



MOHAWKS OF THE BAY OF QUINTE

KENHTEKE KANIENKEHA

COMMUNITY INFRASTRUCTURE / TECHNICAL SERVICES / ENVIRONMENT

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VIA EMAIL AND RESS

March 28, 2023

Ms. Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street
Suite 2700
Toronto, ON M4P 1E4

Dear Ms. Marconi,

Re: Enbridge Gas Inc. ("Enbridge") Ontario Energy Board ("OEB"), File Number EB-2022-0248 Mohawks of the Bay of Quinte First Nation Pipeline Project, Intervenor Evidence Proposal

This letter is written in response to the proposal dated March 9, 2023 submitted by Environmental Defence ("ED"), proposing intervenor evidence in relation to the above noted leave to construct applications.

We are also in receipt of the letter from Enbridge, dated March 28, 2023 containing the response of Enbridge to the Intervenor Evidence Proposal. We agree with the response of Enbridge with respect to the proposal of ED.

In addition, the evidence to be submitted appears to be of alternative energy proposals and their cost effectiveness.

The OEB has recognized the duty to consult as a meaningful duty as set out by the Supreme Court of Canada. Enbridge also recognizes its duty to consult and has consulted extensively with the Mohawks of the Bay of Quinte First Nation ("MBQ") with respect to this project.

It is as a result of that consultation, including consultation by both Enbridge and MBQ with various members of the MBQ affected by the proposal that MBQ has chosen to support this proposal over the alternative energy sources.

Please note this proposal is on the actual territory of the MBQ established by treaty. It is not

just our traditional lands, nor the lands claimed as part of land claim process, but the actual physical MBQ Territory.

MBQ is a self-governing First Nation and a steward of the land. MBQ objects to parties outside of the Territory attempting to dictate how MBQ governs its own Territory and its stewardship of the land.

This is in fact directly contrary to the duty to consult as the objectors are proposing to ignore the consultation that has occurred with the MBQ. It would render such consultation effectively meaningless.

Therefore, the evidence of ED with respect to alternative energy sources, which has been considered by MBQ should be rejected as irrelevant to the issues in question in the application of Enbridge.

On any future correspondence, or materials we would ask that you copy our legal counsel, Jennifer Savini and Harold Van Winssen of Templeman LLP, who are copied on this letter.

Sincerely,

MOHAWKS OF THE BAY OF QUINTE



Chief R. Donald Maracle

cc: Jennifer Savini, Legal Counsel, Templeman LLP
Harold Van Winssen, Legal Counsel, Templeman LLP
Haris Ginis, Technical Manager, Lead to Construct, Enbridge Gas
Intervenors
David Souliere, CAO, MBQ
Todd Kring, Director of Community and Infrastructure, MBQ