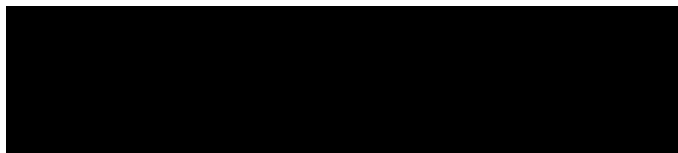




Subject:
Date:



FW: Intervention Form: EB-2023-0198 - Lac des Mille Lacs First Nation (LDMLFN)
Thursday, September 28, 2023 3:23:01 PM



From: Ontario Energy Board <webmaster@oeb.ca>
Sent: Thursday, September 28, 2023 3:11 PM
To: Office of the Registrar <Registrar@oeb.ca>
Cc: ee@esquegalaw.com
Subject: Intervention Form: EB-2023-0198 - Lac des Mille Lacs First Nation (LDMLFN)

Intervention Form

Case Number:

EB-2023-0198

Intervenor Name:

Lac des Mille Lacs First Nation (LDMLFN)

Mandate and Objectives:

LDMLFN intends to participate actively and responsibly as an intervenor in the proceedings as necessary to assist the board by making written or oral submissions, submitting evidence, argument, or interrogatories and may cross-examine witnesses.

Membership of the Intervenor and Constituency

Represented:

LDMLFN is an Indian Band pursuant to the Indian Act and is a party to Treaty #3. The LDMLFN has over six hundred members, who are represented by the Chief and Council. Many members are currently in the process of building new homes on the reserve lands at Indian Reserve #22A1 and returning to their lands because of having to historically abandon due to the flooding of the lands.

Programs or Activities Carried Out by the Intervenor:

The LDMLFN is an independent and self governing First Nation. Its right to self govern are recognized and protected by the Canadian Constitution Act, 1982. The LDMLFN provides a full range of programs, services, and activities for its members including land stewardship duties and responsibilities and is therefore qualified to be an intervenor in this proceeding.

Governance Structure:

The community is governed by one Chief and five councillors. The Chief and Council are supported by a professional and competent administration office which is under the leadership of the Band Administrator, Quentin Snider. The Chief and Council are accountable to the members of the First Nation.

Representatives:

etienne esquega
ee@esquegalaw.com

Quentin Snider
qasnider@lacadesmillelacs.ca

Other Contacts:

David Mackett
dmackett@lacadesmillelacs.ca

Anthony Maunula
amaunula@lacadesmillelacs.ca

Frequent Intervenor Form:

OEB Proceedings:

N/A

Issues:

The LDMLFN's traditional territory extends throughout Northwestern Ontario and is the most proximate and affected community to this project as a substantial portion of the project goes

right through their lands. The LDMLFN has two reserve land locations that are proximate within the transmission line corridor.

Further, the Project as proposed has the potential to impact the rights, interests, lands, claims and practices of LDMLFN, which include but are not limited to rights to hunt, fish, and carry on other cultural practices throughout the traditional territory. These rights are protected by section 35 of the Constitution Act 1982, and as such, the Crown has a fiduciary obligation to consult with the LDMLFN. As a result, the Lac des Mille Lacs First Nation is a necessary intervenor.

LDMLFN has the option to acquire equity in the proposed transmission asset once the construction of the asset is completed and it is brought into service.

Policy Interests:

see "issues" response.

Hearings:

The LDMLFN has no preference in the form of hearing.

Evidence:

The LDMLFN is not able to advise if or what evidence it will be tendering at this time.

Coordination with Other Intervenors:

Currently, the LDMLFN does not intend to coordinate with any other intervenors.

Cost Awards:

Lac des Mille Lacs First Nation is seeking costs to participate as an intervenor in the proceeding. Lac des Mille Lacs First Nation fulfills the eligibility criteria for costs as set out in Section 3 of the OEB's Practice Direction on Cost Awards. Lac des Mille Lacs First Nation primarily represents an interest and policy perspective relevant to the Board's mandate and the proceedings related to this Project. Additionally, the proposed project traverses the traditional territory of Lac des Mille Lacs First Nation, and as such the First Nation has an interest in the land that is affected by the project.

Language Preference:

No.