measures (e.g., timing windows, setbacks, and buffers) will be implemented to reduce adverse effects on terrestrial wildlife and habitat." Buffers and setbacks tables do not identify features used by birds (e.g., stick nests, ground nests, cavity nests, lek sites); although the Project has potential to interact with birds during active seasons (some species of raptors or woodpeckers breeding outside migratory breeding bird window). This is similarly not reflected in the Timing Windows provided. The Buffers and setbacks tables also do not include all large mammals that use dens during their lifecycle (e.g., lynx), or other wildlife features used by mammals (e.g., hibernacula, maternal dens, mineral licks) assessed in the Project. Timing Windows and the Buffers and setbacks tables omit critical ungulate calving periods.	Please update the Timing Windows and Buffers and Setbacks tables to reflect all species, sensitive timing windows, and wildlife features discussed in the report.
26.	6.2.3.5 – Amphibians and reptiles; 6.2.5.1 – Terrestrial wildlife and wildlife habitat; Appendix	Most species, except for mammals (i.e., bats) and one insect, have been detected within the LSA. There are no known bat hibernacula in the Project region; however, many	As there are portions of intact Crown land containing mature forests of sufficient diameter/decay class (with potential to support bat maternity roosts and/or hibernacula) that will be disturbed by the Project, and SAR bat species that have potential to overlap the Project

	D – Wildlife Technical Data Report	species are data deficient. No targeted field studies were conducted to verify the presence or absence of bats or insects in the LSA or PDA in support of the EAA Proposal. A mineral lick (an important wildlife feature for ungulates) was found in the Project region during baseline studies, and others may be present in the Project development area. Moose is a priority species in the region and noted recommendations to reduce adverse effects to the species included: 1) avoiding direct loss of habitat by routing the Project along existing linear features (e.g., PRs 520 and 211) to the extent practicable; and 2) implementing a monitoring program to evaluate Project effects on moose. Breeding bird and SAR studies were originally completed in 2013; bird SAR and their habitats along the proposed routes were underrepresented in the 2013 study and additional locations were added in 2022. 2013 locations were not provided for review and consideration, and results are now	area, the MMF recommends completing bat surveys, at appropriate times of year in suitable habitat, in advance of clearing in upland mature forest areas, to provide adequate protection and mitigation measures for identified wildlife features for SAR. The MMF fully supports the recommendation to monitor Project effects on moose, as it is a priority species in the region, for Red River Métis Citizens, and existing portions of Game Hunting Area (GHA) 26 remain closed to moose hunting. Please provide the 2013 breeding bird/SAR study locations for review and consideration. This information will assist in our better understanding of survey coverage and extent to support the Project. The 2022 ARU recordings represent a permanent record of species/community diversity, and MMF recommends the recordings be analyzed further (e.g., at least three dates throughout the recording timeframe, at least two separate times of recordings from each day, at least half the sites, etc.) for the presence of SAR at the site. Please update the status listings for birds and wildlife at the Project to ensure currency with the most up-to-date information. Please provide criteria or triggers for assessment of amphibian breeding sites for potential salvage/relocation efforts. Additional mitigation is recommended for:

		over ten years old. The ARU recordings analyzed for the 2022 SAR surveys shows only one date/time was used. Yellow rail was detected incidentally while examining other songbird recordings. Pileated woodpecker was detected at site 3, and Brood parasite birds were also identified during breeding bird surveys (brown-headed cowbird at sites 1 and 2). Barn swallow has been recently downlisted to Special Concern. There are no thresholds or criteria provided in the Amphibian and reptile protection document, that detail when a salvage/relocation is required for the Project.	• Pileated woodpecker: call playback surveys (at appropriate times of year/day, in appropriate habitat) that take place at/near the detection location (site 3) in advance of construction activities to ensure a reduced potential for incidental take on cavity nesting species. • Brood parasite species: develop monitoring strategies at/near sites 1 and 2 to ensure populations remain low or decrease over the duration of the Project; and enhance habitat for other host bird species (e.g., improve fitness that can detect and fend off attempts by brood parasite species).
27.	6.2.3.4 – Wetlands; 6.2.4.3 – Vegetation; Appendix F – Vegetation and Wetlands Technical Data Report	Wetland function assessments were completed between August 6-12, 2022, at preselected sites, in conjunction with late rare plant surveys. Appendix A.3 – Wetland Assessment Summary identifies wetlands subject to provincial legislation (*The Water Rights Act*) and permitting/offsetting requirements, including:	The MMF requests the opportunity and funding to review the wetland assessment report required by MEC prior to construction, and provide preferences for potential accommodation/offsetting measures, as determined by MEC. Please provide further information on the density distribution scale interpretation of “patch” size for invasive species. Additional mitigation is recommended for noxious weeds in and around the Rice Lake area, such as enhancements

		• Four, Class III: (SIII) swamp-shrubby-seasonal • Three, Class IV: (MGIV) marsh-graminoid-semi-permanent "[Manitoba Environment and Climate] MEC also indicated a wetland assessment report detailing the location, extent, and class of wetlands to be disturbed will be required prior to construction." Regulated invasive species (noxious weeds) were documented opportunistically during SOCC surveys. Density distribution was evaluated following a guide for rating invasive species infestations; however, the term "patch" is left up to interpretation on the scale. There was noted occurrence of noxious weed species near Rice Lake, which is an important area for wild rice harvesting.	using traditional use species to outcompete invasive species and improve aesthetics for traditional harvesters. As this is an important harvesting site for traditional foods, the area must not be managed by herbicides.
Socioeconomics			
28.	7.10.3.1 Construction Phase	Decommissioning is not well contemplated in this EA. While we agree with Manitoba Hydro's argument that since the structure will not be decommissioned for approximately 75 years,	The MMF therefore recommends as a condition of approval that Manitoba Hydro will commit to working with the MMF to develop an end land use vision for the transmission ROW. This document will be used to inform ongoing construction, operations (maintenance), and decommissioning activities such that the site at the end of

		environmental conditions are likely to change significantly. However, the MMF does not agree that decommissioning planning should be completely deferred to the future. Construction and operations (maintenance) must be done in a manner that supports the vision for end land use of the transmission ROW.	project life can be returned to a state which aligns with the vision, rights, interests, and values of the Red River Métis.
29.	7.13.1 Scope of the Assessment	Manitoba Hydro has not made any efforts to understand workforce characteristics for Red River Métis. Citizens living within the LAA/RAA for the project. As a result of this, the MMF are greatly concerned that Red River Métis Citizens may not be meaningfully targeted for employment or procurement opportunities as part of the PW75 and the entire PREP program, resulting in no benefits being realized by Red River Métis Citizens.	Manitoba Hydro must make specific efforts to ensure that Red River Métis Citizens are not overlooked in economic development opportunities. The MMF requests that Manitoba Hydro work with the MMF to understand information gaps as it relates to employment demographics of Red River Métis Citizens in the LAA/RAA as a first step in ensuring that Red River Métis Citizens are not disadvantaged or adversely impacted by economic development associated with PW75 and the entire PREP program. From this baseline characterization. The MMF requests that Manitoba Hydro continue to work with the MMF in identifying meaningful opportunities for Red River Métis Citizens to realize meaningful benefits from this project.
30.	7.13.4.2 Change in Regional Employment	Manitoba Hydro states that local workers will be hired whenever possible but fails to outline any	The MMF is seeking more detail on efforts Manitoba Hydro will make to hire locally or regionally, specifically concerning the prioritization of hiring Red River Métis

		specific measures that will ensure that they follow through on that commitment.	Citizens. Acknowledging potential barriers to realizing meaningful employment, the MMF further is interested in working with Manitoba Hydro to develop targeted training and skill development opportunities for Red River Métis Citizens to ensure that benefits stay within the community affected by the project.
31.	7.13.4.2 Change in Regional Employment	The MMF finds Manitoba Hydro's overall approach for ensuring local and Indigenous (specifically Red River Métis) employment and business opportunities to be lacking and unstructured.	The MMF believes strongly that for Manitoba Hydro to realize the benefits of hiring local staff and procuring from local businesses, Manitoba Hydro must position itself, Red River Métis Citizens and Red River Métis-owned businesses to the benefits of this work, which may include identifying local opportunities for labour and procurement, proactively working with the MMF local and other local programming to identify potential candidates, developing training and skills development, and establishing employment/procurement targets and set-asides.
32.	6.3 Socioeconomic Setting	The MMF is strongly concerned by Manitoba Hydro's lack of consideration for the potential distinct impacts on Red River Métis Citizens': • Demographics • Economic Opportunities	The MMF requests that Manitoba Hydro work with the MMF in establishing a meaningful social baseline assessment for Red River Métis Citizens living within the RAA and/or using the area for harvest and cultural practice. Based on this characterization, the MMF specifically requests that Manitoba Hydro work with the MMF to identify programming targeting the mitigation or elimination of social (including health, well-being, and economic) impacts on Red River Métis Citizens.

		• Health • Well-being and Safety Specifically, Manitoba Hydro makes no effort to distinguish Red River Métis Citizens from the general population of the RAA, and as a result, assessment and mitigation measures which may be proposed as a result may fail to consider the distinct circumstances associated with Red River Métis Citizens living within the RAA.	Additionally, the MMF seek assurance that changes in social factors will be monitored throughout the life of the project and that appropriate adaptive management measures be employed to address issues as they are identified. Without this baseline characterization, this project may lead to adverse impacts to the health, safety, and wellness of Red River Métis Citizens without it being detected with the result being adverse impacts which could have otherwise been addressed.
33.		The MMF has concerns about how Manitoba Hydro has characterized the decline in the sense of community safety for the PW75 line, which ranges between No Measurable Change and Moderate. As acknowledged by Manitoba Hydro throughout Section 13, there is a well-established link between construction camps and the risk to public and personal safety as a result of an increase in a transient male-dominated population and a resultant increase in consumption of	The MMF challenges Manitoba Hydro's approach to mitigating these factors, as they appear to implement very little in the way of preventative programming, monitoring, or corrective actions to deal with social wellness issues which may arise from this project. The MMF strongly recommends that Manitoba Hydro work with the MMF to identify culturally appropriate programming both for the project workforce as well as those Red River Métis Citizens living within the RAA aimed at curbing possible impacts to health, safety, and wellness.

		alcohol, drugs or other substances, gender-based violence, and crime.	
Harvesting and Important Sites			
34.	7.2.3.2 Change in Access to Harvesting Areas and Important Sites	Manitoba Hydro state that during construction access to the right-of-way will be prohibited. For the new section of the ROW, this may be reasonable as use and transportation through the ROW area would generally by low and only consisting of land users who normally harvest or otherwise use the area. Conversely the existing section of the ROW between Lee River and Pointe du Bois may be actively used by Red River Métis Citizens as well as other local residents to access area of the interior Crown Land, or to permit harvest through the ROW.	Because these areas may be actively used, especially to facilitate rights-based activities by Red River Métis Citizens, the MMF requests that Manitoba Hydro only limit access to the right-of-way where necessary to minimize risks to health and safety. As a result, we request that only areas being actively constructed or where immediate hazards pose a threat to health and safety of Citizens, be closed. Additionally, where closure of the right-of-way is necessary, we request that Manitoba Hydro place up-to-date maps of closed areas at known access points to the right-of-way.
35.	7.2.3.2 Change in Access to Harvesting Areas and Important Sites	Manitoba Hydro views the interruption of Indigenous Knowledge transmission to be limited largely to the period of construction. This is not completely correct, as any instance in which Red River Métis Citizens are not able to	The MMF in highlighting this concern suggests that the magnitude of impacts to knowledge transmission are high rather than moderate, and further that these impacts are permanent. As these residual effects are significant in the view of the MMF, we strongly request that Manitoba Hydro work to minimize disturbance to access and context of the PDA/LAA/RAA by minimizing access

		access the land to harvest, gather, or otherwise relate to the land, or where the environmental context changes in a way such that place-based knowledge cannot adapt, the ability for knowledge to be transmitted can be lost for a significant period of time. The MMF are concerned that this is the case with respect to PW75, as while Red River Métis Citizens will be prevented from physically accessing the PDA during the construction of the transmission line, the context of the PDA, LAA, and RAA will be permanently altered, which may prevent knowledge from being transmitted across generations.	restriction to only that which is necessary to prevent risk to health and safety. Additionally, we request that Manitoba Hydro work with the MMF to identify opportunities for the right-of-way to be constructed in a manner that minimizes habitat fragmentation and reduces the overall change in environmental context.
36.	Table 7-61: Potential Effects, Effects Pathways and Measurable Parameters for Land and Resource Use	Manitoba Hydro only identify • Change in Property • Change in designated lands and recreation	The MMF highlights the need to minimize impacts on Crown Land given its critical link with the exercise of harvest rights. The loss or fragmentation of Crown Land can inhibit or prevent harvest by Citizens, and as a result any loss of Crown Land must be appropriately characterized and accommodated as an impact to rights.

		• Change in Resource use; as the potential affect related to land and resource use. While Manitoba Hydro does identify as parameters factors such as the distance to dwellings, number of dwellings and residential developments in proximity to the PDA, Change in property value, conflict with designated lands, change in area of current use. area withdrawn from commercial forest production, volume, silviculture areas affected, number of sites/woodlot areas affected, shelterbelts, private forestland affected, change restriction of resource use; number of sites in proximity, and change or disruption affecting resource use, sensory disturbance affecting harvest. What is not identified as a consideration for measuring changes in land use is the possible change in Crown Land area overall. Red River Métis Citizens rely extensively on Crown Land in order to exercise Section 35 rights,	

		especially those related to harvest. As there is limited Crown Land remaining in southern Manitoba, the RAA represents an important area of relatively intact Crown Land which can still be used by Red River Métis Citizens.	
37.	7.11.3.4 Assessment of Change in Resource Use	Wild rice harvest is of great importance to the Red River Métis Regionally, wild rice habitat has been devastated by the development of hydro dam infrastructure. Because of this Manitoba Hydro must take additional measures to avoid disturbance to wild rice habitat.	The MMF requests that Manitoba Hydro work with the MMF to map out locations of wild rice habitat and create exclusionary buffer zones and other site-specific mitigation measures to ensure that wild rice nor the ability to harvest it is not disturbed.

Appendix 2: Re-Evaluation of Preferred Route Options

Table 1. This table illustrates the corrected evaluation of the preferred route option based on the weighting and scoring scheme presented by Manitoba Hydro. Unlike what is described in Table 3-1 of the Environmental Assessment Report for PW75, Option C is ranked as having the lowest score rather than Option D which was ultimately selected. This ranking is strongly biased by the high relative weighting assigned to the "Cost" criteria.

Criteria	Weight		Route Option				
			A	B	C	D	E
Cost	40%	Score	1.3	2.2	1	2.2	1.7
		Weighted Score	0.52	0.88	0.4	0.88	0.68
Community	30%	Score	3	1	1.5	1	2
		Weighted Score	0.9	0.3	0.45	0.3	0.6
Risk to Timeline	10%	Score	3	1.1	2	1	2
		Weighted Score	0.3	0.11	0.2	0.1	0.2
Environment (Natural)	7.5%	Score	3	1	2	1.5	2.5
		Weighted Score	0.225	0.075	0.15	0.1125	0.1875
Environment (Built)	7.5%	Score	1	2.5	3	2	1.5
		Weighted Score	0.075	0.1875	0.225	0.15	0.1125

System Reliability	5%	Score	3	1.5	3	1	2.1
		Weighted Score	0.15	0.075	0.15	0.05	0.105
Total	100%		2.17	1.6275	1.575	1.5925	1.885
Rank			5	3	1	2	4