



## PRESS RELEASE:

**YFFN calls on the Province of Manitoba and Manitoba Hydro to work with their Cree Partners to update the financial terms of the Joint Keeyask Development Agreement and restore long-term benefits promised through the Agreement.**

February 11, 2022

---

York Factory First Nation (YFFN) is calling on Manitoba Hydro and the Province of Manitoba to reopen, update, and renew both the letter, and the spirit and intent, of the Joint Keeyask Development Agreement (JKDA). The Agreement, signed in 2009 between Manitoba Hydro and four Partner First Nations, was intended to give long-term financial benefits to Indigenous communities affected by decades of destructive hydroelectric impacts on *nipiy/waters*, *askiy/lands*, and *ininiwak/people*. After 13 years, including delays in the Keeyask Project's schedule and increases in cost, the First Nations are now facing a future of negligible financial returns and the potential of significant financial losses from the Agreement that was meant to offer our First Nations an equitable future.

**YFFN is calling for the government and its Crown corporation to work with the Nations in updating the financial terms of the JKDA and restoring the long-term benefits that the Agreement was meant to provide.**

---

Since the 1950s, YFFN and our sister Nations in Northern Manitoba have struggled with the devastating impacts of hydroelectric development in our traditional waters, lands and communities - developments in which we had no say. In the early 2000s, Manitoba Hydro invited our Nations to be Partners in the 695MW Keeyask Project. We were told that Keeyask would be different: that a Partnership equity model would give us a real and meaningful say and, importantly, bring long-term employment, financial, and other benefits to our Nations.

Through the JKDA, we were offered an equity investment in the project. Manitoba Hydro presented glowing projections of significant financial returns to our First Nations over the 100-year life of the Project. This income, and other economic benefits, offered the prospect of financial self-sufficiency and self-determination – of better lives. These were key factors in our choice to join the Partnership and for our citizens to vote “yes” during the referendum to approve the JKDA.

“Despite the promise of Keeyask, the reality has been very different,” said YFFN **Chief Leroy Constant**. “Relationships in the Keeyask Board have been strained: we have been outvoted; Manitoba Hydro representatives have walked out of our Partnership meetings; and we have been treated with closed and muted zoom screens during meetings of the Partnership. With Manitoba Hydro as Project Manager and majority decision-maker, our actual ‘say’ and promised ability to direct the Project has been virtually non-existent.”

Under Manitoba Hydro’s management, the Keeyask Project has struggled with cost overruns and schedule delays. Serious gender and racial discrimination and violence on the Project sites have been brushed off by Manitoba Hydro as just “cultural awareness” issues. The movement of workers has elevated the pandemic risks to local communities, and there has and continues to be a significant increase in the flood of illicit drugs flowing into the four communities surrounding the Project. The benefits to our people from contracts and employment are currently overshadowed by a mental health crisis and an epidemic of addictions in our community that is unlike anything we have seen before.

It has been 13 years since we signed the JKDA and construction is scheduled to be completed in a matter of weeks.

Canadians, Manitobans, and First Nations now understand, more than ever, the impacts of resource development on Indigenous lands:

- Aboriginal and Treaty rights to waters, lands, resources, and sacred sites are protected from unjustifiable infringement by s. 35(1) of the *Constitution Act, 1982*;
- Manitoba has passed *The Path to Reconciliation Act*, committing itself to be guided by the principles of the *Truth and Reconciliation Commission Calls to Action*, and the principles of the *United Nations Declaration on the Rights of Indigenous Peoples*;
- Canada has made the *United Nations Declaration on the Rights of Indigenous Peoples* part of the law of Canada;
- The Truth and Reconciliation Commission has called for Aboriginal communities to “*gain long-term sustainable benefits from economic development projects*”; and
- The World Bank Group has issued its global policy: *A Guide for Local Benefit Sharing in Hydropower Projects*.

Meanwhile, the Keeyask construction period has been extended and Project costs have risen by close to \$3 billion to a projected total cost of \$8.7 billion. Keeyask’s economic forecast has changed significantly and the forecast of net export revenues has been dramatically reduced. As a result, the financial terms of the JKDA can no longer generate the long-term benefits that they were intended and designed to create. The JKDA has become a lopsided proposition that guarantees more than \$100 million in annual water rental and guarantee fees to Manitoba’s provincial government. At the same time the Nations that are most impacted by the development face an addiction epidemic, increased social impacts, trauma and mental wellness issues, significant additional environmental damage and negligible to negative financial returns.

“Since the very beginning of the water regulation projects, the diversion of rivers, and a chain of hydroelectric developments beginning in the 1950s, our First Nations have invested our working capital of water, lands, fish, game, timber and other natural resources,” stated Chief Constant. “Over the past 65 years we have been forced to progressively invest everything that Creator and our ancestors have provided for our sustenance. In return, we have received negative impacts, discrimination in our own lands, and broken promises. Once again, the adverse effects of yet another major hydroelectric project have been imposed on remote Indigenous Peoples for the benefit of distant non-Indigenous governments and peoples. To let the JKDA stand, as written, would be inequitable to our Nations. It would be an embarrassment to our province, to Canada, and to the world.”

“York Factory and our partner First Nations reached out to Manitoba Hydro and the Province of Manitoba this fall. We are calling on the Province of Manitoba to commit to work with us to update the JKDA and make sure that First Nations will see long-term benefits from Crown-led resource development in their territories,” shared Chief Constant.

Manitoba Hydro’s promises of equitable benefits to our First Nations are viewed by Canada as accommodation for the infringements by the Project on our constitutionally-protected Aboriginal and Treaty rights, and so are tied to the federal licence approvals for the Project. Because of this, we are also reaching out to Canada to ensure the promises made to our Nations are enforced and upheld in revised licence conditions.

Project construction is nearing an end, and investment timelines are drawing close. The time for Manitoba and Manitoba Hydro to come to the table with our First Nations is now.

-30-

**For more information, contact:**

Melanie Ferris  
Manitoba Keewatinowi Okimakanak  
Email: [melanie.ferris@mkonorth.com](mailto:melanie.ferris@mkonorth.com)  
Phone: 204-612-1284