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April 24, 2026

VIA RESS AND EMAIL

Ritchie Murray
Registrar
Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

Dear Ritchie Murray:

**Re: Enbridge Gas Inc. (Enbridge Gas)
Ontario Energy Board (OEB) File: EB-2023-0343
East Gwillimbury Community Expansion Project (the Project)
Enbridge Gas response to April 17, 2026 letter from Mississaugas of Scugog
Island First Nation (MSIFN)**

On April 17, 2026, MSIFN filed a letter (the MSIFN Letter) responding to the written questions from the OEB's March 19, 2026 letter (the OEB Letter). The MSIFN Letter was filed after the April 1, 2026 filing deadline established by the OEB and after Enbridge Gas had already filed its comments on the Ministry of Energy and Mines' (MEM) February 12, 2026 Letter of Opinion (the MEM Letter of Opinion) regarding Indigenous consultation.

Notwithstanding the late filing by MSIFN, Enbridge Gas provides the following response in order to address the matters raised by MSIFN and to assist the OEB in bringing this proceeding to a timely conclusion.

Executive Summary

The MEM has already confirmed the procedural aspects of the Crown's duty to consult, as delegated to and undertaken by Enbridge Gas, have been satisfactorily discharged in relation to the Project. No party has identified any outstanding procedural deficiency that would prevent the OEB from issuing its decision.

In response to the OEB's request for further information regarding the matters identified in the Appendix of the MEM Letter of Opinion, MSIFN has sought the imposition of expansive, additional approval conditions that would require Enbridge Gas to further formalize and file Project-specific plans and protocols governing information sharing, mitigation, restoration, and lifecycle engagement, and subject those matters to ongoing OEB oversight. Such conditions are neither necessary nor appropriate.

As reflected on the record, Enbridge Gas has appropriate procedures, regulatory obligations, and standard practices to support construction, mitigation, and restoration activities. Enbridge Gas has also undertaken extensive consultation in respect of the Project and has made a number of clear, documented, and Project-specific commitments regarding Indigenous engagement, information sharing, mitigation, and ongoing involvement throughout the construction and post-construction phases, all as more particularly outlined below. Taken together, Enbridge Gas submits these measures and commitments are appropriate, reasonable, and sufficient to address impacts and to support ongoing engagement on the Project. No

additional conditions beyond the OEB's standard conditions are required, and no additional OEB oversight is warranted (consistent with OEB Staff's written submissions which support OEB granting leave to construct (LTC) based on the standard approval conditions).

To assist the OEB and provide clarity, Enbridge Gas identifies in the body of this letter certain commitments it has made to MSIFN throughout ongoing engagement. In these circumstances, Enbridge Gas submits that the Application should be approved without the additional conditions requested by MSIFN, consistent with the MEM's Letter of Opinion and the OEB's established approach to LTC approvals.

Response to MSIFN Letter

In the sections that follow, and supplemental to the Company's April 8th letter filed in relation to this proceeding, Enbridge Gas comments directly on each of MSIFN's responses to the OEB's four questions outlined in the OEB Letter. In doing so, Enbridge Gas identifies certain commitments made to MSIFN in the course of consultation with respect to the Project. Enbridge Gas also explains why certain requests advanced by MSIFN are not required.

1) What is included in "all documents and plans" filed by Enbridge Gas and to what agencies?

Enbridge Gas has provided MSIFN with significant Project information to date, including the Environmental Report, responses to MSIFN's detailed questions and comments regarding the Project, as well as the requested Stage 2AA and Cultural Heritage Report: Existing Conditions Property Impact Assessment (CHRECPIA), Horizontal Directional Drilling Contingency Plan for Inadvertent Releases, and Species at Risk Habitat Assessment and Summary Memo. In addition to implementing the numerous mitigation measures identified in the Environmental Report, throughout its consultation with MSIFN, Enbridge Gas has made clear, documented, and Project-specific commitments to provide MSIFN with additional information and to address concerns raised by MSIFN. In particular, Enbridge Gas has committed to:

- (i) providing MSIFN with all Project documents and plans filed with the OEB following LTC approval, including post-construction monitoring reports;
- (ii) providing the Project-specific Environmental Protection Plan (EPP) once available;
- (iii) notifying MSIFN if any additional archaeological assessment is required;
- (iv) notifying MSIFN if undocumented artifacts of Indigenous origin are encountered during construction;
- (v) notifying MSIFN if unanticipated ecological or cultural plant values specified by MSIFN are identified during construction or subsequent monitoring and discussing with MSIFN the identified value and any subsequent action related to that discovery;
- (vi) notifying MSIFN of any reportable spills stemming from the Project, and if there is death of fish or harmful alteration to fish habitat as a result of a spill from the Project;
- (vii) committing to use MSIFN-provided seed mixes where appropriate as part of restoration; and

- (viii) inviting MSIFN to participate in pre-construction, construction, and post-construction 3-month and 15-month field visits and walkthroughs to share updates and demonstrate planned construction and remediation practices.

Other materials identified in MSIFN's request, to the extent not already outlined in the Environmental Report — such as construction staging and access plans, dewatering and discharge plans and restoration contingency measures — are implementation-level documents that are developed closer to construction, are inherently iterative, and are subject to ongoing change, based on contractor selection and site-specific conditions. These materials are governed by established regulatory compliance and enforcement regimes and are not typically filed with, nor relied upon by, the OEB in a LTC proceeding. Requiring the concurrent disclosure of all such materials across multiple regulatory and permitting authorities would be overly administrative and unnecessary, when the subject matter and key issues arising from these materials are already being shared through existing processes and commitments.

- 2) *What is meant by “real time mitigation and adaptive management,” and, in the context of involvement during and after the construction phase of a project, how would these approaches function from an operational perspective? In particular, what role would Mississaugas of Scugog Island First Nation play?*

The development of a separate Adaptive Management Plan, as proposed by MSIFN, is not necessary in light of the nature of the Project, the well-developed construction and environmental management practices for construction of such projects and the commitments already made by Enbridge Gas in its Application and during consultation with MSIFN.

As Enbridge Gas has previously communicated to MSIFN, environmental protection for the Project is addressed through a combination of pre-planned mitigation measures, and remains flexible and responsive in real time to address potential impacts. Enbridge Gas will continue to evaluate the effectiveness of these pre-planned measures both during and following construction and in concert with established contingency plans for various events, such as, but not limited to, inadvertent releases for Horizontal Direction Drilling, discovery of unanticipated cultural resources, and suspect soil and spill response. Enbridge Gas will look to implement additional mitigation measures where warranted to address unforeseen or evolving conditions.

Operationally, this approach is implemented through the Project's environmental management and monitoring framework. Enbridge Gas will prepare a Project-specific EPP prior to construction, which will consolidate relevant mitigation measures identified in the Environmental Report, along with Project-specific conditions arising from permits and approvals obtained during detailed design. The EPP is intended to be a dynamic, living document that may be updated as site conditions, regulatory requirements, or unforeseen environmental considerations evolve during construction.

MSIFN has had significant opportunity to review and comment on the mitigation measures outlined in the Environmental Report and additional documents shared with the community. Enbridge Gas has responded to MSIFN comments and made additional commitments to address MSIFN's preferences and concerns. Enbridge Gas has also committed to providing MSIFN with the EPP, which will include mitigation measures identified in the Environmental Report, permits and approvals and those agreed to through consultation. As such, Enbridge Gas respectfully disagrees with the characterization of its approach as static or inflexible.

With respect to construction, Enbridge Gas has explained that environmental inspection and monitoring provide established, field-based mechanisms to verify implementation and effectiveness of mitigation measures. As detailed in Section 10 of the Environmental Report,

designated Environmental Inspectors, with additional support by Enbridge Gas Environmental Advisors, monitor compliance with regulatory requirements, permit conditions, and Project-specific environmental objectives throughout construction, post-construction, and restoration, and are empowered to identify when mitigation requires adjustment.

In terms of Indigenous monitors, given the scale and nature of the Project, the proposed site visits with representatives of MSIFN, coupled with Enbridge Gas's commitments to notify MSIFN in the event of certain occurrences, as outlined above, provide the appropriate opportunity and effective means for MSIFN to remain informed and provide input, including identifying concerns and making suggestions.

- 3) *What is meant by the term "full project lifecycle approach"? Specifically, how does this approach apply directly to the development and construction of a project, and what role would Mississaugas of Scugog Island First Nation play within such a framework?*

Enbridge Gas respectfully submits the planned approach already provides for engagement and consideration of potential impacts across the full lifecycle of the Project, and it is not limited to the LTC stage alone. As confirmed in the MEM's Letter of Opinion, it is expressly expected that Enbridge Gas will continue its consultation or engagement activities, as appropriate, with Indigenous communities throughout the life of the Project. The MEM also confirmed that Enbridge Gas is to notify the MEM should any rights-based concerns or issues arise during consultation or engagement with communities.

Consistent with that expectation, Enbridge Gas has already described its lifecycle engagement framework as standard practice, anchored in its commitment to build strong, long-term relationships with Indigenous communities that are not tied only to a particular approval stage or immediate construction window. Enbridge Gas regularly engages with Indigenous communities on a variety of projects and operational matters, including after construction is complete, and encourages Indigenous communities to raise concerns relating to Enbridge Gas's ongoing operations, maintenance activities, or future projects at any time.

With respect to post-construction restoration and monitoring, Enbridge Gas has already committed to conducting post-construction monitoring in accordance with OEB requirements and the Environmental Report, including evaluating the effectiveness of revegetation using the criteria set out in that report. Enbridge Gas has committed to providing post-construction monitoring reports to MSIFN, and has confirmed that input received from MSIFN during post-construction engagement may inform, where reasonable, best management practices for restoration activities on both this and future projects.

In addition, Enbridge Gas has also invited MSIFN to participate in post-construction site visits, during which MSIFN can provide feedback on the effectiveness of mitigation measures and restoration outcomes. Any feedback received will be considered, where appropriate, in the context of potential adaptive mitigation measures. These commitments demonstrate that post-construction restoration and monitoring are integrated components of the consultation and engagement framework for the Project, rather than matters deferred to internal implementation following regulatory approval.

Enbridge Gas has already taken steps to formalize continued dialogue with MSIFN beyond the specific exchanges tied to the East Gwillimbury Project Application record. Enbridge Gas stated in its April 8, 2026 letter to the OEB that Enbridge Gas and MSIFN representatives met on February 18, 2026 to discuss overarching matters related to Enbridge Gas's consultation practices and environmental mitigations on Enbridge Gas projects generally, and that there are

now regularly scheduled meetings between Enbridge Gas and MSIFN representatives to facilitate lifecycle engagement on Enbridge Gas projects.

Enbridge Gas respectfully disagrees with MSIFN's submission that a separate, OEB-mandated binding Project Lifecycle Engagement Protocol is necessary to achieve meaningful lifecycle engagement for the Project. In Enbridge Gas's submission, the existing record already demonstrates a lifecycle framework that includes:

- early engagement and opportunities for MSIFN to identify potential impacts and proposed mitigation measures through multiple rounds of comments and meetings during Project development;
- opportunities for review and comment on proposed mitigation measures in the Environmental Report and additional documents provided to the MSIFN;
- continued engagement beyond the regulatory approval stage, including through site visits;
- provision of post-construction monitoring reports, which include information about restoration; and
- ongoing, regularly scheduled meetings to support ongoing dialogue on mitigation, restoration, monitoring and broader operational concerns.

Enbridge Gas further submits that these existing commitments are appropriate and proportionate for the scale and scope of the Project. They provide a practical and effective means of ensuring engagement continues throughout the life of the Project, while preserving the flexibility necessary to address Project-specific issues through established consultation relationships and Project implementation processes. Imposing an additional OEB condition requiring a separate protocol document would not enhance consultation outcomes for this Project.

Accordingly, Enbridge Gas respectfully submits that no additional OEB-imposed lifecycle engagement protocol is required for this Project. The existing commitments already provide for continued engagement and consideration of mitigation, restoration, monitoring, and lifecycle issues beyond the LTC decision, and they are consistent with both Enbridge Gas's communications to MSIFN and the expectations articulated by the MEM.

4) What actions, if any, are expected in response to the information included in the Ministry of Energy and Mines' Letter of Opinion

Enbridge Gas has undertaken significant consultation with MSIFN and, as a result of that consultation, has made commitments in response to issues identified by MSIFN. Taking into consideration the scale and scope of the Project and for the reasons outlined above, the commitments Enbridge Gas has made reflect an appropriate and balanced approach to the matters identified by MSIFN as important to them and there is no need for the imposition of additional conditions beyond the standard OEB conditions for LTC approvals.

Conclusion

The MEM's Letter of Opinion clearly concludes that the procedural aspects of the Crown's duty to consult delegated to and undertaken by Enbridge Gas in relation to the Project are satisfactory. Further, MSIFN clarifies in the MSIFN Letter that it is not seeking to delay the

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OEB's decision on the Application. Based on Enbridge Gas's comments above and the OEB's established approach to LTC approvals, the Company submits that no additional conditions of approval are required and reiterates the request made in its April 8th letter that the OEB move swiftly to a decision in this proceeding without further delays.

If you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Squires".

Patricia Squires
Manager, Regulatory Applications – Leave to Construct

c.c Henry Ren (Enbridge Gas Counsel)
Arturo Lau (OEB staff)
James Sidlofsky (OEB Counsel)
Chief Kelly LaRocca (Mississaugas of Scugog Island First Nation)
EB-2023-0343 Intervenors