

**Ontario Energy Board
EB-2025-0313**

**IN THE MATTER OF *an application by Enbridge Gas Inc. for exemption
from leave to construct a natural gas pipeline and associated facilities in the
City of Burlington***

**SIX NATIONS OF THE GRAND RIVER – COMPENDIUM FOR ORAL
ARGUMENT**

JULY 9, 2026

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3	Indigenous Consultation Report, Line-item 3.4 (Responses to Written Interrogatories of Enbridge Gas Inc. Mar 9, 2026, Ex I, STAFF-1, Attachment 1, p. 20)

Tab 1

Ministry of Energy

Energy Networks & Indigenous Policy
Branch

Indigenous Energy Policy

77 Grenville Street, 6th Floor
Toronto, ON M7A 2C1
Tel: 416-325-6810

Ministère de l'Énergie

Direction Générale des Réseaux Énergétiques
et des Politiques Autochtones

Politique Énergétique Autochtone

77, rue Grenville, 6^e étage
Toronto, ON M7A 2C1
Tél. 416-325-6810



October 19, 2021

VIA EMAIL

Mr. Dave Janisse, Technical Manager
Leave to Construct Applications, Regulatory Affairs
Enbridge Gas Incorporated
P. O. Box 2001
50 Keil Drive North
Chatham, ON N7M 5M1

Re: Cedar Springs Community Expansion Project

Dear Mr. Janisse,

Thank you for your emails, dated August 27 and August 30, 2021, notifying the Ministry of Energy (Energy) of Enbridge Gas Incorporated's (Enbridge) intention to apply to the Ontario Energy Board (OEB) for Leave to Construct for the Cedar Springs Community Expansion Project (the Project).

I understand that Enbridge is planning to construct new natural gas pipelines to distribute natural gas volumes to residential and commercial customers in Cedar Springs, located within the City of Burlington, ON.

On behalf of the Government of Ontario (the Crown), Energy has reviewed the information provided by Enbridge with respect to the Project and assessed it against the Crown's current understanding of the interests and rights of Aboriginal communities who hold or claim Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act 1982* (Indigenous Communities) in the area. In doing so, Energy has determined that the Project may have the potential to affect such Indigenous communities.

The Crown has a constitutional duty to consult and, where appropriate, accommodate Indigenous communities when the Crown contemplates conduct that might adversely impact established or asserted Aboriginal or treaty rights. These consultations are in addition to consultation imposed by statute.

While the legal responsibility to meet the duty to consult lies with the Crown, the Crown may delegate the day-to-day, procedural aspects of consultation to project proponents. Such a delegation by the Crown to proponents is routine practice for Energy.

I am writing to advise you that on behalf of the Crown, Energy is delegating the procedural aspects of consultation in respect of the Project to Enbridge (the Proponent) through this letter. Energy expects that the Proponent will undertake the procedural aspects of consultation with respect to any regulated requirements for the proposed Project. The Crown will fulfill the substantive aspects of consultation and retain oversight over all aspects of the process for fulfilling the Crown's duty.

Please see the appendix for information on the roles and responsibilities of both the Crown and the Proponent.

Based on the Crown's assessment of First Nation and Métis community rights and potential project impacts, the following Indigenous communities should be consulted on the basis that they have or may have constitutionally protected Aboriginal or treaty rights that may be adversely affected by the Project.

Community	Mailing Address
Mississaugas of the Credit First Nation	2789 Mississauga Road R.R. #6 Hagersville, ON N0A 1H0 T: (905) 768-1133 F: N/A Communications@mncfn.ca
Six Nations of the Grand River/HCCC*	Six Nations of the Grand River Elected Council 1695 Chiefswood Road P.O. Box 5000 Ohsweken, Ontario N0A 1M0 T: (519) 445-2201 F: (519) 445-4208 https://www.sixnations.ca/contact Haudenosaunee Confederacy Chiefs Council c/o Haudenosaunee Development Institute 16 Sunrise Court, Suite 600 P.O. Box 714 Ohsweken, ON N0A 1M0 T: (519) 445-4222 F: N/A hdi2@bellnet.ca
<u>Notes:</u> *Please note that proponents are required to consult with both the Six Nations Elected Council and the HCCC. Please copy Haudenosaunee Development Institute (HDI) on all correspondence to the HCCC.	

This rights-based consultation list is based on information that is subject to change. Consultation is ongoing throughout the duration of the Project, including project development and design, consultation, approvals, construction, operation and decommissioning. First Nations and Métis communities may make new rights assertions at any time, and further project related developments can occur that may require additional First Nation and/or Métis communities to be notified and/or consulted.

If you become aware of potential rights impacts on Indigenous communities that are not listed above at any stage of Project, please bring this to the attention of Energy with any supporting information regarding the claim at your earliest convenience.

Acknowledgement

By accepting this letter, the Proponent acknowledges this Crown delegation and the procedural consultation responsibilities enumerated in the appendix. If you have any questions about this request, you may contact Rosalind Ashe by calling 437-239-6154, or by email at: rosalind.ashe@ontario.ca.

I trust that this information provides clarity and direction regarding the respective roles of the Crown and Enbridge. If you have any questions about this letter or require any additional information, please contact me directly.

Sincerely,

Amy Gibson
Manager, Indigenous Energy Policy

c: Ontario Pipeline Coordinating Committee (OPCC)

APPENDIX: PROCEDURAL CONSULTATION

Roles and Responsibilities Delegated to the Proponent

On behalf of the Crown, please be advised that your responsibilities as Project Proponent for this Project include:

- providing notice and information about the Project to Indigenous communities, with sufficient detail and at a stage in the process that allows the communities to prepare their views on the Project and, if appropriate, for changes to be made to the Project. This can include:
 - accurate, complete and plain language information including a detailed description of the nature and scope of the Project and translations into Aboriginal languages where appropriate;
 - maps of the Project location and any other affected area(s);
 - information about the potential negative effects of the Project on the environment, including their severity, geographic scope and likely duration. This can include, but is not limited to, effects on ecologically sensitive areas, water bodies, wetlands, forests or the habitat of species at risk and habitat corridors;
 - a description of other provincial or federal approvals that may be required for the Project to proceed;
 - whether the Project is on privately owned or Crown controlled land;
 - any information the Proponent may have on the potential effects of the Project, including particularly any likely adverse impacts on established or asserted Aboriginal or treaty rights;
 - a written request asking the Indigenous community to provide in writing or through a face-to-face meeting:
 - any information available to them that should be considered when preparing the Project documentation;
 - any information the community may have about any potential adverse impacts on their Aboriginal or treaty rights; and
 - any suggested measures for avoiding, minimizing or mitigating potential adverse impacts;
 - information about how information provided by the Indigenous community as part of the consultation process will be collected, stored, used, and shared for their approval;
 - identification of any mechanisms that will be applied to avoid, minimize or mitigate potential adverse impacts;
 - identification of a requested timeline for response from the community and the anticipated timeline for meeting Project milestones following each notification;
 - an indication of the Proponent's availability to discuss the process and provide further information about the Project;
 - the Proponent's contact information; and
 - any additional information that might be helpful to the community.
- following up, as necessary, with Indigenous communities to ensure they received Project notices and information and are aware of the opportunity to comment, raise questions or concerns and identify potential adverse impacts on their established or asserted rights;

- gathering information about how the Project may adversely affect Aboriginal or treaty rights;
- bearing the reasonable costs associated with the procedural aspects of consultation (paying for meeting costs, making technical support available, etc.) and considering reasonable requests by communities for capacity funding to assist in participating in the consultation process;
- considering and responding to comments and concerns raised by Indigenous communities and answering questions about the Project and its potential impacts on Aboriginal or treaty rights;
- as appropriate, discussing and implementing changes to the Project in response to concerns raised by Indigenous communities. This could include modifying the Project to avoid or minimize an impact on an Aboriginal or treaty right (e.g. altering the season when construction will occur to avoid interference with mating or migratory patterns of wildlife); and
- informing Indigenous communities about how their concerns were taken into consideration and whether the Project proposal was altered in response. It is considered a best practice to provide the Indigenous community with a copy of the consultation record as part of this step for verification.

If you are unclear about the nature of a concern raised by an Indigenous community, you should seek clarification and further details from the community, provide opportunities to listen to community concerns and discuss options, and clarify any issues that fall outside the scope of the consultation process. These steps should be taken to ensure that the consultation process is meaningful and that concerns are heard and, where possible, addressed.

You can also seek guidance from the Crown at any time. It is recommended that you contact the Crown if you are unsure about how to deal with a concern raised by an Indigenous community, particularly if the concern relates to a potential adverse impact on established or asserted Aboriginal or treaty rights.

The consultation process must maintain sufficient flexibility to respond to new information, and we request that you make all reasonable efforts to build positive relationships with all Indigenous communities potentially affected by the Project. If a community is unresponsive to efforts to notify and consult, you should nonetheless make attempts to update the community on the progress of the Project, the environmental assessment (if applicable) and other regulatory approvals.

If you reach a business arrangement with an Indigenous community that may affect or relate to the Crown's duty to consult, we ask that that Crown be advised of those aspects of such an arrangement that may relate to or affect the Crown's consultation obligations, and that the community itself be apprised of the Proponent's intent to so-apprise the Crown. Whether or not any such business arrangements may be reached with any community, the Crown expects the Proponent to fulfill all of its delegated procedural consultation responsibilities to the satisfaction of the Crown.

If the Crown considers that there are outstanding issues related to consultation, the Crown may directly undertake additional consultation with Indigenous communities, which could result in delays to the Project. The Crown reserves the right to provide further instructions or add communities throughout the consultation process.

Roles and responsibilities assumed directly by the Crown

The role of the Crown in fulfilling any duty to consult and accommodate in relation to this Project includes:

- identifying for the Proponent, and updating as appropriate, the Indigenous communities to consult for the purposes of fulfillment of the Crown duty;
- carrying out, from time to time, any necessary assessment of the extent of consultation or, where appropriate, accommodation, required for the project to proceed;
- supervising the aspects of the consultation process delegated to the Proponent;
- determining, in the course of Project approvals, whether the consultation of Indigenous communities was sufficient;
- determining, in the course of Project approvals, whether accommodation of Indigenous communities, if required, is appropriate and sufficient.

Consultation Record

It is important to ensure that all consultation activities undertaken with Indigenous communities are fully documented. This includes all attempts to notify or consult the community, all interactions with and feedback from the community, and all efforts to respond to community concerns. Crown regulators require a complete consultation record in order to assess whether Aboriginal consultation and any necessary accommodation is sufficient for the Project to receive Ontario government approvals. The consultation record should include, but not be limited to, the following:

- a list of the identified Indigenous communities that were contacted;
- evidence that notices and Project information were distributed to, and received by, the Indigenous communities (via courier slips, follow up phone calls, etc.). Where a community has been non-responsive to multiple efforts to contact the community, a record of such multiple attempts and the responses or lack thereof.
- a written summary of consultations with Indigenous communities and appended documentation such as copies of notices, any meeting summaries or notes including where the meeting took place and who attended, and any other correspondence (e.g., letters and electronic communications sent and received, dates and records of all phone calls);
- responses and information provided by Indigenous communities during the consultation process. This includes information on Aboriginal or treaty rights, traditional lands, claims, or cultural heritage features and information on potential adverse impacts on such Aboriginal or treaty rights and measures for avoiding, minimizing or mitigating potential adverse impacts to those rights; and
- a summary of the rights/concerns, and potential adverse impacts on Aboriginal or treaty rights or on sites of cultural significance (e.g. burial grounds, archaeological sites), identified by Indigenous communities; how comments or concerns were considered or addressed; and any changes to the Project as a result of consultation, such as:
 - changing the Project scope or design;
 - changing the timing of proposed activities;

- minimizing or altering the site footprint or location of the proposed activity;
- avoiding impacts to the Aboriginal interest;
- environmental monitoring; and
- other mitigation strategies.

As part of its oversight role, the Crown may, at any time during the consultation and approvals stage of the Project, request records from the Proponent relating to consultations with Indigenous communities. Any records provided to the Crown will be subject to the *Freedom of Information and Protection of Privacy Act*, however, may be exempted from disclosure under section 15.1 (Relations with Aboriginal communities) of the Act. Additionally, please note that the information provided to the Crown may also be subject to disclosure where required under any other applicable laws.

The contents of what will make up the consultation record should be shared at the onset with the Indigenous communities consulted with and their permission should be obtained. It is considered a best practice to share the record with the Indigenous community prior to finalizing it to ensure it is a robust and accurate record of the consultation process.

Tab 2

March 18, 2026

SENT BY E-MAIL AND FILED WITH ONTARIO ENERGY BOARD

Ritchie Murray
Acting Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Tel: 1-877-632-2727
registrar@oeb.ca

Dear Mr. Murray,

Re: Request for Leave to File Evidence
OEB File Number: EB-2025-0313

We write further to our letter of February 23, and in response to Enbridge Gas Inc.'s ("**Enbridge**") interrogatory responses of March 9. All parties are copied on this filing.

Enclosed is an affidavit of Peter Graham (Consultation Supervisor of the Six Nations of the Grand River, "**SNGR**"), which is being delivered in response to Enbridge's interrogatory responses and in anticipation of SNGR's written submissions due next Monday, March 23. Mr. Graham's affidavit provides important supplementary evidence regarding the history and status of Enbridge's consultation with SNGR which is not reflected in the evidence filed with the Ontario Energy Board (the "**Board**") in respect of Enbridge's LTC Exemption Application. This affidavit supplements the existing evidentiary record, and sets out relevant context and information missing from the record currently before the Board.

The admission of this affidavit (and exhibited communications) into evidence is necessary to ensure that the Board has a complete record of communications between Enbridge and SNGR with respect to consultation. SNGR therefore seeks leave to file this brief as evidence pursuant to Rule 13.02. SNGR intends to rely on Mr. Graham's affidavit in its forthcoming written submissions.

SNGR intends to seek costs in the estimated amount of \$2,400 to compensate it for the time and expense of preparing this evidence.



SNGR reserves the right to seek leave to file additional evidence, if necessary.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brittiny Rabinovitch', is written over a light blue horizontal line.

Brittiny Rabinovitch
BR/mf

Encl.

Cc: Barul Rahimtoola, Acting Manager, Applications Administration
Olatunbosun Ishola, Advisor, Regulatory Applications, Enbridge Gas Inc.
Richard Lanni, Senior Legal Counsel, Enbridge Gas Inc.
Aaron Gold, Counsel for SNGR
Aidan Testa, Articling Student

**Ontario Energy Board
EB-2025-0313**

***IN THE MATTER OF an application by Enbridge Gas Inc. for exemption
from leave to construct a natural gas pipeline and associated facilities in the
City of Burlington***

AFFIDAVIT OF PETER GRAHAM

I, Peter Graham, of the City of Hamilton, in the province of Ontario, MAKE OATH AND SAY:

1. I am the Consultation Supervisor of the Six Nations of the Grand River, as represented by the Elected Council (“**SNGR**”), intervenor in this proceeding, and, as such, have personal knowledge of the matters contained in this affidavit. Where I have been informed by others of information contained in this affidavit, I have indicated so, and I believe such information to be true.

2. I swear this affidavit to provide further evidence regarding consultation meetings between Enbridge Gas Inc. (“**Enbridge**”) and SNGR regarding the Cedar Springs Community Expansion Project (the “**Project**”), to supplement the evidence filed with the Ontario Energy Board (the “**Board**”) in respect of Enbridge’s LTC Exemption Application (the “**Application**”). I verily believe that the evidence herein is necessary for the Board to have a full understanding of the consultation that has not occurred with respect to the Project.

Initial Notification to SNGR

3. On September 29, 2021, Enbridge first notified SNGR of the Project by email to Lonny Bomberry (Director, Lands and Resources Department).¹ This notification included a map of proposed routes for the Project.

4. A Notification of Project Commencement was then sent to Mr. Bomberry on November 9, 2021.²

5. SNGR heard nothing further until June 2025, when it received a Notice of Upcoming Project on June 6, 2025.³ This notice came in the context of our ongoing discussions with Enbridge on other projects, notably the Port Colborne Reinforcement Project (the “**Port Colborne Project**”) and the Mississauga Reinforcement Project (the “**Mississauga Project**”). As discussed below, consultation was progressing poorly in both.

6. On June 3, 2025, I proposed that Enbridge and SNGR discuss the Project at our upcoming meeting on June 10, 2025 (the “**June Meeting**”),⁴ which was scheduled to discuss the Port Colborne and the Mississauga Projects. Ultimately, this Project was not discussed at the June Meeting.⁵

¹ Email from K. Berube to L. Bomberry dated September 29, 2021 (Responses to Written Interrogatories of Enbridge Gas Inc. dated March 9, 2026 [**Responses**], Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.0, p. 150). **Tab A**

² Email from K. Berube to L. Bomberry dated November 9, 2021 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.1, p. 153). **Tab B**

³ Email from K. Berube to L. Bomberry dated June 6, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.2, 155). **Tab C**

⁴ Email from P. Graham to K. Berube & L. Bomberry dated June 9, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.3, p. 157). **Tab D**

⁵ Responses, Exhibit I, SNGR-1, p. 6, response to question (d). **Tab E**

7. SNGR received no further correspondence from Enbridge in respect of the Project until September 2025.

Failed Delivery of the Project Description Report

8. On July 18, 2025, Enbridge attempted to send SNGR the following documents for the Project by email (the “**July 18, 2025 Email**”):

- (a) The Notice of Commencement;
- (b) The Virtual Information Session information; and
- (c) The Project Description Report (the “**PDR**”).

9. The July 18, 2025 Email was never received by SNGR, and it appears that delivery of this email had failed.⁶ Enbridge never followed up with SNGR about the July 18, 2025 Email or its contents.

10. Given that Enbridge was consulting with SNGR on other projects, it would have known that SNGR’s ordinary practice would be to actively engage in consultation on pipeline projects such as the Project.

Enbridge Submits Draft Environmental Report, SNGR Learns of the (Undelivered) July 18, 2025 Email

11. On September 16, 2025, SNGR received a draft Environmental Report for the Project from Enbridge.⁷

⁶ Email from P. Graham to K. Berube dated September 16, 2025 (Responses, Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.5, p. 159). **Tab F**

⁷ Email from P. Graham to K. Berube dated September 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.5, p. 159). **Tab F**

12. I observed at the time that the report “emphasized that extensive consultation had taken place”,⁸ despite Enbridge having engaged in effectively no consultation with SNGR on the Project. In fact, the *only* communications between the parties to date regarding the Project had been the logistical and other non-substantive correspondence discussed above (e.g., proposals to discuss the Project at the June 10 Meeting, which did not occur).

13. Upon reviewing the draft Environmental Report, I saw that it referred to the PDR and suggested that the PDR had been sent to SNGR on July 18, 2025 (which it never was, as described above).⁹

14. The draft Environmental Report suggested that the PDR “outlined the preliminary findings of natural heritage and cultural heritage that was shared with Indigenous communities to support and facilitate ongoing consultation efforts.”¹⁰ These findings would have given SNGR a greater understanding of the Project and its potential impacts, and would have shaped SNGR’s initial comments and concerns with the Project. Accordingly, the PDR and its findings were crucial for engaging in meaningful consultation.

15. Upon receipt of the draft Environmental Report, I noted that SNGR had not received a copy of the PDR and requested a copy of same. I also noted that SNGR was disappointed with the

⁸ Email from P. Graham to K. Berube dated September 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.5, p. 159). **Tab F**

⁹ Email from P. Graham to K. Berube dated September 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.5, p. 159). **Tab F**

¹⁰ Email from P. Graham to K. Berube dated September 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.5, p. 159). **Tab F**

state of consultation for certain other projects (described below), and that I was particularly concerned that “this one’s starting off so poorly.”¹¹

16. In response, Enbridge suggested that it had missed that the July 18, 2025 email had bounced back.¹²

17. After continued technical issues,¹³ a hard copy of the PDR was eventually delivered to SNGR on September 25, 2025.¹⁴

Enbridge Proceeds on the Ordinary Timeline Despite the Lack of Consultation

18. On September 16, 2025—before it had even delivered the PDR—Enbridge requested that SNGR provide comments on the Environmental Report by October 31, 2025.¹⁵

19. Enbridge made this request despite there having been effectively no consultation to date in respect of the Project.

20. Notably, there had not even been an introductory meeting between Enbridge and SNGR to discuss the Project. As SNGR are primarily an oral people, face-to-face meetings are especially important.

¹¹ Email from P. Graham to K. Berube dated September 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.5, p. 159). **Tab F**

¹² Email from P. Graham to K. Berube dated September 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.5, p. 159). **Tab F**

¹³ Email from K. Berube to P. Graham, dated September 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.10, p. 166). **Tab G**

¹⁴ Indigenous Consultation Report, Line-item 3.17 (Responses, Exhibit I, STAFF-1, Attachment 1, p. 21). **Tab H**

¹⁵ Email from P. Graham to K. Berube, dated September 17, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.11, p. 167). **Tab I**

21. In light of the lack of consultation (including the lack of any introductory meeting), I expressed to Enbridge that the October 31 deadline was “unworkable.”¹⁶

22. SNGR and Enbridge agreed to hold an introductory meeting on September 22, 2025, which was put on hold as a result of Enbridge’s broader failures (described below) which eroded the parties’ relationship (in respect of this Project and otherwise) and contributed to a growing sense of distrust of Enbridge by SNGR.

SNGR Attends Field Verification Survey

23. On October 21, 2025, after consistent postponements, SNGR representatives attended a field verification survey related to the Project.¹⁷ Allowing SNGR to participate in such surveys is a minimum requirement. It does not change the fact that Enbridge engaged in effectively zero consultation with SNGR.

Enbridge’s Ongoing Pattern of Failed Consultation

24. It is important to note that Enbridge’s failures to fully or properly consult with SNGR in respect to the Project arose in a wider context of failed consultation throughout 2025 on the Port Colborne and Mississauga Projects.

25. These consultation failures include:

- (a) Enbridge being persistently unresponsive to SNGR’s requests for detailed environmental studies on both the Port Colborne and the Mississauga Projects;¹⁸

¹⁶ Email from P. Graham to K. Berube, dated September 17, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.11, 167). **Tab I**

¹⁷ Indigenous Consultation Report: Summary Tables (Responses, Exhibit I, STAFF-1, Attachment 2, p. 4). **Tab J**

¹⁸ Email from P. Graham to K. Berube dated October 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.29, p. 183). **Tab K**

- (b) Enbridge taking the position on the Port Colborne project that the June Meeting did not count and ignoring the requests made by SNGR at the June Meeting, on the basis that they were made orally. This was done despite the importance of oral meetings to SNGR;¹⁹ and
- (c) Enbridge maintaining, in the face of articulated concerns, that SNGR had expressed no concerns with the Mississauga Project.²⁰

26. These issues led me to conclude, as I later expressed to the Ministry of Energy and Mines at various points, that “I believe Enbridge is deliberately stonewalling us.” A copy of this exchange is attached as **Exhibit 1**.

27. Enbridge’s conduct on these other matters eroded the parties’ relationship, in respect of this Project and otherwise, and contributed to a growing sense of distrust of Enbridge by SNGR.

28. This was exacerbated by the total lack of consultation on the Project. By mid-October 2025, following another meeting where SNGR’s concerns were ignored,²¹ SNGR felt that a change was necessary and that the parties had to engage in a more structured consultation process.

¹⁹ Email from P. Graham to K. Berube dated October 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.29, p. 183). **Tab K**

²⁰ Email from Ministry of Energy and Mines to P. Graham dated September 4, 2025, **Exhibit 1**.

²¹ Email from P. Graham to K. Berube dated October 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.29, p. 183). **Tab K**

CAP Team Requires a Structured Consultation Process, Enbridge Proceeds With Application Without Notice to SNGR

29. Due to the above failures of consultation on the Project and others, SNGR's Consultation and Accommodation Process (CAP) Team determined that a structured consultation process with Enbridge was required going forward.²²

30. SNGR and Enbridge scheduled a meeting to establish this process on November 25, 2025 (the "**November Meeting**"). At this meeting, Enbridge committed to (among other things) providing capacity funding in respect of the Project, and to hold an introductory project meeting in early 2026.

31. SNGR left the meeting believing that Enbridge was finally engaging in good faith, and that meaningful consultation could finally begin.

32. Unbeknownst to SNGR, however, Enbridge had already submitted this Application on November 19, 2025.²³ Enbridge did not advise SNGR that it had done so, at the November Meeting or otherwise.

33. SNGR learning of this Application—and that Enbridge had submitted it while discussions were supposedly ongoing—only further eroded SNGR's trust in Enbridge, and caused a significant setback when real consultation was only just set to begin.

34. Enbridge's decision to commence this Application prematurely, when effectively no consultation had occurred, and in the middle of active discussions to begin consultation with

²² Email from P. Graham to K. Berube dated October 16, 2025 (Responses, Exhibit I, STAFF-1, Attachment 1, Line-item Attachment 3.29, p. 183). **Tab K**

²³ Letter from R. Murray to S. Hill dated December 15, 2025 (Filed with the OEB as Notice_EGI_LtC Exemption_Cedar Springs Project_SNGR_updated_20251216). **Tab L**

SNGR, forced SNGR's hand. Intervening in the Application has become the only way for SNGR to require Enbridge to hear its concerns. Given Enbridge's approach to consultation on the Project, SNGR does not have confidence that if the Application is granted, Enbridge will engage with SNGR in good faith on a go-forward basis. Its actions to date are those of a proponent who is engaged in consultation only to the extent needed to obtain project approval.

35. Enbridge's decision to commence this Application when it did has only increased the time and expense SNGR has needed to expend. Among other things, Enbridge's Application was incomplete and left out key documents. SNGR was required to correct the Indigenous Consultation Record attached to Enbridge's Application (which was incomplete).

SWORN by Peter Graham of the City of Hamilton, in the Province of Ontario, before me at the City of Toronto, in the Province of Ontario, on March 18, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Aidan C. Testa

A Commissioner, etc., Province of Ontario,
while a Student-at-Law.
Expires November 6, 2028
(or as may be)

AIDAN CAMERON TESTA



PETER GRAHAM

This is Exhibit “1” referred to in the Affidavit of Peter Graham sworn by Peter Graham of the City of Hamilton, in the Province of Ontario, before me at the City of Toronto, in the Province of Ontario, on Tuesday March 18, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Aidan C. Testa

A Commissioner, etc., Province of Ontario,
while a Student-at-Law.
Expires November 6, 2028
(or as may be)

AIDAN CAMERON TESTA

[REDACTED]

[REDACTED]

[REDACTED]

From: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Sent: November 26, 2025 2:18 PM
To: Peter Graham <LRCS@sixnations.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

Thank you for providing us with this update. Good to hear it was a productive meeting.

I'm sure we'll be in touch again soon on Port Colborne.

Enjoy the rest of your week!

Thank you,
Shannon

From: Peter Graham <LRCS@sixnations.ca>
Sent: November 26, 2025 2:14 PM
To: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good afternoon Shannon,

We had a productive meeting with Enbridge yesterday. They've finally admitted to not taking notes at that June meeting.

While a lot of work is still required for Port Collborne, we told Enbridge we'd 'sign-off' on this phase of the Mississauga Reinforcement if the company agreed to our 10-1 tree replacement ratio, which it did. Accordingly, we have no objections to the file moving forward.

Thank you,

Peter

From: Peter Graham
Sent: September 17, 2025 3:27 PM
To: 'McCabe, Shannon (She/Her) (MEM)' <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

Hi Shannon,

Yes, the below is an accurate summary of our meeting.

Thank you, Peter

From: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Sent: September 17, 2025 1:47 PM
To: Peter Graham <L RCS@sixnations.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

Thank you for the follow-up discussion about the Mississauga Reinforcement project yesterday. We appreciate your time.

Below is a summary of the key issues discussed and next steps. Please let us know if we inadvertently mischaracterized anything.

- Six Nations continues to have unresolved issues with the Mississauga Reinforcement project, which includes:
 - o Concerns about baseline studies, routing and lack of information to be able to determine and assess impacts to rights
 - o Concerns that there has been a lack responsiveness and willingness from Enbridge to address Six Nations' concerns
 - o Enbridge's interrogatory response dated August 21, 2025 indicate that "*As of August 11, 2025, SNGR representatives have not identified any outstanding concerns. Enbridge Gas will continue to engage with SNGR about the Project*". Six Nations does not agree with that statement.
- We also note your concern/interest in ensuring that Enbridge is aware that feedback/ input from field/environmental monitors does not replace or constitute formal feedback into the consultation process. Consultations should take place with Six Nations' Land Use and Consultation Unit.
- We also note that that Six Nations is seeing similar concerns on other Enbridge projects, including Port Colborne and Cedar Springs.

Next steps:

- Chloe has already reached out to Dawn Russell at your office to determine some potential times that work for Six Nations, the Ministry and Enbridge to meet and discuss outstanding issues for the Mississauga Reinforcement project. A meeting to be scheduled as soon as possible.

Thanks again and we will be in touch soon.

Sincerely,
Shannon & Chloe

From: Peter Graham <L RCS@sixnations.ca>
Sent: September 16, 2025 9:56 AM
To: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

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dawnrussell@sixnations.ca

From: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Sent: September 16, 2025 8:53 AM
To: Peter Graham <L RCS@sixnations.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Good morning Peter,

Thanks for the call last week. After we chatted, our team met with Enbridge to discuss several matters, including the Mississauga Reinforcement project. If you're free at 9:30 today, I can give you a quick update on that discussion. Or if another day works better, please let me know.

Thanks!
Shannon

From: Peter Graham <L RCS@sixnations.ca>
Sent: September 16, 2025 8:46 AM
To: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

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Hi Shannon,

I don't remember, but am assuming today's 9:30 hold was issued in case last week's time didn't work out. Please confirm.

Thank you, Peter

From: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Sent: September 4, 2025 1:26 PM
To: Peter Graham <L RCS@sixnations.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Thanks, Peter. 9:30 it is. I'll send out an invite.
Speak soon,
Shannon

From: Peter Graham <L RCS@sixnations.ca>
Sent: September 4, 2025 1:25 PM
To: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

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Hi Shannon,

Yes, please send an invite for 9:30 on the 10th. I have a 10 o'clock, but we should have plenty of time. I'm somewhat cynical generally, but still surprised to hear Enbridge is claiming no outstanding concerns.

Thank you, Peter

From: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Sent: September 4, 2025 1:19 PM
To: Peter Graham <L RCS@sixnations.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

Agree – summer went by way too quickly!

Thanks for letting me know that concerns are still outstanding. Enbridge filed its interrogatory responses with the Ontario Energy Board on August 21, and in that document, it states the following: *“As of August 11, 2025, SNGR representatives have not identified any outstanding concerns. Enbridge Gas will continue to engage with SNGR about the Project.”*

I think a short call would be helpful as a next step. And then you can determine if a subsequent meeting with your consultation team should be arranged with ministry staff. Would 9:30am on Wed Sep 10 work for you?

Thank you!
Shannon

From: Peter Graham <L RCS@sixnations.ca>
Sent: August 29, 2025 12:57 PM
To: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

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Hi Shannon,

I share the common sentiment that this summer is ending too soon!

I haven't heard anything from Enbridge about this project since the last meeting I reported on, so our concerns are still outstanding.

Depending on what you have in mind, we can have a one-to-one phone call (I'm free before 10 most days and other times can be arranged) or a more formal meeting with the consultation team.

Thank you, Peter

From: McCabe, Shannon (She/Her) (MEM) <Shannon.McCabe@ontario.ca>

Sent: August 28, 2025 5:02 PM

To: Peter Graham <L RCS@sixnations.ca>

Cc: Lazakis, Chloe (MEM) <Chloe.Lazakis@ontario.ca>

Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

I hope you're doing well, and I hope you are having a great summer!

I am following up about the Mississauga Reinforcement project proposed by Enbridge. I wanted to check in on the status of the concerns that Six Nations had raised about the project, including concerns about environmental reports as well as concerns about potential impacts to plant and animal species of importance to Six Nations, concerns about tree removal and routing, among others.

On Aug 21, Enbridge filed its Interrogatory Responses in response to questions from Ontario Energy Board staff about the project. The response includes updates on its engagements with First Nations, including Six Nations. All of the project materials filed with the OEB about the project can be found here, including Enbridge's Aug 21 responses: [Content Manager WebDrawer - Search Results](#).

I see from Enbridge's updates, that capacity funding was provided to support Six Nations' participation in the consultation process for the project. It's been a while since we've connected and I wanted to check in with you for any updates on your consultations with Enbridge to date and to understand if there continues to be outstanding concerns.

Please let us know and we'd be happy to schedule a chat to discuss further. Enbridge has filed its leave to construct application with the OEB and I anticipate that the OEB will be making a decision on the project in the near future.

Thank you very much,
Shannon

Shannon McCabe (she/her)
Manager, Strategic Indigenous Initiatives
Ministry of Energy and Mines



From: McCabe, Shannon (She/Her) (ENERGY)

Sent: June 16, 2025 5:43 PM

To: 'Peter Graham' <L RCS@sixnations.ca>
Cc: Lazakis, Chloe (ENERGY) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

Hi Peter,

Thank you for your email, and my apologies for the delay in responding. We appreciate you providing us with an update after your meeting with Enbridge about the Mississauga Reinforcement project. As you're aware, the Ministry has a role in reviewing the proponent's consultation records and providing a letter of opinion on the adequacy of the consultation process to date. At this time, we note that you have outstanding concerns that have not been resolved or mitigated through the consultation process.

Do you have further meetings planned with Enbridge? Or has Enbridge committed to further considering your requests? We'd be happy to schedule a call with you so we can discuss in more detail, and we would be pleased to raise these issues with Enbridge directly as well.

Thank you again. Best regards,
Shannon

From: Peter Graham <L RCS@sixnations.ca>
Sent: Wednesday, June 11, 2025 9:41 AM
To: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (ENERGY) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

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Hi Shannon,

We had our meeting with Enbridge yesterday.

They will not consider doing proper baseline studies prior to preferred route selection. They're asking us "What standard is the community looking for?... What meets community needs?", while simultaneously not realizing that having adequate baseline environmental studies prior to route selection is a path towards fulfilling those standards and needs.

Lauren Jones, our wildlife and stewardship manager, outlined why such information is needed from an Indigenous perspective and noted particular environmental study components she'd like to see. Lauren was taken aback when Enbridge asked us to select our preferred Port Colbourne route after she had outlined why baseline information was a prerequisite.

Phil Monture, our founding director, spoke about the positive and respectful relationship SNGR had with Union Gas before Enbridge took over that company's assets. He noted meaningful dialogue, deep collaboration on mitigation measures, and accommodations for rights impacts. Enbridge, he observed, hasn't done any of that.

While Enbridge repeatedly expressed its willingness to utilize our plant and animal lists, it wouldn't meaningfully respond to our priorities.

One problem may be that the Enbridge employees at the table didn't have the authority to agree to anything beyond a sprinkling of cultural sensitivity. They couldn't even reveal the name of the "industrial customer" prompting the Port Colbourne work as they didn't have express permission from higher ups.

Going into the meeting, I was planning on offering a variety of suggestions to get us past the environmental studies logjam, such as asking for a lower-level environmental memo, or waiving the request for Mississauga in exchange for the company agreeing to have an EIS prior to preferred route selection for newer projects like Port Colborne. Similar compromises have worked with other proponents in the past. But the company was completely closed to deviating from the OEB minimum requirements, so offering concessions would have been tantamount to negotiating with myself.

It's not unusual to have company and local government employees we've never previously met with insist on sticking to minimum requirements, but they usually move off that once an initial meeting has been held. As we've had several prior meetings with Enbridge and some of its representatives at the meeting, and the company can't realistically claim to be unfamiliar with the duty to consult, I believe Enbridge is deliberately stonewalling us. Consequently, the meeting did not move the needle on the grossly inadequate consultation to date.

Thank you, Peter

From: Peter Graham
Sent: May 29, 2025 9:09 AM
To: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>
Cc: Lazakis, Chloe (ENERGY) <Chloe.Lazakis@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

Hi Shannon,

I'm indeed well and hope you can say the same.

We're meeting with Enbridge on June 10th to discuss the two projects. I'll update you after the meeting.

Re the field work, it's environmental rather than archaeology. But our archaeology supervisor, who manages all paid SNGR fieldwork, will be sending a person, as she does with most close-by opportunities. My concern is they're mixing typical monitoring work with more formal duty to consult as monitors wouldn't be very familiar with the overall project, Elected Council's opinions, documents, etc. No need to reach out to Enbridge. Just noting to ensure OEB is aware of the constraints of that process on the small chance it becomes an issue because a monitor said, or didn't say, something.

Thank you, Peter

From: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>
Sent: May 28, 2025 5:16 PM
To: Peter Graham <LRCS@sixnations.ca>
Cc: Lazakis, Chloe (ENERGY) <Chloe.Lazakis@ontario.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

Good to hear from you. I hope you are well.

Your email is timely and my apologies for the delay in following up with you about the Mississauga Reinforcement project. Thank you again for sharing your concerns about the project. Please know that your concerns were relayed to Enbridge at our unit's regular meeting with them. Enbridge acknowledged Six Nations' ongoing issues and interests, and did acknowledge their long delay in responding to your initial ask for environmental reports. Enbridge recently advised us that they've filed the application for the project with the Ontario Energy Board. Enbridge has also shared their Indigenous consultation records with our Ministry for review. We are currently reviewing.

As you may know, the Ministry has a role in reviewing the proponent's consultation records and providing its opinion on the adequacy of the proponent's consultation efforts. Based on the records, Six Nations continues to have concerns that haven't been addressed and that a meeting is in the process of being planned between Six Nations and Enbridge. Has a meeting been scheduled yet? If a meeting takes place, we are interested in knowing how that goes and any outcomes. We want to assist with ensuring that your concerns have been adequately addressed ahead of decisions being made on the project.

And also thank you for flagging your concerns about the Port Colborne project. I'm wondering if there is a way that Enbridge could support Six Nations' early involvement in the archaeology work, but in a way that suits your needs? If you have any suggestions, let us know and we can share that with Enbridge.

Please keep us posted on the upcoming meeting with Enbridge, if it takes place, and if there is any other information you'd like to share, including about the Port Colborne project, we'd be happy to schedule a call. I've copied my colleague, Chloe Lazakis, who is working with me on this file.

Thanks very much and talk soon,

Shannon

Shannon McCabe (she/her)
Manager, Strategic Indigenous Initiatives
Ministry of Energy and Mines



From: Peter Graham <LRCs@sixnations.ca>
Sent: Friday, May 23, 2025 3:42 PM
To: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>
Subject: RE: Mississauga Reinforcement ER

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Hi Shannon,

Please update me on this file.

I'm particularly concerned because Enbridge is pursuing a similar project in a much more environmentally sensitive area (Port Colborne line). I've requested a meeting with Enbridge, but to date, the company is repeating the same mantra they've used for this one, that OEB doesn't require an EIS, as if that precludes a detailed natural environmental study and abrogates the duty to consult. The company is making noises about adopting SNGR perspectives in the ESR, but that's insufficient when comprehensive baseline data is needed.

Thank you, Peter

PS: A lesser concern is an invite I just received for a Port Colborne line area field visit. Enbridge says: "this is a new process we are introducing in response to requests to have earlier engagement on projects. Participation in these

surveys offers an important opportunity to share knowledge related to treaty rights and traditional land use. Early participation and input will help ensure that community rights, values, and perspectives are meaningfully reflected in the assessment of potential route options.”

Sounds good, but I’m also leery, and am alerting you because the company may later argue we were given this opportunity and declined, so inadequate consultation is on us instead of them. I have meetings scheduled throughout the concerned day next week and will not attend. Even with more advance notice, I can’t justify the amount of time required. We could potentially send a field monitor, but that person would not have authority to participate in the way Enbridge is envisioning. While I appreciate Enbridge responding to complaints about inadequate consultation, an arbitrary plan which doesn’t suit our needs is not the way forward.

From: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>

Sent: April 4, 2025 4:29 PM

To: Peter Graham <LRCs@sixnations.ca>

Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

Thank you so much for this detailed outline of SNGR’s concerns. This is very much appreciated. As mentioned, we are meeting with Enbridge next week and will relay the concerns. I’ll follow up with you soon.

Wishing you a lovely weekend,
Shannon

From: Peter Graham <LRCs@sixnations.ca>

Sent: Friday, April 4, 2025 10:41 AM

To: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>

Subject: RE: Mississauga Reinforcement ER

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Good morning Shannon,

According to the report’s consultation log, the only First Nation comment submitted since the study formally commenced last summer was from SNGR, summarized as “A SNGR representative emailed the Enbridge Gas representative to advise that they would like to be provided with any environmental study or anything relevant to the Project. The SNGR representative advised that they do not have enough information to determine impacts to their Aboriginal and treaty rights.”

That continues to be SNGR’s position upon reviewing the report. Per correspondence forwarded to you earlier, we have been awaiting natural environmental reports prior to commenting, and have only recently learned that key documents to understanding potential impacts to Aboriginal and treaty rights, like a Environmental Impact Study and Arborist report, have not been prepared. Such studies are required for SNGR to uncover potential impacts to Aboriginal and treaty rights.

The report asserts “The data available at the current stage of the environmental study is appropriate for predicting effects and potential impacts and recommending mitigation and protective measures.” We are of the strong opinion it is not. The report is only concerned with SAR (and to a much lesser extent SOCC) species. There is no attentiveness to plants important to Six Nation members (we have a list which we can circulate with restrictions) and scant information for animals deemed particularly valuable for harvesting (despite an assertion that incidental wildlife were recorded, there is no such record included in the report). Despite the focus on SAR, the study fails

them as well, with a woefully inadequate single-day windshield study. After reading the report, potential impacts to aquatic species remain a mystery.

The report says the preferred route “is not anticipated to impact trees” and “Although the PPR appears to intersect more environmental features than the Alternative Routes, the impacts are not significant and can be mitigated during construction.” Yet correspondence with Stantec rejects my interpretation of the above as meaning “zero impacts” on trees. And without substantive natural environmental investigation, potential impacts cannot be detected or mitigated. Why does the PPR only ‘appear’ to intersect more environmental features than other routes? The report strongly suggests it does. Surely proper natural environmental studies will put any debate to rest. The route evaluation on p. 79 suggests a staggering amount of potential natural environmental impacts for the PFR vs. any of the alternatives.

Consultation with SNGR on the PPR was not possible because – as Enbridge should be aware - we’ve been waiting for natural environmental studies to establish a baseline for our opinion and comments. Yet the report says “As no comments were received that would cause a change in the PPR, it was confirmed as the PR”. The report emphasizes “Indigenous community participation is essential to the Project” and “Enbridge Gas will continue to meaningfully engage with affected Indigenous peoples”, yet the correspondence log suggests that hasn’t been the case and First Nations had zero input.

The report discusses cumulative effects, but again, we found any assertions lacking without baseline information having been obtained. Enbridge says the purpose of this proposed project is “In part to support existing Enbridge Gas customers transitioning from other fuel sources to natural gas.” What other fuel sources are they transitioning from? Is the switch to natural gas more or less environmentally-friendly than the status quo? The report appears to consider construction activities as the only potential factor impacting air quality.

Alarming, the report concedes “the process followed may not satisfy the ‘duty to consult’ component from an Indigenous community’s perspective. To demonstrate that we respect this view, we will use the term ‘engagement’ throughout the remainder of this Report when we refer to seeking input from Indigenous peoples.” I submit that meaningful consultation, rather than switching to the term engagement, is a much more appropriate and respectful way to address the issue.

Thank you, Peter

From: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>

Sent: March 28, 2025 12:17 PM

To: Peter Graham <LRCs@sixnations.ca>

Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

Thank you for reaching out! I’m doing well, thanks. Hope you are too.

I really appreciate you raising these concerns with us. I’ll be sure to raise it with my team here. This is something we will certainly discuss with Enbridge as well.

Our ministry – recently renamed to the Ministry of Energy and Mines - has a role in the Ontario Energy Board’s hydrocarbon process, where we have a role in delegating the procedural aspects of consultation to proponents, reviewing the proponent’s consultation efforts, and providing an opinion on the sufficiency of consultation that the OEB considers in its decision making. It’s helpful for us to hear concerns and issues directly from First Nations, so thanks for contacting us.

Would it be helpful if we scheduled a call so that we can better understand the issues? Perhaps we can find some time next week?

In addition to raising concerns with us directly, you may also be interested in becoming an intervenor in the OEB's future hearing process for the project. It's another option for raising concerns and to have comments "on the record" so to speak. The OEB reimburses for certain costs as well. You can find more information here: <https://www.oeb.ca/stakeholder-engagement/intervenor-information>

Best regards,
Shannon

Shannon McCabe (she/her)
Manager
Strategic Indigenous Initiatives
Ministry of Energy and Electrification



From: Peter Graham <L RCS@sixnations.ca>
Sent: Thursday, March 27, 2025 10:16 AM
To: McCabe, Shannon (She/Her) (ENERGY) <Shannon.McCabe@ontario.ca>
Subject: FW: Mississauga Reinforcement ER

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Good morning Shannon,

I hope you're keeping well.

Enbridge responded to my below email via a new email string, noting you were their OEB contact for this file.

I first requested to see natural environmental studies last summer, and am frustrated I'm only now being told they don't exist and will not be conducted as part of its impending application. That situation, along with persistent problems with the reliability of Enbridge, has prompted me to write.

I'd like to better understand OEB's process for Enbridge's proposal, especially what the timelines are looking like. Enbridge wanted comments last month. I had been waiting to receive the natural environmental studies before inserting the project into our work queue. Had I known basic natural environmental studies would not be conducted at this stage, I would have requested some last summer. We will want enhanced environmental studies – EIS and arborist specifically - for the company's preferred alternative.

A key part of our job is determining potential impacts to Aboriginal and treaty rights, seeking avoidance or mitigation where negative impacts are identified, negotiating enhanced mitigation measures beyond existing commitments, etc. So obtaining a baseline cannot wait until after this approval process. Further, my experience with Environmental Assessments and similar applications, tells me proponents cannot be relied on to consult with us after receiving their initial approval. Even where there's a clear commitment to consult with us on detailed design, I estimate it fails to happen around 90% of the time.

Enbridge is great, vs. the average proponent we work with, for its willingness to provide consultation dollars, but well below average for most other things. Despite several past meetings (not regarding this project) where we emphasized the need to study animals important to Six Nation members, they've only done the basic SAR and habitat checklists.

The below string is not the summary of my efforts to receive usable environmental information, as Enbridge usually issues standalone emails in response instead of hitting reply. I'm pasting below my January 7th email immediately below as another example of us trying to get basic info, which was only answered on March 24th.

Thank you, Peter

Jan 7-"Good morning Kevin,

On July 9, 2024, we indicated that an environmental study was required for us to make an informed assessment of potential rights impacts, but the Environmental Report sent to us yesterday is the only such information we've received. On July 18, 2024, we requested this project be discussed in a meeting but, to the best of my recollection, that never occurred.

At this stage, I'm concerned about the 42-day comment window (It's not possible to carefully read the report and engage in consultation within the allotted time) and lack of information about the natural environment (the Report occasionally refers to fieldwork, but evidence of it is few and far between).

The report claims "Input on the PPR was sought through consultation" but that's not true with respect to SNGR for the above-noted reasons. If given the opportunity, we would not have supported the chosen alternative, which has the largest potential impact to Aboriginal and treaty rights..."

From: Peter Graham
Sent: March 24, 2025 2:40 PM
To: Kevin Berube <kevin.berube@enbridge.com>
Subject: RE: Mississauga Reinforcement ER

Hi Kevin,

Please provide me with Enbridge's OEB contact for this file. I'm concerned it's taken the better part of a year for me to be told that no substantive natural environment studies have been completed.

Thank you, Peter

From: Kevin Berube <kevin.berube@enbridge.com>
Sent: March 24, 2025 12:44 PM
To: Peter Graham <L RCS@sixnations.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

I reached out to Stantec regarding your request below. This is what I received from them:

We have not completed any environmental studies apart from the windshield survey and desktop review which is typical at this stage of the ER. Arch stage 1 and a Cultural Heritage Screening Checklist have also been completed.

Let me know if you have any questions or need anything from me.

Thanks,
Kevin

From: Peter Graham <L RCS@sixnations.ca>
Sent: Tuesday, March 11, 2025 3:01 PM
To: Kevin Berube <kevin.berube@enbridge.com>
Subject: [External] RE: Mississauga Reinforcement ER

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Hi Kevin,

Thank you for forwarding Stantec's response.

I'm looking for natural environmental studies, which may include arborist and hydro studies. The main natural environmental document - variously called a environmental impact study, sub-watershed study or natural environmental study - is the most important for my purposes.

Best, Peter

From: Kevin Berube <kevin.berube@enbridge.com>
Sent: March 11, 2025 12:45 PM
To: Peter Graham <L RCS@sixnations.ca>
Subject: [External] RE: Mississauga Reinforcement ER

Hi Peter,

I reached out to Stantec to see if they have information to respond to your queries below. I have a response from Stantec to the second query:

We are not saying that there would be "zero" impacts to trees. The project would be subject to municipal tree by-law permitting, and through that process tree protection set-backs and/or mitigation would be identified, and/or compensation provided to the municipality for replacement. The level of impact would determine the mitigation, and location of the running line in relation to the trees would determine the level of impact. With the absence of running line detail, we can't really be more specific. That would be evaluated in the future through a tree inventory and permitting.

With respect the standalone study, are you referring to the archaeological assessment? If so, I can contact the PM to see what has been completed and forward you that information.

Thanks Peter,
Kevin

From: Peter Graham <L RCS@sixnations.ca>
Sent: Tuesday, February 11, 2025 8:32 AM
To: Kelly, Dominique <dominique.kelly@stantec.com>
Cc: Kevin Berube <kevin.berube@enbridge.com>; MississaugaReinforcementEA <MississaugaReinforcementEA@stantec.com>
Subject: [External] RE: Mississauga Reinforcement ER

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Good morning Dominique,

Thanks for getting in touch. I have two outstanding questions I hope you can help me with.

We always start with natural environmental studies to determine potential rights impacts. Is there no standalone study for this project?

And per p. 80, "...a third of the PPR is adjacent to wooded areas, however construction will be limited to the road allowance and is not anticipated to impact trees. Although the PPR appears to intersect more environmental features than the Alternative Routes, the impacts are not significant and can be mitigated during construction." We'd like to see evidence illustrating the zero impact to trees and lack of any other significant impact.

Best, Peter

From: Kelly, Dominique <Dominique.Kelly@stantec.com>

Sent: January 28, 2025 11:21 AM

To: Peter Graham <LRCs@sixnations.ca>; Lonny Bomberry <lonnybomberry@sixnations.ca>

Cc: Kevin Berube <kevin.berube@enbridge.com>; MississaugaReinforcementEA <MississaugaReinforcementEA@stantec.com>

Subject: [External] RE: Mississauga Reinforcement ER

Good morning Peter and Lonny,

I just wanted to send out a friendly reminder that we are hoping for your comments on the Mississauga Reinforcement ER by **February 17, 2025**. Please let me know if you need any assistance accessing the Report. I will be sending out a 2-week reminder next week and a 1-week reminder the following week.

Kind regards,

Dominique Kelly BA (Hon.) - (she/her)

Environmental Planner – Assessment & Permitting

Mobile: (613) 453-0626

Dominique.kelly@stantec.com

Stantec
300 - 1331 Clyde Avenue
Ottawa ON K2C 3G4



From: Kevin Berube <kevin.berube@enbridge.com>

Sent: Monday, January 6, 2025 11:52 AM

To: Peter Graham <LRCs@sixnations.ca>; Lonny Bomberry <lonnybomberry@sixnations.ca>

Cc: Kelly, Dominique <Dominique.Kelly@stantec.com>

Subject: Mississauga Reinforcement ER

Boozhoo Peter and Lonny,

I hope you had a restful holiday season.

I'm reaching out to let you know that the Mississauga Reinforcement Environmental Report is now available for viewing. Dominique Kelly from Stantec will send you a link to the ER. I've cc'ed Dominique on this email. The 42 day window for comments starts today and runs through to February 17, 2025. If you have trouble accessing the ER or have any questions about the ER let Dominique or me know.

Meegwetch,

Kevin Berube

Sr. Advisor, Community and Indigenous Engagement, Eastern Region

Public Affairs, Communications and Sustainability
500 Consumers Road
North York, ON
M2J 1P8

Cell: 416 666 6759



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Tab A

Line-item attachment 3.0.

From: Kevin Berube
Sent: Wednesday, September 29, 2021 11:27 AM
To: Lonny Bomberry <lonnybomberry@sixnations.ca>
Subject: Project Notification - Cedar Springs Expansion

Boozhoo Lonny,

I hope this finds you well.

I reaching out to notify you of an upcoming project in your area: Cedar Springs Expansion Project.

I've attached a letter that has a brief overview of the project and a map of the area.

As we finalize dates for the ER draft and any upcoming archaeological work I will be sure that your team is apprised well ahead of time.

I understand that you are coming up to your retirement, congratulations! I'm not sure if you golf, if you do perhaps we can get out for a round before you get to do it full time!

Any questions don't hesitate to contact me.

Meegwetch,
Kevin



Kevin Berube, Senior Advisor – Community and Indigenous Engagement
 500 Consumers Road, North York ON M2J 1P8
 416 495 6184 tel
 416 666 6759 cell
 kevin.berube@enbridge.com

Lonny Bomberly, Consultation Director
 Six Nations of the Grand River Lands and Resources Office
 2498 Chiefswood Road, Box 5000
 Oshweken, ON
 M0A 1M0

Dear Lonny:

Project Notification: Cedar Springs Expansion Project

Enbridge is proposing to serve the community of Cedar Springs. The proposed facilities will provide access to natural gas to a total of 98 forecasted customers. There is a total of 95 residential and 3 commercial/institutional customers.

There are 2 proposed tie-in points. The first will be near intersection of Cedar Springs Rd and Britannia Rd connecting to existing 2" PE. The second tie-in point will be along Cedar Springs Rd across from Camisle Golf Course.

The proposed distribution pipeline will consist of 4,150 m of 2" PE and 1,700 m of 4" PE. The potential distribution system to extend along Cedar Springs Rd and other surrounding pockets on Britannia Rd and 2nd Sideroad.

There will be no reinforcement, or any station work required to accommodate additional loads for the system.

The approximate length and size of the distribution pipelines required are shown in the table below:

Pipe Type	NPS - Nominal Pipe Size	Length (m)
PE – Polyethylene	2	4,150

The approximate length and size of the supply laterals required are shown in the table below:

Pipe Type	NPS - Nominal Pipe Size	Length (m)
PE – Polyethylene	4	1,700

A draft of the Environmental Report will be available for your review by the end of Q4 2021.

Enbridge will notify you in advance of upcoming dates and welcomes participation from your community in any archaeological work that may need to be completed with respect to this project.

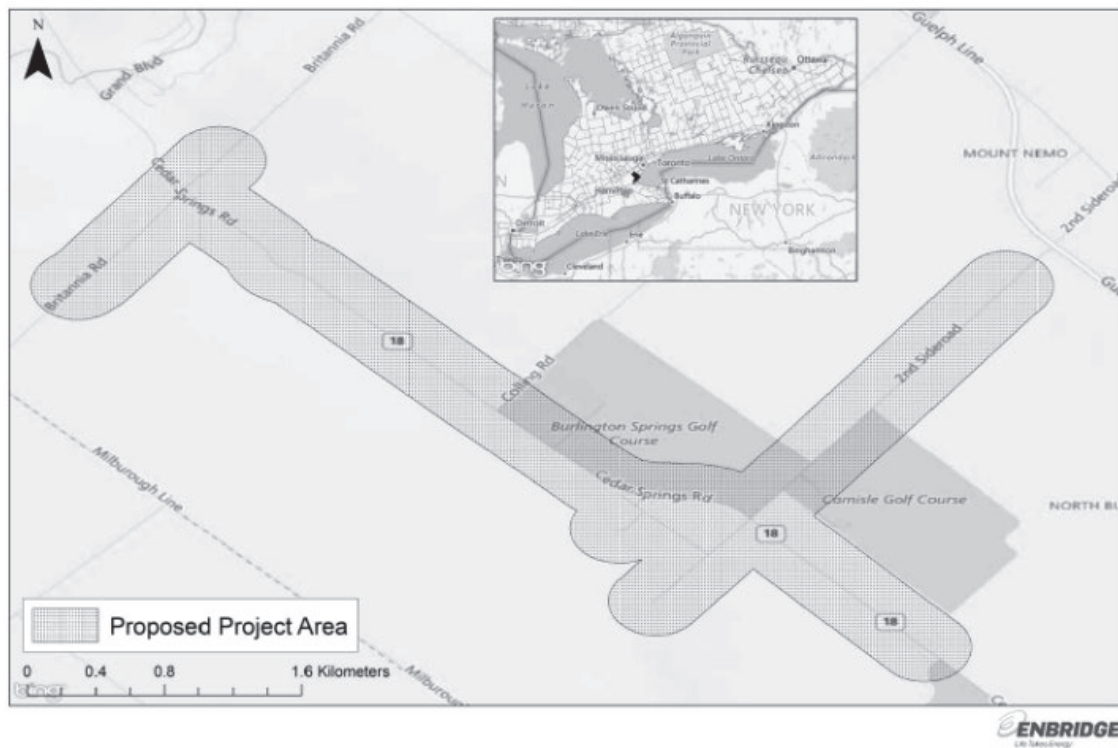
If you have any questions please feel free to reach out to me at anytime.

Meegwetch,

Kevin Berube
 Senior Advisor – Community and Indigenous Engagement

EB-2019-0255
Schedule MMM1

Cedar Springs



Tab B

Line-item attachment 3.1.

From: Kevin Berube <kevin.berube@enbridge.com>
Sent: Tuesday, November 9, 2021 11:43 AM
To: Lonny Bomberry
Cc: Tanya Hill-Montour
Subject: Project Commencement - Cedar Springs

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Boozhoo Lonny,

I hope this also finds you well.

I've attached a PDF of an upcoming project in the city of Burlington. This a follow up to a notification I sent out early October.

If you have any questions please do not hesitate to contact me.

Meegwetch,
 Kevin



Kevin Berube, Senior Advisor – Community and Indigenous Engagement
 500 Consumers Road, North York ON M2J 1P8
 416 495 6184 tel
 416 666 6759 cell
 kevin.berube@enbridge.com

Lonny Bomberry, Consultation Director
 Six Nations of the Grand River Lands and Resources Office
 2498 Chiefswood Road, Box 5000
 Oshweken, ON
 M0A 1M0

November 9, 2021

Dear Lonny:

Notice of Commencement: Cedar Springs Expansion Project

To increase capacity and accommodate additional demand for affordable and reliable natural gas, Enbridge is proposing to serve the community of Cedar Springs. The proposed facilities will provide access to natural gas to a total of 98 forecasted customers. There is a total of 95 residential and 3 commercial/institutional customers.

There are 2 proposed tie-in points. The first will be near intersection of Cedar Springs Rd and Britannia Rd connecting to existing 2" PE. The second tie-in point will be along Cedar Springs Rd across from Camisle Golf Course.

The proposed distribution pipeline will consist of 4,150 m of 2" PE and 1,700 m of 4" PE. The potential distribution system to extend along Cedar Springs Rd and other surrounding pockets on Britannia Rd and 2nd Sideroad.

There will be no reinforcement, or any station work required to accommodate additional loads for the system.

The approximate length and size of the distribution pipelines required are shown in the table below:

Pipe Type	NPS - Nominal Pipe Size	Length (m)
PE – Polyethylene	2	4,150

The approximate length and size of the supply laterals required are shown in the table below:

Pipe Type	NPS - Nominal Pipe Size	Length (m)
PE – Polyethylene	4	1,700

Where possible, the Project will be located within existing road allowances, utility corridors and rights-of-way. While a preliminary Project route has not yet been determined Enbridge Gas anticipates that permanent easement and temporary working space and laydown areas may be required. Enbridge Gas will work with regulators and landowners to identify and secure appropriate working space and easements as required.

As part of the planning process for the Project, Enbridge Gas has and will retain an external consulting firm to undertake an Environmental Study as required by the Ontario Energy Board's (OEB)

"Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7th Edition (2016)".

A draft of the Environmental Report will be available for your review by the end of Q1 2022.

Enbridge Gas' preliminary work on the Project has identified the following potential authorizations:

Federal:

- Fisheries and Oceans Canada.

Provincial:

- Ontario Energy Board;
- Conservation Halton;
- Niagara Escarpment Commission ("NEC");
- Ministry of Heritage, Sports, Tourism and Culture Industries ("MHSTCI"); and
- Ministry of Environment, Conservation and Parks.

Municipal:

- City of Burlington.

Other:

- Indigenous engagement; and
- Landowner agreements.

An invitation to participate in a Virtual Open House will be sent to you in the next day with the open house taking place from November 15 -29, 2021.

We would like to consult with your community on the proposed Project. We are interested in your community's feedback, including any suggestions or proposals on avoiding, minimizing or mitigating any potential adverse impacts the Project may have on your Aboriginal or treaty rights.

Enbridge Gas acknowledges that capacity support may be required to enable you to engage in timely technical reviews of documents, participation in field work associated with the Project, and to allow for meaningful consultation. Consistent with our approach on all projects, we are prepared to provide capacity funding to support your team's engagement in relation to the Project.

Enbridge Gas has been delegated the procedural aspects for consultation by the Ministry of Energy on behalf of Ontario. Ministry officials are also available should you wish to contact them directly with any questions or concerns. Please contact:

Rosalind Ashe
Senior Advisor, Indigenous Energy Policy
Rosalind.Ashe@Ontario.ca

We would like to set up a meeting to discuss the Project with you to provide you with an opportunity to express any questions or concerns you have. Please feel free to contact me at kevin.berube@enbridge.com or 416 666 6759 so we can set up a time to meet. You may also provide me with any feedback you may have regarding the project in writing by December 15, if possible.

Meegwetch,



Kevin Berube
Senior Advisor, Community and Indigenous Engagement, Eastern Region
Enbridge Inc.
416 666 6759
kevin.berube@enbridge.com

Tab C

Line-item attachment 3.2.

From: [Kevin Berube](#)
To: [Lonny Bomberry](#)
Cc: [Dawn LaForme](#); [Peter Graham](#)
Subject: FW: Notice of Upcoming Project - Cedar Springs Expansion
Date: Friday, June 6, 2025 6:48:30 AM
Attachments: [Cedar Springs Notice of Upcoming Project.pdf](#)
[image001.png](#)

Boozhoo Lonny,

I'm reaching out today to provide notice of an upcoming natural gas expansion project in Burlington. This project—known as the Cedar Springs Natural Gas Expansion Project—is one of 27 projects to receive funding through Phase Two of the Ontario Government's Natural Gas Expansion Program.

The Cedar Springs Project will involve the construction of up to approx. 6 km of pipeline in the road allowance of Britannia Road, Cedar Springs Road, and Cedar Springs Court, as well as a portion of 2 Side Road and Medad Springs Court.

An environmental study in support of this project will be conducted by Stantec Consulting Ltd. Following the study, an Environmental Report will be completed in the fall of this year. After that, our team plans to file a Leave-to-Construct Exemption Application with the Ontario Energy Board.

More details can be found in the attached notice.

Please feel free to disseminate this information to any relevant internal contacts.

Don't hesitate to reach out if you have any questions or would like to discuss this project in further detail.

Warm regards,

Kevin Berube

Sr. Advisor, Community and Indigenous Engagement, Eastern Region

Public Affairs, Communications and Sustainability
500 Consumers Road
North York, ON
M2J 1P8

Cell: 416 666 6759



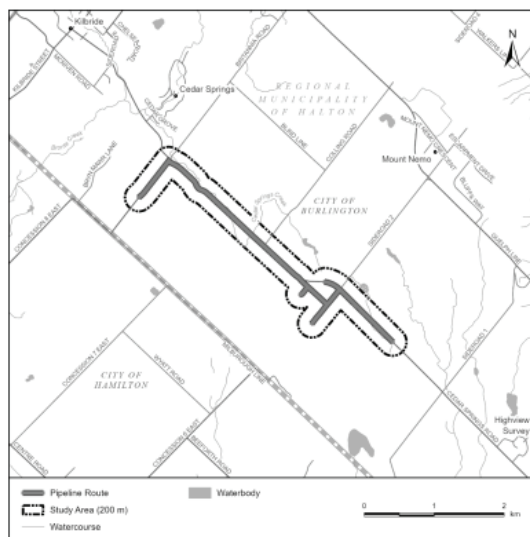
Enbridge Gas Ontario Notice of Upcoming Project Cedar Springs (Burlington) Community Expansion Project

This notice is to inform you of an upcoming Enbridge Gas Ontario (Enbridge Gas) project in the community of Cedar Springs in the City of Burlington, Ontario. The purpose of the project is to supply the community of Cedar Springs with natural gas service. The project will be primarily located in Burlington and will involve the construction of up to approximately 6 kilometers (km) of natural gas pipeline in the road allowance of Britannia Road, Cedar Springs Road, and Cedar Springs Court, as well as a portion of 2 Side Road and Medad Springs Court.

Enbridge Gas has hired a third-party environmental consultant, Stantec Consulting Ltd. (Stantec), to initiate the Environmental Study for the project. The study will be conducted in accordance with the Ontario Energy Board's (OEB) "Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Projects and Facilities in Ontario, 8th Edition (2023)" and will include a consultation program, impact assessment and a cumulative effects assessment.

The Environmental Report based on the study is scheduled to be completed in Fall 2025, after which Enbridge Gas plans to file a Leave to Construct Exemption Application for the project with the OEB. The OEB's review and approval is required before the proposed project can proceed. If approved, construction could begin in 2027.

Enbridge Gas is committed to undertaking consultation and engagement with stakeholders and Indigenous communities as an integral component of the planning process. Additional details regarding the project and how to become involved during the consultation and engagement process will be provided in future correspondence. Should you have any questions or comments during the development stages of this project, or input regarding potential alternative routes or natural environment features within the area please contact the undersigned. Input will be evaluated and may be considered within the route evaluation for the project.



Note: The potential project location has been developed for purposes of an assessment of potential environmental and socioeconomic impacts and does not represent the final project scope/design that will provide access to natural gas to end-use customers.

Shelby Gibson
Environmental Planner
Stantec Consulting Ltd.

Telephone: (613) 804-6263
Email: CedarSpringsEA@stantec.com



Tab D

Line-item attachment 3.3.

From: Peter Graham <L RCS@sixnations.ca>

Sent: Monday, June 9, 2025 1:27 PM

To: Kevin Berube <kevin.berube@enbridge.com>; Lonny Bomberry <lonnybomberry@sixnations.ca>

Cc: Dawn LaForme <dlaforme@sixnations.ca>

Subject: [External] RE: Notice of Upcoming Project - Cedar Springs Expansion

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Good morning Kevin,

If there's time, it would be good for the team to be introduced to this project, along with the other two, at tomorrow's meeting.

Thank you, Peter

Tab E

Consultation with respect to the Project has complied with UNDRIP.

Response:

- a) To Enbridge Gas's knowledge, there was no discussion of the Project during the June 10 meeting. The June 10 meeting involved discussions around a different Enbridge Gas project.

Minutes of the November 25, 2025, meeting were prepared and provided to SNGR by email on December 4, 2025 for SNGR's review and potential edits.¹

- b) There were no notes, memoranda, summaries or talking points prepared for the November 25 meeting as Enbridge Gas representatives relied on Project-related material that had already been developed and provided to SNGR. Please see the attachments to the updated Indigenous Consultation Report (ICR) in Staff IR 1².
- c) Meeting minutes were prepared following the November 25, 2025, meeting and provided to SNGR (please see response to part a) above). The meeting minutes were the only material prepared after and in relation to this meeting.
- d) The meeting for June 10, 2025, was organized for the purposes of discussing another Enbridge Gas project. On the afternoon of June 9, 2025, SNGR made a request to Enbridge Gas to add the Project to the agenda. There was not sufficient time for Enbridge Gas to prepare and organize the appropriate personnel to discuss the Project. At the June 10, 2025, meeting, Enbridge Gas offered to set up another meeting to discuss the Project at a time that was convenient for both parties.
- e) It is Enbridge Gas's general practice to take notes during meetings with Indigenous groups. Going forward, minutes of formal meetings with SNGR will be provided to meeting attendees, as was done in respect of the November 25, 2025 meeting between Enbridge Gas and SNGR.
- f) The Enbridge Gas representative who previously engaged with SNGR in relation to the Project is no longer with the Company, and therefore we cannot confirm with him whether he received notice that his email of July 18, 2025 attaching the PDR had failed to deliver. After several attempts to provide the documents via email, SNGR received a hand delivered copy of the PDR on September 25, 2025. SNGR also would have received a copy of the PDR in the Environmental Report (ER) on September 16, 2025. It is the Enbridge Gas Community and Indigenous Engagement team's general practice to follow up when notices of undelivered emails are received.

¹ Updated ICR, Exhibit I. STAFF-1 Attachment 1, line-item attachment 3.50.

² For example, line-item attachments 3.4, 3.6, 3.49, etc.

Tab F

Line-item attachment 3.5.

From: Peter Graham <LRCS@sixnations.ca>
Sent: Tuesday, September 16, 2025 1:29 PM
To: Kevin Berube <kevin.berube@enbridge.com>
Subject: [External] Cedar Springs

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Good afternoon Kevin,

I received notice of the upcoming project on June 6, 2025 and responded later that day, asking if Enbridge could introduce the project at an upcoming meeting. Enbridge never replied, and I heard nothing further until today, when I received the draft ER, which emphasized that extensive consultation had taken place.

The ER also noted "A Project Description Report was circulated to the Indigenous contact list on July 18, 2025. The report outlined the preliminary findings of natural heritage and cultural heritage and was shared with Indigenous communities to support and facilitate ongoing consultation efforts." Yet I never received a copy of the PDR (it didn't turn up in a keyword search, nor through a manual scan of incoming emails that day). Please send me the PDR.

As you know, we are very disappointed with the state of consultation on the other two lines, so I'm particularly concerned this one's starting off so poorly.

Thank you, Peter

Tab G

Line-item attachment 3.10.

From: Kevin Berube
Sent: Tuesday, September 16, 2025 3:33 PM
To: 'Peter Graham' <LRCS@sixnations.ca>
Cc: lonnybomberry@sixnations.ca
Subject: Cedar Springs ER

Hi Peter,

Trying this again as I'm not sure this got to you in an earlier email that I sent. Here is the link to the Cedar Springs Environmental Report.

Link:  [rpt_160901242_Cedar_Spring_20250915_fnl_aoda_US_redacted.pdf](#)

There's a 45 day review period for the ER. If possible we would appreciate any comments on the ER be received by Wednesday October 31.

I tried to attach the Project Description Report and Virtual Information Session material. It came back as undeliverable. This is the same issue that occurred when I emailed you these reports on July 18. I missed that they came back as undeliverable. I tried today to send them in separate emails to reduce the size and I don't think that worked either. The reply I get is that they are 38mb and your maximum file capacity is 35mb. I'll see if I can get a compressed file to send to you, if that fails I will meet you next week with hard copies.

Thanks,
Kevin

Tab H

				Gas provide a contact name, phone number and email for invoicing and payment purposes in the agreement.	
3.16	September 25, 2025	Email	A Stantec representative emailed the SNGR representative on behalf of Enbridge Gas to advise that the ecosystems field verification survey was rescheduled to October 1, 2025.		See line-item attachment 3.16
3.17	September 25, 2025	In Person Meeting	An Enbridge Gas representative met with the SNGR representative in person to provide the Project Description Report.		An Enbridge Gas representative met with the SNGR representative in person to provide the Project Description Report.
3.18	September 29, 2025	Email	A Stantec representative emailed the SNGR representative on behalf of Enbridge Gas to provide the time and meeting location for the ecosystems field verification survey on October 1, 2025. The Stantec representative provided the name of the Stantec representative that would be on site and requested the SNGR representative bring PPE.		See line-item attachment 3.18.
3.19	October 1, 2025	Email	A Stantec representative emailed the SNGR representative on behalf of Enbridge Gas to advise that the ecosystems field verification survey would be rescheduled.		See line-item attachment 3.19.
3.20	October 2, 2025	Email	A Stantec representative emailed the SNGR representative on behalf of Enbridge Gas to advise that the ecosystems field verification survey was rescheduled for October 9, 2025 at 9:30am. The Stantec representative advised of the meeting location and provided the Enbridge Gas representative to reach out to, to arrange a participation agreement.		See line-item attachment 3.20.
3.21	October 2, 2025	Email	A Stantec representative emailed the SNGR representative on behalf of Enbridge Gas to thank them for their patience while they sorted out the ecosystems field verification survey. The Stantec representative advised that the survey was scheduled for October 6, 2025 at 9:30am. The Stantec representative advised of the		See line-item attachment 3.21.

Tab I

Line-item attachment 3.11.

From: Peter Graham <LRCS@sixnations.ca>
Sent: Wednesday, September 17, 2025 8:29 AM
To: Kevin Berube <kevin.berube@enbridge.com>
Cc: Lonny Bomberry <lonnybomberry@sixnations.ca>
Subject: [External] RE: Cedar Springs ER

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Hi Kevin,

That deadline is unworkable for us as we haven't even had our introductory meeting yet. Dawn will send potential dates if you're agreeable.

Good to know. You could also mail a USB drive.

Thank you, Peter

Tab J

you have direct contact with the community?		
Did the community members or representatives have any questions or concerns?	☒ Yes ☐ No	SNGR advised that the ER deadline was unworkable because of a need to have an introductory meeting and that SNGR would provide potential dates (See line-item attachment 3.11.). Enbridge Gas followed up with a request for meeting dates and encouraged SNGR to reach out with any questions about the Project. As SNGR advised that the Project Description Report was not received and there were technical difficulties with providing the Report through email. Enbridge Gas provided the Project Description Report in person on September 25, 2025 (See line-item attachment 3.17). SNGR expressed concerns regarding consultation and indicated that it would like a meeting to discuss a potential MOU with Enbridge Gas (See line-item attachment 3.29.). Enbridge Gas acknowledged SNGR's concerns and the need to rebuild the relationship. Enbridge Gas requested a list of studies SNGR would like to see, possible meeting dates and a copy of SNGR's Consultation and Accommodation Policy. Enbridge Gas advised that another Enbridge Gas representative would be engaging with SNGR going forward and provided their name (See line-item attachment 3.30) On October 21, 2025, SNGR attended an ecosystems field verification survey for the Project with Stantec. At a meeting held on October 9, 2025, among the MEM, Enbridge Gas, and SNGR, SNGR raised process improvements it would like to see (including around obtaining base-line data, environmental studies and consultation) and communicated to the others its expectations around responding to issues identified by SNGR around the Project. SNGR also raised challenges it saw with the field monitoring process at the meeting. Since the meeting, SNGR and Enbridge Gas have corresponded on the foregoing, so that Enbridge Gas can better understand SNGR's concerns to help improve the engagement process. (See line-item attachment 3.25) On October 28, 2025, SNGR emailed Enbridge Gas, requesting information relating to environmental studies and mitigation standards and techniques.. In the email, SNGR also noted that SNGR field monitors cannot consult on behalf of SNGR. along with the structure of the consultation process. (See line-item attachment 3.39) On November 25, 2025, Enbridge Gas and SNGR met to discuss the Project, and in part for Enbridge Gas to respond to issues that were previously identified by SNGR through the engagement process (including in the meeting held on October 9, 2025 and SNGR's correspondence dated October 28, 2025). Of note, at the meeting:

		• SNGR stated its expectations around engagement, with Enbridge Gas noting that recent changes it has made to its engagement team will make for a more predictable process. • As it related to the environment, SNGR stated that although their initial stance was that they preferred an environmental impact statement (EIS) during route selection, they acknowledged that the environmental assessment process that was being undertaken for the Project may suffice (provided steps that were discussed at the meeting were undertaken). The parties discussed the environmental review process. • In response to questions around archaeology, Enbridge Gas explained how archaeology is and will continue to be assessed for the Project (including the use of Indigenous monitors). In furtherance of this work, Enbridge Gas made a request for SNGR representatives to be at the initial natural heritage and Stage I AA fieldwork surveys if at all possible for future projects, which Enbridge Gas noted would allow SNGR to provide inputs into the route evaluation and selection. In furtherance of the request, it was also noted by Enbridge Gas that it would be beneficial to have representatives attend who can provide Indigenous knowledge on natural heritage and cultural resources for the community so they can report back to the SNGR team on the work. SNGR indicated they have people who could meet this request and will discuss internally. Enbridge Gas noted that SNGR would continue to be invited to archaeology field studies. Finally, and as it related to archaeology, SNGR emphasized that disturbed areas needed further archaeological review, to which Enbridge Gas noted that there were processes in place to account for the foregoing. • On the topic of restoration and reporting, SNGR stated that it desired the Project area to be restored to a better than pre-existing condition. Enbridge Gas explained that it was open to exploring restoration opportunities to support the Project, including reviewing alternative ways to enhance the natural environment for the Project area. Where reasonable and practicable, Enbridge Gas would consider engaging SNGR organizations to assist with this work. (see line-item attachment 3.46) In response to SNGR concerns regarding the consultation process, Enbridge Gas will continue to consider whether there are further opportunities to improve that process, recognizing that the steps that are already taken to engage potentially impacted Indigenous groups early in the Project development. To that end, Enbridge Gas is waiting to hear back on potential meeting dates from SNGR to meet on the Project.
Does the community have any outstanding concerns?	☒ Yes ☐ No	As of February 24, 2026, SNGR has identified concerns and Enbridge Gas is continuing to engage with SNGR to address these concerns.

Tab K

Line-item attachment 3.29.

From: Peter Graham <LRCS@sixnations.ca>
Sent: Thursday, October 16, 2025 11:57 AM
To: Kevin Berube <kevin.berube@enbridge.com>
Cc: shannon.McCabe <shannon.McCabe@ontario.ca>
Subject: [External] Mississauga Reinforcement Line

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Good morning Kevin,

The Consultation and Accommodation Process Team has discussed last week's meeting. We're particularly concerned with Enbridge's contention that our prior meeting discussing the Mississauga and Port Colborne lines does not count, and that a response is not forthcoming, because it was verbal and not written. We've never had a proponent take that stance and are particularly surprised to hear this from Enbridge, which presumably has extensive First Nation consultation experience. As one of my colleagues said, upon hearing the status of that meeting, "But we're an oral people." The CAP Team believes consultation is impossible under these circumstances.

Considering our significant miscommunication about the Mississauga Line (including the baseline study issue and claims from both Enbridge and SNGR during the recent meeting that the other wasn't consulting), that our key Port Colborne Line meeting is being ignored by your company, that the Cedar Springs Line is off to a horrendous start, and that Enbridge is not abiding by SNGR's Consultation & Accommodation Policy, we believe an MOU, which at minimum outlines a structured consultation process, is necessary for meaningful consultation to occur on Enbridge's projects.

As Enbridge acknowledges, "We are at a pivotal moment in history—an awakening—to reset and build a foundational relationship. There is a shifting of awareness to Indigenous history, culture, rights, engagement and inclusion occurring across North America. At Enbridge, we believe we can, and should, be a leader in our industry in Indigenous engagement, inclusion, and awareness—because we have learned we can go further together." President and CEO Greg Ebel recently reiterated a similar message: "At Enbridge, we are deeply committed to reconciliation. We have learned that what we do today impacts the next seven generations, and we have a responsibility to preserve and care for the land, learn from her original inhabitants and move forward together in the spirit of healing, reconciliation and partnership."

To those ends, we would like a meeting to start crafting an MOU which can effectively reset and build our relationship so meaningful consultation can take place.

Thank you, Peter

Tab L



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

BY EMAIL

December 15, 2025

Chief Sherri-Lyn Hill
Six Nations of the Grand River Elected Council
1695 Chiefwood Rd.
PO Box 5000
Ohsweken, ON N0A 1M0
Sngr.chief@sixnations.ca
Tayler.Hill@sixnations.ca
LRCS@sixnations.ca

NOTICE OF A HEARING

Dear Chief Sherri-Lyn Hill:

**Re: Enbridge Gas Inc.
Cedar Springs Community Expansion Project
Ontario Energy Board File Number: EB-2025-0313**

Six Nations of the Grand River has been identified by the Ministry of Energy and Mines as an Indigenous community whose Aboriginal or treaty rights¹ may be adversely impacted by a natural gas pipeline project proposed by Enbridge Gas Inc. (Enbridge Gas) to serve the Cedar Springs community in the City of Burlington (Project). Through this notice, you are being provided with information about how Six Nations of the Grand River can participate in the Ontario Energy Board's (OEB) hearing on Enbridge Gas's application regarding the Project.

Enbridge Gas's Application

The Project involves the construction of approximately 3.2 km of Nominal Pipe Size, 2 polyethylene intermediate pressure natural gas distribution pipeline and ancillary facilities intended to tie into existing network near 4245 Cedar Springs Rd., and travel

¹ As protected under Section 35 of Canada's *Constitution Act, 1982*

north along Cedar Springs Road, 2 Side Road and Cedar Springs Court in the Cedar Springs community in the City of Burlington. A map of the Project area is provided in Attachment A.

On November 19, 2025, Enbridge Gas filed an application for an order exempting the Project from the requirement to obtain leave to construct.²

The Issue in this Hearing

The issue that the OEB will consider in this hearing is whether the Crown's duty to consult has been adequately discharged in respect of the Project.³

The OEB must grant the exemption requested by Enbridge Gas if it determines that the Crown's duty to consult has been adequately discharged in respect of the Project.⁴ In that case, no further approval will be needed from the OEB to allow Enbridge Gas to build the Project.

OEB Hearing Types

There are three types of OEB hearings: oral, electronic and written.⁵ Enbridge Gas has asked for a written hearing. If you think a different hearing type is needed, you can write to us to explain why (please see deadline below). No matter the format of the hearing, there will be an opportunity for questions and arguments from participants that have registered to actively participate in the proceeding (referred to as Intervenor).

How to Participate and Important Dates

You have the right to receive information about Enbridge Gas's application and to participate in the OEB's process. Go to the OEB's [Advanced Regulatory Document Search](#) and use Case Number **EB-2025-0313** to review the application. This link will also allow you to see other documents that are filed by Enbridge Gas or by Intervenor as well as documents that are issued by the OEB during the hearing.

² The application was filed under section 95(2) of the *Ontario Energy Board Act, 1998* (OEB Act)

³ Pursuant to section 95(2) of the OEB Act

⁴ As provided for in section 3.0.1 of [Ontario Regulation 328/03](#)

⁵ An oral hearing is one that is conducted in person. An electronic hearing is conducted virtually. A hearing that includes a combination of oral (in-person) and electronic (virtual) formats is referred to as a hybrid hearing.

In terms of participation, you have several options:

1. You can file a letter to notify the OEB of any concerns you may have that the Crown's duty to consult has not been adequately discharged in respect of the Project (Notification Letter). You can express your preference for the type of hearing in your Notification Letter. Your Notification Letter must be filed on or before **January 14, 2026**. Otherwise, the hearing will move forward without you, and you will not receive any further notice of the proceeding. To file a Notification Letter, please email Registrar@oeb.ca and reference Case Number **EB-2025-0313**.
2. If you want to actively participate in the hearing as an Intervenor, please say so in your Notification Letter. Six Nations of the Grand River will be accepted as an Intervenor and will be eligible to recover costs in respect of its participation in the proceeding on the issue that is within scope of the proceeding. For more information on the role of an Intervenor, please visit the OEB's [Intervenor Information](#) webpage.
3. If you choose not to become an Intervenor, you can still:
 - a. File a Letter of Comment that expresses your views on the application. To file a Letter of Comment, please email Registrar@oeb.ca and reference Case Number **EB-2025-0313**.
 - b. Follow the proceeding as a Monitor. Monitors received by email all documents issued by the OEB in respect of the proceeding. To register as a Monitor, please email Registrar@oeb.ca and reference Case Number **EB-2025-0313**.

If you file a Notification Letter or a Letter of Comment, your name and the content of your letter will be put on the public record and the OEB website. If you indicate that Six Nations of the Grand River intends to actively participate in the hearing as an Intervenor, then all the information you file will be on the public record and the OEB website.

For more information on the role of the OEB in relation to the Crown's duty to consult, please visit the OEB's [Consultation with Indigenous Peoples](#) webpage.

If you have any questions relating to this Notice or how to participate in the OEB's hearing, please contact the OEB's Case Manager, Natalya Plummer at natalya.plummer@oeb.ca.

Yours truly,

Ritchie
Murray

 Digitally signed by Ritchie
Murray
Date: 2025.12.16
17:42:45 -05'00'

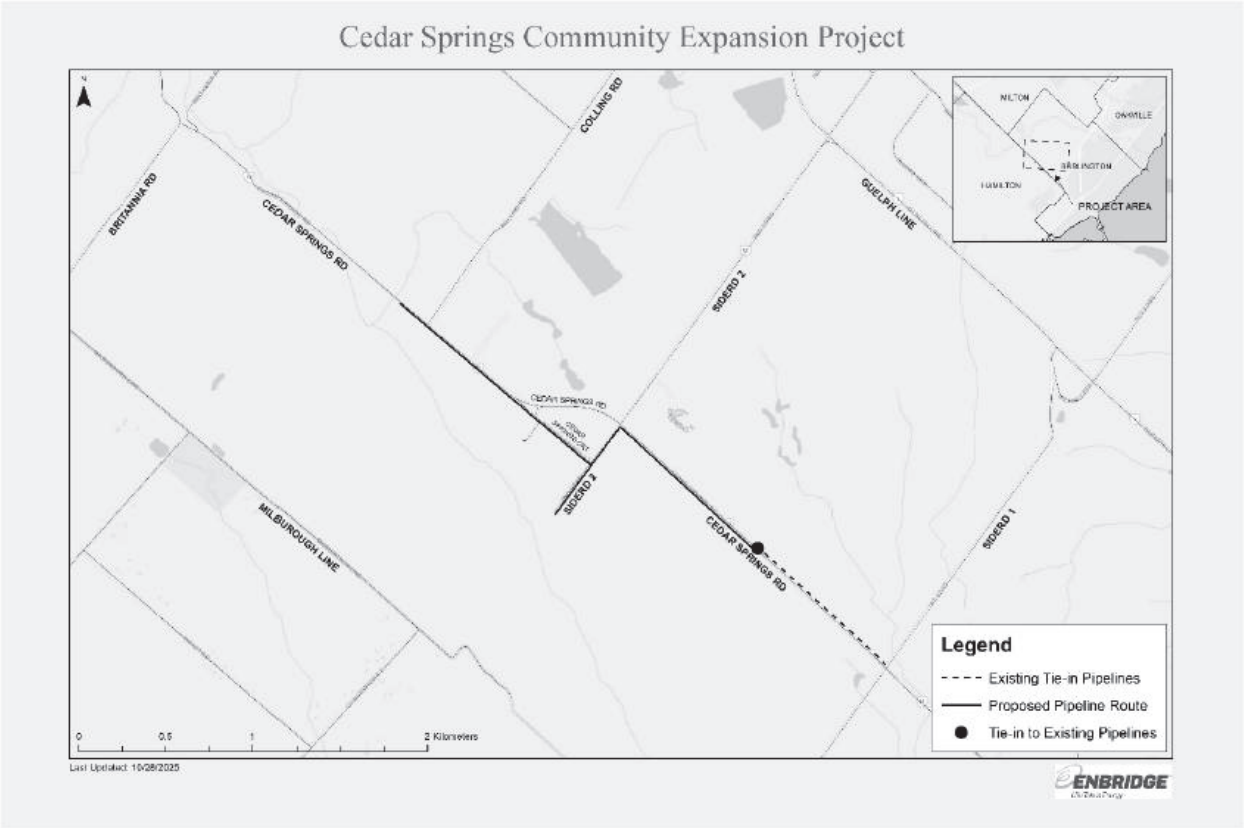
Ritchie Murray
Acting Registrar

Email: registrar@oeb.ca

Tel: 1-888-632-6273 (Toll-free)

c: Tracey General, Haudenosaunee Confederacy Chiefs Council, c/o Haudenosaunee Development Institute – info@hdi.land
Olatunbosun Ishola, Enbridge Gas Inc.
Richard Lanni, Enbridge Gas Inc.

Attachment A: Project Map



Tab 3

			noted that a virtual information session would be held November 15 to 29, 2021. The letter also offered capacity funding to support engagement on the Project.		
3.2	June 6, 2025	Email	An Enbridge Gas representative emailed the SNGR representative to provide an updated NUP. The NUP outlined the purpose of the Project and advised that an Environmental Study would take place. The NUP stated should SNGR have any questions or comments during the development stages of the Project or input regarding potential alternative routes or natural environment features within the area to please contact the Stantec representative so that input could be evaluated and considered. The Stantec representatives' contact information was provided.		See line-item attachment 3.2.
3.3	June 9, 2025	Email		A SNGR representative emailed the Enbridge Gas representative to request an introduction of the Project the following day during a meeting between the parties.	See line-item attachment 3.3.
3.4	July 18, 2025	Email	An Enbridge Gas representative emailed the SNGR representative to provide a Notice of Study Commencement, Project Description Report and Virtual Information Session for the Project. The Notice provided an overview of the Project, including potential routes, advised of an Environmental Study and associated Environmental Report (ER) and timeline for completion of the study and noted that a public information session would be held August 4 to 18, 2025. The Notice advised that input and comments about the Project should be received by September 3, 2025. The Notice indicated that consultation with Indigenous communities and engagement with directly impacted stakeholders was an integral part of		See line-item attachment 3.4 Environmental Report Section 2.3.2, Appendix B5 for the Project Description.

			the process and a questionnaire would be available as part of the virtual information session, to provide opportunity to submit comments and/or ask questions.		
3.5	September 16, 2025	Email		A SNGR representative emailed the Enbridge Gas representative to advise that they had responded to the NUP on June 6, 2025 requesting a meeting and did not receive a response. The SNGR representative advised that the ER indicated that a Project Description Report was circulated on July 18, 2025, which SNGR never received. The SNGR representative requested the Project Description Report and advised that SNGR is very disappointed with the state of consultation on other projects and are concerned that this Project is starting off poorly.	See line-item attachment 3.5. The SNGR representative stated that they had not received a response to their meeting request about the Project and that they had not received the Project Description Report and asked that it be resent.
3.6	September 16, 2025	Email	An Enbridge Gas representative emailed the SNGR representative to provide the Project Description Report and Notice of Study Commencement and virtual information session information that was provided on July 18, 2025. The Enbridge Gas representative suggested setting up a meeting to discuss the Project and advised that the ER would be sent shortly.		See line-item attachment 3.6.
3.7	September 16, 2025	Email	An Enbridge Gas representative emailed the SNGR representative to advise that they had sent the Project Description Report and Notice of Study Commencement and virtual information session information on July 18, 2025 but it was not delivered due to the size. The Enbridge Gas		See line-item attachment 3.7.