

2022/23 Manitoba-Minnesota Transmission Project Crown Land Offset Measures Plan annual update

Background

The Manitoba-Minnesota Transmission Project (MMTP) is a 500-kV transmission line that runs from the Dorsey Converter Station northwest of Winnipeg to the U.S. Border in southeastern Manitoba, where it exports hydroelectric energy to Minnesota Power’s Great Northern Transmission Line. The transmission line has been in operation since June 2020.

During engagement and the regulatory process for MMTP, concerns were shared about the loss of Crown land available for traditional use by First Nations people and Métis citizens. The federal approval for MMTP (Certificate of Public Convenience and Necessity EC-059 issued June 18, 2019 by the National Energy Board) includes a condition that required Manitoba Hydro to file a Crown Land Offset Measures Plan (CLOMP) outlining “how permanent loss of Crown land available for traditional use by Indigenous Peoples resulting from the Project will be offset or compensated for.”

Manitoba Hydro worked to develop a plan, engaging with the 21 nations involved in the MMTP Monitoring Committee. We received approval for the CLOMP from the Canada Energy Regulator on May 28, 2021.

The approved CLOMP involves offsetting the permanent loss of Crown lands available for traditional use by Indigenous people by adding to the amount of provincial Crown land currently available for traditional use. To achieve this, Manitoba Hydro will purchase private land and transfer it to the Province of Manitoba to be kept as Crown land in a natural state.

The overall objective of the CLOMP is to place impacted Indigenous communities in as comparable a position as possible to the position they were in prior to the project in terms of their ability to exercise traditional rights in the project area.

The high-level process steps outlined in the CLOMP are illustrated below in Figure 1.

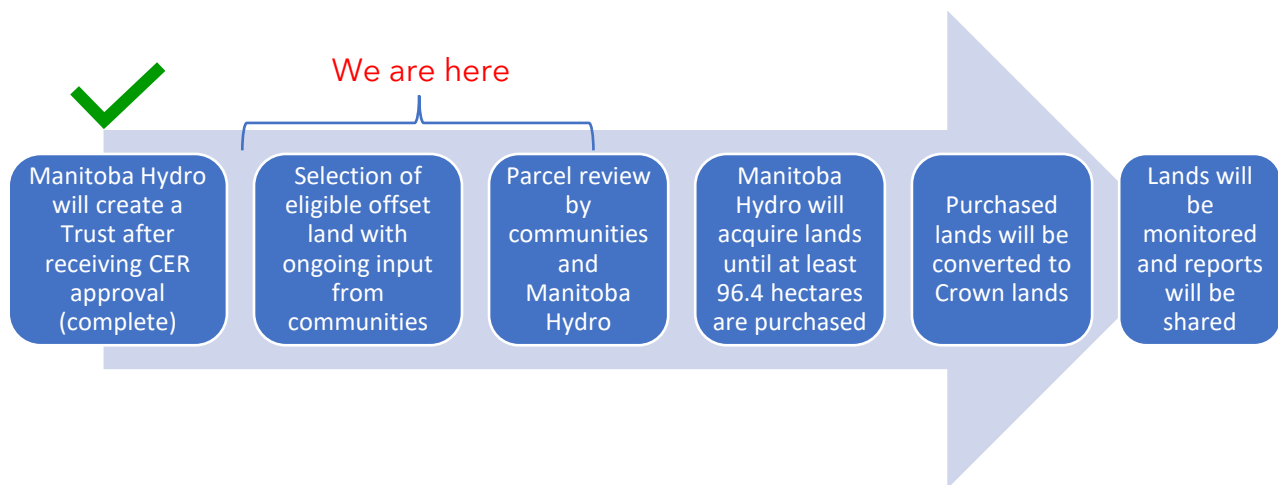


Figure 1: Steps in Crown Land Offset Measures Plan process

In 2022, Manitoba Hydro established a Trust, known as the MMTP Crown Land Offset Measures Trust, to fund the review and acquisition of offset lands. Peace Hills Trust Company, a First Nations financial institution, is the Trustee (manager of the Trust). Manitoba Hydro transferred \$815,219 to the Trustee to create the Trust. The amount was invested in a GIC (guaranteed investment certificate). We have since been working with engaged nations to identify and review potential offset land parcels.

What are we looking to buy?

To fulfill the CLOMP, Manitoba Hydro must buy at least 96.4 hectares (approximately 238 acres) of land that satisfies a set of selection criteria, which were informed by engagement with the MMTP Monitoring Committee nations.

The selection criteria for CLOMP offset parcels are:



Located in the Area of Focus identified for CLOMP



Suitability for exercising Aboriginal and Treaty rights



Availability for fair market value



Parcel not identified as part of TLE



No nearby development plans that may impact the parcel

A map of the CLOMP Area of Focus is attached to this report.

How are parcels being identified and reviewed?

To identify potential properties, we have been implementing the following process:

Manitoba Hydro is searching real estate listings and inviting suggestions about potential candidate parcels from engaged nations

Organizing field visits with cultural representatives from engaged nations

Sharing parcels that appear to have potential with the MMTP Monitoring Committee for review by sending an email notification and sharing information on a password protected page on the MMTP Monitoring website



Christian Goulet and Darryl Taylor at NW 7-1-9 EPM on August 26, 2022

There is also the option for engaged nations to choose to visit parcels on their own if there is interest. Funding support is available to reimburse for time (honouraria) and mileage incurred participating in CLOMP reviews.

If there are no concerns opposing a parcel, it may proceed to the next steps of the review process including undertaking a Phase 1 Environmental Site Assessment to identify actual and potential environmental liabilities and risks, and to provide recommendations if necessary.

We recognize the time constraints when reviewing parcels are often intensive; however, they are determined due to the time frames of the real estate market. We are learning as we go and appreciate any feedback you may have about the process.

What happened this year?

Over the past year, Manitoba Hydro has continued to search for land parcels that may fit the CLOMP selection criteria, arranged field visits to better assess the suitability of available parcels, hosted an information session about the CLOMP process, and has purchased the first offset property for the CLOMP.

Field visits

Between June 1, 2022 and May 31, 2023, two CLOMP field visits took place to assess the suitability of potential CLOMP parcels:

- June 14, 2022
- July 7, 2022

The field visits involved visiting sites with representatives of some MMTP Monitoring Committee nations and hearing feedback and observations about whether and how the parcels may support traditional pursuits and cultural activities. Observations were made about the absence or presence of culturally important plants and animals and experiential characteristics such as location, quietude, and proximity to other parcels of accessible land.

On occasion, additional field visits to potential CLOMP parcels took place in conjunction with seasonal MMTP Monitoring events since representatives of Manitoba Hydro and the MMTP Monitors were in the area.



Warren Bird on July 7, 2022 CLOMP field visit

Parcels shared for MMTP Monitoring Committee review

Following field visits, four parcels were presented to the MMTP Monitoring Committee for review. The parcels were initially shared on July 22, 2022 by an email including instructions on how to review and submit feedback about the parcels through the MMTP Monitoring website. The deadline to provide feedback about the four parcels was August 5, 2022.

CLOMP information session

Manitoba Hydro invited representatives of the 21 nations involved in the MMTP Monitoring Committee to attend a virtual meeting on August 4, 2022 to discuss the four parcels shared for review and the review process. At the meeting, Manitoba Hydro provided an overview of the CLOMP, demonstrated how to review and submit feedback about potential parcels on [MMTPMonitoring.com](https://www.mmtppmonitoring.com), heard concerns, and answered questions. Representatives from Dakota Tipi First Nation, Dakota Plains Wahpeton Nation, Long Plain First Nation, the Manitoba Métis Federation, Peguis First Nation, and Swan Lake First Nation attended the meeting.

Parcel purchase

A key outcome of this past year was the successful purchase of the first parcel of land towards fulfillment of the CLOMP. The 155-acre parcel is located at NW 7-1-9 EPM. The civic address is 1133 Road 48E in the RM of Stuartburn (see attached maps). It is located next to Crown land to the north (across the road) and is located approximately 15 km southwest of MMTP. Maps of the purchased property are included at the back of this report.

Cultural representatives from Dakota Tipi First Nation, the Manitoba Métis Federation, and Black River First Nation visited the parcel during the field visit on July 7th, 2022. The site was visited again during the summer 2022 MMTP Monitoring tour on August 26, 2022.



Aerial view of property purchased at NW 7-1-9 EPM

The majority of the parcel has been kept in a natural state, primarily of forested land and wetlands. A cleared yard is present in the west-central portion of the site adjacent to Road 48 East. An old cabin and several outbuildings were present in the yard at the time of the field visits. The parcel was listed for sale in June 2022.

During the field visits, deer and birds were observed as well as a variety of shrubs and trees. The native plants observed included:

- Pink Wintergreen
- Hemp Dogbane
- Northern Bedstraw
- Black-eyed Susan
- Tiger Lilly
- Canada Goldenrod
- Common Milkweed
- Harebell Wild Carrot
- Swamp Milkweed
- Maltese Cross
- Yarrow Wild Roses Golden Alexander



Observations at NW 7-1-9 EPM on July 7, 2022 field visit

There were some invasive species observed in low numbers near disturbed areas such as parcel edges. The invasive species observed were:

- Curly Dock
- Thistle
- Burdock
- Common bird's-foot trefoil

These observations and photos were included in the information shared with the MMTP Monitoring Committee for review. Through the review process, we did not receive any concerns about this parcel and its suitability as an offset parcel. As a result, Manitoba Hydro moved forward with the next steps to pursue purchase of the property.



Photo taken at the property purchased at NW 7-1-9 EPM on August 26, 2022

An offer to purchase was made subject to the completion of a satisfactory Phase I Environmental Site Assessment (ESA). Manitoba Hydro hired SLR Consulting Ltd. to conduct the Phase I ESA, which included a site visit, interviews, and a historical records review.

The Phase I ESA report concludes that this land parcel presents negligible to low environmental risks. Some hazardous materials identified as potentially present are consistent with the presence of older buildings and are largely associated with the existing cabin and dilapidated buildings currently on site. Manitoba Hydro will be required to remove these developments from the site prior to the Province of Manitoba accepting the parcel to convert it to Crown land thereby mitigating risks by removal of materials. The Phase I ESA was shared with MMTP Monitoring Committee members for review by email on September 9, 2022 and is posted on the password protected page of the MMTP Monitoring website. No review comments were received.

[Ceremony at the purchased parcel](#)

On October 27, 2022, a ceremony took place at this newly purchased parcel of land. Representatives from Black River First Nation, Canupawakpa Dakota Nation, Dakota Tipi First Nation, the Manitoba Métis Federation, and Peguis First Nation were in attendance. Darryl Taylor led the pipe ceremony and songs were performed by a drum group from Canupawakpa Dakota Nation. Attendees then enjoyed a feast together.

Updates on the trust

Table 1 shows the revenues and expenses of the trust to date. In addition to the purchase of the land, other expenses charged to the trust include mileage and honouraria for participation of First Nations people and Métis citizens to participate in CLOMP, Phase 1 ESA consultant fees, and activities necessary to clean-up purchased properties prior to transferring them to the province.

Table 1: Transactions of the trust from Initial Settlement (May 16, 2022) to May 31, 2023.

Description of Transaction	Amount
Initial transfer from Manitoba Hydro to the trust	\$815,219
Interest earned	27,672
Expenses related to investigating potential CLOMP properties	(4,460)
Land purchase	(166,659)
Trust equity at May 31, 2023	\$671,772

Manitoba Hydro has also incurred costs related to the implementation of the CLOMP that will not be charged to the Trust, including costs to set up the Trust, annual fees for the Trust, and internal labour costs to manage the program.

Next steps

A survey to gather feedback about the CLOMP process to date and determine interests in participating in future activities is being distributed at the same time as this annual update. We would love to hear your feedback and preference through the survey.

Manitoba Hydro will continue to work with MMTP Monitoring Committee nations to identify available land parcels that may be suitable for the CLOMP. We continue to invite representatives to put forward any potential candidate parcels that they become aware of.

Manitoba Hydro will continue to coordinate and support field tours to visit and review potential candidate parcels, assess their cultural value, and help determine whether they should be circulated to the broader MMTP Monitoring Committee for further review.

Clean-up work will continue at the property purchased in NW 7-1-9 EPM. This will include removal of the existing cabin and debris, removal of outdated Manitoba Hydro infrastructure on the property, and closure of a well. The property will be transferred to the province after the full amount of land required to fulfill CLOMP (at least 96.4 hectares) has been acquired.

We remain available to provide a presentation about the CLOMP to nations that may be interested in further discussions about the process.

More information:

The Crown Land Offset Measures Plan is available in full at:

https://www.hydro.mb.ca/docs/regulatory_affairs/projects/mntp/crown_land_offset_measures_plan.pdf

The MMTP Monitoring website address is: www.MMTPMonitoring.com

The password to the CLOMP-related sections of the website is: CLOMP123

Manitoba-Minnesota Transmission Project

Project Infrastructure

- Converter Station (Existing)
- MMTF Final Preferred Route

Infrastructure

- Existing 500kV Transmission Line
- Existing 230kV Transmission Line

Assessment Area

- Area of Focus for Land Parcel Selection

Recognized Areas for Harvesting

- Metis Natural Resource Harvesting Zone

Ownership

- Crown Land

Landbase

- Community
- Railway
- Trans Canada
- Provincial Highway
- Provincial Road
- City
- First Nation Lands
- Ecological Reserve
- Wildlife Management Area
- Provincial Park
- Rural Municipality

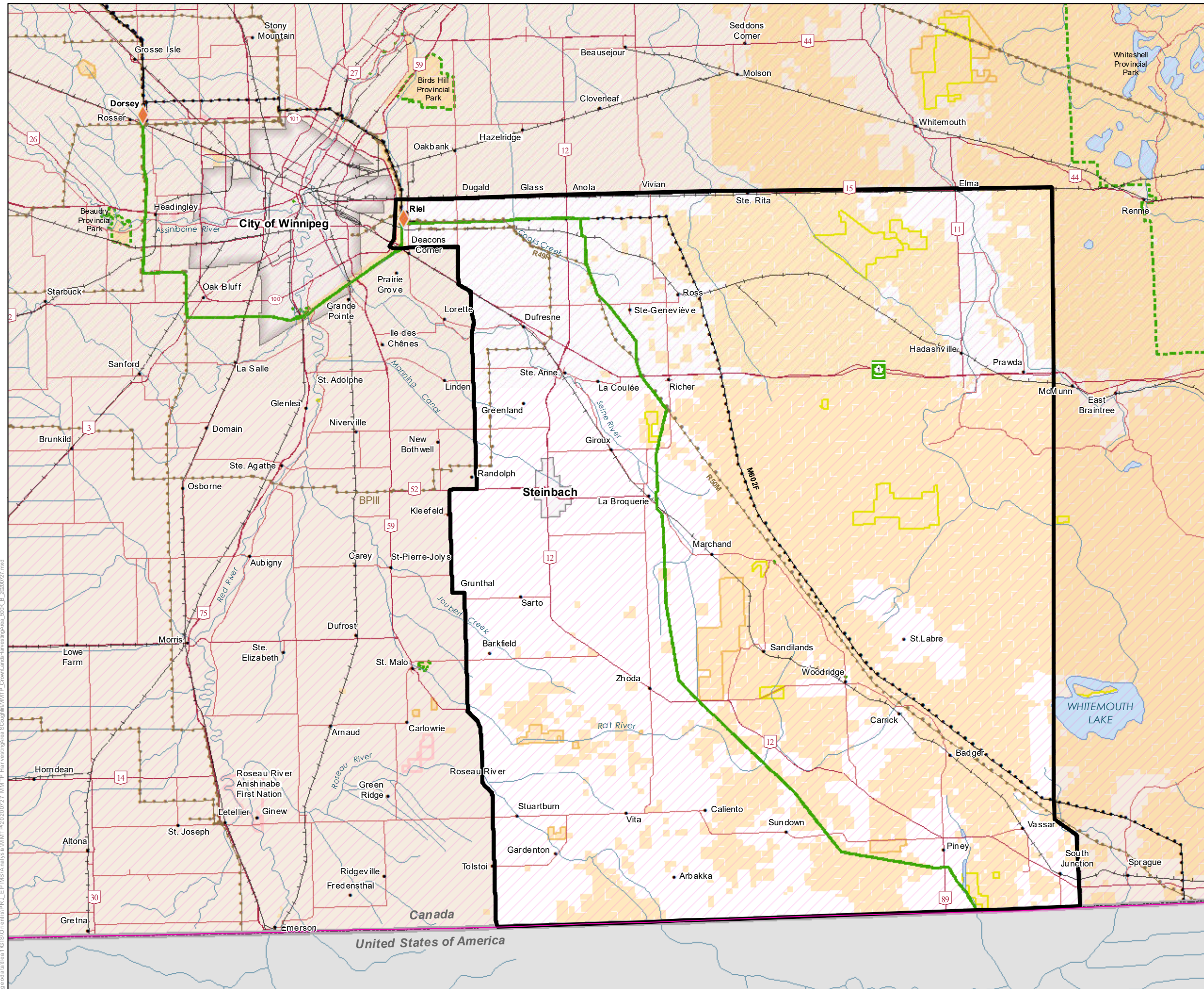
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Data Source: MBHydro, Prov MB, NRCAN
Date Created: July 27, 2020



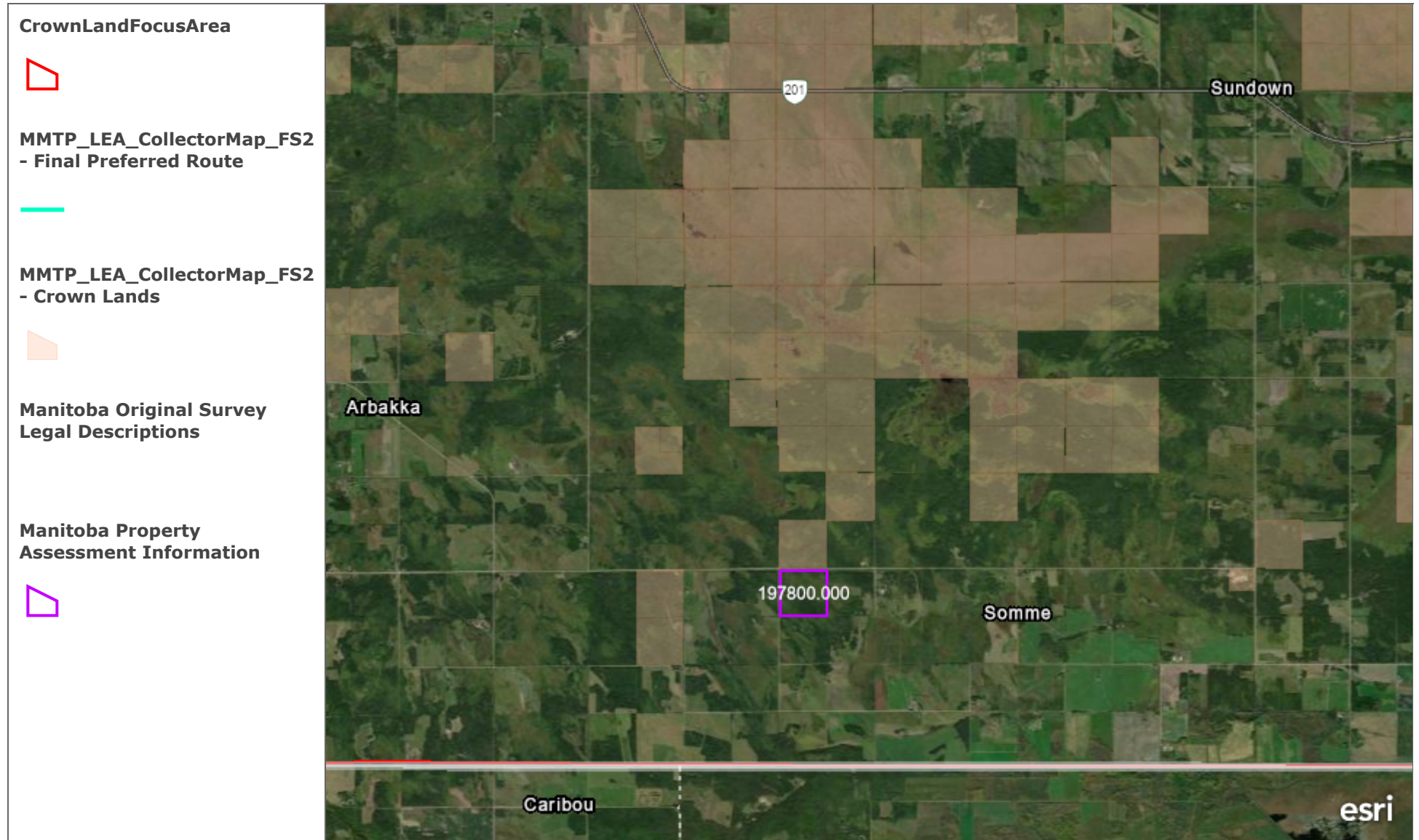
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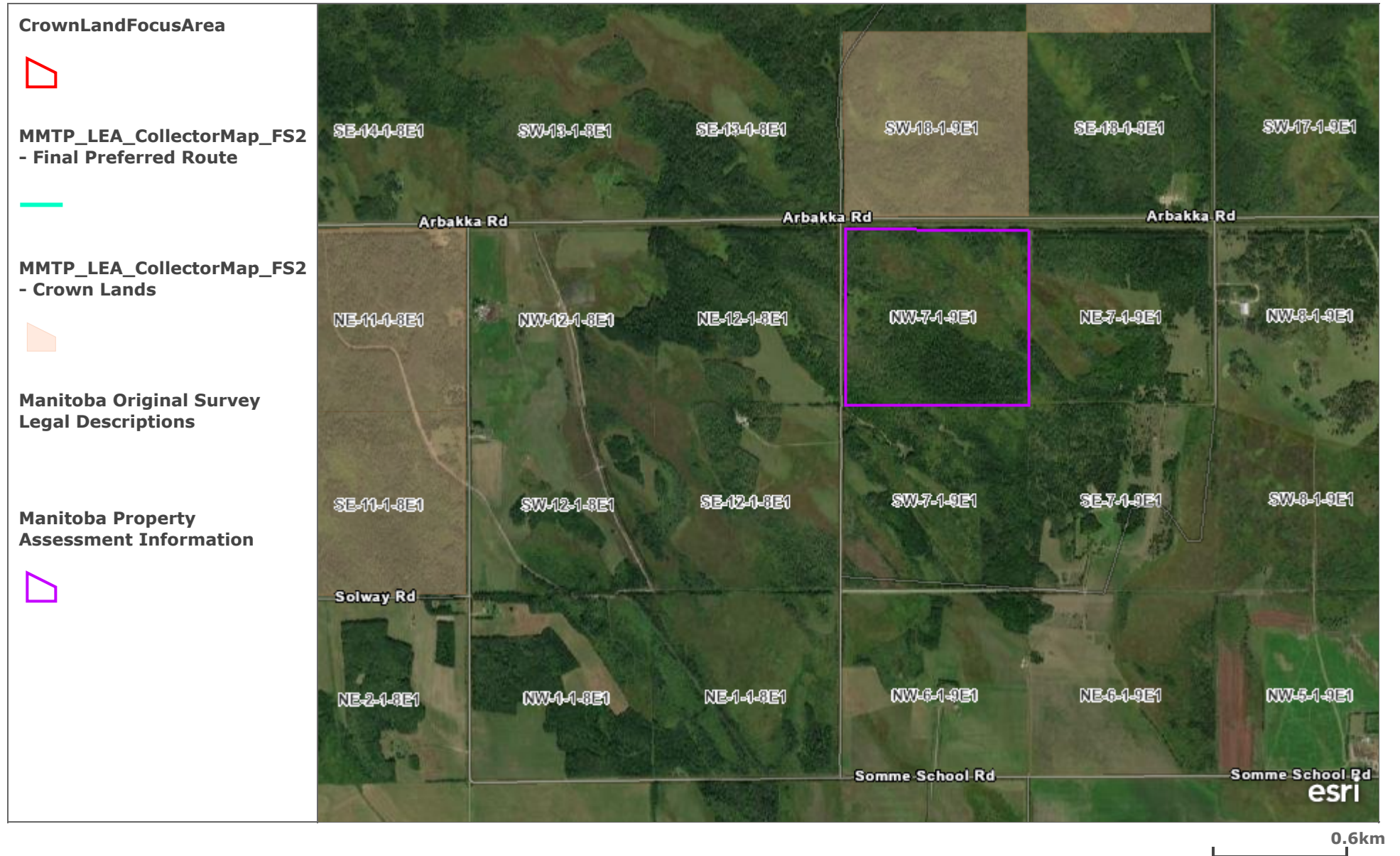
Area of Focus for Land Parcel Selection



Potential CLOMP Parcel - 1133 48E Road Stuartburn



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