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April 11, 2025

VIA EMAIL and RESS

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

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas)
Ontario Energy Board (OEB) File: EB-2024-0249
Boblo Island Community Expansion Project (Project)
Additional Information**

In accordance with Procedural Order No. 2, please find attached Enbridge Gas's responses to the OEB's additional information requests in the above-noted proceeding.

Sincerely,

Evan Tomek

Evan Tomek
Senior Advisor, Regulatory Applications – Leave to Construct

cc: Tania Persad (Enbridge Gas Counsel)
Arend Wakeford (Enbridge Gas Counsel)
Kristen Lozynsky (Enbridge Gas Counsel)
Zora Crnojacki (OEB Case Manager)
Lawren Murray (OEB Counsel)
Lisa (Elisabeth) DeMarco (Resilient LLP)
Daniel Vollmer (Resilient LLP)
John Wladarski (Northwind Business Development Inc.)
Chief Nikki van Oirschot (Caldwell First Nation)

ENBRIDGE GAS INC.

Response to Request to File Additional Information from
Ontario Energy Board (OEB)

Additional Information Request(s):

- 1) Information on the current status of the Land Claim and the consultation with Walpole Island First Nation related to the Land Claim.
- 2) A complete Consultation Log, including the timeline and content of any consultation with the Walpole Island First Nation on the Land Claim.
- 3) Copies of written communication (i.e., emails, memos) documenting the consultation between Enbridge Gas and Walpole Island First Nation regarding the Land Claim.

Response:

1– 3)

The Government of Canada's Crown-Indigenous Relations and Northern Affairs Canada Specific Claims Branch online status report lists the file related to a Walpole Island First Nation (WIFN) claim regarding Bob Lo (Bois Blanc) Island as closed as of 2019/11/26 and Enbridge Gas understands that a WIFN action against the federal and provincial Crown claiming unextinguished aboriginal title before the Ontario Superior Court of Justice (Court File No. 00-CV-189329) was placed in abeyance by consent in 2019. While the Crown-Indigenous Relations and Northern Affairs Canada website identifies "Walpole Island" as one of the negotiation tables in Ontario, no further detail is provided.

Enbridge Gas is not privy to the details of any ongoing discussions between the Crown and WIFN in relation to a WIFN land claim in the area of the Project and relies in large part on the information WIFN is willing to share about the nature of their rights and interests in the Project area as well as the direction provided by the Crown.

With respect to the Project, Enbridge Gas took its direction as to the level of consultation required from the Ministry of Energy and Electrification's (ENERGY) procedural delegation letter¹, which would have been informed by ENERGY's evaluation of WIFN's land claim, including WIFN's assertion of rights. In that regard, ENERGY required that consultation in the moderate range be undertaken, which, in addition to the requirements associated with a lower level of consultation, involves Enbridge Gas providing opportunities for the communities to share evidence or submissions about potential impacts should the communities so choose, and offering capacity funding to support meaningful participation by the communities in the

¹ Exhibit H, Tab 1, Schedule 1, Attachment 2.

consultation process with Enbridge Gas. ENERGY further noted that Enbridge Gas should be able to demonstrate how any concerns were considered and responded to and what impact they had on project decisions moving forward. When WIFN referred to the land claim during the course of consultation on the Project, Enbridge Gas informed ENERGY of WIFN's statements regarding the claim; ENERGY did not indicate any change in the level of consultation was required.

Regardless of the status of the WIFN land claim, Enbridge Gas's consultation with WIFN was focused on understanding how the Project may impact WIFN's interests, including asserted rights, and addressing any WIFN concerns with respect to the Project. Enbridge Gas provided detailed information regarding the Project, requested community feedback, including any suggestions or proposals on avoiding, minimizing or mitigating any potential adverse impacts on Aboriginal or treaty rights. Capacity funding was agreed upon to support activities such as timely technical reviews of documents, participation in field work associated with the proposed Project, and to engage in meaningful consultation. WIFN provided two sets of comments on the Project's Environmental Report and Enbridge Gas replied in detail to these comments and, in some instances, made additional commitments in response to those comments (see Exhibit I.OEB STAFF-4). In addition, Enbridge Gas kept WIFN informed of the further opportunities to provide feedback, including advising of the OEB process and the options for participation in the proceeding.

Enbridge Gas has continued to provide monthly project updates to WIFN since the filing of the updated Indigenous Consultation Report (ICR) on December 18, 2024. All of Enbridge Gas's consultation activities with WIFN regarding the Project, including how Enbridge Gas responded to WIFN's specific concerns, are included within the ICR found at Exhibit H, Tab 1, Schedule 1, Attachment 7 (updated December 18, 2024). Specifically, communication related to the WIFN's Land Claim and asserted rights can be found at line-items 6.1, 6.7, 6.10, and line-item attachment 6.23.