



**Eric VanRuymbeke**  
 Sr. Advisor  
 Leave to Construct Applications  
 Regulatory Affairs

Tel: (519) 436-4600 x5002241  
 Email: [eric.vanruymbeke@enbridge.com](mailto:eric.vanruymbeke@enbridge.com)  
[EGIRegulatoryProceedings@enbridge.com](mailto:EGIRegulatoryProceedings@enbridge.com)

**Enbridge Gas Inc.**  
 50 Keil Drive  
 Chatham, Ontario, N7M 5M1  
 Canada

December 7, 2022

**BY RESS AND EMAIL**

Nancy Marconi  
 Acting Registrar  
 Ontario Energy Board  
 2300 Yonge Street, 27<sup>th</sup> Floor  
 Toronto, ON M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (“Enbridge Gas”)  
 Ontario Energy Board (“OEB”) File: EB-2022-0247  
 Scarborough Subway Expansion – Kennedy Station Relocation Project  
 Application and Evidence (Redacted)**

Enclosed please find the redacted application and evidence for the Scarborough Subway Expansion – Kennedy Station Relocation Project.

In accordance with the OEB’s *Practice Direction on Confidential Filings*, Enbridge Gas is requesting confidential treatment of the following exhibits. Details of the specific information and reasons for confidential treatment are set out below:

<b>Exhibit</b>	<b>Confidential Information Location</b>	<b>Brief Description</b>	<b>Basis for Confidentiality</b>
Exhibit F-1-1 Attachment 1	Page 286	Personal Information	The redactions relate to the names and contact information of property owners. This information should not be disclosed in accordance with the <i>Freedom of Information and Protection of Privacy Act</i> . Pursuant to section 10 of the OEB’s <i>Practice Direction on Confidential Filings</i> , such information should not be provided to parties to a proceeding.
Exhibit G-1-1 Attachment 3	Pages 1-2	Personal Information	The redactions relate to the names and contact information of property owners. This information should not be disclosed in accordance with the <i>Freedom of Information and Protection of Privacy Act</i> . Pursuant to section 10 of the OEB’s <i>Practice Direction on Confidential Filings</i> , such information should not be provided to parties to a proceeding.

The unredacted confidential attachments will be sent separately via email to the OEB.

The above noted submission has been filed electronically through the OEB’s RESS.

If you have any questions, please contact the undersigned.

Sincerely,

(Original Digitally Signed)

Eric VanRuymbeke  
Sr. Advisor – Leave to Construct Applications

EXHIBIT LIST

A – ADMINISTRATION

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
A	1	1	Exhibit List
		2	Glossary of Acronyms and Defined Terms
A	2	1	Application Attachment 1 – Project Map

B – PROJECT NEED

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
B	1	1	Project Need Attachment 1 – Metrolinx Letter of Support

C – PROJECT ALTERNATIVES

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
C	1	1	Project Alternatives

D – PROPOSED PROJECT

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
D	1	1	Proposed Project
	2	1	Project Schedule

E – PROJECT COSTS AND ECONOMICS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
E	1	1	Project Costs and Economics

F – ENVIRONMENTAL MATTERS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
F	1	1	Environmental Matters Attachment 1 – Environmental Report (Redacted) Attachment 2 – OPCC Correspondence

G – LAND MATTERS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
G	1	1	Land Matters Attachment 1 – Working Area Agreement Attachment 2 – Standard Easement Agreement Attachment 3 – Landowner List (Redacted)

H – INDIGENOUS CONSULTATION

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
H	1	1	Indigenous Consultation Attachment 1 – Project Description for MOE Attachment 2 – Delegation Letter Attachment 3 – Updated Project Description for MOE Attachment 4 – Further Direction Letter Attachment 5 – Sufficiency Letter Attachment 6 – Enbridge Inc. Indigenous Peoples Policy Attachment 7 – ICR Summary Attachment 8 – ICR Log & Project Correspondence

I – CONDITIONS OF APPROVAL

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
I	1	1	Conditions of Approval

<b>Glossary of Acronyms and Defined Terms</b>	
AA	Archaeological Assessment
Act	The <i>Ontario Energy Board Act, 1998</i>
Applicant	Enbridge Gas Inc.
Application	Enbridge Gas Inc.'s application requesting an order granting leave to construct the following natural gas pipelines in the City of Toronto: 310 m of Nominal Pipe Size ("NPS") 4 Polyethylene ("PE") Intermediate Pressure ("IP") gas main relocation along Lord Roberts Drive and along a permanent easement on a City of Toronto walkway; 120 m of NPS 2 PE IP service relocation at 2480 Eglinton Avenue East; 30 m of NPS 8 Steel Coated ("SC") High Pressure ("HP") gas main relocation; 330 m of NPS 8 PE IP gas main relocation and 16 m of NPS 6 PE IP gas main relocation.
CIAC	Contribution in Aid of Construction
CNG	Compressed Natural Gas
Company	Enbridge Gas Inc.
Delegation Letter	Letter indicating delegation of the procedural aspects of Indigenous consultation to Enbridge Gas for the Project
Dillon	Dillon Consulting Ltd.
EGI Utility Work	Any relocation of Enbridge Gas assets requested by the Metrolinx Contractor
Enbridge Gas	Enbridge Gas Inc
EPP	Environmental Protection Plan
ER	Environmental Report
Guidelines	The OEB's <i>Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7<sup>th</sup> Edition, 2016</i> .
HP	High Pressure
ICR	Indigenous Consultation Report
IP	Intermediate Pressure
IRPA	Integrated Resource Planning Alternative
IRP Framework	Integrated Resource Planning Framework for Enbridge Gas
MCM	Ministry of Citizenship and Multiculturalism
Metrolinx Contractor	Metrolinx's Scarborough Subway Extension contractor
MOE	Ministry of Energy
MOP	Maximum Operating Pressure
MSP	Minimum System Pressure
NPS	Nominal Pipe Size
OEB	The Ontario Energy Board
OPCC	Ontario Pipeline Coordinating Committee
PE	Polyethylene
Policy	Indigenous Peoples Policy
PR	Preferred Route
Project	Kennedy Station relocation project
SC	Steel Coated
SMYS	Specified Minimum Yield Stress
Specifications	Specifications outlined in Enbridge Gas's Construction and Maintenance Manual
SRS	Metrolinx's Stations, Rails, and Systems
ST	Steel
Subway Extension	Scarborough Subway Extension transit project
TMHC	Timmins Martelle Heritage Consultants Inc.
TSSA	Technical Standards & Safety Authority
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UWA	Utility Work Agreement

## **ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B; and in particular section 90(1) and section 97 thereof;

**AND IN THE MATTER OF** an application by Enbridge Gas Inc. for an order granting leave to construct natural gas pipelines in the City of Toronto.

### **APPLICATION**

1. Enbridge Gas Inc. (“Enbridge Gas” or the “Company”) hereby applies to the Ontario Energy Board (the “OEB”) pursuant to section 90(1) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B (the “Act”), for an Order granting leave to construct the following:
  - Phase 1
    - i. 310 m of Nominal Pipe Size (“NPS”) 4 Polyethylene (“PE”) Intermediate Pressure (“IP”) gas main relocation along Lord Roberts Drive and along a permanent easement on a City of Toronto walkway.
    - ii. 120 m of NPS 2 PE IP service relocation at 2480 Eglinton Avenue East.
  - Phase 2
    - i. 30 m of NPS 8 Steel Coated (“SC”) High Pressure (“HP”) gas main relocation.
    - ii. 330 m of NPS 8 PE IP gas main relocation.
    - iii. 16 m of NPS 6 PE IP gas main relocation.

iv. 25 m of NPS 4 PE IP gas main relocation at 2499 Eglinton Avenue East.

2. Enbridge Gas will also relocate a district station and bollard protection system onto a permanent easement at 2500 Eglinton Avenue East. For the purposes of this application, the relocations above will be referred to as the Kennedy Station relocation project (the “Project”).
3. Metrolinx has requested that Enbridge Gas relocate existing natural gas pipeline assets in the City of Toronto to accommodate the Scarborough Subway Extension transit project<sup>1</sup>. The Scarborough Subway Extension transit project is a collaboration between the Province of Ontario, the City of Toronto, and Metrolinx.
4. For ease of reference and to assist the OEB with preparation of the notice of application for the proposed Project, a map of the proposed facilities is included at Attachment 1 to this Exhibit.
5. Selection of the route and location for the proposed facilities associated with the Project was supported by an independent environmental consultant through the process outlined in the OEB’s *Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7th Edition, 2016* (the “Guidelines”).
6. Construction of the Project is planned to commence in September 2023 for Phase 1 and April 2025 for Phase 2. The proposed pipelines and facilities are expected to be

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<sup>1</sup> <https://www.metrolinx.com/en/greaterregion/projects/scarborough-subway-extension.aspx>

placed into service in December 2023 and July 2025, respectively. The proposed Project milestones can be found at Exhibit B, Tab 1, Schedule 1, Tables 1 and 2.

7. Enbridge Gas requests that this Application be treated as a short-form natural gas application based on the OEB's established criteria,<sup>2</sup> and that it proceed by way of written hearing in English.

8. Enbridge Gas requests that the OEB issue the following orders:

- (i) pursuant to section 90(1) of the Act, an Order granting leave to construct the Project.
- (ii) pursuant to section 97 of the Act, an order approving the form of working area agreement found at Exhibit G, Tab 1, Schedule 1, Attachment 1, and the form of standard easement agreement found at Exhibit G, Tab 1, Schedule 1, Attachment 2.

9. Enbridge Gas requests that documents relating to the application and its supporting evidence, including the responsive comments of any interested party, be served on Enbridge Gas and its counsel as follows:

(a) The Applicant	Eric VanRuymbeke Sr. Advisor, Leave to Construct Applications
Address:	P. O. Box 2001 50 Keil Drive N Chatham, ON N7M 5M1
Telephone:	(519) 436-4600 x5002241

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<sup>2</sup> <https://www.oeb.ca/applications/how-file-application/performance-standards-processing-applications>



Email: [eric.vanruymbeke@enbridge.com](mailto:eric.vanruymbeke@enbridge.com)  
[EGIRegulatoryProceedings@enbridge.com](mailto:EGIRegulatoryProceedings@enbridge.com)

(b) The Applicant's counsel (1) Guri Pannu  
Sr. Legal Counsel  
Enbridge Gas Inc.

Address for personal service: 500 Consumers Road  
Toronto, ON M2J 1P8

Mailing Address: P. O. Box 650, Scarborough, ON M1K 5E3

Telephone: (416) 758-4761

Email: [guri.pannu@enbridge.com](mailto:guri.pannu@enbridge.com)

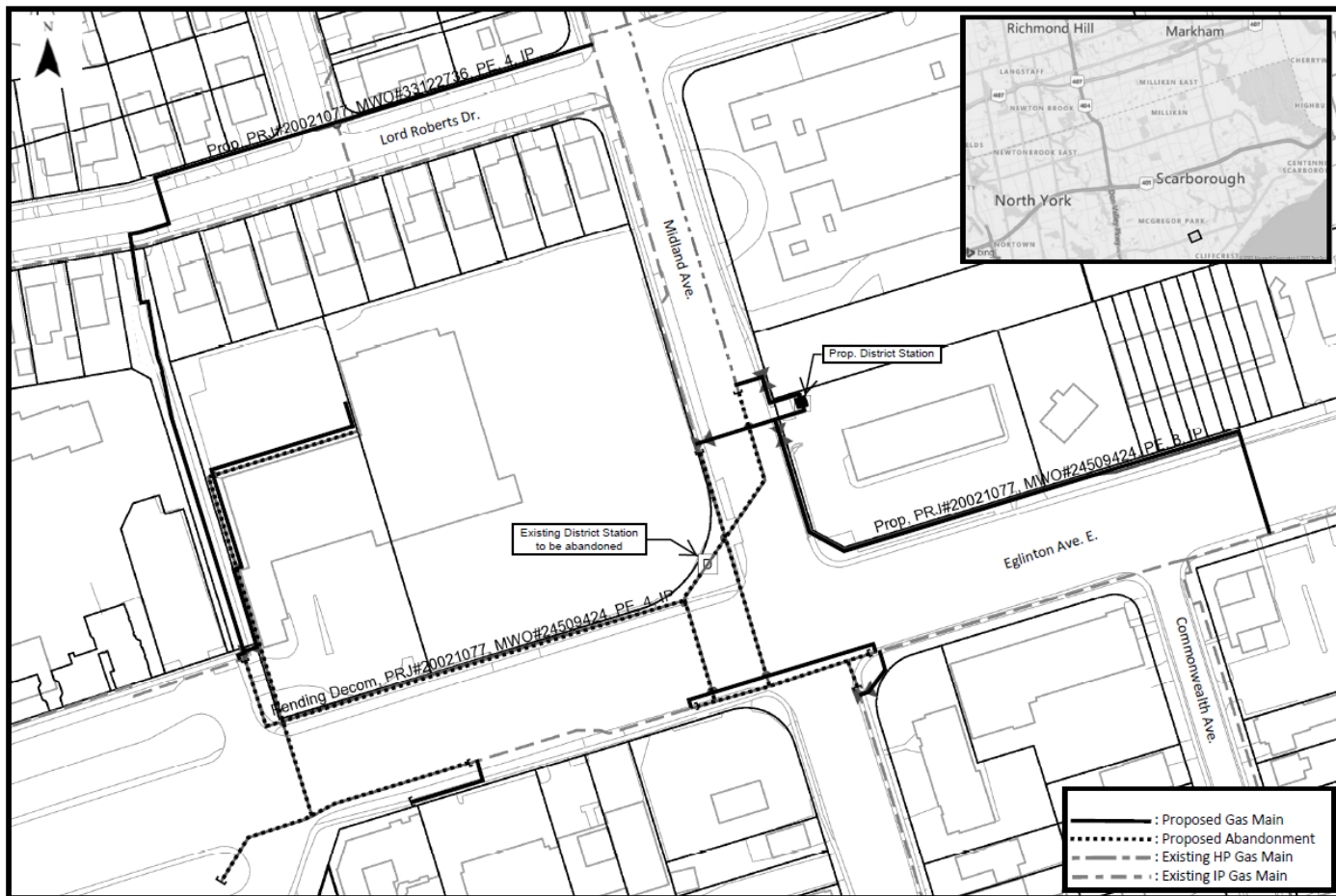
DATED at the City of Chatham, Ontario this 7<sup>th</sup> day of December 2022.

**ENBRIDGE GAS INC.**

(Original Digitally Signed)

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Eric VanRuymbeke  
Sr. Advisor, Leave to Construct Applications



## PROJECT NEED

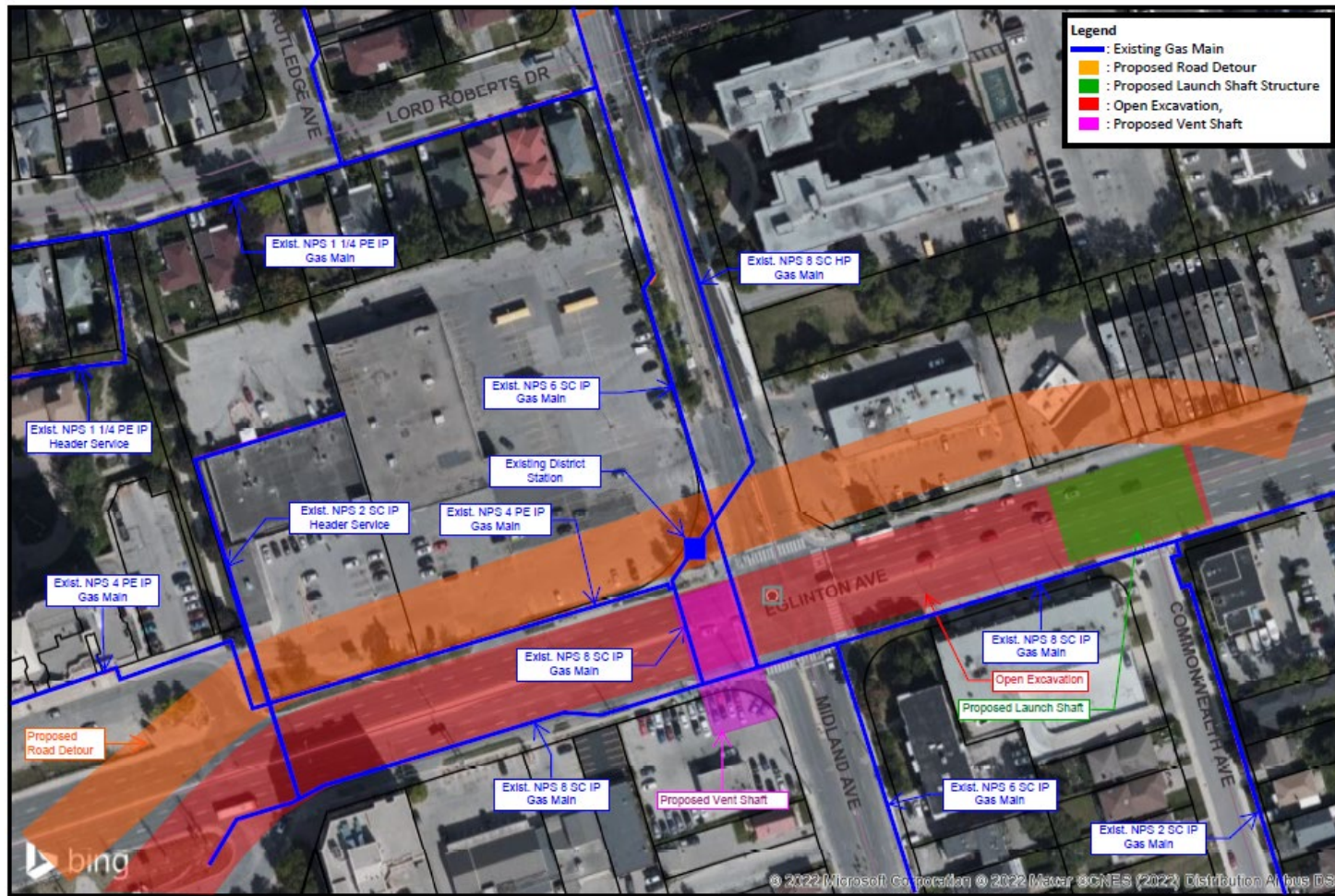
### Introduction

1. The Kennedy Station relocation project (“Project”) is required to accommodate the Scarborough Subway Extension transit project (the “Subway Extension”), which is being completed by Metrolinx in collaboration with the Province of Ontario, and the City of Toronto. The proposed Subway Extension will replace the aging Line 3 (currently, the Scarborough RT) and is a key transit expansion project helping to reduce travel times for commuters, to support economic and community growth along the transit line, improve access to jobs, schools, and other key destinations throughout the city.

### Need for Relocation

2. Metrolinx has requested that Enbridge Gas relocate certain existing natural gas pipeline assets in the City of Toronto to accommodate the Subway Extension. The Project will be located within existing road allowances and rights-of-way, and private property easements. A map of the existing facilities and areas of the Subway Extension plans that conflict are shown in Figure 1 and described in greater detail below.

Figure 1: Map of Existing Assets and Conflict Areas



3. Subway Extension plans that conflict with existing Enbridge Gas assets are described according to the general project area below:

Open Excavation

- A. NPS 8 SC IP gas main in front of 2499 and 2495 Eglinton Ave. E, is a single feed dead-end main in conflict with Metrolinx's future piling activities for the open excavation.
- B. NPS 4 PE IP gas main along the north side of Eglinton Ave. E from the northwest corner of Eglinton Ave. E and Midland Ave. intersection to 2480 Eglinton Ave. E is a single feed dead-end main servicing 2460 and 2466 Eglinton Ave. E (residential apartment buildings to the west of the Subway Extension project site) and is in conflict with Metrolinx's future piling activities and grade cuts for the temporary road detour.
- C. NPS 8 and NPS 6 SC IP gas mains crossing Eglinton Ave. E just west of the Midland Ave intersection in conflict with Metrolinx's future piling activities. The existing NPS 8 and 6 SC IP gas main road crossings on Eglinton Ave. E represent the intermediate pressure downstream outlet from the existing district station that begins the feed to the remainder of this gas network. These road crossings require relocation along with the district station and its associated inlet and outlet piping to ensure continuity in the network.
- D. NPS 2 SC IP gas header service to 2480 Eglinton Ave. E in conflict with Metrolinx's future piling activities.

Proposed Road Detour

- A. The existing above ground high pressure to intermediate pressure district regulator station with protective bollard system and associated inlet and

outlet piping (NPS 8 SC IP and NPS 8 SC HP gas mains) in conflict with Metrolinx's temporary road detour.

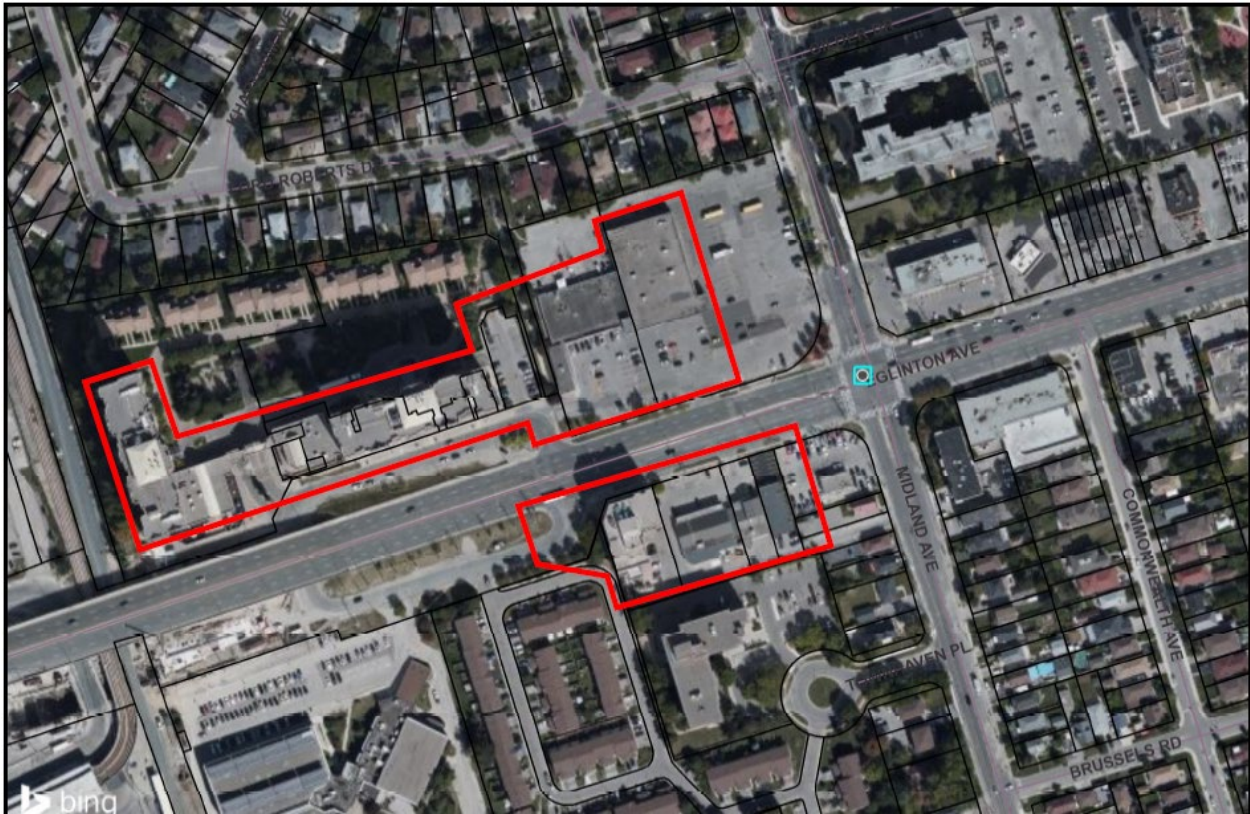
#### Proposed Vent Shaft

- A. NPS 8 SC IP gas main on the south side of Eglinton Ave. E running from the southeast to southwest corners of Eglinton Ave. E and Midland Ave is a single feed dead-end main servicing 2499, 2495 and 2505 Eglinton Ave. E in conflict with Metrolinx's future Vent Shaft pedestrian tunnel.
4. Enbridge Gas and Metrolinx's Subway Extension contractor ("Metrolinx Contractor") are entering into a Utility Work Agreement ("UWA") after the Metrolinx Contractor is awarded the contract for the subway. The UWA outlines the agreed upon processes, accountabilities, and cost recovery for any relocation of Enbridge Gas assets requested by the Metrolinx Contractor ("EGI Utility Work"). The proposed Project is included within this agreement. Attachment 1 to this Exhibit contains a letter dated November 22, 2022, from Metrolinx indicating support for the Project and its commitment to pay Enbridge Gas for the relocations required to facilitate the Subway Extension.

#### Existing System Capacity

5. The proposed relocation Project is required to eliminate conflicts with Metrolinx's Subway Extension construction while maintaining the ability to serve existing Enbridge Gas customers.
6. Gas supply to customers identified in red polygon areas set out in Figure 2 are one way fed and will be impacted if existing gas assets in conflict with the Subway Extension construction are not relocated.

Figure 2: Impacted Customers



7. If gas assets in conflict are abandoned but not relocated, 22 customers in Figure 2, including 3 condominium building with multiple units, 1 Co-operative homes building with multiple units, and 18 commercial customers will lose all natural gas supply. In addition, pressures in a large area surrounding these customers (within the Project area) will decrease significantly causing inlet pressure to over 50 other customers to be near minimum system pressure (“MSP”). Should any supply constraints occur, then services to customers near MSP will be exposed to increased risk of being negatively impacted.

Project Timing

8. The proposed Project construction schedule has been developed in two phases to meet Metrolinx’s timing for Subway Extension construction at Eglinton Ave. E and Midland Ave. Enbridge Gas will commence construction for Phase 1 in September 2023 and Phase 2 in April 2025. The schedule dependency between Phases 1 and 2 is attributed to the time and space separation required for the tunneling contractor currently working in the area. Concurrent construction activity prevents Enbridge Gas from starting construction on Phase 2 in 2023 and throughout 2024. Therefore, Phase 2 can only commence once the tunneling contractor has completed their work at the intersection of Midland Ave. and Eglinton Ave. E. The proposed schedule for Phases 1 and 2 of the Project are set out in Tables 1 and 2 below.

Table 1: Phase 1 Proposed Project Schedule

Environmental Report Completion	June 2022
Survey, Lands Acquisition, Design Completion	May 2023
Expected LTC Approval	May 2023
Receipt of Permits and Approvals	August 2023
Commence Construction	September 2023
Expected In-service	December 2023
Completion of Construction	December 2023
Final Restoration and Inspection	May 2024

Table 2: Phase 2 Proposed Project Schedule

Environmental Report Completion	June 2022
Survey, Lands Acquisition, Design Completion	May 2023
Expected LTC Approval	May 2023
Receipt of Permits and Approvals	March 2025
Commence Construction	May 2025
Expected In-service	July 2025
Completion of Construction	July 2025
Final Restoration and Inspection	July 2025



Conclusion

9. The Project is required to accommodate Metrolinx's construction of the Subway Extension and involves the relocation of various existing natural gas pipelines and an existing district regulator station, which are in conflict with Metrolinx's design and construction. The Project aims to resolve all conflicts with Metrolinx's work and ensures Enbridge Gas is able to maintain provision of safe and reliable natural gas services for its existing customers.



Office of the Scarborough Subway Extension Technical Director  
Alessandra Lionzo [Alessandra.Lionzo@metrolinx.com](mailto:Alessandra.Lionzo@metrolinx.com)  
(416) 319-1274

November 22, 2022

Delivered Via Email: [daniel.petrozziello@enbridge.com](mailto:daniel.petrozziello@enbridge.com)

Daniel Petrozziello, C.Tech, PMP  
Supervisor Transit  
Capital Development and Delivery  
ENBRIDGE  
101 Honda Blvd, Markham, ON L6C 0M6  
TEL: 905-927-3021 | CELL: 416-735-1952

RE: Letter in Support of Enbridge Gas Inc.'s ("**EGI**") Leave to Construct Application to the Ontario Energy Board (the "**OEB**") for the Scarborough Subway Extension Project - Kennedy Station Tail Track

Dear Mr. Petrozziello,

Metrolinx hereby submits this letter in support of EGI's Application to the OEB to facilitate the construction of the future Kennedy Station Tail Track as part of the proposed Scarborough Subway Extension.

As part of the subway program, the proposed Scarborough Subway Extension (SSE) will connect a number of transit systems and make it easier to travel within the city and beyond. The proposed new Kennedy Tail Track structure is an integral and key component to be constructed as part of the new subway extension. It's integration with the existing TTC Kennedy Station will provide the connection of the SSE to the existing TTC Line 2, GO Transit rail services and the Eglinton Crosstown LRT. As part of the work required to complete the SSE, Metrolinx requires that EGI relocate its gas pipeline at this location. This work will be executed in two phases (Phase 1 to be completed by January 2024 and Phase 2 to be completed by August 2025). The completion of these phases is required to advance the construction of the Kennedy Tail Track structure no later than August 2025.

Metrolinx strongly supports EGI's Application and is working collaboratively to support the development of EGI's utility relocation design. Upon EGI's completion of said design, and Metrolinx' acceptance, Metrolinx intends to provide EGI with all applicable approvals and permits to begin the relocation work. Without the OEB's acceptance of EGI's Application, Metrolinx is at risk of not achieving the scheduled Kennedy Tail Track construction start date, jeopardizing the entire Scarborough Subway Extension timeline.

Metrolinx will be reimbursing the Project Contractor for the EGI Utility Work under it's obligations with the Project Agreement between Metrolinx/Infrastructure Ontario and the Project Contractor. The Project Contractor will provide reimbursement directly to EGI through the Utility Work Agreement executed between the Project Contractor and EGI.

Metrolinx looks forward to your cooperation and support in this regard. Please feel free to contact Metrolinx should you require additional information or assistance.



Sincerely,

*Alessandra Lionzo*

Alessandra Lionzo, MSc, MBA, PMP  
Technical Director - Scarborough Subway Extension  
Capital Projects Group  
Metrolinx

cc. Paul de Sousa, Senior Project Manager, Metrolinx

Charles Vasantharaj, Utilities Manager, Metrolinx

Johnny Lee, Manager, Metrolinx

## PROJECT ALTERNATIVES

1. The purpose of this Exhibit is to describe Enbridge Gas's analysis of alternatives to address conflicts between the Company's existing natural gas assets and Metrolinx's Subway Extension project, as outlined in Exhibit B, Tab 1, Schedule 1. As discussed in Exhibit B, because of these conflicts, Enbridge Gas is proposing to relocate existing natural gas assets in the vicinity of the Kennedy Station at Midland Ave. and Eglinton Ave. E.
2. The preferred alternative is the proposed Project, which includes the following two phases of construction:

### Phase 1

- 310 m of NPS 4 PE IP gas main relocation along Lord Roberts Dr. and along a permanent easement on a City of Toronto walkway.
- 120 m of NPS 2 PE IP service relocation at 2480 Eglinton Ave. E.

### Phase 2

- 30 m of NPS 8 SC HP gas main relocation.
  - 330 m of NPS 8 PE IP gas main relocation.
  - 16 m of NPS 6 PE IP gas main relocation.
  - 25 m of NPS 4 PE IP gas main relocation at 2499 Eglinton Ave. E.
  - District station and bollard protection system to be relocated onto a permanent easement at 2500 Eglinton Ave. E.
3. The proposed Project resolves physical conflicts with the future Kennedy Station construction by Metrolinx's Stations, Rails, and Systems ("SRS") contractor, while allowing Enbridge Gas to maintain the integrity and operability of its existing natural gas network and continued service to existing customers. The proposed Project has in-service dates of December 2023 for Phase 1, and July 2025 for Phase 2.

## Integrated Resource Planning

### 4. The Decision and Order for Enbridge Gas's Integrated Resource Planning

Framework Proposal (EB-2020-0091) was issued on July 22, 2021. This decision was accompanied by an Integrated Resource Planning Framework for Enbridge Gas ("IRP Framework").<sup>1</sup> The IRP Framework provides guidance from the OEB about the nature, timing and content of IRP considerations for future identified needs. The IRP Framework provides Binary Screening Criteria in order to focus on situations where there is reasonable expectation that an IRP Alternative ("IRPA") could efficiently and economically meet a system need. Enbridge Gas has applied the Binary Screening Criteria and determined that the need underpinning the Project does not warrant further IRP consideration based on the timing criteria, as the need must be met in under three years (the proposed project has in-service dates of December 2023 for Phase 1, and July 2025 for Phase 2). In addition, the Project is driven by a customer-specific build where Metrolinx will reimburse Enbridge Gas through a Contribution in Aid of Construction ("CIAC") for the actual Project costs.

**ii. Timing** – If an identified system constraint/need must be met in under three years, an IRP plan could not likely be implemented and its ability to resolve the identified system constraint could not be verified in time. Therefore, an IRP evaluation is not required. Exceptions to this criterion could include considerations of supply-side IRPAs and bridging or market-based alternatives where such IRPAs can address a more imminent need.

**iii. Customer-specific builds** – If an identified system need has been underpinned by a specific customer's (or group of customers') clear request for a facility project and either the choice to pay a Contribution in Aid of Construction or to contract for long-term services delivered by such facilities, then an IRP evaluation is not required.<sup>2</sup>

### 5. Notwithstanding the criterion above that exempt the Project from further IRP assessment, the Company does not have adequate time to design, implement, and measure the effect of a demand side IRP Plan to remove existing gas assets while

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<sup>1</sup> EB-2020-0091, Decision and Order, July 22, 2021, Appendix A.

<sup>2</sup> Ibid

continuing to reliably serve the natural gas demands of customers in the surrounding area. Furthermore, since the existing gas main is embedded deep within Enbridge Gas's distribution pipeline network, there is no ability for a third-party natural gas market participant to deliver gas supplies directly to the region served by the existing natural gas main or to feasibly set up a Compressed Natural Gas ("CNG") injection point. Therefore, supply-side alternatives do not exist to meet the Project need.

#### Alternatives Assessment Criteria

6. Enbridge Gas established alternatives assessment criteria that quantitatively and/or qualitatively considered economic feasibility, timing, safety and reliability, risk management, and environmental and socio-economic impacts:

##### Project Cost (Quantitative):

- The alternative must be cost-effective compared to other alternatives. As discussed in Exhibit B, Tab 1, Schedule 1, the Project costs will be covered under the UWA between the Metrolinx Contractor and Enbridge Gas and recovered through a CIAC. Enbridge Gas considered the total cost of the relocation of its assets throughout its work to support the Subway Extension design with Metrolinx.

##### Timing (Quantitative):

- The alternative must meet the required in service dates of December 2023 for Phase 1 and July 2025 for Phase 2.

##### Safety & Reliability (Qualitative):

- The alternative must ensure that Enbridge Gas can meet its obligation to provide reliable and safe delivery of firm natural gas volumes to existing Enbridge Gas customers as outlined in Exhibit B, Tab 1, Schedule 1 and that no existing Enbridge Gas customer experiences a loss of natural gas supply.

Environmental and Socio-economic Impact (Qualitative):

- The alternative should minimize impacts to Indigenous peoples, municipalities, landowners, and the environment relative to other viable alternatives.

Identification and Assessment of Alternatives

7. Enbridge Gas identified several alternatives capable of addressing the Subway Extension conflicts identified in Exhibit B within the timeframes required by Metrolinx. Detailed descriptions of each of the facility alternatives, organized in accordance with the general project areas described in Exhibit B, are provided below:

Open Excavation

- A. To avoid a conflict with the existing NPS 8 SC IP gas main in front of 2499 and 2495 Eglinton Ave. E and Metrolinx's proposed piles and to maintain existing service to customers, there was only one feasible alternative identified given the congestion of existing and proposed utilities in the vicinity. The only alternative identified was to relocate the gas main further south towards the property line within the boulevard and shorten the length of the dead-end main to just past the property limit of 2499 Eglinton Ave. E to ensure servicing could be maintained. The proposed location of the NPS 4 PE IP gas main maintains the minimum horizontal and vertical clearances to existing and proposed utilities in the area and allows for both services to 2499 and 2495 Eglinton Ave. E to be re-attached to this gas main.
- B. To avoid a conflict with the existing NPS 4 PE IP gas main along the north side of Eglinton Ave. E from the northwest corner of the Eglinton Ave. E and Midland Ave. intersection to 2480 Eglinton Ave. E and Metrolinx's proposed piles and to maintain existing service to the customers, two alternatives were assessed:

- i. Relocate the existing NPS 4 PE IP gas main along Lord Roberts Dr. (a municipal roadway parallel to Eglinton Ave. E) to the north of the project site, and along a permanent easement on a private walkway owned by the City of Toronto to reconnect to the existing NPS 4 PE IP gas main network dead ending to the west at 2460 and 2466 Eglinton Ave. E, requiring the Company to obtain a permanent easement from the City of Toronto. This alternative does not impose any risks to the existing CN rail and TTC track infrastructure, as well as the City's existing bridge footings.
  
- ii. Install a new NPS 4 PE IP gas main crossing under the existing CN rail corridor and TTC Line 3 subway train tracks at the existing TTC Kennedy Station to connect the existing NPS 4 PE IP gas main east of the track with the existing NPS 2 PE IP gas main west of the track. The gas main would be in the immediate vicinity of the City of Toronto bridge overpassing Eglinton Ave. East roadway. The gas main would require railway permit approvals from CN and TTC, as well as approval from the City of Toronto Bridges and Structures group for construction in the vicinity of bridge footings. The gas main would also need to be installed to the depth outlined in Transport Canada's TC E-10 standard for a gas main crossing under a railway. The gas main crossing within the rail corridor would also be inaccessible in the future for maintenance and operations due to the ongoing operation of CN trains and the existing TTC Line 3 subway.

For the reasons outlined above and as it will ensure minimal risks to Enbridge assets, CN, TTC, and the City of Toronto's railway and bridge infrastructure, respectively, Enbridge Gas determined that Alternative i. is preferable.



- C. To avoid conflict with Metrolinx's future piling activities, the first road crossing is proposed to be relocated to cross Midland Ave. just north of the intersection where the district station is proposed to be relocated onto Metrolinx property at 2500 Eglinton Ave. E.

The second road crossing considered and assessed two routing alternatives:

- i. Re-route the gas main around the Kennedy Station footprint down Midland Ave. towards the intersection with Eglinton Ave. E, along the north side of the intersection and crossing Eglinton Ave. E, just east of Commonwealth Ave.
- ii. To minimize the length of this relocation, the route would cross over the Kennedy Station footprint. Re-routing over the station results in the gas main being exposed, supported, and protected in place by Metrolinx Contractor for the entirety of the station construction imposing unnecessary risks to Enbridge Gas's assets.

For the reasons outlined above and in order to avoid any need for the gas main to be exposed during the station construction, Enbridge Gas determined that Alternative i. (relocate the gas main around the station footprint) is preferable.

- D. To avoid conflict with the NPS 2 SC IP gas header service to 2480 Eglinton Ave E and Metrolinx's future piling activities, two alternatives were assessed:
- i. Reconnect the existing NPS 2 ST IP header gas service to 2480 Eglinton Ave. E, crossing Eglinton Ave. E to the existing NPS 4 PE IP gas main on the north side of Eglinton Ave. E determined not to be

feasible due to the age and condition of the existing service, and as it does not comply with Enbridge Gas standards regarding the eligibility of reconnecting steel services of a specific vintage. Additionally, this reconnection would have created an isolated steel network which results in a gas main unprotected by the existing cathodic protection systems in place, which will lead to accelerated corrosion.

- ii. Relay a new header gas service to 2480 Eglinton Ave. E as a NPS 2 PE IP service off of the existing NPS 4 PE IP gas main on the north side of Eglinton.

While both alternatives would eliminate the road crossing in conflict with Metrolinx's proposed piling activities, for the reasons outlined above and based on modern corrosion standards for natural gas pipelines, Enbridge Gas has determined that Alternative ii) is preferable.

#### Proposed Road Detour

- A. To avoid a conflict between Metrolinx's temporary road detour and Enbridge Gas's IP district regulator station, three alternatives were considered and assessed to facilitate relocation of the district station:
  - i. Reconstruct the station on Metrolinx's property at 2500 Eglinton Ave. E, requiring the Company to obtain a permanent easement from Metrolinx.
  - ii. Reconstruct the station along Midland Ave. within the public right of way along the boulevard area. However, there is limited available space along the boulevard area that may not accommodate the large size of the station footprint, including the bollard protection system (approximately 2.1 m by 2.1 m).

- iii. Find a location for the station on the other corners of the intersection of Midland Ave. and Eglinton Ave. E. However, there is limited right of way available for these purposes and high level of congestion of existing utilities in these areas.

For the reasons outlined above and as it ensures adequate space for the station footprint while offering the maximum level of protection from vehicular traffic travelling along Midland Ave. and Eglinton Ave. E, Enbridge Gas determined that Alternative i. (relocate the district station onto Metrolinx property for which Metrolinx has agreed to provide a permanent easement) is preferable.

#### Proposed Vent Shaft

- A. To avoid a conflict with the pedestrian tunnel and vent shaft structure proposed by Metrolinx, the existing NPS 8 SC IP gas main on the south side of Eglinton Ave. E, running from the southeast to southwest corners of the intersection of Eglinton Ave. E and Midland Ave. is proposed to be shifted 3 m to the north. This will ensure the gas main can achieve the minimum depth of cover in the roadway as well as the minimum vertical clearance above the proposed tunnel structure.

This alternative was the only feasible option given the proposed location of Metrolinx's pedestrian tunnel. Relocating to the south is not possible due to the tunnel conflict, and relocation further to the north is not feasible as it results in additional pipe to be installed to achieve the same result, introduces new conflicts with existing and proposed utilities, and places the gas main in closer proximity of the proposed piles.

### Project Selection & Conclusion

8. Based on the above assessment of alternatives, Enbridge Gas has determined that the proposed Project is the optimal solution to meeting the identified customer need as it:

- Represents the lowest total project cost to resolve conflicts identified by Metrolinx's Subway Extension project.
- Meets Metrolinx's required December 2023 and July 2025 in-service dates for Phase I and Phase II respectively.
- Maintains existing network connections and reliability by continuing to provide the same level of service to existing gas customers throughout construction.
- Ensures Enbridge Gas can readily access its facilities/assets going forward, ensuring their safe operation and maintenance.
- Reflects the lowest overall risks relative to other alternatives assessed.
- Is expected to result in the lowest number and magnitude of environmental and socio-economic impacts relative to other alternatives assessed.

## PROPOSED PROJECT

### Project Description

1. To resolve the physical conflicts between existing Enbridge Gas assets and Metrolinx's Subway Extension, and to ensure that the Company can continue to meet its obligation to deliver firm natural gas services to its existing customers, Enbridge Gas is proposing to relocate its existing NPS 8 SC HP, NPS 8 SC IP, NPS 6 PE IP, and NPS 4 PE IP distribution gas mains as shown in Figure 1. Construction of Enbridge Gas's Project facilities represented in Figure 1 is delineated into two distinct phases in order to accommodate Metrolinx's Subway Extension works, Phase 1 is displayed in green and Phase 2 is displayed in blue.

2. The two phases of construction include:

#### Phase 1

- 310 m of NPS 4 PE IP gas main relocation along Lord Roberts Dr. and along a permanent easement on a City of Toronto walkway.
- 120 m of NPS 2 PE IP service relocation at 2480 Eglinton Ave. E.

#### Phase 2

- 30 m of NPS 8 SC HP gas main relocation.
- 330 m of NPS 8 PE IP gas main relocation.
- 16 m of NPS 6 PE IP gas main relocation.
- 25 m of NPS 4 PE IP gas main relocation at 2499 Eglinton Ave. E.
- District station and bollard protection system to be relocated onto a permanent easement at 2500 Eglinton Ave. E.



3. The route and location for the proposed Project facilities were reviewed by an independent environmental consultant through the process outlined in the Ontario Energy Board's "*Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario*" (7<sup>th</sup> Edition, 2016) (the "Guidelines"). Input from the public was sought during the route selection process and was incorporated into the selection of the preferred routes.

#### Project Construction

4. Enbridge Gas will ensure that all piping components for the Project will be designed, installed, and tested in accordance with specifications outlined in Enbridge Gas's Construction and Maintenance Manual ("Specifications"). The Specifications meet or exceed the requirements of *CSA Z662 – Oil and Gas Pipeline System* standard and *Ontario Regulation 210/01, Oil and Gas Pipeline Systems*.
5. Enbridge Gas will construct the Project using qualified construction contractors and Enbridge Gas employees. Each of these groups will follow approved construction Specifications which will be updated to reflect site specific conditions for the Project as per the findings in the Environmental Report and the Environmental Protection Plan discussed in Exhibit F, Tab 1, Schedule 1. All construction, installation and testing of the Project will be witnessed and certified by a valid Gas Pipeline Inspection Certificate holder.
6. Pipe will be installed using a combination of both the trench method and a trenchless method (horizontal directional drilling). Restoration and monitoring will be conducted post-construction to ensure successful environmental mitigation for the Project.

7. Pipeline construction is divided into several crews that create a mobile assembly line. Each crew performs a different function, with a finished product left behind when the last crew has completed its work.
8. Contractors are required to erect safety barricades, fences, signs or flashers, or to use flag persons as may be appropriate, around any excavation across or along a road. *Ontario Traffic Manual – Book 7 – Temporary Conditions* is followed as a minimum requirement for the purpose of traffic control.
9. Once the new pipelines are placed into service, the existing pipe will be abandoned in place. Sections of the abandoned pipeline may be removed by other parties in the future as part of ongoing Subway Extension or other construction works.
10. Construction of the pipeline includes the following activities:

(a) Locating Running Line

The location where the pipeline is to be installed (the running line) is established initially. For pipelines within road allowances, the adjacent property lines are identified, and the running line is set at a specified distance from the property line. For pipelines located on private easement, the easement is surveyed, and the running line is set at the specified distance from the edge of the easement. The distance from the start of the pipeline (or other suitable point) is marked on the pipeline stakes and the drawings.

(b) Clearing and Grading

The right-of-way is prepared for the construction of the pipeline. When required, bushes, trees and crops are removed, and the ground is leveled. When required, the topsoil is stripped and stored, and/or sod is lifted.



(c) Stringing

The joints of pipe are laid end-to-end on supports that keep the pipe off the ground to prevent damage to the pipe coating.

(d) Welding

The pipe is welded/fused into manageable lengths. The welds in steel pipe are radiographically inspected and the welds are coated.

(e) Installation

Pipe will be installed using a combination of both the trench method and a trenchless method. All utilities that will be crossed or paralleled by the pipeline within the identified construction area will be located by the appropriate utility owner prior to installing the pipeline. Prior to construction, all such utilities will be hand-located or hydro vacuumed to positively identify their location.

*Trench Method:* Trenching is done by using a trenching machine, backhoe or excavator depending upon the ground conditions. Provisions are made to allow residents access to their property, as required. Next, the pipe is lowered into the trench. For steel pipe, the pipe coating is then inspected and tested using a high voltage electrical tester as the pipe is lowered into the trench. All defects in the coating are repaired before the pipe is lowered in. Next, the trench is backfilled using suitable material such as sand or other approved material as per Enbridge Gas Specifications.

*Trenchless Method:* Trenchless methods are alternate methods used to install pipelines under infrastructure such as railways, roadways, watercourses, sidewalks, trees or other environmentally or archaeologically sensitive areas. The trenchless method that is proposed for this project is horizontal directional drilling.

This method involves excavating small entry and exit pits, drilling a pilot hole on the design path, reaming the pilot hole larger by passing a cutting tool, and pulling the pipe back through the bored hole.

(f) Tie-Ins

The sections of pipe that have been buried using either a trench or trenchless method are joined together (tied-in).

(g) Cleaning and Testing

To complete the construction, the pipeline is cleaned and tested and placed into service.

(h) Backfilling and Restoration

The final construction activity is restoration of lands. The work area backfilled and leveled, sod is replaced in lawn areas and other grassed areas are re-seeded. Where required, concrete, asphalt and gravel are replaced, and all areas affected by the construction of the pipeline are returned to as close to original condition as possible. As a guide to show the original condition of the area, photos and/or a video will be taken before any work commences. When the clean-up is completed, the approval of landowners or appropriate government authorities is obtained.

Design Specifications & Testing Procedures

11. The design specifications for the Project are provided in Tables 1 and 2. The specifications are representative of the entire Project. Testing procedures for the Project are also discussed below.

Table 1: NPS 8 HP ST Pipeline Design Specifications

<b>Description</b>	<b>Design Specification</b>	<b>Unit</b>
<b>External Diameter (OD)</b>	219.1	mm
<b>Wall Thickness</b>	4.8	mm
<b>Pipe Grade</b>	359	MPa
<b>Material Specification</b>	C.S.A. Standard Z245.1 or API 5L, latest editions	-
<b>Material Toughness</b>	Cat. I, M5C	-
<b>Coating Type</b>	Dual Fusion Bond Epoxy (Abrasion-Resistant Overcoat) or Yellow Jacket	
<b>Material Designation</b>	Carbon Steel	-
<b>Cathodic Protection</b>	Galvanic System (Corrosion Operating Standard, Galvanic Anode Installation Procedure)	
<b>Fittings</b>	CSA Z245.11-	-
<b>Valves</b>	CSA Z245.15-	-
<b>Class Location</b>	4	-
<b>Design Pressure (DP)</b>	1,200	kPa
<b>Hoop Stress at Design Pressure per % SMYS</b>	7.6%	-
<b>Maximum Operating Pressure (MOP)</b>	1,200	kPa
<b>Hoop Stress at MOP per % SMYS</b>	7.6%	-
<b>Minimum Depth of Cover</b>	0.9	m
<b>Method of Construction</b>	Horizontal Directional Drilling / Open Cut	-
<b>Strength Test Data</b>		
<b>Test Medium</b>	Nitrogen/Air	-
<b>Test Pressure (Min/Max)</b>	1,700/1,800	kPa
<b>Hoop Stress at Strength Test per % SMYS</b>	21%	-
<b>Test Duration</b>	4	Hrs
<b>Leak Test Data</b>		
<b>Test Medium</b>	Nitrogen/Air	-
<b>Test Pressure (Min/Max)</b>	1,700/1,800	kPa
<b>Hoop Stress at Leak Test per % SMYS</b>	21%	-
<b>Test Duration</b>	4	Hrs

12. The NPS 8-inch HP ST pipeline(s) will be a concurrent strength and leak test after installation, for a minimum duration of four hours. The strength and leak test will use nitrogen/air as the test medium at pressures between 1,700 to 1,800 kPa (1.4 –

1.5x Design Pressure). This corresponds to a maximum 21% Specified Minimum Yield Stress (“SMYS”) during the pressure test.

Table 2: 440 kPa PE Pipeline Design Specifications

<u>Description</u>	<u>Design Specification</u>				<u>Unit</u>
<u>Pipe</u>	<u>(NPS 8)</u>	<u>(NPS 6)</u>	<u>(NPS 4)</u>	<u>(NPS 2)</u>	
<b>External Diameter</b>	219.1	168.3	114.3	60.3	mm
<b>Standard Dimension Ratio</b>	13.5	11	11	11	-
<b>Material Specification</b>	CSA B137.4				-
<b>Material Designation</b>	PE 2708				-
<b><u>Components</u></b>					
<b>Fittings</b>	CSA B137.4				
<b>Flanges</b>	N/A				-
<b>Valves</b>	CSA B137.4				-
<b><u>Design Data</u></b>					
<b>Class Location</b>	4				-
<b>Design Pressure</b>	440				kPa
<b>Maximum Operating Pressure</b>	440				kPa
<b>Minimum Depth of Cover</b>	0.9				m
<b>Method of Construction</b>	Open Cut / Horizontal Directional Drill / Plough				-
<b><u>Leak Test Data</u></b>					
<b>Test Medium</b>	Air or Nitrogen				-
<b>Test Pressure (Min / Max)</b>	700/ 770				kPa
<b>Min Test Duration</b>	1				Hrs

13. The NPS 8-inch, NPS 6-inch, NPS 4-inch and NPS 2-inch PE pipeline will be leak tested after the installation of the pipe for a minimum duration of one hour. The leak test will use air or nitrogen as the test medium at pressures between 700 and 770 kPa. This is higher than 1.4 times the Maximum Operating Pressure (“MOP”) of the pipeline.

Project Timing

14. The Project construction schedule is shown at Exhibit D, Tab 2, Schedule 1. To meet the planned in-service date, Enbridge Gas must commence construction by

September 2023 for Phase I and April 2025 for Phase II, which will place the Project in-service by December 1, 2023 (Phase 1), and July 1, 2025 (Phase 2), respectively.

TSSA Correspondence

15. Enbridge Gas has filed an application with the Technical Standards & Safety Authority (“TSSA”). To date, Enbridge Gas has not received any concerns from the TSSA regarding their review and expects to receive a letter indicating that they have completed their review of the design for the proposed facilities in the coming months.

Kennedy Station Relocation Project Schedule																																																												
WBS / Task Name	2021												2022												2023												2024												2025											
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Environmental</b>																																																												
Environmental Assessments & Design																																																												
<b>Procurement, Permits, and Construction</b>																																																												
Permits & Approvals																																																												
OEB Filing Date																																																												
Construction Duration																																																												
<b>Engineering</b>																																																												
Testing & Conditioning																																																												
In-service																																																												

2021

2022

2023

2024

2025

PROJECT COSTS AND ECONOMICS

Project Cost

1. The total cost for the Project is estimated to be \$5.4 million, as detailed in Table 1 below. \$4.6 million of this total cost is attributed directly to Project pipeline facilities (for which the Company is seeking an order of the OEB granting leave to construct), and \$0.79 million is attributed to ancillary facilities.

Table 1: Estimated Project Costs (\$CAD)

<b>Item No.</b>	<b>Description</b>	<b>Pipeline Costs</b>	<b>Ancillary Costs<sup>1</sup></b>
1.0	Material	78,322	13,664
2.0	Labour and Construction	2,476,273	436,612
3.0	Outside Services (Consulting, Professional Services)	138,308	19,299
4.0	Contingency	652,479	115,219
<b>5.0</b>	<b>Sub-Total</b>	<b>3,345,382</b>	<b>584,794</b>
6.0	Interest During Construction	44,612	3,668
7.0	Direct Overheads	4,699	819
8.0	Indirect Overheads	1,170,884	204,678
<b>9.0</b>	<b>Total Project Costs</b>	<b>4,565,577</b>	<b>793,959</b>
10.0	Less: CIAC	(4,565,577)	(793,959)
<b>11.0</b>	<b>Net Project Costs</b>	<b>0</b>	<b>0</b>

2. The cost of land is negligible as Metrolinx is providing Enbridge Gas with a permanent easement to construct and install a gas main on Metrolinx's own property. Metrolinx is also reimbursing the Metrolinx Contractor who is then in turn reimbursing Enbridge Gas for 100% of the actual Project costs incurred. Accordingly, any cost associated with land acquisition with Metrolinx would negate itself in this instance.

<sup>1</sup> Ancillary costs include: station upgrades, and customer services.

3. The cost estimate set out above includes a 25% contingency applied to all direct costs. This contingency amount has been calculated based on the risk profile of the Project and is consistent with contingency amounts calculated for similar Enbridge Gas projects in the past.
4. As discussed in Exhibit B, Tab 1, Schedule 1, the Project is covered under the UWA between the Metrolinx Contractor and Enbridge Gas. Under this agreement, the Metrolinx Contractor assumes full cost responsibility and will reimburse Enbridge Gas for all of the Company's actual costs and expenses incurred in completing the Project. In addition, Enbridge Gas attributes and allocates its internal overhead costs at a rate of thirty-five percent (35%) of the actual costs. Therefore, there will be no impact on existing Enbridge Gas rates or ratepayers as a result of the Project.

#### Project Cost Comparison

5. The costs of recent pipeline reinforcement project of comparable pipe size and location is set out in Table 2. Importantly, no two facility projects are directly comparable. There are multiple unique factors and project characteristics that influence costs, including but not limited to:
  - **Complexity of Construction** – The unique location and condition of project construction (e.g., greenfield, geotechnical ground conditions, environmentally sensitive areas, dense urban areas, established agricultural lands, road allowance, watercourse crossings etc...) affects the method and complexity of construction. Generally, the higher construction complexity the greater the duration and cost to construct. Economies of scale are often realized with longer distance pipeline projects.
  - **Timing of Construction** – Depending on the season during which construction occurs (i.e., summer conditions compared to winter conditions)



costs can vary widely. Further, if project construction schedules are condensed due to any number of reasons (e.g., regulatory delay, incimate weather, labour constraints etc...) costs can escalate in order to achieve facility in-service dates that are required for operational and/or commercial purposes.

- **System Planning Characteristics** – Differences in facility design and MOP results in differences in materials, as well as construction, welding, and testing requirements.

Table 2: Project Cost Comparison (\$CAD)

<b>Project Name</b>	<b>Kennedy Station Relocation</b>	<b>Liberty Village Pipeline<sup>2</sup></b>
<b>Facility Description</b>	<p><u>Phase 1 Pipeline</u>            310 m of NPS 4 PE IP;            120 m of NPS 2 PE IP</p> <p><u>Phase 2 Pipeline</u>            30 m of NPS 8 SC HP;            330 m of NPS 8 PE IP;            16 m of NPS 6 PE IP;            25 m of NPS 4 PE IP</p> <p><b>Total 831 m pipeline</b></p> <p>District station</p>	<p><u>Pipeline</u>            900 m of NPS 8 (“ST”) IP;            200 m of NPS 6 PE IP;            85 m of NPS 4 PE IP</p> <p><b>Total of 1185 m pipeline</b></p>
<b>Material Costs</b>	91,986	76,490
<b>Labour Costs</b>	2,918,403	4,048,493
<b>External Costs</b>	157,607	11,128
<b>IDC</b>	48,280	15,570
<b>Contingency<sup>3</sup></b>	767,698	-
<b>Indirect Overheads<sup>4</sup></b>	1,375,562	-
<b>Total Project Costs</b>	<b>5,359,535</b>	<b>4,151,681</b>

<sup>2</sup> EB-2018-0096, Post-Construction Financial Report on Costs and Variances, June 24, 2020

<sup>3</sup> Contingency for Liberty Village was 25%; however the costs above are the actuals and as such, no contingency costs are assigned

<sup>4</sup> Indirect overheads were not forecasted for the Liberty Village Pipeline project

Project Economics

6. A Discounted Cash Flow report has not been completed as the Project is underpinned by a requirement to relocate existing NPS 8-inch, NPS 6-inch, and NPS 4-inch pipeline(s) using like-sized replacement pipelines. The Project has been designed to exactly replace pipeline capacity lost by relocating and/or abandoning the Company's existing pipelines in conflict with Metrolinx's Subway Extension. The Project is not expected to create any incremental capacity or new revenues from customers.

## ENVIRONMENTAL MATTERS

### Environmental Report

1. Enbridge Gas retained Dillon Consulting Ltd. (“Dillon”) to undertake a route evaluation and environmental and socio-economic impact study, which included a cumulative effects assessment and Stage 1 Archaeological Assessment (“AA”), to select the Preferred Route (“PR”) for the Project. As part of the development of the study, Enbridge Gas and Dillon implemented a consultation program to receive input from interested and potentially affected parties including Indigenous communities. The consultation program input was evaluated and integrated into the study. Mitigation measures designed to minimize environmental and community impacts resulting from construction and operation of the Project were also developed as part of the study.
2. The results of the study are documented in the Environmental Report (“ER”) entitled *Scarborough Subway Extension-Kennedy Station Relocation Project Environmental Report* included at Attachment 1 to this Exhibit. The ER conforms to the OEB Guidelines.
3. Enbridge Gas supports Dillon’s findings.
4. The objective of the ER is to outline various environmental mitigation and protection measures for the construction and operation of the Project while meeting the intent of the OEB Guidelines. To meet this objective, the ER was prepared to:
  - a. Undertake a route evaluation process.
  - b. Identify a PR, that reduces potential environmental impacts.

- c. Complete a detailed review of environmental features along the PR and assess the potential environmental impacts of the Project on these features.
  - d. Establish mitigation and protective measures that may be used to minimize or eliminate potential environmental impacts of the Project.
  - e. Develop and implement a consultation and engagement program to receive input from interested and potentially affected parties.
  - f. Identify any necessary supplemental studies, monitoring and contingency plans.
  
5. A Notice of Study Commencement for the Project was emailed to Indigenous communities between April 18, 2022 and April 21, 2022. The Notice of Study Commencement was also emailed to the Ontario Pipeline Coordinating Committee (“OPCC”), the City of Toronto and various federal, provincial, and municipal government agencies between April 19, 2022 and April 21, 2022. Letters describing the Project and the environmental study process, providing a map showing the PR as well as details regarding the virtual open house were mailed to landowners during the week of April 21, 2022. The Notice of Study Commencement was also published in The Scarborough Mirror newspaper on April 28, 2022
  
6. During the consultation process for development of the ER, Enbridge Gas and Dillon received comments from the public, agencies, interest groups, municipal and elected officials, and Indigenous communities. Information pertaining to the input received can be found in Appendices F and J of the ER.
  
7. The ER identifies no watercourses that will be crossed by the PR.

8. Enbridge Gas sent an email with a link to access the ER to OPCC members, Municipalities, Conservation Authorities, and Indigenous communities on July 4, 2022, with a request for comments by August 22, 2022. Comments were received and acknowledged, and where required, responses were provided. Correspondence from stakeholders during the OPCC review period, other than from Indigenous communities, is set out in the consultation log at Attachment 2 to this Exhibit.
9. Correspondence with Indigenous communities during the OPCC review period is summarized within the Indigenous Consultation Report attached to Exhibit H.

#### Routing

10. Enbridge Gas retained Dillon to review the potential route for the Project using existing municipal right-of-ways (where possible) and with consideration for environmental and socio-economic constraints. Details on the route evaluation and selection process can be found in Section 5.0 of the ER.

#### Environmental Protection Plan

11. Construction of the Project will be conducted in accordance with Enbridge Gas's Construction and Maintenance Manual, the recommendations in the ER, and recommendations from permitting agencies. An Environmental Protection Plan ("EPP") will be developed for the Project prior to construction. The EPP will incorporate recommended mitigation measures contained in the ER and obtained through agency consultation for the environmental matters associated with Project construction. These mitigation measures will be communicated to the construction contractor prior to the commencement of construction of the Project. A qualified environmental inspector or suitable representative will be available to assist the

construction supervisor in seeing that mitigation measures identified in the EPP as well as requirements established by permitting agencies and any OEB conditions of approval are adhered to and that commitments made to the public, landowners and agencies are honored. The environmental inspector and project manager will also mitigate any unforeseen environmental circumstances that arise before, during, and after construction.

12. Recommended mitigation measures for potential effects have been developed in the ER to address environmental and socio-economic features found along the PR. A summary of potential effects and recommended mitigation measures and protective measures can be found in Section 6.0, Table 8 of the ER.
13. Using the mitigation measures and monitoring and contingency plans found within the ER and EPP as well as additional mitigation measures provided by regulatory agencies through the permitting and approval process, construction of this Project will have negligible impacts on the environment. No significant environmental or cumulative effects are anticipated from construction of the proposed Project.

#### Cultural Heritage Assessment

14. A Cultural Heritage Screening was completed by Timmins Martelle Heritage Consultants Inc. ("TMHC") for the Project prior to submission of this Application and it was recommended based on the screening that a "Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment" does not need to be completed for the Project. The Cultural Heritage Screening was completed on June 9, 2022 and will be submitted to the Ministry of Citizenship and

Multiculturalism (“MCM”) prior to construction.

Archaeological Assessment

15. A Stage 1 AA was completed by TMHC on April 14, 2022 and will be submitted to the MCM for review prior to construction. The Stage 1 AA can be found in Appendix A of the ER. The Stage 1 AA recommends no further assessments for archaeological potential need to be completed on the Project pending MCM approval.

## ENVIRONMENTAL REPORT

1. The ER for the Project can be found electronically by accessing the link below.

[https://www.enbridgegas.com/-/media/Extranet-Pages/About-Enbridge-Gas/Projects/scarborough-subway-extension-kennedy-relocation/223650\\_EGI-SSE-Kennedy\\_ER\\_Redacted\\_Secured.ashx?rev=9913f027307541648ad5bfa818d0f3a2&hash=DA2A23F8CFC6794D923740C7CFB469A9](https://www.enbridgegas.com/-/media/Extranet-Pages/About-Enbridge-Gas/Projects/scarborough-subway-extension-kennedy-relocation/223650_EGI-SSE-Kennedy_ER_Redacted_Secured.ashx?rev=9913f027307541648ad5bfa818d0f3a2&hash=DA2A23F8CFC6794D923740C7CFB469A9)





ENBRIDGE GAS INC.

## Scarborough Subway Extension-Kennedy Station Relocation Project

Environmental Report Review – Comments Received

## Ontario Pipeline Coordinating Committee Correspondence

Line Item	Date of Consultation	Name of Agency and/or Contact	Description of Consultation Activity	Date of Response	Response and Issue Resolution (if applicable)
<b>ONTARIO PIPELINE COORDINATING COMMITTEE (OPCC)</b>					
1.1	July 4, 2022	Michelle Knieriem Team Lead, Ministry of Municipal Affairs and Housing (MMAH) -Western Municipal Services Office, Ontario Pipeline Coordinating Committee (OPCC)	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.2	July 4, 2022	Zora Crnojacki OPCC Chair, Ontario Energy Board, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.3	July 4, 2022	Helma Geerts Land Use Policy & Stewardship, Policy Advisor, Ministry of Agriculture and Food, Ministry of Rural Affairs, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.4	July 4, 2022	Katy Potter Supervisor (Acting), Ministry of the Environment Conservation and Parks (MECP)	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.5	July 4, 2022	Kourosh Manouchehri Engineer, Technical Standards and Safety Authority (TSSA), OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.6	July 4, 2022	Maya Harris Manager, Community Planning/Development – East, Ministry of Municipal Affairs and Housing (MMAH), OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.7	July 4, 2022	Bridget Schulte-Hostedde Regional Director (Sudbury, Thunder Bay- Acting), Ministry of Municipal Affairs and Housing (MMAH)-North Municipal Services Office, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.8	July 4, 2022	Michael Elms Manger, Ministry of Municipal Affairs and Housing (MMAH)-Eastern Municipal Services Office	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.9	July 4, 2022	Jonathon Wilkinson Senior Advisor (Acting), Ministry of Energy, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A

Line Item	Date of Consultation	Name of Agency and/or Contact	Description of Consultation Activity	Date of Response	Response and Issue Resolution (if applicable)
1.10	July 4, 2022	Karla Barboza Team Lead, Ministry of Tourism, Culture and Sport (MTCS) -Heritage Planning Unit Programs and Services Branch, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	August 22, 2022	The Ministry of Tourism, Culture and Sport emailed the Enbridge Gas representative to provide their comments for the Environmental Report. Their comments mentioned that until the Stage 1 Archaeological Assessment (AA) was submitted to them it could not be considered as final and hence the assessment within the Stage 1 AA could not be considered complete.
1.11	July 4, 2022	Keith Johnston Environmental Planning Team Lead, Northern Development, Mines, Natural Resources and Forestry (NRF)- Strategic and Indigenous Policy Branch, Policy Division, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.12	July 4, 2022	Cory Ostrowka Environmental Specialist, Infrastructure Ontario, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.13	July 4, 2022	Tony DiFabio Team Lead, Operations Division- Corridor Management, Ministry of Transportation (MTO), OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A
1.14	July 4, 2022	Erick Boyd Manager, MMAH Municipal Services Office – Western, OPCC	Enbridge Gas Inc. (Enbridge Gas) representative emailed contacts to provide a copy of the Environmental Report for review and comment. Enbridge Gas requested comments by August 22, 2022.	N/A	N/A

## LAND MATTERS & AGREEMENTS

### Land Requirements

1. The PR for the Project is described in Exhibit D, Tab 1, Schedule 1, and described in greater detail in Section 5.0 of the ER, found at Exhibit F, Tab 1 Schedule 1, Attachment 1.
2. The PR follows public road allowance for the majority of the Project. However, bylaw or easement may be required where municipal road allowances are not dedicated. In addition, Enbridge Gas will be required to obtain road occupancy permits from the City of Toronto.
3. Enbridge Gas will require approximately 985 m<sup>2</sup> of permanent easements. Enbridge Gas will begin to execute the necessary land rights agreements, discussed below, with impacted landowners in the second quarter of 2023.
4. Temporary working areas may be required along the PR if the easement area is too narrow or confined to facilitate construction. These areas will be identified with the assistance of the contractor that will perform the construction. Agreements for temporary working areas will be negotiated where required.
5. Enbridge Gas has initiated meetings with the landowners from whom either permanent or temporary land rights are required and will continue to meet with them to obtain options to acquire all the necessary land rights.

### Permits & Agreements Required

6. Potential permits and agreements that may be required for the Project are listed in Table 1.

Table 1: Potential Permits & Agreements Required

<b>AUTHORITY</b>	<b>PURPOSE</b>
City of Toronto	<ul style="list-style-type: none"><li>• Potential temporary and/or permanent easement(s), as required.</li><li>• Cut Permit, Road Occupancy Permit.</li></ul>
Metrolinx	<ul style="list-style-type: none"><li>• Permanent easement required for district station.</li></ul>

7. Other authorizations, notifications, permits and/or approvals may be required in addition to those identified above.

### Landowner Agreements

8. Enbridge Gas will obtain all required permits, agreements to grant easements, easements, and temporary working area agreements, if and as required for the route and location of the proposed facilities prior to the commencement of construction. If it is determined that temporary working area agreements are required, affected landowners will be provided with Enbridge Gas's standard form of Working Area Agreement.
9. Attachment 1 contains the standard form of Working Area Agreement that will be provided to landowners. Attachment 2 contains the standard form of Easement Agreement that will be provided to landowners if a permanent easement is required. The standard form of Working Area Agreement and Easement Agreement are the

same as those approved for use in Enbridge Gas's NPS 20 Waterfront Relocation Project.<sup>1</sup>

### Landowner List

10. Attachment 3 to this Exhibit identifies the directly and indirectly impacted landowners. Indirectly impacted landowners are those landowners with property adjacent to the PR, where no land rights are required as part of the proposed Project. Directly impacted landowners are those landowners whose lands are directly impacted by the Project work and therefore are those from which the Company requires land rights for the proposed Project. Enbridge Gas will provide notice of this application to all landowners listed in Attachment 3.

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<sup>1</sup> EB-2022-0003, OEB Decision and Order, July 7, 2022, pp 20-21 "As outlined in EB-2020-0293, Exhibit E, Tab 1, Schedule 1, p. 5, the form of Working Area Agreement has been previously approved by the OEB as part of the OEB's Decision and Order regarding Enbridge Gas's Innes Road Project (EB-2012-0438, OEB Decision and Order, April 11, 2013, pp. 5-6) and the form of Easement Agreement has been previously approved by the OEB as part of the OEB's Decision and Order regarding Enbridge Gas's London Lines Replacement Project (EB-2020-0192, OEB Decision and Order, January 28, 2021, p. 29)."



**TRANSFER OF EASEMENT**  
*(Blanket or Specified Lands)*

**Definitions**

For the purposes of this easement the following capitalized words shall have the following meanings:

**“Company”** or **“Transferee”** means Enbridge Gas Inc.

**“Dominant Tenement”** means the lands described in Schedule 1 attached hereto.

**“Easement Lands”** or **“Servient Tenement”** means the lands described in the Properties heading of the document to which this schedule is attached.

**“Equipment”** means, collectively, all pipelines, piping, meters, attachments, appurtenances, apparatus, appliances, markers, fixtures, works and other equipment constructed or to be constructed by Company in, on and/or under the Servient Tenement.

**“Owner”** or **“Transferor”** means the owner of the Property.

**IN CONSIDERATION OF THE COVENANTS HEREIN**, the parties hereto agree as follows:

- (1) Owner hereby transfers, sells, grants and conveys in perpetuity to Company, its successors and assigns, a free and unencumbered easement in, over, upon, under and/or through the Easement Lands, to survey, lay, construct, install, operate, use, inspect, remove, renew, replace, alter, enlarge, reconstruct, repair, expand and maintain the Equipment which Company may deem necessary or convenient thereto. This transfer of easement shall include the right of Company, its successors, assigns, servants and agents to use the surface of the Easement Lands for ingress and egress on foot and/or with vehicles, supplies, machinery and equipment at any time and from time to time.
- (2) Company shall have the right at any time and from time to time to remove any boulder or rock and to sever, fell, remove or control the growth of any roots, trees, stumps, brush or other vegetation on or under the Easement Lands.
- (3) The rights of Company herein shall be of the same force and effect as a covenant running with the Easement Lands and shall be appurtenant to the lands and premises described in this Schedule as Company's Lands.
- (4) Company shall have the right to assign or transfer its rights hereunder in whole or in part.



- (5) This Transfer shall extend to, be binding upon and enure to the benefit of the estate trustees, successors and assigns of the parties hereto. If Owner is not the sole owner of the said lands, this Transfer shall bind Owner to the full extent of its interest therein and shall also extend to any after-acquired interest but all monies payable or paid to Owner hereunder shall be paid to Owner only in the proportion that its interest in the said lands bears to the entire interest therein. Owner hereby agree that all provisions herein are reasonable and valid and if any provision herein is determined to be unenforceable, in whole or in part, it shall be severable from all other provisions and shall not affect or impair the validity of all other provisions.
- (6) Owner shall have the right to use and enjoy the surface of the Easement Lands except that such use and enjoyment shall not interfere with the rights of Company hereunder. Without limiting the generality of the foregoing, Owner shall not, without the prior written consent of Company, place or erect on the Easement Lands any building, structure or fence and shall not excavate, alter the grading, drill, install thereon any pit, well, foundation and/or pavement which will obstruct or prevent the exercise and enjoyment by Company of its rights hereunder.
- (7) Notwithstanding any rule of law or equity, any Equipment constructed by Company shall be deemed to be the property of Company even though the same may have become annexed or affixed to the Easement Lands.
- (8) Company shall at its own expense as soon as reasonably possible after the construction of any Equipment or other exercise of its rights hereunder, remove all surplus sub-soil and debris from the Easement Lands and restore them to their former state so far as is reasonably practicable.
- (9) Owner covenants that:
  - a. they have the right to convey the rights hereby transferred to Company;
  - b. Company shall have quiet enjoyment of the rights hereby transferred;
  - c. Owner or its successors and assigns will execute such further assurances and do such other acts (at Company's expense) as may be reasonably required to vest in Company the rights hereby transferred; and
  - d. Owner has not done, omitted or permitted anything whereby the Easement Lands is or may be encumbered (except as the records of the Land Registry Office disclose).
- (10) Owner represents and warrants that the Easement Lands have not been used for the storage of and do not contain any toxic, hazardous, dangerous, noxious or waste substances or contaminants (collectively the "**Hazardous Substances**"). If Company encounters any Hazardous Substances in undertaking any work on the Easement Lands, it shall give notice to Owner. At the expense of Owner, Company (or, at Company's option, Owner) shall effect the removal of such Hazardous Substances in

accordance with the laws, rules and regulations of all applicable public authorities. In acquiring its interests in the Easement Lands pursuant to this Easement, Company shall be deemed not to acquire the care or control of the Easement Lands or any component thereof.

- (11) Company covenants and agrees that it shall comply with applicable federal and provincial environmental legislation in connection with the use of this Easement Lands and the rights granted herein.
- (12) Whenever the singular or neuter is used it shall, where necessary, be construed as if the plural or feminine or masculine has been used and vice versa, as the case may be.
- (13) Company hereby declares that this easement is being acquired by Company for the purpose of a hydrocarbon line within the meaning of Part VI of the *Ontario Energy Board Act, 1998* and/or a utility line within the meaning of the *Ontario Energy Board Act, 1998*.

#### **SCHEDULE 1**

##### **DOMINANT TENEMENTS - TRANSFEREE'S LANDS**

PIN 64057-0029 (LT)  
PT TWP LT 92,THLD, AS IN AA 90798 S/T & T/W AA90798; WELLAND

PIN 04161-0019 (LT)  
PT LT 6 CON 6RF GLOUCESTER PART 1, 4R-10265 & PART 2, 5R-5963; GLOUCESTER

PIN 03187-0004 (LT)  
PT W1/2 LT 30 CON 2 MARKHAM AS IN MA49406; RICHMOND HILL

Directly Affected (D) Indirectly Affected (I)	PIN	First Name	Last Name	Company Name	Address Line 1	Address Line 2	City	Province	Postal Code	Property Description	Mortgage, Lien/Lease/Encumbrances	Address Line 1	Address Line 2	City	Province	Postal Code
I							TORONTO	ON	M1K 3W2	PARCEL 135-1, SECTION M680 LT 135 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO						
I							TORONTO	ON	M1K 3W2	PARCEL 95-1, SECTION M680 LT 95 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO						
I	06348-0460			THE CORPORATION OF THE CITY OF SCARBOROUGH	CITY HALL	100 QUEEN ST. W.	TORONTO	ON	M5H 2N2	PARCEL 7295, SECTION SCAR RUTLEDGE AV PLAN M680 SCARBOROUGH, CITY OF TORONTO						
I							TORONTO	ON	M1K 3X4	PARCEL 94-1, SECTION M680 LT 94 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO						
I							TORONTO	ON	M1K 3W3	PARCEL 93-1, SECTION M680 LT 93 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO	SCOTIA MORTGAGE CORPORATION	258 Main Street		Newmarket	ON	L3Y 3Z5
I							TORONTO	ON	M1K 3W3	PARCEL 92-1, SECTION M680 LT 92 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO	CANADIAN IMPERIAL BANK OF COMMERCE	P.O.Box 115, Commerce Court Postal Station		Toronto	ON	M5L 1E5
I							TORONTO	ON	M1K 3W1	PARCEL 8621, SECTION SCAR LT 8 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO						
I							TORONTO	ON	M1K 3W1	PARCEL 8621, SECTION SCAR LT 8 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO						
I							TORONTO	ON	M1K 3W1	PARCEL 9200, SECTION SCAR LT 9 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO	COMPUTERSHARE TRUST COMPANY OF CANADA c/o MCAP FINANCIAL	PO BOX 351 STN C		KITCHENER	ON	N2G 3Y9
I	N/A		THIS IS A CONDOMINIUM BUILDING	Unable to access individual condo unit information.	2472 EGLINGTON AVE E		TORONTO	ON	M1K 5J9	Legal Descriptions Not Available, other than BLOCK 11936						
I							TORONTO	ON	M1K 3W1	PARCEL 8618, SECTION SCAR LT 7 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO	THE BANK OF NOVA SCOTIA	10 WRIGHT BLVD		Stratford	ON	N5A 7X9
I							TORONTO	ON	M1K 3W1	PARCEL 9870, SECTION SCAR LT 6 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO	THE TORONTO-DOMINION BANK	2428 Eglinton Ave E		Scarborough	ON	M1K 2P7
I							TORONTO	ON	M1K 3W1	PARCEL 9870, SECTION SCAR LT 6 PLAN M680 S/T LT592772 SCARBOROUGH, CITY OF TORONTO	THE TORONTO-DOMINION BANK	2428 Eglinton Ave E		Scarborough	ON	M1K 2P7
I	06353-0203		Party To: VINDAN INC.	METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647467; SCARBOROUGH CITY OF TORONTO						
I				METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART OF LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647415; SCARBOROUGH CITY OF TORONTO						
I				METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647454; SCARBOROUGH CITY OF TORONTO						
I	06353-0200			METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647751; AS IN SC562573; SCARBOROUGH CITY OF TORONTO						
I				METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647442; SCARBOROUGH						
I				METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647423 CITY OF TORONTO						
I				METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647717; SCARBOROUGH CITY OF TORONTO						
I				METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647596 UNORGANIZED TERRITORIES						
I	06353-0195			METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647477 CITY OF TORONTO						

Directly Affected (D) Indirectly Affected (I)	PIN	First Name	Last Name	Company Name	Address Line 1	Address Line 2	City	Province	Postal Code	Property Description	Mortgage, Lien/Lease/Encumbrances	Address Line 1	Address Line 2	City	Province	Postal Code
I	06493-0209			GLEN PARK CO-OPERATIVE HOMES INC.	2495 EGLINTON AVE E		SCARBOROUGH	ON	M1K 5L7	PT LT 6, PL 1697, AS IN CA322274, T/W SC421884; SCARBOROUGH, CITY OF TORONTO	SCOTIA MORTGAGE CORPORATION, COMMERCIAL MORTGAGE BUSINESS CENTRE, TRANSIT 66522	4715 Tahoe Blvd		Mississauga	ON	L4W 0B4
I	06493-0210			514616 ONTARIO LIMITED	2499 EGLINTON AVE E		SCARBOROUGH	ON	M1K 2R1	PT LTS 6 & 7, PL 1697, AS IN TB51781, S/T & T/W SC376285 & SC376286; SCARBOROUGH, CITY OF TORONTO	City of Toronto					
I	06493-0214			2592296 ONTARIO INC.	814 MIDLAND AVE		TORONTO	ON	M1K 4E7	PT LT 7, PL 1697, AS IN TB135935; SCARBOROUGH, CITY OF TORONTO	THE BANK OF NOVA SCOTIA, HEALTH CARE PROFESSIONAL BANKING	40 King Street West 1st Mezzanine North		Toronto	ON	M5H 1H1
I	06425-0475			F.A. LYN PROPERTIES INC.	815 MIDLAND AVE		TORONTO	ON	M1K 4E8	LT 96 PL 2029 SCARBOROUGH; LT 97 PL 2029 SCARBOROUGH; PT LT 98 PL 2029 SCARBOROUGH; PT LT 99 PL 2029 SCARBOROUGH AS IN TB879844; TORONTO, CITY OF TORONTO	[REDACTED]	[REDACTED]		Markham	ON	L3S 3T6
I	06425-0028			THE SANKANAI FURNITURE MARKET INC.	2563 EGLINTON AVE E		SCARBOROUGH	ON	M1K 2R7	LT 225 PL 2029 SCARBOROUGH; LT 226 PL 2029 SCARBOROUGH; LT 227 PL 2029 SCARBOROUGH; LT 228 PL 2029 SCARBOROUGH; PT LT 224 PL 2029 SCARBOROUGH AS IN CA443940; TORONTO, CITY OF TORONTO	THE TORONTO-DOMINION BANK	305 Milner Avenue, Suite 702		Scarborough	ON	M1B 3V4
I	06425-0458		Party To: THE CORPORATION OF THE TOWNSHIP OF SCARBOROUGH	CITY OF TORONTO	CITY HALL	100 QUEEN ST. W.	TORONTO	ON	M5H 2N2	FIRSTLY: RDAL BTN LOTS 26 & 27 CON C SCARBOROUGH; PT LT 98 PL 2029 SCARBOROUGH; PT LT 99 PL 2029 SCARBOROUGH AS IN SC196305; PT WID PL 2029 SCARBOROUGH ABUTTING MIDLAND AV; PT LT 7 PL 1697 SCARBOROUGH AS IN SC190072, SC212213, SC310087, SC422469 & TB635845; PT LT 8 PL 1697 SCARBOROUGH AS IN TB635845 (SCHEDULE C & E) & SC187239; PT LT 9 PL 1697 SCARBOROUGH AS IN SC174123; PT LT 10 PL 1697 SCARBOROUGH AS IN SC171657; PT LT 11 PL 1697 SCARBOROUGH AS IN SC172569 & SC282267; 10 FT WID PL 5841 SCARBOROUGH; PT LT 13 PL 1697 SCARBOROUGH; PT LT 14 PL 1697 SCARBOROUGH; PT LANE BLK F PL 1093 SCARBOROUGH AS IN SC301259 & SC281958; PT LT 1 BLK F PL 1093 SCARBOROUGH AS IN SC300443; PT LT 31 BLK U PL 1093 SCARBOROUGH; PT LT 30 BLK U PL 1093 SCARBOROUGH AS IN TB368687; PT LT 29 BLK U PL 1093 SCARBOROUGH; PT LT 28 BLK U PL 1093 SCARBOROUGH; PT LT 27 BLK U PL 1093 SCARBOROUGH AS IN SC294730 (FIRSTLY); PT LT 26 BLK U PL 1093 SCARBOROUGH; PT LT 25 BLK U PL 1093 SCARBOROUGH; PT LT 24 BLK U PL 1093 SCARBOROUGH; PT LT 23 BLK U PL 1093 SCARBOROUGH; PT LT 22 BLK U PL 1093 SCARBOROUGH; PT LT 21 BLK U PL 1093 SCARBOROUGH; PT LT 20 BLK U PL 1093 SCARBOROUGH AS IN SC413109 (SECONDLY) & TB422435; PT LT 18 BLK U PL 1093 SCARBOROUGH; PT LT 17 BLK U PL 1093 SCARBOROUGH; PT LT 14 BLK U PL 1093 SCARBOROUGH; PT LT 13 BLK U PL 1093 SCARBOROUGH; PT LT 27 CON C SCARBOROUGH AS IN TB422435; PT LT 15 BLK U PL 1093 SCARBOROUGH; PT LT 16 BLK U PL 1093 SCARBOROUGH AS IN SC286527; PT LT 19 BLK U PL 1093 SCARBOROUGH AS IN SC413109 (FIRSTLY); BEING MIDLAND AV BTN EGLINTON AV E & DANEFORTH RD. TORONTO, CITY OF TORONTO						

Directly Affected (D) Indirectly Affected (I)	PIN	First Name	Last Name	Company Name	Address Line 1	Address Line 2	City	Province	Postal Code	Property Description	Mortgage, Lien/Lease/Encumbrances	Address Line 1	Address Line 2	City	Province	Postal Code
I	06348-0473			KEALSON LIMITED	2480 EGLINTON AVE E		TORONTO	ON	M1K 2R4	CONSOLIDATION OF VARIOUS PROPERTIES FIRSTLY: PART BLK A, PLAN M680, PARTS 1, 2, 3, 8 & 9 PLAN 66R480; T/W THE RIGHT TO USE, IN COMMON WITH ALL OTHERS ENTITLED THERETO, THE STORM SEWERS PRESENTLY CROSSING THE SAID PARTS 4, 5, 6 & 7 FROM TWO POINTS IN THE WLY LIMIT OF THE SAID LANDS, THE CENTRE LINES OF THE SAID STORM SEWERS BEING RESPECTIVELY LINES ABCD & EFCD AS SHOWN ON 66R480; T/W THE RIGHT TO RECEIVE ELECTRICAL POWER FROM SCARBOROUGH TOWNSHIP HYDRO ELECTRIC COMMISSION, OR ITS SUCCESSORS, BY MEANS OF AN EXISTING POLE LINE LEADING WLY FROM MIDLAND AV, THE CENTRE LINE THEREOF BEING LINE GH AS SHOWN ON PLAN 66R480, AND THENCE WLY TO A POINT IN THE WLY LIMIT OF SAID PART 6 SECONDLY: PART BLK A, PLAN M680, PARTS 4, 5, 6 & 7 PLAN 66R480; S/T THE RIGHT TO USE, AS APPURTENANT TO THE SAID PARTS 1, 2, 3, 8 & 9 IN COMMON WITH OTHERS ENTITLED THERETO, THE STORM SEWERS PRESENTLY CROSSING THE SAID PARTS 4, 5, 6 & 7 FROM TWO POINTS IN THE WLY LIMIT OF SAID LANDS, THE CENTRE LINES OF THE SAID STORM SEWERS BEING RESPECTIVELY LINES ABCD & EFCD AS SHOWN ON 66R480; S/T THE RIGHT TO RECEIVE AS APPURTENANT TO THE SAID PT 2, ELECTRICAL POWER FROM SCARBOROUGH TOWNSHIP HYDRO ELECTRIC COMMISSION, OR ITS SUCCESSORS, BY MEANS OF AN EXISTING POLE LINE LEADING WLY FROM MIDLAND AV, THE CENTRE LINE THEREOF BEING LINE GH AS SHOWN ON 66R480, AND THENCE WLY TO A POINT IN THE WLY LIMIT OF THE SAID PART 6; SCARBOROUGH, CITY OF TORONTO SUBJECT TO AN EASEMENT IN GROSS OVER PART 1 AND 2 PLAN 66R-31866 AS IN AT5804783						
I	06353-0194			ALBION BUILDING CONSULTANT INC.	3028 Danforth Avenue	Suite 211	Toronto	ON	M4C 1N2	PARCEL 26-7, SECTION S-4 PT LT 26 CON D, PT 2 66R11924 EXCEPT PT 1 66R13535 SCARBOROUGH, CITY OF TORONTO	CONCRETE CAPITAL GROUP GP INC.	250 Ferrand Drive	Suite 403	Toronto	ON	M3C 3G8
I	06353-0194			ALBION BUILDING CONSULTANT INC.	3028 Danforth Avenue	Suite 211	Toronto	ON	M4C 1N2	PARCEL 26-7, SECTION S-4 PT LT 26 CON D, PT 2 66R11924 EXCEPT PT 1 66R13535 SCARBOROUGH, CITY OF TORONTO	MAJOR C.C. INVESTMENTS INC.	272 Lawrence Avenue West	3rd floor	Toronto	ON	M5M 4M2
D	06348-0442		Party To: THE CORPORATION OF THE TOWNSHIP OF SCARBOROUGH	City of Toronto	55 John Street	26th Floor	Toronto	ON	M5V 3C6	PARCEL B-2, SECTION M680 PTS OF BLKS B & F PLAN M680, PT 2 66R15412; S/T EASE OR ROW OVER PT 2 66R15412 AS IN C543101 SCARBOROUGH , CITY OF TORONTO						
D	06348-0444		Party To: THE CORPORATION OF THE TOWNSHIP OF SCARBOROUGH	City of Toronto	55 John Street	26th Floor	Toronto	ON	M5V 3C6	PT LT 27 CON D, PT 3 64R12024; "DESCRIPTION IN TB579909 MAY NOT BE ACCEPTABLE IN FUTURE" SCARBOROUGH , CITY OF TORONTO						
D	6353-0195			METROLINX	20 Bay Street	18th Floor	TORONTO	ON	M5J 2N8	PART LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647477 CITY OF TORONTO						

## INDIGENOUS<sup>1</sup> CONSULTATION

1. Enbridge Gas is committed to developing and implementing processes that support meaningful engagement with potentially affected Indigenous groups (First Nations and Métis). Through these processes, Enbridge Gas works to build an understanding of project related interests, ensure regulatory requirements are met, mitigate or avoid project-related impacts on Indigenous interests including rights, and provide mutually beneficial opportunities where possible.

### Introduction

2. Pursuant to the OEB's Guidelines, Enbridge Gas provided the Ontario Ministry of Energy ("MOE") with a description of the Project to determine if there are any duty to consult requirements and, if so, if the MOE would delegate the procedural aspects of the duty to consult to Enbridge Gas. This correspondence, dated December 20, 2021, is set out in Attachment 1 to this Exhibit.
3. Enbridge Gas received a letter ("Delegation Letter") from the MOE dated February 18, 2022, indicating that the MOE had delegated the procedural aspects of consultation for the Project to Enbridge Gas. The Delegation Letter identified ten Indigenous groups to be consulted. A copy of the Delegation Letter is provided in Attachment 2 to this Exhibit.
4. On March 22, 2022, Enbridge Gas provided an updated description of the Project to the MOE reflecting refinements made to the design and preferred route of the Project since the letter dated December 20, 2021. This updated Project Description

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<sup>1</sup> Enbridge Gas has used the terms "Aboriginal" and "Indigenous" interchangeably in its application. "Indigenous" has the meaning assigned by the definition "aboriginal peoples of Canada" in subsection 35(2) of the *Constitution Act, 1982*.

is set out in Attachment 3 to this Exhibit. The MOE responded to Enbridge Gas on March 28, 2022, providing further direction regarding the level of consultation required for each of the Indigenous groups listed in the Delegation Letter. The letter dated March 28, 2022, is set out as Attachment 4 to this Exhibit.

5. The Indigenous Consultation Report (“ICR”) was provided to the MOE on the date of this filing. Enbridge Gas understands the MOE will review Enbridge Gas’s consultation with potentially affected Indigenous groups and provide a decision as to whether Enbridge Gas’ consultation has been sufficient. Upon receipt of the MOE’s decision regarding the sufficiency of Indigenous consultation for the Project, Enbridge Gas will file a copy with the OEB. The sufficiency letter provided by the MOE will be included as Attachment 5 to this Exhibit.

#### Indigenous Engagement Program Objectives

6. The design of the Indigenous engagement program was based on the OEB’s Guidelines and Enbridge Inc.’s company-wide *Indigenous Peoples Policy* (“Policy”) (set out in Attachment 6 to this Exhibit). The Policy lays out key principles for establishing relationships with Indigenous groups, which includes:
  - Recognizing the importance of the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”) in the context of existing Canadian law.
  - Recognizing the legal and constitutional rights possessed by Indigenous Peoples in Canada and the importance of the relationship between Indigenous Peoples and their traditional lands and resources.
  - Engaging early to achieve meaningful relationships with Indigenous groups by

providing timely exchanges of information, understanding and addressing Indigenous project-specific concerns, and ensuring ongoing dialogue regarding its projects, their potential impacts and benefits.

- Aligning Enbridge's interests with those of Indigenous groups through meaningful, direct Indigenous economic activity in projects corresponding to community capacity and project needs, where possible.
7. The Indigenous engagement program for the Project recognizes the rights of Indigenous groups and assists Enbridge Gas in engaging in meaningful dialogue about the Project with potentially affected Indigenous groups. It also assists Enbridge Gas in meeting the procedural aspects of consultation that may be required by the Crown and the OEB's Guidelines.

#### Overview of Indigenous Engagement Program Activities

8. Enbridge Gas conducts its Indigenous engagement generally through phone calls, in-person meetings, Project mail-outs, open houses and email communications. During these engagement activities, Enbridge Gas representatives provide an overview of the Project, respond to questions and concerns, and address any interests or concerns expressed by Indigenous groups to appropriately mitigate any Project-related impacts. In order to accurately document Indigenous engagement activities and ensure follow-up, applicable supporting documents are tracked using a database.

#### Ongoing Indigenous Engagement Activities

9. Enbridge Gas will continue to actively engage all identified potentially affected Indigenous groups in meaningful ongoing dialogue concerning the Project and



endeavor to meet with each Indigenous group, provided they are willing, to exchange information regarding the Project, respond to inquiries in a timely manner and address questions or concerns, if any. Enbridge Gas will seek information on the exercise of, and potential impacts to, Aboriginal or treaty rights, traditional use in the Project area and how any Project-related potential impacts can be mitigated. Enbridge Gas also engages as appropriate with the MOE to ensure it is kept apprised of rights assertions by Indigenous groups.

10. Attachment 7 to this Exhibit contains a summary of Enbridge Gas's Indigenous engagement activities for the Project. Attachment 8 to this Exhibit contains the ICR and substantive correspondence related to the Project.
11. The information presented in the Attachment 7 and Attachment 8 reflects Enbridge Gas's Indigenous engagement activities for the Project up to and including October 17, 2022; however, Enbridge Gas will continue to engage throughout the life of the Project to ensure potential impacts on Aboriginal or treaty rights are addressed, as appropriate.



**Adam Stiers**  
Manager Regulatory Applications  
Leave to Construct  
Regulatory Affairs

Tel: (519) 436-4558  
Email: [adam.stiers@enbridge.com](mailto:adam.stiers@enbridge.com)

**Enbridge Gas Inc.**  
P.O. Box 2001  
50 Keil Drive N.  
Chatham, Ontario, N7M 5M1  
Canada

December 20, 2021

**VIA EMAIL – amy.gibson@ontario.ca**

Ministry of Energy  
Amy Gibson  
Manager, Indigenous Energy Policy

Dear Ms. Gibson:

**Re: Scarborough Subway Extension - Kennedy Relocation Project Summary**

The *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7<sup>th</sup> Edition 2016* (the “Guidelines”) issued by the Ontario Energy Board (“OEB”) indicate that a project applicant shall provide the Ministry of Energy, (“MOE”) with a description of projects in the planning process, such that the MOE can determine if there are any Duty to Consult requirements.

The purpose of this letter is to inform the MOE that Enbridge Gas Inc. (“Enbridge Gas”) is planning to construct new natural gas pipeline facilities to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers in the City of Toronto. The Scarborough Subway Extension – Kennedy Relocation Project (the “Project”), is anticipated to include:

- i. Approximately 330m of up to Nominal Pipe Size (“NPS”) 8-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
- ii. District Regulator Station to be relocated onto Metrolinx private property easement; and
- iii. Approximately 310m of NPS 4-inch diameter natural gas pipeline relocation at Lord Roberts Dr. & Midland Ave. in the City of Toronto.

The Project will require Enbridge Gas to file a Leave to Construct (“LTC”) application with the OEB. Enbridge Gas is therefore contacting the MOE to determine whether the Project triggers any Duty to Consult and, if so, to acquire a list of Indigenous communities that have or may have constitutionally protected Aboriginal or Treaty rights that could be adversely impacted by the proposed Project.

Attachment 1 contains a description of the Project’s characteristics and its general location for the MOE’s review and to assist it with its determination as to whether it will delegate the procedural aspects of the Duty to Consult to Enbridge Gas. While work on the Project is still in its early stages, Enbridge Gas would be pleased to discuss the Project with you should you have any questions.

Regards,

**Adam Stiers** Digitally signed by Adam Stiers  
Date: 2021.12.20 15:41:54 -05'00'

Adam Stiers  
Manager, Regulatory Applications – Leave to Construct

## **Attachment 1: Project Description**

### **1.0 Project Summary**

The Customer (“Metrolinx”) has requested Enbridge Gas to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the Scarborough Subway Extension transit project. Based on the conflict between the proposed Kennedy Launch Shaft and Enbridge Gas’ existing natural gas pipeline assets, Enbridge Gas has identified the need to construct:<sup>1</sup>

- (i) Approximately 300m of Intermediate Pressure (“IP”) Steel Coated (“SC”) natural gas pipeline at an estimated Nominal Pipe Size (“NPS”) of up to 8 inch diameter at Eglinton Ave. E & Midland Ave.;
- (ii) District Regulator Station to be relocated on Metrolinx private property easement;
- (iii) Approximately 30m of High Pressure (“HP”) SC natural gas pipeline at an estimated NPS of up to 8-inch diameter at Eglinton Ave. E & Midland Ave.; and
- (iv) Approximately 310m of IP Plastic (“PE”) natural gas pipeline at an estimated NPS of up to 4-inch diameter at Lord Roberts Dr. & Midland Ave.

These facilities are proposed to be placed into service by January 2025 and are collectively referred to as the “Project” herein.

Figure 1 below shows the Project Study Area being considered. Where possible, the Project will be located within existing road allowances, utility corridors, private property easement and rights-of-way. Through discussions with Metrolinx, a preliminary Project Route has been established (as shown in Figure 1). There are a number of project constraints which limits the opportunity to explore additional routes including but not limited to property constraints, utility congestion within the City right-of-way, conflict areas with the proposed transit infrastructure, and the need to maintain the existing connections to the Enbridge Gas network and customers. Enbridge Gas anticipates that permanent easement and temporary working space and laydown areas will be required within Metrolinx and City owned properties only. Enbridge Gas will work with regulators and landowners to identify and secure appropriate working space and easements as required.

Work to prepare an Environmental Report (“ER”) for the Project has been initiated. The ER will examine preliminary preferred and alternative routes and determine, from an environmental and socio-economic perspective, the preferred route for the Project. Engineering design is expected to be finalized during the permitting stage of the Project.

### **2.0 Environmental Report, Authorizations and Approvals Required**

An ER for the Project will be prepared in accordance with the OEB’s Guidelines. The ER will identify the potential authorizations required. The ER for this Project is anticipated to be completed and submitted to the OEB no later than September 2022. Enbridge Gas’s preliminary work on the Project has identified the following potential required authorizations:

---

<sup>1</sup> The approximate coordinates of the Project are:  
Approximate Start – LAT: 43.734401; LON: -79.260295  
Approximate End – LAT: 43.734874; LON: -79.256610

Provincial:

- Ontario Energy Board;
- Infrastructure Ontario;
- Ministry of Transportation;
- Ministry of Heritage, Sports, Tourism and Culture Industries (“MHSTCI”);
- Ministry of Environment, Conservation and Parks (“MECP”);
- Hydro One; and
- Metrolinx.

Municipal:

- The City of Scarborough; and
- The City of Toronto.

Other:

- Landowner agreements;
- Toronto Transit Commission; and
- Utility circulation.

Other authorizations, notifications, permits and/or approvals may be required in addition to those identified above.

### **3.0 Project Activities**

Planning activities for the Project commenced in 2021 and will continue until the commencement of construction. Pursuant to the Guidelines, an ER will be prepared and geotechnical and archaeological studies will be completed. The design process involves the selection of a specific running line location, appropriate materials, the selection of valves/fittings and location(s) for trenchless drilling activities. Information obtained from the geotechnical analysis, subsurface utility engineering and soil sampling is typically used to inform pipeline design.

Engineered drawings will be produced with the final design and issued to local municipalities and other regulators for approval. Once all approvals are obtained, final engineered drawings will be prepared for construction.

All facilities will be installed using Enbridge Gas’s standard construction practices which may include grading the site, digging a trench, directional drilling, installing the welded pipeline, testing the pipeline, and restoring the area to its original condition. Normal depth of ground cover over the pipeline will be 1.2 meters. However, the pipeline may be installed at a greater depth to provide additional protection in areas where it crosses underneath existing infrastructure and other sensitive environmental and/or socio-economic features.

### **4.0 Potential Environmental Effects and Mitigation Measures**

Where possible, the Project will be constructed in previously disturbed corridors. It is expected that the majority of adverse environmental and/or socio-economic effects will be construction related. These effects are expected to be temporary and transitory. The Project will also be underground once construction is complete, further limiting the potential for any long-term effects.

Mitigation measures recommended in the ER will be followed in conjunction with Enbridge Gas’s Construction and Maintenance standards. In addition, Enbridge Gas will use professional

judgement, past experience, industry best practices and any additional feedback received through the consultation process when constructing the Project.

## **5.0 Project Benefits**

The Project will serve growing transit demand by accommodating the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers in the City of Toronto by providing access to safe, reliable and affordable natural gas.

## **6.0 Contact Information**

### *Regulatory Applications:*

Adam Stiers

[AStiers@enbridge.com](mailto:AStiers@enbridge.com)

Office: (519) 436-4558

Cell: (519) 350-5196

### *Community & Indigenous Engagement:*

Kevin Berube

[Kevin.berube@enbridge.com](mailto:Kevin.berube@enbridge.com)

Office: (416) 495-6184

Cell: (416) 666-6759

Matthew Chegahno

[matthew.chegahno@enbridge.com](mailto:matthew.chegahno@enbridge.com)

December 20, 2021  
Page 4

Figure 1: Project Study Area



**Ministry of Energy**

Energy Networks & Indigenous Policy  
Branch

Indigenous Energy Policy

77 Grenville Street, 6<sup>th</sup> 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<sup>e</sup> étage  
Toronto, ON M7A 2C1  
Tél. 416-325-6810



VIA EMAIL

February 18, 2022

Adam Stiers  
Enbridge Gas Incorporated  
P. O. Box 2001  
50 Keil Drive North  
Chatham, ON N7M 5M1

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Dear Adam Stiers:

Thank you for your letter of December 20, 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 Kennedy Relocation Project (the Project).

I understand that Enbridge is planning to relocate existing natural gas pipeline assets in the City of Toronto to accommodate Metrolinx's Scarborough Subway Extension transit project. Enbridge's proposed project would include both natural gas pipelines and a District Regulator Station that would be relocated on a Metrolinx private property easement.

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* 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 (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
Alderville First Nation*	P.O. Box 46 Roseneath ON K0K 2X0 T: (905) 352-2011 F: (905) 352-3242
Beausoleil First Nation*	11 O'Gema Miikan Christian Island, ON L9M 0A9 T: (705) 247-2051 F: (705) 247-2239
Chippewas of Georgina Island First Nation*	R.R.#2 Box N-13 Sutton West, ON L0E 1R0 T: (705) 437-1337 F: (705) 437-4597
Chippewas of Rama First Nation*	5884 Rama Rd Orillia, ON L3V 6H6 T: (705) 325-3611 F: (705) 325-0879
Curve Lake First Nation*	General Delivery Curve Lake ON K0L 1R0 T: (705) 657-8045, ext. 209 F: (705) 657-8708
Hiawatha First Nation*	123 Paudash Street, R.R. #2 Keene ON K0L 2G0 T: (705) 295-4421 F: N/A
Mississaugas of Scugog Island*	22521 Island Road Port Perry ON L9L 1B6 T: (905) 985-3337 F: N/A
Mississaugas of the Credit First Nation	2789 Mississauga Road, RR 6, Hagersville, ON, N0A 1H0 (905) 768-1133
Kawartha Nishnawbe	No mailing address, telephone, or fax information available. <a href="mailto:nodin.webb@hotmail.com">nodin.webb@hotmail.com</a> ;



	<a href="mailto:samgharvey@live.com">samgharvey@live.com</a> ; <a href="mailto:giiwednang@hotmail.com">giiwednang@hotmail.com</a> ; <a href="mailto:lawreid@aol.com">lawreid@aol.com</a> ; <a href="mailto:kawarthanishnawbecouncil@outlook.com">kawarthanishnawbecouncil@outlook.com</a>
Huron Wendat Nation**	255, place Chef Michel Laveau Wendake QC G0A 4V0 T: (418) 843-3767 F: (418) 842-1108
<p>* It is standard practice to copy Karry Sandy McKenzie, Williams Treaties First Nations Process Coordinator, on correspondence to the identified Williams Treaties First Nations identified above (<a href="mailto:inquiries@williamstreatiesfirstnations.ca">inquiries@williamstreatiesfirstnations.ca</a>).</p> <p>** Interests are specific to archeological resources. If, as the project progresses, it is determined that there will be no impacts to archaeological resources, Enbridge should contact the Manager of Indigenous Energy Policy at the Ministry of Energy, as further consultation with these communities may not be required.</p>	

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 Gillian Brown, Senior Advisor, at [gillian.brown2@ontario.ca](mailto:gillian.brown2@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-appraise 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.



**Adam Stiers**  
Manager Regulatory Applications  
Leave to Construct  
Regulatory Affairs

Tel: (519) 436-4558  
Email: [adam.stiers@enbridge.com](mailto:adam.stiers@enbridge.com)

**Enbridge Gas Inc.**  
P.O. Box 2001  
50 Keil Drive N.  
Chatham, Ontario, N7M 5M1  
Canada

March 22, 2022

**VIA EMAIL – amy.gibson@ontario.ca**

Ministry of Energy  
Amy Gibson  
Manager, Indigenous Energy Policy

Dear Ms. Gibson:

**Re: Scarborough Subway Extension - Kennedy Relocation Project Summary**

The *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7<sup>th</sup> Edition 2016* (the “Guidelines”) issued by the Ontario Energy Board (“OEB”) indicate that a project applicant shall provide the Ministry of Energy, (“MOE”) with a description of projects in the planning process, such that the MOE can determine if there are any Duty to Consult requirements.

The purpose of this letter is to inform the MOE that Enbridge Gas Inc. (“Enbridge Gas”) is planning to construct new natural gas pipeline facilities to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers in the City of Toronto. The Scarborough Subway Extension – Kennedy Relocation Project (the “Project”), is anticipated to include:

- i. Approximately 330 m of up to Nominal Pipe Size (“NPS”) 8-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave.;
- ii. Approximately 16 m of up to NPS 6-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave.;
- iii. Approximately 25 m of up to NPS 4-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave.;
- iv. District Regulator Station to be relocated onto Metrolinx private property easement;
- v. Approximately 310 m of NPS 4-inch diameter natural gas pipeline relocation at Lord Roberts Dr. & Midland Ave.; and
- vi. Approximately 120 m of up to NPS 2-inch diameter natural gas pipeline header relocation at 2480 Eglinton Ave. E.

The Project is expected to require Enbridge Gas to file a Leave to Construct (“LTC”) application with the OEB. Enbridge Gas is therefore contacting the MOE to determine whether the Project triggers any Duty to Consult and, if so, to acquire a list of Indigenous communities that have or may have constitutionally protected Aboriginal or Treaty rights that could be adversely impacted by the proposed Project.

Enbridge Gas previously sent a Project Description for the Kennedy Relocation Project to the MOE on December 20, 2021. Attachment 1 contains an updated description of the Project’s characteristics and its general location for the MOE’s review and to assist it with its



**Adam Stiers**  
Manager Regulatory Applications  
Leave to Construct  
Regulatory Affairs

Tel: (519) 436-4558  
Email: [adam.stiers@enbridge.com](mailto:adam.stiers@enbridge.com)

**Enbridge Gas Inc.**  
P.O. Box 2001  
50 Keil Drive N.  
Chatham, Ontario, N7M 5M1  
Canada

determination as to whether it will delegate the procedural aspects of the Duty to Consult to Enbridge Gas. Updates to the Project Description are limited to the inclusion of three additional pipeline segments to be relocated as well as an updated map highlighting the entire scope of work (see Figure 1). While work on the Project is still in its early stages, Enbridge Gas would be pleased to discuss the Project with you should you have any questions.

Regards,

**Adam Stiers** Digitally signed by Adam Stiers  
Date: 2022.03.22 16:13:13 -04'00'

Adam Stiers  
Manager, Regulatory Applications – Leave to Construct

March 22, 2022  
Page 1

## **Attachment 1: Project Description**

### **1.0 Project Summary**

Metrolinx has requested Enbridge Gas to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the Scarborough Subway Extension transit project. Based on the conflict between the proposed Kennedy Launch Shaft and Enbridge Gas's existing natural gas pipeline assets, Enbridge Gas has identified the need to construct:<sup>1</sup>

- (i) Approximately 300 m of Intermediate Pressure ("IP") Steel Coated ("SC") natural gas pipeline at an estimated NPS of up to 8-inch diameter at Eglinton Ave. E & Midland Ave.;
- (ii) Approximately 16 m of IP SC natural gas pipeline at an estimated NPS of up to 6-inch diameter at Eglinton Ave. E & Midland Ave.;
- (iii) Approximately 25 m of IP Plastic ("PE") natural gas pipeline at an estimated NPS of up to 4-inch diameter at Eglinton Ave. E & Midland Ave.;
- (iv) District Regulator Station to be relocated on Metrolinx private property easement;
- (v) Approximately 30 m of High Pressure ("HP") SC natural gas pipeline at an estimated NPS of up to 8-inch diameter at Eglinton Ave. E & Midland Ave.
- (vi) Approximately 310 m of IP Plastic ("PE") natural gas pipeline at an estimated NPS of up to 4-inch diameter at Lord Roberts Dr. & Midland Ave.; and
- (vii) Approximately 120 m of IP PE natural gas pipeline at an estimated NPS of up to 2-inch diameter at 2480 Eglinton Ave. E.

These facilities are proposed to be placed into service by January 2025 and are collectively referred to as the "Project" herein.

Figure 1 below shows the Project Study Area being considered. Where possible, the Project will be located within existing road allowances, utility corridors, private property easement and rights-of-way. Through discussions with Metrolinx, a preliminary Project Route has been established (as shown in Figure 1). There are a number of project constraints which limits the opportunity to explore additional routes including but not limited to property constraints, utility congestion within the City right-of-way, conflict areas with the proposed transit infrastructure, and the need to maintain the existing connections to the Enbridge Gas network and customers. Enbridge Gas anticipates that permanent easement and temporary working space and laydown areas will be required within Metrolinx and City owned properties only. Enbridge Gas will work with regulators and landowners to identify and secure appropriate working space and easements as required.

Work to prepare an Environmental Report ("ER") for the Project has been initiated. The ER will examine preliminary preferred and alternative routes and determine, from an environmental and socio-economic perspective, the preferred route for the Project. Engineering design is expected to be finalized during the permitting stage of the Project.

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<sup>1</sup> The approximate coordinates of the Project are:  
Approximate Start – LAT: 43.734401; LON: -79.260295  
Approximate End – LAT: 43.734874; LON: -79.256610



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## **2.0 Environmental Report, Authorizations and Approvals Required**

An ER for the Project will be prepared in accordance with the OEB's Guidelines. The ER will identify the potential authorizations required. The ER for this Project is anticipated to be completed and submitted to the OEB no later than September 2022. Enbridge Gas's preliminary work on the Project has identified the following potential required authorizations:

### Provincial:

- Ontario Energy Board;
- Infrastructure Ontario;
- Ministry of Transportation;
- Ministry of Heritage, Sports, Tourism and Culture Industries ("MHSTCI");
- Ministry of Environment, Conservation and Parks ("MECP");
- Hydro One; and
- Metrolinx.

### Municipal:

- The City of Scarborough; and
- The City of Toronto.

### Other:

- Landowner agreements;
- Toronto Transit Commission; and
- Utility circulation.

Other authorizations, notifications, permits and/or approvals may be required in addition to those identified above.

## **3.0 Project Activities**

Planning activities for the Project commenced in 2021 and will continue until the commencement of construction. Pursuant to the Guidelines, an ER will be prepared and geotechnical and archaeological studies will be completed. The design process involves the selection of a specific running line location, appropriate materials, the selection of valves/fittings and location(s) for trenchless drilling activities. Information obtained from the geotechnical analysis, subsurface utility engineering and soil sampling is typically used to inform pipeline design.

Engineered drawings will be produced with the final design and issued to local municipalities and other regulators for approval. Once all approvals are obtained, final engineered drawings will be prepared for construction.

All facilities will be installed using Enbridge Gas's standard construction practices which may include grading the site, digging a trench, directional drilling, installing the welded pipeline, testing the pipeline, and restoring the area to its original condition. Normal depth of ground cover over the pipeline will be 1.2 meters. However, the pipeline may be installed at a greater depth to provide additional protection in areas where it crosses underneath existing infrastructure and other sensitive environmental and/or socio-economic features.

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#### **4.0 Potential Environmental Effects and Mitigation Measures**

Where possible, the Project will be constructed in previously disturbed corridors. It is expected that the majority of adverse environmental and/or socio-economic effects will be construction related. These effects are expected to be temporary and transitory. The Project will also be underground once construction is complete, further limiting the potential for any long-term effects.

Mitigation measures recommended in the ER will be followed in conjunction with Enbridge Gas's Construction and Maintenance standards. In addition, Enbridge Gas will use professional judgement, past experience, industry best practices and any additional feedback received through the consultation process when constructing the Project.

#### **5.0 Project Benefits**

The Project will serve growing transit demand by accommodating the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers in the City of Toronto by providing access to safe, reliable and affordable natural gas.

#### **6.0 Contact Information**

*Regulatory Applications:*

Adam Stiers

[adam.stiers@enbridge.com](mailto:adam.stiers@enbridge.com)

Office: (519) 436-4558

Cell: (519) 350-5196

*Community & Indigenous Engagement:*

Kevin Berube

[kevin.berube@enbridge.com](mailto:kevin.berube@enbridge.com)

Office: (416) 495-6184

Cell: (416) 666-6759

Melanie Green

[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Office: (613) 747-4039

Cell: (613) 297-4365



**Ministry of Energy**

Energy Networks & Indigenous Policy  
Branch

Indigenous Energy Policy

77 Grenville Street, 6<sup>th</sup> 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<sup>e</sup> étage  
Toronto, ON M7A 2C1  
Tél. 416-325-6810



VIA EMAIL

March 28, 2022

Adam Stiers  
Enbridge Gas Incorporated  
P. O. Box 2001  
50 Keil Drive North  
Chatham, ON N7M 5M1

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Dear Adam:

I would like to follow-up on the March 1, 2022 discussion between the Ministry of Energy (Energy) and Enbridge Gas Incorporated (Enbridge) on the list of communities owed the duty to consult for the Kennedy Relocation Project (the Project). This discussion followed up on Enbridge's email of February 24, raising the concern that the list of communities in Energy's February 18 delegation letter was very broad given that the Project is in an area that is described as predominantly disturbed, urban, and largely private land.

Our preliminary assessment of the communities to be consulted, undertaken with cross-ministry partners, accounted for the fact that the project is located within an area where several First Nations have credibly asserted or established Aboriginal rights. As I shared in my email of February 25, the threshold for triggering the Crown's duty to consult is quite low. The Crown believes that the potential to adversely impact existing or credibly asserted Aboriginal or treaty rights is enough to trigger this duty. Our approach for identifying communities is a precautionary approach, one that is broader reaching until more fulsome work, such as an Environmental Report, determines what impacts, if any, are found to exist. This preliminary assessment of the communities to be consulted did not change with the minor modifications to project scope provided on March 22, 2022.

Energy understands that where the likelihood for potential impacts to rights is low, broad lists can represent a greater burden on both the proponent and Indigenous communities' capacity to respond to and participate on projects. Hopefully this burden can be addressed by appropriately scoping the consultation to take into account the likelihood of the potential impacts, and continually re-assessing that scope as more information about rights' impacts becomes available throughout the consultation process.

To that end, this letter provides further direction regarding the Crown's preliminary assessment of what level of consultation is required for each of the communities listed in our February 18, 2022 delegation letter.

For the Williams Treaties' First Nations, the Kawartha Nishnawbe First Nation and the Huron-Wendat Nation<sup>1</sup>, Energy has assessed that consultation is required at the 'low' end of the spectrum for this project. Energy requires the proponent to, at minimum, notify the communities of the project, disclose information about the project and discuss issues raised in response to the notice. The notice could include a request to confirm whether or not the community believes the project will impact their rights and accordingly whether they are interested in being consulted. Issues raised should be discussed and considered in light of the potential to impact rights, with mitigation or other forms of accommodation identified where appropriate. Should a community not respond, the proponent should continue to provide high-level notifications in accordance with project stage milestones. Should a community indicate they are not interested in being consulted, the proponent can inform Energy so that we can consider revisions to the consultation list

For the Mississaugas of the Credit First Nation, Energy requires the proponent to undertake a deeper level of consultation than for the other communities, i.e. in the moderate range. In addition to the requirements for low consultation, the proponent should provide the community meaningful and accessible information about the project; allow opportunities for the community to share evidence or submissions about potential impacts should the community so choose; and offer capacity funding to support meaningful participation by the community in the consultation process, as appropriate. The proponent should be able to demonstrate how any concerns were considered and responded to, and what impact they had on project decisions moving forward. More detailed information on the roles and responsibilities delegated to Enbridge is available in the appendix of the February 18 delegation letter.

If, as the consultation progresses, Enbridge is of the view that the Crown's preliminary assessment of the communities to be consulted or the level of consultation should be revisited on the basis of information received during the consultation process, please bring this to the attention of Energy along with any supporting information for Energy's consideration. Similarly, 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 at your earliest convenience.

I trust that this information provides further clarity and direction regarding our consultation expectations for the Kennedy Relocation Project. If you have any questions about this letter or require any additional information, please contact me directly.

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<sup>1</sup> For the Huron-Wendat, interests are specific to archeological resources. If, as the project progresses, it is determined that there will be no impacts to archaeological resources, Enbridge should contact the Ministry of Energy, as further consultation may not be required.

Sincerely,

A handwritten signature in blue ink that reads "Amy Gibson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Amy Gibson, Manager  
Indigenous Energy Policy

SUFFICIENCY LETTER

1. The sufficiency letter provided by the Ministry of Energy for the Project will be filed with the OEB once it has been received by Enbridge Gas.

# Enbridge Inc. Indigenous Peoples Policy

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# Enbridge Indigenous Peoples Policy

**Purpose:** Enbridge recognizes the diversity of Indigenous peoples<sup>1</sup> who live where we work and operate. We understand that certain laws and policies—in both Canada and the United States—have had destructive impacts on Indigenous cultures, languages, and the social and economic well-being of Indigenous peoples. Enbridge recognizes the importance of reconciliation between Indigenous peoples and broader society. We are committed to building positive and sustainable relationships with Indigenous peoples, based on trust and respect, and focused on finding common goals through open dialogue.

**Enbridge believes:** Companies can play a role in advancing reconciliation through meaningful engagement with and inclusion of Indigenous peoples and perspectives in their business activities.

**Policy:** As an energy infrastructure company whose operations span Treaty and Tribal lands, the National Métis Homeland, unceded lands and the traditional territories of Indigenous groups<sup>2</sup> across North America, Enbridge is deeply committed to advancing reconciliation with Indigenous peoples. Our mutual success depends on the ability to build long-term, respectful and constructive relationships with Indigenous groups near Enbridge's projects and operations throughout the lifecycle of our activities. To achieve this, Enbridge will govern itself by the following principles:

## Respect for Indigenous rights and knowledge

- We recognize the importance of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in the context of existing Canadian law, and the legal and constitutional obligations that governments in both Canada and the United States have to protect those rights.
- We recognize the legal and constitutional rights possessed by Indigenous peoples in Canada and in the United States, and the importance of the relationship between Indigenous peoples and their traditional lands and resources. We commit to working with Indigenous communities in a manner that recognizes and respects those legal and constitutional rights and the traditional lands and resources to which they apply, and we commit to ensuring that our projects and operations are carried out in an environmentally responsible manner.
- Consistent with Enbridge's respect for the rights of Indigenous peoples, we engage early and sincerely through processes that aim to achieve the support and agreement of Indigenous nations and governments for our projects and operations that may occur on their traditional lands.
- We seek the input and knowledge of Indigenous groups to identify and develop appropriate measures to avoid and/or mitigate the impacts of our projects and operations that may occur on their traditional lands.

<sup>1</sup> In Canada, Indigenous peoples has the meaning assigned by the definition *aboriginal peoples of Canada* in subsection 35(2) of the *Constitution Act, 1982*, which includes First Nations, Métis and Inuit Peoples. In the United States, Enbridge refers to Indigenous peoples as all descendants of people inhabiting land within the current exterior boundaries of the United States prior to the continent being inhabited by European settlers, including all U.S. federally recognized tribes.

<sup>2</sup> The collective term "Indigenous groups" is used in this Policy when referring to Enbridge's engagement with Indigenous nations, governments or groups in Canada, and/or Native American Tribes and Tribal associations in the United States about Enbridge's projects and operations. Enbridge has the utmost respect for the unique rights and individual names of Indigenous groups across North America. This collective term is used solely for the purpose of readability of the policy.

## Promoting equity and inclusion

- Recognizing the need to eliminate the significant socioeconomic barriers that continue to prevent Indigenous peoples from fully participating in the North American economy, Enbridge works with Indigenous peoples to ensure they have opportunities to be included in socioeconomic benefits resulting from our projects and operations. These may include partnerships and opportunities in training and education, employment, procurement, equity participation, business development and community development.
- We are committed to increasing Indigenous representation in Enbridge's workforce and supplier community.

## Fostering awareness through education

- We are building—and will continue to ensure—a foundational understanding of the rights, history and cultures of Indigenous peoples through Indigenous awareness training for all Enbridge employees, with the aim of advancing reconciliation with Indigenous peoples

Enbridge will provide ongoing leadership and resources to ensure the effective implementation of the above principles, including the development of implementation strategies and specific action plans, and report its Indigenous reconciliation efforts—including engagement and inclusion outcomes—through its annual Sustainability Report.

This Policy is a shared responsibility involving Enbridge and its affiliates, employees and contractors, and we will conduct business in a manner that reflects the above principles. We will work with our contractors, joint venture partners and others to support consistency with this policy. Enbridge commits to periodically reviewing this policy to ensure it remains relevant and meets changing expectations.

**INDIGENOUS CONSULTATION REPORT: SUMMARY TABLES**

<b>Alderville First Nation (AFN)</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas has provided AFN with the following information: <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.
<b>Was the community responsive/did you have direct contact with the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas and AFN representatives have exchanged emails regarding the Project.
<b>Did the community members or representatives have any questions or concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, AFN has not raised any questions or concerns regarding the Project.
<b>Does the community have any outstanding concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, the AFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.
<b>Beausoleil First Nation – Christian Island (BFN)</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas has provided BFN with the following information: <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.
<b>Was the community responsive/did you have direct contact with the community?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Enbridge Gas has sent emails regarding the Project but has not received a response.
<b>Did the community members or representatives have any questions or concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, BFN has not raised any questions or concerns regarding the Project.
<b>Does the community have any outstanding concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, BFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.
<b>Curve Lake First Nation (CLFN)</b>		

<p><b>Was project information provided to the community?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Enbridge Gas has provided CLFN with the following information:</p> <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> <p>Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.</p>
<p><b>Was the community responsive/did you have direct contact with the community?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Enbridge Gas and a CLFN representative have exchanged multiple emails regarding the Project.</p>
<p><b>Did the community members or representatives have any questions or concerns?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>CLFN provided a letter dated June 15, 2022 inquiring about the potential Project impacts to drinking water, fish and wild game, Aboriginal heritage and cultural values, endangered species, and lands. CLFN inquired about the process in the event undocumented burial or archaeological resources were discovered, and general Project mitigation measures.</p> <p>On August 23, 2022, CLFN provided comments on the Stage 1 AA report.</p> <p>On August 25, 2022, CLFN provided comments on the ER report.</p>
<p><b>Does the community have any outstanding concerns?</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Enbridge Gas responded to the concerns raised in CLFN's June 15 letter about the Project and its comments on the Stage 1 AA report. As of October 17, 2022, CLFN has not confirmed whether these responses fully resolve those concerns. Enbridge Gas recently responded to CLFN's comments on the ER report and will continue to engage with CLFN to address any remaining concerns in relation to the Project.</p>
<p><b>Chippewas of Georgina Island First Nation (CGIFN)</b></p>		
<p><b>Was project information provided to the community?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Enbridge Gas has provided CGIFN with the following information:</p> <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> <p>Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.</p>
<p><b>Was the community responsive/did you have direct contact with the community?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Enbridge Gas and CGIFN representatives have exchanged emails regarding the Project.</p>
<p><b>Did the community members or representatives have any questions or concerns?</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>As of October 17, 2022, CGIFN has not raised any questions or concerns regarding the Project.</p>
<p><b>Does the community have any outstanding concerns?</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>As of October 17, 2022, the CGIFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.</p>

<b>Chippewas of Rama First Nation (CRFN)</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas has provided CRFN with the following information: <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.
<b>Was the community responsive/did you have direct contact with the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas and CRFN representatives have exchanged emails regarding the Project.
<b>Did the community members or representatives have any questions or concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, CRFN has not raised any questions or concerns regarding the Project.
<b>Does the community have any outstanding concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, the CRFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.
<b>Hiawatha First Nation (HFN)</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas has provided HFN with the following information: <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.
<b>Was the community responsive/did you have direct contact with the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas and HFN representatives have exchanged emails regarding the Project.
<b>Did the community members or representatives have any questions or concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, HFN has not raised any questions or concerns regarding the Project.
<b>Does the community have any outstanding concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, the HFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.
<b>Huron-Wendat Nation (HWN)</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas has provided HWN with the following information: <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> </ul>

		<ul style="list-style-type: none"> <li>Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> <p>Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.</p>
<b>Was the community responsive/did you have direct contact with the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas and HWN representatives have exchanged emails regarding the Project.
<b>Did the community members or representatives have any questions or concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	HWN has not raised any questions or concerns regarding the Project. HWN and Enbridge Gas had general discussions regarding the Project and ongoing engagement. HWN has asked to have construction monitors onsite for disturbance of any previously undisturbed sole.
<b>Does the community have any outstanding concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, HWN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project and notify HWN if any previously undisturbed soil will be disturbed.
<b>Kawartha Nishnawbe First Nation (KNFN)</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Enbridge Gas has provided KNFN with the following information:</p> <ul style="list-style-type: none"> <li>A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>Maps of the Project location.</li> <li>Letter containing information on the Virtual Open House.</li> <li>Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> <p>Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.</p>
<b>Was the community responsive/did you have direct contact with the community?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Enbridge Gas has sent emails to KNFN regarding the Project but has not received any responses.
<b>Did the community members or representatives have any questions or concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, KNFN has not raised any questions or concerns regarding the Project.
<b>Does the community have any outstanding concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of October 17, 2022, the KNFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.
<b>Mississaugas of Scugog Island First Nation (MSIFN)</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Enbridge Gas has provided MSIFN with the following information:</p> <ul style="list-style-type: none"> <li>A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>Maps of the Project location.</li> <li>Letter containing information on the Virtual Open House.</li> <li>Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> <p>Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.</p>

<p><b>Was the community responsive/did you have direct contact with the community?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Enbridge Gas and MSIFN representatives have exchanged emails regarding the Project.</p>
<p><b>Did the community members or representatives have any questions or concerns?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>On May 12, 2022, an MSIFN representative provided comments on the Stage 1 AA Report for the Project. See Line Item 9.6 in Attachment 7 to this Exhibit.</p> <p>On September 2, 2022, MSIFN confirmed they reviewed the ER report noting that due to the Project being in a confined heavily urbanized area their comments were limited. However, MSIFN representatives requested updates and details regarding the project, to make any attempts to reduce greenhouse gas emission during the Projects, and that the wetland and reptile and amphibian related items in the Project area required careful consideration. See Line Item 9.17 in Attachment 7 to this Exhibit.</p>
<p><b>Does the community have any outstanding concerns?</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>As of October 17, 2022, the MSIFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.</p>
<p><b>Mississaugas of the Credit First Nation (MCFN)</b></p>		
<p><b>Was project information provided to the community?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Enbridge Gas has provided MCFN with the following information:</p> <ul style="list-style-type: none"> <li>• A detailed description of the nature and initial scope of the Project. This included a list of other provincial or federal approvals that may be required for the Project to proceed.</li> <li>• Maps of the Project location.</li> <li>• Letter containing information on the Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> <p>Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.</p>
<p><b>Was the community responsive/did you have direct contact with the community?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Enbridge Gas and an MCFN representative have exchanged emails regarding the Project and met on May 12, 2022, to further discuss the Project.</p>
<p><b>Did the community members or representatives have any questions or concerns?</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>As of October 17, 2022, MCFN has not raised any questions or concerns regarding the Project.</p>
<p><b>Does the community have any outstanding concerns?</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>MCFN has not identified any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the community in relation to the Project.</p>

**Enbridge Gas Inc. Indigenous Engagement Log**

**Log Updated as of October 17, 2022**

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
<b>Alderville First Nation (AFN)</b>					
1.0	April 8, 2022	Email	An Enbridge Gas representative sent an email to AFN representative providing a Project notification letter for the Scarborough Subway Extension Project ("Project"). The letter provided an overview of the Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty rights.		See attachment Line Item 1.0
1.1	April 8, 2022	Email		The AFN representative emailed the Enbridge Gas representative to ask a question regarding the depth of excavation for the pipeline installation.	
1.2	April 14, 2022	Email	The Enbridge Gas representative responded to the AFN representative email to provide the excavation depth and noted a Stage 1 Archaeological Assessment ("AA") will be completed.		
1.3	April 18, 2022	Email	An Enbridge Gas representative emailed the AFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal		



Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		
1.4	April 19, 2022			The AFN representative emailed the Enbridge Gas representative and stated that they do not have any issues with the Project if there is no archaeological disturbance and requested a copy of the studies completed for the project.	
1.5	April 21, 2022		The Enbridge Gas representative emailed the AFN representative to thank them for their response.		
1.6	May 2, 2022	Email	The Enbridge Gas representative emailed the AFN representative to provide the Stage 1 AA Report.		
1.7	May 2, 2022	Email		The AFN representative emailed the Enbridge Gas representative stating that they have no comments on the Stage 1 AA Report.	
1.8	May 3, 2022	Email	The Enbridge Gas representative emailed the AFN representative to thank them for their response.		
1.9	May 10, 2022	Email	The Enbridge Gas representative emailed the AFN representative to provide a reminder regarding the Virtual Information Session ("VIS").		
1.10	May 25, 2022	Email	The Enbridge Gas representative emailed the AFN representative regarding the Stage 1 AA report and if there were any additional comments since May 2, 2022.		
1.11	July 4, 2022	Email	The Enbridge Gas representative emailed the AFN representative providing a website link to review the Environmental Report ("ER"). The Enbridge Gas representative also provided a reminder of the Project		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			overview. The Enbridge Gas representative requested feedback by August 22, 2022.		
1.12	August 10, 2022	Email	The Enbridge Gas representative emailed the AFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments.		
1.13	August 31, 2022	Email	The Enbridge Gas representative emailed the AFN representative to ask if they had a chance to review the ER and if they needed additional time to review.		
<b>Beausoleil First Nation (BFN)</b>					
2.0	April 8, 2022	Email	An Enbridge Gas representative sent an email to BFN representative providing a Project notification letter. The letter provided an overview of the Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty rights.		See attachment Line Item 2.0.
2.1	April 18, 2022	Email	An Enbridge Gas representative emailed the BFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			May 17, 2022 and provided a website link to the open house.		
2.2	May 2, 2022	Email	The Enbridge Gas representative emailed the BFN representative to provide the Stage 1 AA Report.		
2.3	May 10, 2022	Email	The Enbridge Gas representative emailed the BFN representative to provide a reminder regarding the VIS.		
2.4	May 25, 2022	Email	The Enbridge Gas representative emailed the BFN representative regarding a reminder to review the Stage 1 AA report.		
2.5	July 4, 2022	Email	The Enbridge Gas representative emailed the BFN representative providing a website link to review the ER. The Enbridge Gas representative also provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022		
2.6	August 10, 2022	Email	The Enbridge Gas representative emailed the BFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments.		
2.7	August 22, 2022	Email	The Enbridge Gas representative emailed the BFN representative to ask if they have reviewed the Stage 1 AA report.		
2.8	August 31, 2022	Email	The Enbridge Gas representative emailed the BFN representative to ask if they had chance to review the Stage 1 AA report and ER or if they needed additional time to review.		
<b>Curve Lake First Nation (CLFN)</b>					
3.0	April 8, 2022	Email	An Enbridge Gas representative sent an email to CLFN representative providing a Project notification. The letter provided an overview of the proposed Project, a list of		See attachment line item 3.0.

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty rights.		
3.1	April 18, 2022	Email	An Enbridge Gas representative emailed the CLFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		
3.2	May 2, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to provide the Stage 1 AA Report		
3.3	May 10, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to provide a reminder regarding the VIS.		
3.4	May 25, 2022	Email	The Enbridge Gas representative emailed the CLFN representative regarding a reminder to review the Stage 1 AA report.		
3.5	June 9, 2022	Email	The Enbridge Gas representative emailed CLFN representative to provide a reminder regarding the review of the Stage 1 AA report. Enbridge Gas representative		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			requested acknowledgement of their email being received.		
3.5	June 10, 2022	Email		The CLFN representative emailed the Enbridge Gas representative and thanked them for the reminder email and requested an extension for comment submission.	
3.6	June 13, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to request a new timeline for their comment submission.		
3.7	June 17, 2022	Email		A CLFN representative emailed an Enbridge Gas representative providing a feedback letter (dated June 15) regarding the Project. The CLFN letter accepts the Project Notification and states they are interested in being engaged and consulted on the Project in all aspects. Additionally, the letter stated the filling fee for Enbridge Gas. CLFN representative inquired about potential Project impacts to drinking water, fish and wild game, Aboriginal heritage and cultural values, endangered species, and lands. CLFN inquired about the process in the event undocumented burial or archaeological resources were discovered, and general Project mitigation measures. CLFN requested Enbridge Gas' invoicing information.	See attachment Line Item 3.7 for concerns raised by CLFN.
3.8	June 23, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to thank them for the letter and advise that they will work with the environmental team to respond to CLFN's concerns.		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
3.9	July 4, 2022	Email	The Enbridge Gas representative emailed the CLFN representative providing a website link to review the ER. The Enbridge Gas representative also provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022.		
3.10	July 13, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to provide a response letter to their June 17 letter.		See attachment Line Item 3.9 for how Enbridge Gas addressed concerns raised by CLFN.
3.11	July 19, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to ask if they have reviewed the Stage 1 AA report.		
3.12	July 6, 2022	Email		The CLFN representative emailed the Enbridge Gas representative to thank them for their patience and to state that they plan to review the Stage 1 AA report in the coming days.	
3.13	July 28, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to thank them for their response.		
3.14	August 10, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments.		
3.15	August 10, 2022	Email		The CLFN representative emailed the Enbridge Gas representative stating that they have planned their review for August 23 and will provide an update.	
3.16	August 10, 2022	Email	The Enbridge Gas representative emailed the Enbridge Gas representative and thanked the CLFN representative for the update.		
3.17	August 15, 2022	Email	The Enbridge Gas representative emailed the		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			CLFN representative to ask if they have reviewed the Stage 1 AA report.		
3.18	August 15, 2022	Email		The CLFN representative apologized for the delay and stated that they would have the Stage 1 AA review completed by the end of the week.	
3.19	August 15, 2022	Email	The Enbridge Gas representative thanked the CLFN representative for their response.		
3.20	August 21, 2022	Email		The CLFN representative emailed the Enbridge Gas representative to state that they will provide their comments on the Stage 1 AA report tomorrow.	
3.21	August 22, 2022	Email		The CLFN representative emailed the Enbridge Gas representative to state that they need until the end of the week to provide their comments on the Stage 1 AA report.	
3.22	August 23, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to state that CLFN can provide their comments by the end of the week.		
3.23	August 23, 2022	Email		The CLFN representative emailed the Enbridge Gas representative to apologize for the delay and provide their comments on the Stage 1 AA report.	See attachment Line Item 3.23 for concerns raised by CLFN.
3.24	August 23, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to thank them for their response and state that they look forward to their comments.		
3.25	August 25, 2022	Email		The CLFN representative emailed the Enbridge Gas representative and provided a letter (dated August 23) with their comments on the ER report.	See attachment Line Item 3.24 for concerns raised by CLFN.

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
3.26	August 29, 2022	Email	The Enbridge Gas representative emailed the CLFN representative and confirmed receipt of the ER report.		
3.27	October 17, 2022	Email	The Enbridge Gas representative emailed the CLFN representative to provide responses to CLFN's comments on the Stage 1 AA report. Comments noted where language was updated in the Stage 1 AA report.		See attachment Line Item 3.26 for how Enbridge Gas addressed concerns raised by CLFN.
<b>Chippewas of Georgina Island First Nation (CGIFN)</b>					
4.0	April 8, 2022	Email	An Enbridge Gas representative sent an email to CGIFN representative providing a Project notification letter. The letter provided an overview of the Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty rights.		See attachment Line Item 4.0.
4.1	April 18, 2022	Email	An Enbridge Gas representative emailed the CGIFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		



Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
4.2	May 2, 2022	Email	The Enbridge Gas representative emailed the CGIFN representative to provide the Stage 1 AA Report.		
4.3	May 10, 2022	Email	The Enbridge Gas representative emailed the CGIFN representative to provide a reminder regarding the VIS.		
4.4	May 25, 2022	Email	The Enbridge Gas representative emailed the CGIFN representative regarding a reminder to review the Stage 1 AA report.		
4.5	May 30, 2022	Email		The CGIFN representative emailed the Enbridge Gas representative to thank them for the reminder and state that if they do not provide an email response then they do not have comments.	
4.6	May 31, 2022	Email	The Enbridge Gas representative emailed the CGIFN representative to thank them for their email and advise if they had any further questions to reach out.		
4.7	July 4, 2022	Email	The Enbridge Gas representative emailed the CGIFN representative providing a website link to review the ER. The Enbridge Gas representative also provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022.		
4.7	August 10, 2022	Email	The Enbridge Gas representative emailed the CGIFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments		
4.8	August 31, 2022	Email	The Enbridge Gas representative emailed the CGIFN representative to ask if they had a chance to review the ER and if they needed additional time to review.		

**Chippewas of Rama First Nation (CRFN)**

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
5.0	April 8, 2022	Email	An Enbridge Gas representative sent an email to CRFN representative providing a Project notification letter. The letter provided an overview of the Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty rights.		See attachment line item 5.0.
5.1	April 18, 2022	Email	An Enbridge Gas representative emailed the CRFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		
5.2	May 2, 2022	Email	The Enbridge Gas representative emailed the CRFN representative to provide the Stage 1 AA Report.		
5.3	May 2, 2022	Email		The CRFN representative emailed the Enbridge Gas representative to state they have reviewed the Stage 1 AA Report and have no comments or concerns at this time.	
5.4	May 3, 2022	Email	The Enbridge Gas representative thanked the CRFN representative for their		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			email and asked that they advise if concerns come up.		
5.5	May 10, 2022	Email	The Enbridge Gas representative emailed the CRFN representative to provide a reminder regarding the VIS.		
5.6	May 25, 2022	Email	The Enbridge Gas representative emailed the CRFN representative regarding a reminder to review the Stage 1 AA report.		
5.8	July 4, 2022	Email	The Enbridge Gas representative emailed the CRFN representative providing a website link to review the ER. The Enbridge Gas representative also provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022.		
5.7	August 10, 2022	Email	The Enbridge Gas representative emailed the CRFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments		
5.8	August 31, 2022	Email	The Enbridge Gas representative emailed the CRFN representative to ask if they had a chance to review the ER and if they needed additional time to review.		
<b>Hiawatha First Nation (HFN)</b>					
6.0	April 8, 2022	Email	An Enbridge Gas representative sent an email to HFN representative providing a Project notification letter. The letter provided an overview of the Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or		See attachment Line Item 6.0.

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			mitigate potential adverse impacts on Aboriginal or Treaty rights.		
6.1	April 18, 2022	Email	An Enbridge Gas representative emailed the HFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		
6.2	May 2, 2022	Email	The Enbridge Gas representative emailed the HFN representative to provide the Stage 1 AA Report.		
6.3	May 10, 2022	Email	The Enbridge Gas representative emailed the HFN representative to provide a reminder regarding the VIS.		
6.4	May 25, 2022	Email	The Enbridge Gas representative emailed the HFN representative regarding a reminder to review the Stage 1 AA report.		
6.5	June 9, 2022	Email	The Enbridge Gas representative emailed the HFN representative to provide a reminder regarding the review of the Stage 1 AA report. Enbridge Gas Inc. representative requested acknowledgement of their email being received.		
6.6	June 16, 2022	Email		The HFN representative emailed the Enbridge Gas representative to state that they are new to the project and asked if CLFN has been engaged regarding the Stage 1 AA report.	
6.7	June 16, 2022	Email	The Enbridge Gas representative emailed the		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			<p>HFN representative to confirm that CLFN has been engaged in the Stage 1 AA report and asked that HFN representative provide their comments once they review the report.</p>		
6.8	July 4, 2022	Email	<p>The Enbridge Gas representative emailed the HFN representative providing a website link to review the ER. The Enbridge Gas representative also provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022.</p>		
6.9	August 10, 2022	Email	<p>The Enbridge Gas representative emailed the HFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments</p>		
6.10	August 31, 2022	Email	<p>The Enbridge Gas representative emailed the HFN representative to ask if they had a chance to review the ER and if they needed additional time to review.</p>		
6.11	September 20, 2022	Email		<p>The HFN representative emailed the Enbridge Gas representative and advised they had no comments regarding the Project at this time.</p>	
6.12	September 20, 2022	Email	<p>An Enbridge Gas representative emailed the HFN representative and confirmed receipt of the email and that they would continue to provide information pertaining to the Project.</p>		
<b>Huron Wendat Nation (HWN)</b>					
7.0	April 8, 2022	Email	<p>An Enbridge Gas representative sent an email to HWN representative providing a Project notification letter. The letter provided an overview of the Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter</p>		<p>See attachment Line Item 7.0.</p>

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty rights.		
7.1	April 18, 2022	Email	An Enbridge Gas representative emailed the HWN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		
7.2	April 25, 2022			The HWN representative emailed the Enbridge Gas representative to inquire about archaeological studies and fieldwork for the project.	
7.3	April 25, 2022		The Enbridge Gas representative emailed the HWN representative stating that they will provide them with an update regarding archeological studies and fieldwork for the Project.		
7.4	May 2, 2022	Email	The Enbridge Gas representative emailed the HWN representative to provide the Stage 1 AA Report.		
7.5	May 10, 2022	Email	The Enbridge Gas representative emailed the HWN representative to provide a reminder regarding the VIS.		
7.6	May 25, 2022	Email	The Enbridge Gas representative emailed the HWN representative regarding		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			a reminder to review the Stage 1 AA report.		
7.7	June 9, 2022	Email	The Enbridge Gas representative emailed HWN representative provide a reminder regarding the review of the Stage 1 AA report. Enbridge Gas Inc. representative requested acknowledgement of their email being received.		
7.8	July 4, 2022	Email	The Enbridge Gas representative emailed the HWN representative providing a website link to review the ER. The Enbridge Gas representative also provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022.		
7.9	July 19, 2022	Email		The HWN representative emailed the Enbridge Gas representative to provide comments on the ER. The comments indicated no concerns with the report and HWN requested to be updated with the project's progress.	See attachment Line Item 7.8 for comments provided by HWN.
7.10	July 22, 2022	Email		The HWN representative emailed the Enbridge Gas representative to state that they will review the Stage 1 AA report and asked if Enbridge Gas needs them to send a quote for their participation in the project.	
7.11	July 25, 2022	Email	The Enbridge Gas representative emailed the HWN representative to thank them for their comments and stated that they will provide a response as soon as possible.		
7.12	August 8, 2022	Email	The Enbridge Gas emailed the HWN representative to apologize for the delayed response and requested they send the quote so Enbridge Gas could process it.		
7.13	August 8, 2022	Email		The HWN representative provided the Enbridge	

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
				Gas representative with a quote for their participation in the Project.	
7.14	August 10, 2022	Email	The Enbridge Gas representative thanked the HWN representative for the quote and stated that they will have it processed.		
7.15	August 10, 2022	Email	The Enbridge Gas representative emailed the HWN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments.		
7.16	August 22, 2022	Email	The Enbridge Gas representative emailed the HWN representative to ask if they have reviewed the Stage 1 AA report.		
7.17	August 22, 2022	Email		The HWN representative emailed the Enbridge Gas representative to notify that they submitted their comments on the Stage 1 AA report in July 2022. The HWN representative attached their comment letter for reference. The comments indicated no concerns with the report and HWN requested to be updated with the project's progress.	
7.18	August 23, 2022	Email	The Enbridge Gas representative thanked the HWN representative for providing their comments on the Stage 1 AA Report and stated that they will notify them regarding next steps.		
7.19	October 7, 2022	Email		HWN representative emailed the Enbridge Gas representative to request the pipeline installation method for the project.	
7.20	October 7, 2022	Email	The Enbridge Gas representative emailed the HWN representative to state that they are looking into the installation method and will		



Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			provide an answer once available.		
7.21	October 7, 2022	Email	The Enbridge Gas representative confirmed that both Horizontal Directional Drilling (HDD) and open trench will be utilized for the pipeline installation.		
7.22	October 7, 2022	Email		HWN representative emailed the Enbridge Gas representative to state that they will send construction monitors for all previously undisturbed soil.	
7.23	October 12, 2022	Email	The Enbridge Gas representative emailed the HWN representative to advise that they are working to determine whether there will be previously undisturbed soil and once they know they will report back.		
7.24	October 17, 2022	Email	The Enbridge Gas representative emailed the HWN representative to state that they are in contact with the construction team to determine if there is previously undisturbed soil.		
<b>Kawartha Nishnawbe First Nation (KNFN)</b>					
8.0	April 21, 2022	Email	An Enbridge Gas representative emailed the KNFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		
8.1	May 2, 2022	Email	The Enbridge Gas representative emailed the KNFN representative to provide the Stage 1 AA Report.		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
8.2	May 10, 2022	Email	The Enbridge Gas representative emailed the KNFN representative to provide a reminder regarding the VIS.		
8.3	May 25, 2022	Email	The Enbridge Gas representative emailed the KNFN representative regarding a reminder to review the Stage 1 AA report.		
8.4	June 9, 2022	Email	The Enbridge Gas representative emailed KNFN representative to provide a reminder regarding the review of the Stage 1 AA report. Enbridge Gas Inc. representative requested acknowledgement of their email being received.		
8.5	July 4, 2022	Email	The Enbridge Gas representative emailed the KNFN representative providing a website link to review the ER. The Enbridge Gas representative also provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022.		
8.6	August 10, 2022	Email	The Enbridge Gas representative emailed the KNFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments.		
8.7	August 22, 2022	Email	The Enbridge Gas representative emailed the KNFN representative to ask if they have reviewed the Stage 1 AA report.		
8.8	August 31, 2022	Email	The Enbridge Gas representative emailed the KNFN representative to ask if they had chance to review the Stage 1 AA report.		
8.9	August 31, 2022	Email	The Enbridge Gas representative emailed the KNFN representative to ask if they had a chance to review the ER and if they needed additional time to review.		

**Mississaugas of Scugog Island First Nation (MSIFN)**

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
9.0	April 8, 2022	Email	An Enbridge Gas representative sent an email to MSIFN representative providing a Project notification letter. The letter provided an overview of the Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty rights.		See attachment Line Item 9.0.
9.1	April 18, 2022	Email	An Enbridge Gas representative emailed the MSIFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		
9.2	May 2, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative to provide the Stage 1 AA Report.		
9.3	May 10, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative to provide a reminder regarding the VIS.		
9.4	May 11, 2022	Email		The MSIFN representative emailed the Enbridge Gas representative to thank them for the reminder and requested a copy of the ER and AA.	

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
9.5	May 11, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative stating that they will send them the ER once available and noting that they previously sent Stage 1 AA, and to notify them if they had received it.		
9.6	May 12, 2022	Email		The MSIFN representative emailed the Enbridge Gas representative with comments from their review of the Stage 1 AA Report.	See attachment Line Item 9.6 for concerns raised by MSIFN.
9.7	May 12, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative and thanked the MSIFN representative for their comments, noting that they will continue to provide communication regarding the project.		
9.8	May 25, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative regarding a reminder to review the Stage 1 AA report		
9.9	May 26, 2022	Email		The MSIFN representative emailed the Enbridge Gas representative to note that they had already provided comments on the Stage 1 AA report.	
9.10	May 26, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative to state that they did receive their comments and are currently working on responses.		
9.11	May 26, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative thanking them for their comments and to note that additional reports will be provided as they become available.		
9.12	July 4, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative providing a website link to review the ER. The Enbridge Gas representative also		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			provided a reminder of the Project overview. The Enbridge Gas representative requested feedback by August 22, 2022.		
9.13	August 10, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative to ask if they have reviewed the ER for the Project. The Enbridge Gas representative stated that they look forward to their review and comments.		
9.14	August 10, 2022	Email		The MSIFN representative emailed the Enbridge Gas representative to state that they will review the ER and provide their comments by August 22.	
9.15	August 10, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative to thank them for the update and state that they look forward to their comments.		
9.16	August 16, 2022	Email		The MSIFN representative emailed the Enbridge Gas representative to request an extension for their review of the ER until September 5.	
9.17	August 18, 2022	Email	The Enbridge Gas emailed the MSIFN representative to thank them for their email and agreed to the extension of September 5.		
9.18	September 2, 2022	Email		The MSIFN representative emailed the Enbridge Gas representative to provide their comments on the ER.	See attachment Line Item 9.17 for concerns raised by MSIFN.
9.19	September 6, 2022	Email	The Enbridge Gas representative emailed the MSIFN representative to thank them for their comments and state that they will continue to provide updates related to the Project.		
<b>Mississaugas of the Credit First Nation (MCFN)</b>					
10.0	March 22, 2022	Email	An Enbridge Gas representative sent an email to MCFN representative providing a Pre-Construction notice for the Project. The		

Line Item	Date	Method	Summary of Enbridge Gas Inc. ("Enbridge Gas") Engagement Activity	Summary of Community's Engagement Activity	Issues or Concerns raised and how addressed by Enbridge Gas
			notice provided an overview of the proposed Project. The Enbridge Gas representative advised the MCFN representative of the overall Project scope and Enbridge Gas's Project scope. The letter requested community feedback on the proposed Project. Additionally, the Enbridge Gas representative wanted to connect through a community visit or to discuss business opportunities and ways Enbridge can support the community.		
10.1	April 18, 2022	Email	An Enbridge Gas representative emailed the MCFN representative providing a notice of study commencement and virtual open house information for the Project. The Enbridge Gas representative requested community feedback on the study area and proposed Project and suggestions for mitigation of potential adverse impacts on Aboriginal or Treaty rights. The letter advised a virtual open house would be held from May 4 to May 17, 2022 and provided a website link to the open house.		See attachment Line Item 10.1.
10.2	April 20, 2022	Email	The Enbridge Gas representative emailed the MCFN representative to provide the Stage 1 AA Report.		
10.3	May 12, 2022	In Person Meeting	The Enbridge Gas representative met with the MCFN's Department of Consultation and Accommodation. The Enbridge Gas representative inquired with the MCFN's representatives regarding concerns or questions about the Project.	The MCFN representative stated in the meeting that they had no concerns about the work due to the work taking place in a highly disturbed area and that there were no concerns from the community.	

Line Item 1.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Dave Mowat  
11696 Second Line Rd  
PO Box 46  
Roseneath, Ontario  
K0K2X0

April 8<sup>th</sup>, 2022

Dear Grand Chief Dave Mowat,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

- I. Approximately 330m of up to Nominal Pipe Size ("NPS") 8-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
- II. Approximately 16m of up to Nominal Pipe Size ("NPS") 6-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
- III. Approximately 25m of up to Nominal Pipe Size ("NPS") 4-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
- IV. District Regulator Station to be relocated onto Metrolinx private property easement;
- V. Approximately 310m of NPS 4-inch diameter natural gas pipeline relocation at Lord Roberts Dr. & Midland Ave. in the City of Toronto; and
- VI. Approximately 120m of up to Nominal Pipe Size ("NPS") 2-inch diameter natural gas pipeline header relocation at 2480 Eglinton Ave. E;

Where possible, the Project will be located within existing road allowances. Permanent easements, temporary working space and laydown areas may be required, the latter of which is necessary to facilitate the movement and storage of equipment necessary for



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

construction. 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 proposed Project, Enbridge Gas has retained Dillon Consulting, an external consulting firm to undertake an Environmental Study of the construction and operation of the Project. The 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)*.

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

Provincial:

- Ontario Energy Board
- Infrastructure Ontario
- Ministry of Transportation
- Ministry of Heritage, Sports, Tourism and Culture Industries ("MHSTCI");
- Ministry of Environment, Conservation and Parks ("MECP");
- Hydro One; and
- Metrolinx.

Municipal:

- The City of Scarborough; and
- The City of Toronto.

Other:

- Landowner agreements
- Indigenous engagement
- Toronto Transit Commission; and
- Utility circulation.

We would like to notify your community on the proposed Project. We are interested in your community's feedback, including whether the project may have adverse impacts on your Aboriginal or Treaty rights and how the impacts could be avoided, minimized, or mitigated.





Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

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:

Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

A handwritten signature in black ink, appearing to read 'Melanie Green', with a horizontal line underneath.

Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Line Item 2.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Joanne Sandy  
Dock Ln, Penetanguishene, ON  
L9M 1R3

April 8<sup>th</sup>, 2022

Dear Grand Chief Sandy,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

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- VI. Approximately 120m of up to Nominal Pipe Size ("NPS") 2-inch diameter natural gas pipeline header relocation at 2480 Eglinton Ave. E;

Where possible, the Project will be located within existing road allowances. Permanent easements, temporary working space and laydown areas may be required, the latter of which is necessary to facilitate the movement and storage of equipment necessary for construction. Enbridge Gas will work with regulators and landowners to identify and secure appropriate working space and easements as required.



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400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

As part of the planning process for the proposed Project, Enbridge Gas has retained Dillon Consulting, an external consulting firm to undertake an Environmental Study of the construction and operation of the Project. The 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)"*.

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- Ontario Energy Board
- Infrastructure Ontario
- Ministry of Transportation
- Ministry of Heritage, Sports, Tourism and Culture Industries ("MHSTCI");
- Ministry of Environment, Conservation and Parks ("MECP");
- Hydro One; and
- Metrolinx.

Municipal:

- The City of Scarborough; and
- The City of Toronto.

Other:

- Landowner agreements
- Indigenous engagement
- Toronto Transit Commission; and
- Utility circulation.

We would like to notify your community on the proposed Project. We are interested in your community's feedback, including whether the project may have adverse impacts on your Aboriginal or Treaty rights and how the impacts could be avoided, minimized, or mitigated.

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:



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

A handwritten signature in black ink, appearing to read 'Melanie Green', with a horizontal line underneath.

Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Line Item 3.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Emily Whetung-MacInnes  
22 Winookeedaa Road,  
Curve Lake, Ontario  
K0L1R0

April 8<sup>th</sup>, 2022

Dear Grand Chief Whetung-MacInnes,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

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400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

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As part of the planning process for the proposed Project, Enbridge Gas has retained Dillon Consulting, an external consulting firm to undertake an Environmental Study of the construction and operation of the Project. The 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)"*.

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

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- Ontario Energy Board
- Infrastructure Ontario
- Ministry of Transportation
- Ministry of Heritage, Sports, Tourism and Culture Industries ("MHSTCI");
- Ministry of Environment, Conservation and Parks ("MECP");
- Hydro One; and
- Metrolinx.

Municipal:

- The City of Scarborough; and
- The City of Toronto.

Other:

- Landowner agreements
- Indigenous engagement
- Toronto Transit Commission; and
- Utility circulation.

We would like to notify your community on the proposed Project. We are interested in your community's feedback, including whether the project may have adverse impacts on your Aboriginal or Treaty rights and how the impacts could be avoided, minimized, or mitigated.



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

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:

Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

A handwritten signature in black ink, appearing to read 'Melanie Green', with a stylized flourish at the end.

Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Line Item 3.7

Government Services Building  
22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

June 15, 2022  
VIA E-MAIL

Melanie Green C.E.T  
Senior Advisor  
400 Coventry Rd  
Ottawa, Ontario K1K2C7  
613.297.4365  
[Melanie.green@enbridge.com](mailto:Melanie.green@enbridge.com)

**RE: Scarborough Subway Extension – Kennedy Relocation Project**

Dear Melanie Green,

I would like to acknowledge receipt of correspondence, which was received on April 8<sup>th</sup>, 2022, regarding the above noted project. As you may be aware, the area in which your project is proposed is situated within the Traditional Territory of Curve Lake First Nation. Our First Nation's Territory is incorporated within the Williams Treaties Territory and was the subject of a claim under Canada's Specific Claims Policy, which has now been settled. All 7 First Nations within the Williams Treaties have had their harvesting rights legally re-affirmed and recognized through this settlement.

Curve Lake First Nation is requiring a File Fee for this project in the amount of \$250.00 as outlined in our *Consultation and Accommodation Standards*. This Fee includes project updates as well as review of standard material and project overviews. Depending on the amount of documents to be reviewed by the Consultation Department, additional fees may apply. Please make this payment to Curve Lake First Nation Consultation Department and please indicate the project name or number on the cheque.

If you do not have a copy of *Curve Lake First Nation's Consultation and Accommodation Standards* they are available at <https://www.curvelakefirstnation.ca/services-departments/lands-rights-resources/consultation/>. Hard copies are available upon request.

Based on the information that you have provided us with respect to the Scarborough Subway Extension – Kennedy Relocation Project, Curve Lake First Nation may require a Special Consultation Framework for this project. Information on this Framework can be found on page 9 of our *Consultation and Accommodation Standards* document.

In order to assist us in providing you with timely input, it would be appreciated if you could provide a summary statement indicating how the project will address the following areas that are of concern to our First Nation within our Traditional and Treaty Territory: possible environmental impact to our



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Curve Lake, Ontario K0L1R0



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drinking water; endangerment to fish and wild game; impact on Aboriginal heritage and cultural values; and to endangered species; lands; savannas etc.

After the information is reviewed it is expected that you or a representative will be in contact to make arrangements to discuss this matter in more detail and possibly set up a date and time to meet with Curve Lake First Nation in person (or virtually).

Although we have not conducted exhaustive research nor have we the resources to do so, there may be the presence of burial or archaeological sites in your proposed project area. Please note, that we have particular concern for the remains of our ancestors. Should excavation unearth bones, remains, or other such evidence of a native burial site or any other archaeological findings, we must be notified without delay. In the case of a burial site, Council reminds you of your obligations under the *Cemeteries Act* to notify the nearest First Nation Government or other community of Aboriginal people which is willing to act as a representative and whose members have a close cultural affinity to the interred person. As I am sure you are aware, the regulations further state that the representative is needed before the remains and associated artifacts can be removed. Should such a find occur, we request that you contact our First Nation immediately.

Furthermore, Curve Lake First Nation also has available, trained Cultural Heritage Liaisons who are able to actively participate in the archaeological assessment process as a member of a field crew, the cost of which will be borne by the proponent. Curve Lake First Nation expects engagement at Stage 1 of an archaeological assessment so that we may include Indigenous Knowledge of the land in the process. We insist that at least one of our Cultural Heritage Liaisons be involved in any Stage 2-4 assessments, including test pitting, and/or pedestrian surveys to full excavation.

Although we may not always have representation at all stakeholder meetings, as rights holders', it is our wish to be kept apprised throughout all phases of this project. Please note that this letter does not constitute consultation, but it does represent the initial engagement process.

Should you have further questions or if you wish to hire a Liaison for a project, please contact Julie Kapyrka or Kaitlin Hill, Lands and Resources Consultation Liaisons, at 705-657-8045 or via email at [JulieK@Curvelake.ca](mailto:JulieK@Curvelake.ca) and [KaitlinH@Curvelake.ca](mailto:KaitlinH@Curvelake.ca).

Yours sincerely,

A handwritten signature in blue ink, appearing to be "Emily Whetung", is written over a light blue circular stamp.

Chief Emily Whetung  
Curve Lake First Nation

Line Item 3.9



**Melanie Green**  
Senior Advisor, Community & Indigenous Engagement,  
Eastern Region Operations  
Enbridge Inc.

400 Coventry Rd, Ottawa, ON  
Cell: 613.297.4365  
melanie.green@enbridge.com

July 13<sup>th</sup>, 2022

Grand Chief Keith Knott  
Curve Lake First Nation  
22 Winookeedaa Road,  
Curve Lake, Ontario K0L1R0

**SUBJECT: Scarborough Subway Extension – Kennedy Relocation Project**

Dear Chief Knott,

I am following up on the correspondence from Chief Emily Whetung of June 15, 2022 on the proposed **Scarborough Subway Extension – Kennedy Relocation Project** ("Project") and providing a general summary of the Project, potential impacts, and mitigations.

**Project Summary:**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Project, is anticipated to include:

- I. Approximately 330m of up to Nominal Pipe Size ("NPS") 8-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
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- VI. Approximately 120m of up to NPS 2-inch diameter natural gas pipeline header relocation at 2480 Eglinton Ave. E.



**Melanie Green**  
Senior Advisor, Community & Indigenous Engagement,  
Eastern Region Operations  
Enbridge Inc.

400 Coventry Rd, Ottawa, ON  
Cell: 613.297.4365  
melanie.green@enbridge.com

In response to your community's request for a summary statement of potential Project impacts, please find information on the following areas of interest.

- **Drinking water** - No impacts are anticipated to drinking water as the entire Project area is serviced by the City of Toronto municipal water services.
- **Endangerment to fish and wild game** - There are no aquatic features identified within the Project study area.
- **Impact on Aboriginal heritage and cultural values** - Preliminary findings from the initial field studies indicate that a Stage 2 Archaeological Assessment (AA) will not be required. The entire proposed Project is found within an urban setting and the draft Stage 1 AA has already been provided to your community for your review.
- **Endangered species** - As the Project will be mainly within existing municipal right-of-way, and the area in question is largely developed, impacts to Species at Risk are not anticipated and mitigation measures will be implemented that will avoid potential impacts.
- **Lands: savannas etc.** - As the Project will be mainly within existing municipal right-of-way in an urban setting, and the area in question is largely developed, impacts are not anticipated.

Indigenous burial or archaeological sites in the proposed project area

Stage 1AA was provided to your community for review and feedback on May 2, 2022

Overall, mitigation measures on this Project may include implementing erosion and sediment control measures and cleaning up and restoring construction areas as soon as possible after construction. Beyond this, more specific mitigation measures can be found in the Environmental Report which we will be submitting to you for review. At this stage, the environmental study is ongoing, and we expect to be able to provide to you in the month of July 2022.

As always, Enbridge recognizes that engagement and consultation is ongoing. As such, we continue to be interested in understanding, and working collaboratively to mitigate, the impacts this Project may have on Aboriginal and/or Treaty Rights. As well, should you have cultural heritage liaison available to join us in the field, please notify and we would be grateful for them to join us. We look forward to the knowledge sharing.

As well, as for the filing fee, we are prepared to pay via credit card. We will be in touch to finalize this payment. Should you have capacity needs or fees associated with your participation in and review of this project, please produce invoices for the work. The correct **billing address** for invoices associated with the **Scarborough Subway Extension – Kennedy Relocation Project** is below and invoices must have the following information:

- Full Legal Enbridge Company Name – Enbridge Gas Inc.



**Melanie Green**  
Senior Advisor, Community & Indigenous Engagement,  
Eastern Region Operations  
Enbridge Inc.

400 Coventry Rd, Ottawa, ON  
Cell: 613.297.4365  
melanie.green@enbridge.com

- Project # 20020534
- Supplier Name and Remittance Address – Your complete company name, remit-to address and current contact information (email preferred)
- Invoice Date
- Invoice Number – must be unique
- Total Amount Due – Including currency
- Description of Goods or Services – Including all supporting documentation
- Enbridge Invoicing Contact Name – Johnny Ton (Project Manager) and CC: Melanie Green (Senior Advisor, Indigenous Engagement)

Billing Address

**Johnny Ton (Project Manager)**  
Enbridge Gas Inc.  
101 Honda Blvd, Markham, Ontario L6C 0M6  
Attn: Scarborough Subway Extension – Kennedy Relocation Project  
CC: Melanie Green (Senior Advisor, Indigenous Engagement)

Please advise if you require additional information on the topics discussed above and do not hesitate to contact me should you have any additional questions on the Project.

Miigwech,

A handwritten signature in black ink, appearing to read 'Melanie Green'.

**Melanie Green**  
Senior Advisor, Community & Indigenous Engagement  
Eastern Region Operations  
Enbridge Inc.

**Line Item 3.23**

Government Services Building  
22 Winookedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curveLakefirstnation.ca](http://www.curveLakefirstnation.ca)

Stage 1 Archaeological Assessment  
Environmental Assessment  
Scarborough Subway Extension – Kennedy Station Relocation Project  
Lots 26 and 27, Concession D  
Former Geographic Township of Scarborough  
County of York  
Now the City of Toronto, Ontario

**Curve Lake First Nation Review**  
**Aug 2022**

General comment:

The comments below are not meant to condone or criticize the work, but to offer a platform from which to begin to climb out of the colonial frameworks that we are all forced to work in. They are meant to be thought provoking yet rational considerations.

How we use words, how we use lexicons to express information conveys messaging and inherent meanings. Report writing in the 21<sup>st</sup> century still sustains colonial language and ideas; inherent biases and patriarchal tones whose authors may not realize its occurrences.

In the more specific archaeological narrative in Ontario report writing, there exists another level of bias with regard to material cultural designations. There exists a heavy and imbalanced focus on "Iroquoian culture" in general. This not only occurs within the specialized glossaries of archaeological horizons during the Late Woodland, but also in the identification and characterization of sites themselves.

Within the process of report writing there is an opportunity to change the narrative to become more inclusive and more reflective of current realities. There is also an opportunity to enlighten information sharing in terms of the education most never received regarding the 'truth' of colonial/contact history and beyond.

These are times of truth and reconciliation. And while there seems to be a race to the reconciliation finish line, most have forgotten that it must all begin with the truth. It is the truth that will inform methodologies of reconciliation. A measure of truth-telling is required. Truth is, reconciliation in archaeology has a long way to go, but we can certainly start to make positive

Government Services Building  
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Curve Lake, Ontario K0L1R0



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www.curvelakefirstnation.ca

change by becoming aware of our biases and taking action to remove them. And we can start by minding not only the words that we use to express information, but also the larger contextual interpretations that are applied to Indigenous peoples, histories, lands, and cultures. There is nothing standing in the way of going above and beyond what is required by the mainstream regulatory system. There is no policy dictating that to exceed requirements is forbidden, only that certain conditions must be met.

The following review details comments referring to specific statements and page numbers in the report. Comments appear in blue font:

Territorial Acknowledgement Page vi:

"The activity area is located on the traditional lands of the Michi Saagiig Anishinaabe (conventionally referred to as the Williams Treaties First Nations communities), the Haudenosaunee (Ho-den-no-show-nee), and the Huron-Wendat Nation, on lands connected with the Williams Treaties of 1923 and the Dish with One Spoon Covenant Wampum. This land continues to be home to diverse Indigenous peoples (e.g., First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors of our society."

The Michi Saagiig Anishinaabe are not conventionally referred to as the Williams Treaties First Nations communities, because the Mississauga Nation also includes the Mississauga of the Credit First Nation as well as Mississaugi 8 First Nation. The Michi Saagiig Anishinaabe comprise 6 communities, two of which are not part of the Williams Treaties First Nations.

The project area is located on Williams Treaties territory – which are also the traditional lands of the Michi Saagiig and Chippewa First Nations. This area is part of the Gunshot Treaty, also known as the Johnson-Butler Purchases in 1787-88. The Gunshot Treaty is a treaty of the Chippewas of Beausoleil, Georgina Island, and Rama First Nations, and the Mississauga of Curve Lake, Hiawatha, and Scugog Island First Nations.

While all 7 First Nations share harvesting rights over these territories, certain communities were signatories to certain treaties. For example, Alderville First Nation holds Treaty 27, and 27 ¼. Furthermore, only specific treaties currently have finalized boundaries (20, 27, 27 ¼). The precise boundaries of the remaining treaties are being determined during the implementation stages of the Williams Treaties Settlement Agreement as necessary – a process that is underway.

As part of the Mississauga Nation, as well as being located within the boundaries of the Gunshot Treaty, Alderville First Nation is included as part of all the Williams Treaties First

Government Services Building  
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Phone: 705.657.8045  
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Nations contexts. The situation is complex and multi-layered, and part of the continued divisive nature of colonial constructs and the application of Western understandings of land boundaries - and the idea of reserve communities - onto Indigenous concepts of nationhood and sovereignty.

Page vi:

"...and the Huron-Wendat Nation"

The area of Huronia is west of Lake Simcoe. The areas north of Lake Ontario should not be labelled as 'traditional Huron Wendat territory' in light of the new C-14 dating and the recalibration (2018) – which now challenges long held dogma about settlement sequences that were once thought to be Huron-Wendat sites. These new dates offer new insights including interpretations that these sites could be in fact Haudenosaunee – as the Huron-Wendat Confederacy was in full swing (in Huronia) at the SAME time that these villages in regions north of Lake Ontario were occupied (these villagers could not be 'ancestral' to the Huron-Wendat if they were contemporary with the Confederacy). Please see Sturt W. Manning's articles since 2018. He points out that "Our results suggest the need to reconsider current understandings of contact-era dynamics across northeastern North America." Archaeologists should be up to date on the most recent archaeological theories and start addressing these new data in their interpretations. The following abstract from Sturt Manning, et. al. 2018, points to some pertinent and applicable data for current Ontario archaeological practice and interpretations:

*A time frame for late Iroquoian prehistory is firmly established on the basis of the presence/absence of European trade goods and other archeological indicators. However, independent dating evidence is lacking. We use 86 radiocarbon measurements to test and (re)define existing chronological understanding. Warminster, often associated with Cahiaagué visited by S. de Champlain in 1615–1616 CE, yields a compatible radiocarbon-based age. However, a well-known late prehistoric site sequence in southern Ontario, Draper-Spang-Mantle, usually dated ~1450–1550, yields much later radiocarbon-based dates of ~1530–1615. The revised time frame dramatically rewrites 16th-century contact-era history in this region. Key processes of violent conflict, community coalescence, and the introduction of European goods all happened much later and more rapidly than previously assumed. Our results suggest the need to reconsider current understandings of contact-era dynamics across northeastern North America.*

Page vi:

"...on lands connected with the Williams Treaties of 1923"

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Government Services Building  
22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

These lands are not 'connected' with the Williams Treaties of 1923, but rather they ARE lands that were part of that treaty process. Moreover, the 2018 Williams Treaties Settlement Agreement should be the one referenced here as it is the most recent and most relevant.

Page vi:

"This land continues to be home to diverse Indigenous peoples (e.g., First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors of our society."

The above statement concludes the territorial acknowledgement. What territory is the project taking place on? The peoples upon whose territory the project lies, are the peoples that are the stewards of the lands and waters. Certainly, the Inuit would not profess to be stewards of these lands in southern Ontario. While the inclusionary nature of this statement is always welcome, it seems to be used here as a "blanket statement" in order to placate offense. There does not seem to be a need to include the example in parentheses "(e.g., First Nations, Metis and Inuit)."

Page vi:

".... whom we recognize as contemporary stewards of the land and vital contributors of our society."

How we use language to express information is important. "We recognize" implies the bestowing of recognition. It must be stated that the true sentiment of this statement is inherently understood, however, it can come across as condescending especially as it appears above. The term 'acknowledge' or 'understand' have better connotations than 'we recognize'.

Page vi:

"...vital contributors of our society."

Our society? Whose society? Why not simply 'society'? The use of the term 'our' is possessive, and in the context above with the previous phrase using the word 'we', it is clear that 'our' society means mainstream westernized society.

This may come across as connoting "being an outsider," as contributors to an "other" society. This perpetrates otherness and division – and again of being 'bestowed' recognition of contributing. Also, even the use of 'contributors' has undertones of condescension. Indigenous peoples have done more than simply 'contribute' to 'our' society. Statements like these diminish the integrity and meaning of Treaty and the history leading up to and after the process of treaty making. Indigenous peoples did not 'contribute', but rather shared their knowledges



Government Services Building  
22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

knowledges and narratives about Indigenous histories is lacking. A more well rounded and balanced approach is needed when making general statements about the antiquity of peoples on Turtle Island/Big Turtle. Including our knowledges and our interpretations in the telling of our own histories has been left out of this narrative. This phenomenon serves to erase our presence and our peoples and knowledges from these lands. As inadvertent as it may seem to the most ethical of archaeologists, this kind of system erasure, and continual omission of Indigenous knowledge systems as valid and integral sources of information perpetuates the consistent assault upon Indigenous sovereignty and nationhood. Our histories should be included in the telling of the story of the “peopling of Ontario.”

Page 8:

“.....local environs would not have been welcoming to anything but short-term settlement.”

According to whom? The longevity and sustained habitation of the Inuit and Cree in northern climates begs to differ. Statements like these demonstrate the narrow lens of application in western paradigms – and may come across as exclusionary.

2.3.1.4 Late Woodland Period: Page 9

There is an overabundant focus on everything “Iroquoian” in this section. The Anishinaabeg seem to disappear completely in Late Woodland times, according to these narratives. Where did they go? The Michi Saagiig Anishinaabeg were actually still here, in south-central Ontario – and were continuing lifeways originating in Archaic times: I.E., wild rice harvesting, nut harvesting, emphasis on fishing at river mouths, following a seasonal round, canoe-building, etc.

Page 9:

“Iroquoian villages incorporated a number of longhouses, multi-family dwellings that contained several families related through the female line.”

What about Anishinaabeg villages? Certainly, they existed. Anishinaabeg villages are never mentioned, never highlighted, never acknowledged. The exclusionary nature of the Ontario archaeological narrative is in need of a balanced change.

Government Services Building  
22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
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Page 9:

"Precontact Iroquoian sites may be identified by a predominance of well-made pottery decorated with various simple and geometric motifs, triangular projectile points, clay pipes and ground stone artifacts."

The Anishinaabeg peoples made and possessed pottery too. The predominance of pottery on sites seems to automatically receive an Iroquoian designation. Even isolated campsites that contain pottery are labelled as "Iroquoian" sites. This bias continues in Ontario archaeology, whereby all campsites with pottery must be Iroquoian in nature. By contrast, if anything, the isolated campsites are evidence of the Anishinaabeg people trading and travelling across the lands and waters – as 'Iroquoians' tended to live in large villages with longhouses.

Page 9:

"Sites post-dating European contact are recognized through the appearance of various items of European manufacture."

This is not entirely so – Sturt Manning et. al. 2018 challenges this perspective. In fact, the absence of European trade items DOES not indicate pre-contact sites. This interpretation is a European bias and the new calibrated C-14 dating throws this kind of theory out the window. This should be reflected in the narrative – it needs updating.

Page 9:

"Large Iroquoian village sites, many presumably Huron-Wendat, are known along the upper and middle areas of the Humber and Don rivers, which clearly demonstrates the Iroquoian use of the central waterfront area of Toronto prior to European contact."

This presumption has been challenged (Manning et. Al. 2018) and the sites that have previously been characterized as 'Huron-Wendat' may in fact be Haudenosaunee. There exist not only an Iroquoian bias in general within the Ontario archaeological narrative, but also a Huron-Wendat bias – now based on erroneous dogma. This should also be updated.

Page 9:

"By 1650, many Wendat had fled their 17th century homeland due to the onset of epidemic disease and increasing raids by Five Nations Iroquois groups who had established an increasing presence along Lake Ontario."

How can southern Ontario be considered a 'homeland' to the Huron-Wendat, when they arrived from somewhere else? Archaeological evidence clearly demonstrates that corn growing

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22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
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people entered Ontario at some point in the past – from elsewhere. The archaeological record shows this transition in Ontario.

Of note: Deep into antiquity, on their migration east, from the Great Saltwater, the Anishinaabeg travelled through and settled in Quebec (Montreal area) for several hundred years before arriving at “where the food grows on the water.” The Anishinaabeg do not refer to those lands in Quebec as “homelands” simply because they lived there for a few hundred years.

Words matter. They exude context. Ontario was not a homeland for the Huron-Wendat, but rather a “new land” in which they were ‘allowed’ (through political wampum agreements) to live and engage in their corn-growing-economy. When they were driven out of Ontario, they went back to Quebec City and some went south into the United States – presumable where they came from originally (their homelands).

Page 9:

“At the same time, Algonquian-speaking populations were utilizing the watershed for hunting and trapping.”

This is all the mention that the Anishinaabeg peoples receive in Ontario archaeological narratives. And we are all lumped into a huge language family called: “the Algonquian speaking populations.” The Algonquian language family is huge and encompasses dozens of First Nations communities. Statements like these that apply a blanket framework upon non-Iroquoian speaking peoples in Ontario’s past serves to diminish the presence of many unique and diverse First Nations – including the Michi Saagiig Anishinaabeg – our people were here before, during, and after the corn growers came and went.

Page 9:

“By the 17th century, the Seneca no longer inhabited the Lake Ontario shores and the Algonquin-speaking Mississaugas began moving southward into the area. It was the Mississaugas who had settled the area by the time the British arrived in the late 18th century and from whom the Crown secured land for settlement.”

The Mississaugas did not speak Algonquin.

The Mississaugas did not “begin to move southward” in the 17<sup>th</sup> century – rather, they left (up north to extended families) during the times of disease and warfare (1640s-1650s) and then returned in the late 17<sup>th</sup> century.

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22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curveLakefirstnation.ca](http://www.curveLakefirstnation.ca)

Our peoples did not “settle” areas. That is a European perspective. Rather our ancestors came back to our homelands after “the smoke had cleared.”

### 2.3.2 Treaty History - Page 10:

“The earliest includes the area as part of the far-reaching Five Nations’ Beaver Hunting Grounds of the 1701 Fort Albany/Nanfan Treaty between the Haudenosaunee Confederacy and the British Crown (Six Nations of the Grand River n.d.).”

The Nanfan “Treaty” which was more of a business proposition (not really a treaty) should be explored more fully before making statements as above. This history should reflect a more robust contextual narrative of what the Nanfan was about, and what lands it lists as being encompassed within its boundaries as well as information about its signatories. There is a larger picture here that should be included, especially as it has been identified as the ‘earliest’ “treaty” of the area.

#### Page 10:

“In 1787-88, the Johnson-Butler Purchases sought to acquire the territory **now occupied** by the Mississauga nations along the north shore of Lake Ontario and further inland.”

This statement is just insulting. Our ancestors did not “occupy” lands – that is a European concept. And our people have always been here. The Michi Saagiig are known as: ‘the people of the big river mouths’, and ‘the people of the big lake’, we were the ‘Salmon people’, fishing all the tributaries that flowed into Lake Ontario – which we knew as “The Beautiful Lake” in our language. There is a more fulsome history (1000s of years) of the north shore of Lake Ontario that reside with the Michi Saagiig (our namesake) that is consistently omitted from these types of reports.

#### Page 10:

“Also known as the Gunshot Treaty, these purchases proved difficult to uphold due to unclear records and poorly defined boundaries (Surtees 1984).”

There is a more elaborate history about the Gunshot Treaty that should be included here – I.E., the reason it was called the Gunshot Treaty and what the British were hoping to accomplish with this acquisition of lands – and how integral that was to Canadian history and to Canadian sovereignty (birth of the nation).

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22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

Page 10:

"It was not until the Williams Treaties of 1923 that the majority of the outstanding claims were settled with the Anishinaabe nations now affiliated with that treaty."

Outstanding claims were NOT settled with the Anishinaabe nations in 1923 – rather they were heightened as hunting and fishing rights were removed from Michi Saagiig and Chippewa nations.

There is a great section in this report on the Williams Treaties Settlement Agreement 2018 in general. However, the injustices imparted upon the Michi Saagiig and Chippewa peoples in the 1923 treaty process should be better stressed here. This is an opportunity for truth telling. While this section on treaties is more comprehensive than most, the truth of how the government starved our ancestors and drove them off these lands needs a voice. The federal government and the provincial government apologised for the negative impacts the Williams Treaties 1923 had on our peoples. The negative impacts should have more space in sections reporting about our collective treaty history. What were these negative impacts and how do they shape current realities and perspectives about Mississauga and Chippewa communities?

The negative impacts have certainly resulted in a skewed view of land acquisition and land-use planning by European settlers over time. Our peoples were denied the right to hunt and fish on lands that had sustained them for thousands of years. Wetlands and tributaries where our peoples collected medicines and foods have been filled in, re-aligned, poisoned, and irrevocably altered in the face of development. Our grocery stores (the land, wetlands, lakes and rivers, hard wood bushes, and wild grass savannas) were denied to us – and so our people starved. They were labelled as 'poachers' for simply trying to feed their families and many were imprisoned. The negative impacts of the Williams Treaties 1923 cannot be under-emphasized – not only in terms of understanding the profound meaning of the 2018 Settlement Agreement to our peoples, but also understanding what Crown obligations exist and how that translates into implementation in land development activities.

**2.3.3 Nineteenth-Century and Municipal Settlement – Page 11:**

Although, there is Indigenous historical inclusion regarding the region (project area) prior to full scale European settlement and it is mentioned that the area was inhabited by Senecas and Mississaugas, that is where it ends. Indigenous peoples did not suddenly disappear during nineteenth century and municipal settlement, nor were they passive participants involved in significant political and social relationships at the time.

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22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curveLakefirstnation.ca](http://www.curveLakefirstnation.ca)

There seems to be an invisibility of Indigenous peoples in general in all reporting on European settlement history. It is presented in a way that once Europeans moved in, Indigenous history ceased. There is a very rich settler/Indigenous relations history that merits inclusion as part of the truth-telling of relating the past.

The Michi Saagiig Elders tell of our ancestors travelling throughout the landscape on their seasonal rounds, camping on farmers fields and trading with the local pioneering families. Relationships were positive and fruitful for many years, until fences started going up and ideologies about private property, rights, and ownership took on a different meaning than the original intent of the pre-Confederation Treaties. The Williams Treaties 1923 was a major catalyst in this event as the government took the position that ALL rights to the lands were surrendered by seven First Nations and thus, settlers too upheld that perspective.

Page 14:

"The Stage 1 property inspection has visually confirmed that the majority of the Project area is considered extensively disturbed (0.39 ha) by previous stripping in the 1950s to 1980s and the extensive installation of below ground utilities. As such, these areas no longer retain archaeological potential and have been photo-documented."

Again, words matter. The truth matters. "These areas no longer retain archaeological potential," is very mild in the face of the reality – these areas were originally bulldozed and excavated with no concern for the cultural heritage of Indigenous peoples, which was obliterated in the process. This needs to be acknowledged. Short and simple.

Furthermore, the entire paradigm in CRM archaeology that holds: "if it is extensively disturbed" there is no "archaeological potential" is heavily rooted in western knowledge epistemologies. Archaeological potential is defined in terms of western theoretical standards: if there is nothing for us to learn or gain, there is no point...or it is simply a salvage exercise. That salvage exercise recovers our ancestors' belongings – whatever may be left after years and years of digging and disturbing and potential desecration through the development activities of European settlement culture. Although there may be no features left intact or any stratigraphy, or any context, those artifacts that may still remain are traces of our peoples on these lands. And given the opportunity, we would like to recover them.

Line Item 3.24

Government Services Building  
22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

August 25, 2022

Melanie Green  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
[Melanie.green@enbridge.com](mailto:Melanie.green@enbridge.com)  
619-297-4365

Delivered by Email

Dear Ms. Green,

**RE: Scarborough Subway Extension-Kennedy Station Relocation Project, Environmental Report CLFN Review**

On behalf of our Consultation Department at Curve Lake First Nation (CLFN), we are writing to provide you with the CLFN review for the Scarborough Subway Extension-Kennedy Station Relocation Project, Environmental Report. Our Consultation Department has accepted the review and recommendations provided by Gary Pritchard, CEO & Indigenous Conservation Ecologist, 4 Directions of Conservation Consulting Services. Please refer to Appendix A for details.

Our Consultation Department has emphasized that environmental protection and sustainability is an integral component of the future of the Curve Lake First Nation. Working with Curve Lake to develop project concept, design, planning, assessment, potential and actual impacts, monitoring, etc. are necessary steps in our process. All plans and activities must be viewed through the lens of environmental protection and sustainability. These requirements ensure that Curve Lake First Nation's interests and rights are being protected within our territory; that we are able to protect the ability to exercise our rights as a people – physically, culturally, and spiritually; that we are able to foster sovereignty, cultural identity, and sustainable succession. This is central to all relationships being progressed with various regulators and proponents.

*Curve Lake First Nation is the steward and caretaker of the lands and waters within our territory in perpetuity, as we have been for thousands of years, and we have an obligation to continue to steadfastly maintain this responsibility to ensure their health and integrity for generations to come. Protection, conservation, and sustainable collaborative management are priorities for Curve Lake First Nation.*

*Curve Lake's vision statement must be central to development in the territory: "Upon the foundation of community values and vision that promotes and preserves our relationship with mother earth, which has defined and will continue to define our identity and culture as Anishnaabe People, the Consultation Department will build and secure the framework for our First Nation lands by putting into place ways and laws that will provide both the protection and the freedom for each person, their family, and the*

Government Services Building  
22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

*whole community to fulfill their potential. Each way and law will be given the consideration to its importance for our next seven generations."*

We thank you, your team, and Enbridge for working with us to understand and incorporate our comments into this Project. We thank you for providing us with capacity to do these reviews. We look forward to continuing our relationship building effort over the coming years.

We do this work to uphold our responsibilities to care for the earth and waters, for our people, our nation, and for all our relations. Our foundational belief is balance; our values and principles are built upon the respect, care, and nurturing of all life as part of an interconnected whole and necessary for the balance and harmony required for Mino-Bimaadiziwin now and for future generations.

Sincerely,

On behalf of the Curve Lake First Nation Consultation Department

Gary Pritchard  
Representing Curve Lake First Nation  
CEO & Indigenous Conservation Ecologist  
4 Directions of Conservation Consulting Services

Francis Chua  
Support to CLFN Consultation Department

cc:

Chief Keith Knott, Curve Lake First Nation  
Katie Young-Haddlesey, Chief Operating Officer, CLFN  
Dr. Julie Kapyrka, Lands & Resources Consultation Liaison, CLFN  
Kaitlin Hill, Lands & Resources Consultation Liaison, CLFN



Government Services Building  
22 Winookeedaa Road  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

**Appendix A Scarborough Subway Extension-Kennedy Station Relocation Project, Environmental Report – Indigenous Input and Review**



August 23, 2022

Attn: Julie Kapyrka  
Consultation Department  
Curve Lake First Nation  
22 Winookeeda Road,  
Curve Lake ON K0L1R0  
P: (705) 657-8045

CC: Francis Chua

RE: Enbridge ~ Scarborough Subway Extension-Kennedy Station Relocation Project, Environmental Report -  
Indigenous Input and Review

---

Dear Dr. Kapyrka and Ms. Hill,

4 Directions is pleased to present to you, our review and recommendations of the document provided by Dillon Consulting Limited (Dillon) to Curve Lake First Nation (CLFN) on behalf of the Enbridge Gas Inc. (Enbridge) as part of their regulatory consultation obligations and permitting process for the Scarborough Subway Extension-Kennedy Relocation Project.

The report received is entitled:

**Scarborough Subway Extension-Kennedy Relocation Project: *Environmental Report. Prepared by: Dillon Consulting Limited. Prepared for Enbridge Gas Inc. June 2022. 341 pages.***

The focused attention of this review and commenting, 4 Directions will be examining or asking questions on items or references with greatest potential to create impacts to Indigenous Rights and Title. Comments will be divided amongst 5 sections:

- I. General Questions or Comments to Issues Raised within the Context of Reporting,
- II. Indigenous Worldview and Cultural Representation,
- III. Technical Accuracy within the Approach,
- IV. Concerns From Site Visit and
- V. Outcomes and Recommendations.





### 1. General Questions or Issues Raised within the Context of Reporting

The report provided by Dillon on behalf of Enbridge to CLFN was to the standards from a Settler or Western Science ideology required under the Ontario Energy Board's (OEB) Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario 7<sup>th</sup> Edition (2016). However, this method of evaluation does not protect cultural values or Indigenous Rights on the landscape.

Question: If looking at meeting the requirements through a federal and provincial guideline and regulation perspective; then why are not the Treaty and Indigenous Rights examined during the jurisdiction scanning process of compliance?

Statement: The initial land acknowledgment within the report provided by Dillon should be updated for each report to be regionally specific. This project is located within the Gunshot Treaty and the land acknowledgment should reflect that. Proper acknowledgment of The Williams Treaty First Nations and the specific territory being worked on shows respect and mutual understanding of the land. Also note not all Indigenous people refer to North America as Turtle Island. To reiterate, ensure regional specificity for each project and refer to the land using local community worldviews.

Statement: When talking about *rights* affected peoples, First Nations and other Indigenous communities should supersede Municipal, Residential, and other special interests' groups. Their rightful placement of the Indigenous community is ahead of Federal and Provincial levels of governments. This is justified from the treaty making process, without this process then all other levels of Settler governance would simply not exist. This further exemplifies the need of contractors working on behalf of proponents in CLFN territory to undergo mandatory Cross Cultural Awareness Training lead by the First Nations.

Statement: In their reporting Dillon refers to Indigenous communities as either directly affected or indirectly affected communities. This should be changed to refer to communities as either Rights Holders or Interest Holders to avoid confusion. The Michi Saagiig have repeatedly stated that the Huron Wendat have no Rights to this territory. Dillon should understand that the Huron Wendat hold no rights to this territory and are to be contacted about archeological assessments only. The Huron Wendat are Interest Holders not Rights Holders within this territory.

### 2. Indigenous Worldview and Cultural Representation

There were no Indigenous worldviews or knowledge systems in the creation of the environmental report.

Question: During the Identification of Project Study Area and Environmental Inventory within the Study Area, when discussing with relevant agencies and municipalities why was the signatories of the treaty (Williams Treaty First Nations) not included in the preliminary conversation regarding the existing conditions or examination of local features? If this features mapping was to assist Indigenous communities, why were they not included in the data sharing portion?





**Statement:** When reviewing the large number of provincial and federal agencies permitting approvals required for this proposed scope of work, Enbridge and its consultants need to be made aware that each of these components have Duty to Consult and Consent phase to the permitting process with the local Indigenous community. Thus, it is in the best interest of Enbridge to work with CLFN to establish a Community Environmental Action Plan to satisfy community interests, evaluate environmental constraints through Indigenous Rights perspective and satisfy a preliminary basis of Duty to Consult prior to meeting with the regulators and not delay the timeline of project initiation and completion.

It should be known that the Michi Saagiig did not sign away the rights to water within this area, thus Settlers will need to get consent to any of the proposed activities prior to regulator application. Failure to do so will be a direct violation to the rights both Inherent and Treaty of CLFN, the signatories of the Treaty and Section 35 of the Canadian Constitution.

### 3. Technical Accuracy with the Approach

- a) Further study is required, and protection awarded to the 8 species of conservation concern and the 11 species at risk identified to have potential within the study area regardless of the perceived rational of occurrence or optimal habitats.
- It is important for Western practitioners to know, *“even though the probability of occurrence is low for a species at risk, further examination should be completed to rule out its occurrence or use of the site. By this western logic, all animals or living beings only occupy high quality, optimal habitats. Then why is this not observed in human populations? If this was the case, there would be no homeless population and we would all live in large upscale homes.” (Gary Pritchard-lecture: Indigenous ways of Knowing.)*  
By using a justification of probability, it allows Western science the ability to justify environmental degradation and destruction.

**Action Item:** Create a comprehensive monitoring plan for pre and post construction conditions with Indigenous participation to avoid potential impacts to wildlife, like monarch butterflies and peregrine falcons, that have suitable nesting structures within the Study Area.

**Action Item:** Enbridge and CLFN must develop an Environmental Monitoring Plan that suits the needs of CLFN to ensure cultural longevity during and post construction of this project. Some of the items lacking from this environmental report should be included such as but not limited to:

- Indigenous Areas of Use,
- Critical season use of all species,
- Critical habitat of all species, and
- Emphasis on Cultural Keystone Species





Statement: Enbridge should be made aware that all the identified terrestrial species of conservation concern and species at risk have been overserved within the study area right of way. A method to detect their presence may be required outside of site visitations. Methods like camera trapping, environmental DNA, and audio recordings should be used to decrease uncertainty and human error to confirm presence absence and collect larger data sets while reducing costs.

#### 4. Concerns from Site Visit

To date, there has not been any site visits by any members of CLFN or those who work on their behalf. It is recommended that a four-season site visit approach be undertaken to ensure species of cultural interest be explained, heard, and protected if this work is to proceed ahead. Dillon completed site studies in April. Although the Study Area is a highly urbanized environment, additional site visits are recommended to complete the 4 seasons approach.

#### 5. Outcomes and Recommendations

It should be noted that the Michi Saagiig believe all species have a value and right to exist, not only the species at risk. This method of species and environmental management has proven to lead to a decline of species and further degrade the natural environment in their territory. The natural environment needs to be looked at from an ecosystem level or sub watershed level with the exclusion of targeted species. If the land is healthy then those who live in and with it are too.

Given that this area is a highly urbanized environment, the following recommendations are made to ensure the protection of Indigenous Rights and to have good faith in the process moving forward:

- 1) All sections of this report need to be addressed in good faith between Enbridge and CLFN to address their (CLFN) level of environmental concern. Enbridge not only needs to communicate this to CLFN but also in a subsequential document outlining a formal response to questions, recommendations or action items arising from this peer review.
- 2) Oral histories and environmental protection of culturally sensitive features such as wetlands should be included within the Environmental Assessment process to ensure that the obligations of Treaty or Inherent Rights to the land are understood and adhered to under Section 35 of the Canadian Constitution.  
If this is not occurring in practice, then this is another process of colonization by wiping the Indigenous presence from the landscape.
- 3) Since culturally sensitive features are protected in the Treaty's signed by the Michi Saagiig then appropriate environmental buffers should be negotiated with the Rights holders and the ones who grant harm or destruction to the Rights under Section 35 of the Canadian Constitution. This may extend beyond the industry standard.





- 4) Site restoration design and revegetation inputs with CLFN using Indigenous Knowledge Systems.
- 5) Black ash protection and restoration if impacted.
- 6) Understanding or minimizing the impacts to frog populations with emphasis on bullfrog and green frog populations since there are a traditional food source of the Michi Saagiig and are still used to this day.
- 7) Environmental Monitoring: If construction activities are not effectively managed to limit soil exposure or contain runoff, the mobilization and transport of water-borne sediments may result in water quality degradation, destabilization of natural occurring fluvial processes and interference with wetland and aquatic habitats. While the land development industry has taken important steps towards improving its erosion and sediment control practices, deficiencies still exist. Reoccurring problems included the lack of proper follow-through on implementation approved ESC plans, inadequate inspection and maintenance of ESC measures, illicit pumping, and failure to report sediment spills. Rapid response is important to minimize adverse impacts particularly where sensitive species and their habitat are at risk. Sensitive systems include those that support or have the potential to support species at risk and cold-water specialists such as brook trout, redbreast dace, Atlantic salmon, sculpin, and other cold-water species.

CLFN objective is to ensure that any construction activity within their territory are continuously and proactively monitored that prevents harmful impacts of deleterious substance (such as sediment and silts) from getting into local receiving streams.

Site Inspections and Ecological Construction Monitoring is a critical component of any construction project. Most site inspections focus on sediment control and may not include assessing impacts on other significant features such as wetlands, fish habitat. Monitoring Stations need to be developed and assessed based on potential pathways by which the project can induce harm to the environment. A detailed site-specific monitoring plan will need to be generated by CLFN and the proponent and then submitted to the regulatory agencies as part of the proponent's compliance monitoring and Duty to Consult.

Examples of monitoring activities included but not limited to the following:

- Contractor Education
  - Erosion and Sediment Control Measures
  - Long-term Natural Heritage Monitoring
    - Wetlands
    - Surface water
    - Woodlots
    - Nesting bird
    - Reptiles
    - Buffer placement
    - Groundwater
    - Stream health
    - Wildlife corridor and connectivity
- 8) CLFN has the right to add to this list of requirements at any time but should be approached by the proponent in the spirit of reconciliation.





Closing

I trust that this review and summary of the environmental documents will help you and the proponent work collaboratively together through the next steps and the regulatory review process. If you have any questions, please do not hesitate to contact 4 Directions at (705) 220-1952.

Miiigwetch,

A handwritten signature in blue ink, appearing to read "H. Tosello".

Hannah Tosello, BSc., MEnvSc.  
Aquatic Ecologist

A handwritten signature in blue ink, appearing to read "G. Pritchard".

Gary Pritchard, BSc., EP., CERP.  
Principal, Indigenous Conservation Ecologist



Line Item 3.26

Scarborough Subway Extension – Kennedy Station Relocation Project (“the Project”) – Enbridge Gas Responses to Curve Lake First Nation

Table 1: Enbridge Gas Inc's (Enbridge Gas) Responses to Curve Lake First Nation comments on the Archeology Report		
Item	Curve Lake First Nation	Enbridge Gas responses
Territorial Acknowledgement Page		
Page vi	<p>"The activity area is located on the traditional lands of the Michi Saagiig Anishinaabe (conventionally referred to as the Williams Treaties First Nations communities), the Haudenosaunee (Hoden-no-show-nee), and the Huron-Wendat Nation, on lands connected with the Williams Treaties of 1923 and the Dish with One Spoon Covenant Wampum. This land continues to be home to diverse Indigenous peoples (e.g., First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors of our society."</p> <p>The Michi Saagiig Anishinaabe are not conventionally referred to as the Williams Treaties First Nations communities, because the Mississauga Nation also includes the Mississauga of the Credit First Nation as well as Mississauga 8 First Nation. <i>The Michi Saagiig Anishinaabe comprise 6 communities, two of which are not part of the Williams Treaties First Nations. The project area is located on Williams Treaties territory – which are also the traditional lands of the Michi Saagiig and Chippewa First Nations. This area is part of the Gunshot Treaty, also known as the Johnson-Butler Purchases in 1787-88. The Gunshot Treaty is a treaty of the Chippewas of Beausoleil, Georgina Island, and Rama First Nations, and the Mississauga of Curve Lake, Hiawatha, and Scugog Island First Nations.</i></p> <p><i>While all 7 First Nations share harvesting rights over these territories, certain communities were signatories to certain treaties. For example, Alderville First Nation holds Treaty 27, and 27 ¼. Furthermore, only specific treaties currently have finalized boundaries (20, 27, 27 ¼). The precise boundaries of the remaining treaties are being determined during the implementation stages of the Williams Treaties Settlement Agreement as necessary – a process that is underway.</i></p>	<p>The language has been changed and reference to 'conventionally referred to as the Williams Treaties...' has been removed.</p>



	<p><i>As part of the Mississauga Nation, as well as being located within the boundaries of the Gunshot Treaty, Alderville First Nation is included as part of all the Williams Treaties First Nations contexts. The situation is complex and multi-layered, and part of the continued divisive nature of colonial constructs and the application of Western understandings of land boundaries - and the idea of reserve communities - onto Indigenous concepts of nationhood and sovereignty.</i></p>	
<p>Page vi:</p>	<p>“...and the Huron-Wendat Nation”          The area of Huronia is west of Lake Simcoe. The areas north of Lake Ontario should not be labelled as ‘traditional Huron Wendat territory’ in light of the new C-14 dating and the recalibration (2018) – which now challenges long held dogma about settlement sequences that were once thought to be Huron-Wendat sites. These new dates offer new insights including interpretations that these sites could be in fact Haudenosaunee – as the Huron-Wendat Confederacy was in full swing (in Huronia) at the SAME time that these villages in regions north of Lake Ontario were occupied (these villagers could not be ‘ancestral’ to the Huron-Wendat if they were contemporary with the Confederacy). Please see Sturt W. Manning’s articles since 2018. He points out that “Our results suggest the need to reconsider current understandings of contact-era dynamics across northeastern North America.”          Archaeologists should be up to date on the most recent archaeological theories and start addressing these new data in their interpretations. The following abstract from Sturt Manning, et. al. 2018, points to some pertinent and applicable data for current Ontario archaeological practice and interpretations:  <i>A time frame for late Iroquoian prehistory is firmly established on the basis of the presence/absence of European trade goods and other archeological indicators. However, independent dating evidence is lacking. We use 86 radiocarbon measurements to test and (re)define existing chronological understanding. Warminster, often associated with</i></p>	<p>We appreciate the comments. There are conflicting opinions related to the Huron Wendat Territory. As we understand it, the Huron-Wendat continue to assert a traditional interest in this area. As there are conflicting perspectives on this issue, we will retain the statement regarding Huron-Wendat interest in the text at this time.</p>

	<p><i>Cahiagué visited by S. de Champlain in 1615–1616 CE, yields a compatible radiocarbon-based age. However, a well-known late prehistoric site sequence in southern Ontario, Draper-Spang-Mantle, usually dated ~1450–1550, yields much later radiocarbon-based dates of ~1530–1615. The revised time frame dramatically rewrites 16th-century contact-era history in this region. Key processes of violent conflict, community coalescence, and the introduction of European goods all happened much later and more rapidly than previously assumed. Our results suggest the need to reconsider current understandings of contact-era dynamics across northeastern North America.</i></p>	
Page vi	<p>“...on lands connected with the Williams Treaties of 1923”                  These lands are not ‘connected’ with the Williams Treaties of 1923, but rather they ARE lands that were part of that treaty process. Moreover, the 2018 Williams Treaties Settlement Agreement should be the one referenced here as it is the most recent and most relevant.</p>	<p>The phrase “on lands connected with the Williams Treaties of 1923” has been changed to “on lands that are part of the Williams Treaties of 1923 and 2018 Williams Treaties Settlement Agreement”</p>
Page vi	<p>“This land continues to be home to diverse Indigenous peoples (e.g., First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors of our society.”                  The above statement concludes the territorial acknowledgement. What territory is the project taking place on? The peoples upon whose territory the project lies, are the peoples that are the stewards of the lands and waters. Certainly, the Inuit would not profess to be stewards of these lands in southern Ontario. While the inclusionary nature of this statement is always welcome, it seems to be used here as a “blanket statement” in order to placate offense. There does not seem to be a need to include the example in parentheses “(e.g., First Nations, Metis and Inuit).”</p>	<p>We have removed the reference to First Nations, Metis and Inuit. The reference to Inuit was included to acknowledge that there are urban Inuit populations in Toronto who continue to assert a general connection to the local landscape.</p>
Page vi	<p>“... whom we recognize as contemporary stewards of the land and vital contributors of our society.”                  How we use language to express information is important. “We recognize” implies the bestowing of recognition. It</p>	<p>The language has been changed from ‘recognize’ to ‘acknowledge’.</p>

	<p>must be stated that the true sentiment of this statement is inherently understood, however, it can come across as condescending especially as it appears above. The term 'acknowledge' or 'understand' have better connotations than 'we recognize'.</p>	
<p><b>Page vi</b></p>	<p>"...vital contributors of our society." Our society? Whose society? Why not simply 'society'? The use of the term 'our' is possessive, and in the context above with the previous phrase using the word 'we', it is clear that 'our' society means mainstream westernized society. This may come across as connoting "being an outsider," as contributors to an "other" society. This perpetrates otherness and division – and again of being 'bestowed' recognition of contributing. Also, even the use of 'contributors' has undertones of condescension. Indigenous peoples have done more than simply 'contribute' to 'our' society. Statements like these diminish the integrity and meaning of Treaty and the history leading up to and after the process of treaty making. Indigenous peoples did not 'contribute', but rather shared their knowledges and the lands and waters with the newcomers through treated agreements with the Crown – which were not honoured. It is inherent that every culture around the globe would be vital contributors to society in general. How it is portrayed above may send a different message than what is intended.</p>	<p>Language has been changed from '...our society.' To 'society'.</p>
<p><b>1.1.2 Purpose and Legislative Context</b></p>		
<p><b>Page 2</b></p>	<p>The First Nations' legislative context should be listed here as well. There exist many guidance documents from First Nations governments with respect to archaeological contexts as well as general consultation and accommodation standards and guidelines. Many First Nations also hold their own Archaeological Protocol Document, and/or Archaeological Standards and Guidelines. These should be referenced in this section. The exclusion of First Nations' own legislative contexts in archaeology is an obvious omission and it does not coincide with the intent of truth and reconciliation. This "contribution" is not "recognized."</p>	<p>We acknowledge there are several First Nations' legislative contexts in this area; however, this section describes legislation and regulations that Enbridge Gas is required to follow, rather than all legislation that exists in the area.</p>

<b>2.1 Research Methods and Sources</b>		
<p>Page 3</p>	<p>“For this Project, the following activities were carried out to satisfy or exceed the above requirements:”</p> <p style="padding-left: 40px;">This list should include Indigenous community engagement as well. Many First Nations expect to be engaged at Stage 1 of an archaeological assessment – so that we may have the opportunity to share knowledge regarding burial sites, ceremonial spaces, petroglyphs, etc. prior to shovels being put in the ground.</p>	<p>Indigenous engagement for this project was completed outside of the archaeological assessment itself. The engagement was completed by Enbridge as part of the EA and the information learned through that process was passed along to TMHC for incorporation into the report. As such, it would not be accurate to include such a statement at this time.</p>
<b>2.3.1.1 Paleo Period</b>		
<p>Page 8</p>	<p>“The first human populations to inhabit the Toronto region arrived between 12,000 and 10,000 years ago, coincident with the end of the last period of glaciation.”</p> <p>This is misleading – Michi Saagiig teachings about the Ice Age speak to the advance and retreat of the ice and the subsequent movement of peoples to the south and then back north again. This demonstrates that our ancestors were already here when the ice came, and quite likely experienced the advance and retreat of several glaciations.</p> <p>What should be highlighted is that the physical evidence suggests that people were here 12,000 an 10,000 years ago. Not that they had “arrived” here. The inclusion of Indigenous peoples’ knowledges and narratives about Indigenous histories is lacking. A more well rounded and balanced approach is needed when making general statements about the antiquity of peoples on Turtle Island/Big Turtle. Including our knowledges and our interpretations in the telling of our own histories has been left out of this narrative. This phenomenon serves to erase our presence and our peoples and knowledges from these lands. As inadvertent as it may seem to the most ethical of archaeologists, this kind of system erasure, and continual omission of Indigenous knowledge systems as valid and integral sources of information perpetuates the consistent assault upon Indigenous sovereignty and nationhood. Our histories should be included in the telling of the story of the “peopling of Ontario.”</p>	<p>Archaeological evidence indicates that the first human populations to inhabit the Toronto region between 12,000 and 10,000 years ago, coincident with the end of the last period of glaciation; however, it should be noted that the oral traditions from several Indigenous communities speak to a longer and more complex habitation on the landscape at this time. Climate and environmental conditions were significantly different than they are today. Termed Paleoindians by archaeologists, Indigenous peoples would have crossed the landscape in small groups (i.e., bands or family units) searching for food, particularly migratory game species. In this area, caribou may have provided the staple of the Paleo period diet, supplemented by wild plants, small game, birds and fish.</p>

<p>Page 8</p>	<p>“.....local environs would not have been welcoming to anything but short-term settlement.”</p> <p>According to whom? The longevity and sustained habitation of the Inuit and Cree in northern climates begs to differ. Statements like these demonstrate the narrow lens of application in western paradigms – and may come across as exclusionary.</p>	<p>See the above comment for the edited paragraph.</p>
<p><b>2.3.1.4 Late Woodland Period</b></p>		
<p>Page 9</p>	<p>There is an overabundant focus on everything “Iroquoian” in this section. The Anishinaabeg seem to disappear completely in Late Woodland times, according to these narratives. Where did they go? The Michi Saagiig Anishinaabeg were actually still here, in south-central Ontario – and were continuing lifeways originating in Archaic times: I.E., wild rice harvesting, nut harvesting, emphasis on fishing at river mouths, following a seasonal round, canoe-building, etc.</p>	<p>Acknowledged. Language has been updated to remove the Iroquoian bias.</p>
<p>Page 9</p>	<p>“Iroquoian villages incorporated a number of longhouses, multi-family dwellings that contained several families related through the female line.”</p> <p>What about Anishinaabeg villages? Certainly, they existed. Anishinaabeg villages are never mentioned, never highlighted, never acknowledged. The exclusionary nature of the Ontario archaeological narrative is in need of a balanced change.</p>	<p>Acknowledged. Language has been updated to remove the Iroquoian bias.</p>
<p>Page 9</p>	<p>“Precontact Iroquoian sites may be identified by a predominance of well-made pottery decorated with various simple and geometric motifs, triangular projectile points, clay pipes and ground stone artifacts.”</p> <p>The Anishinaabeg peoples made and possessed pottery too. The predominance of pottery on sites seems to automatically receive an Iroquoian designation. Even isolated campsites that contain pottery are labelled as “Iroquoian” sites. This bias continues in Ontario archaeology, whereby all campsites with pottery must be Iroquoian in nature. By contrast, if anything, the isolated campsites are evidence of the Anishinaabeg people</p>	<p>Acknowledged. Language has been updated to remove the Iroquoian bias.</p>

	trading and travelling across the lands and waters – as ‘Iroquoians’ tended to live in large villages with longhouses.	
Page 9	<p>“Sites post-dating European contact are recognized through the appearance of various items of European manufacture.” This is not entirely so – Sturt Manning et. al. 2018 challenges this perspective. In fact, the absence of European trade items DOES not indicate pre-contact sites. This interpretation is a European bias and the new calibrated C-14 dating throws this kind of theory out the window. This should be reflected in the narrative – it needs updating.</p>	<p>We agree that this is a more complicated process; however, within conventional archaeological interpretation that is primarily based on the material culture, the presence/absence of European made objects are the primary way to determine the terminus post quem for a site. We agree it is the only way that this can be determined.</p>
Page 9	<p>“Large Iroquoian village sites, many presumably Huron-Wendat, are known along the upper and middle areas of the Humber and Don rivers, which clearly demonstrates the Iroquoian use of the central waterfront area of Toronto prior to European contact.”</p> <p>This presumption has been challenged (Manning et. Al. 2018) and the sites that have previously been characterized as ‘Huron-Wendat’ may in fact be Haudenosaunee. There exist not only an Iroquoian bias in general within the Ontario archaeological narrative, but also a Huron-Wendat bias – now based on erroneous dogma. This should also be updated.</p>	<p>Acknowledged. Language has been adjusted to remove the assumption that these villages are Huron-Wendat.</p>
Page 9	<p>“By 1650, many Wendat had fled their 17th century homeland due to the onset of epidemic disease and increasing raids by Five Nations Iroquois groups who had established an increasing presence along Lake Ontario.”</p> <p>How can southern Ontario be considered a ‘homeland’ to the Huron-Wendat, when they arrived from somewhere else? Archaeological evidence clearly demonstrates that corn growing people entered Ontario at some point in the past – from elsewhere. The archaeological record shows this transition in Ontario.</p> <p>Of note: Deep into antiquity, on their migration east, from the Great Saltwater, the Anishinaabeg travelled through and settled in Quebec (Montreal area) for several hundred years before arriving at “where the food grows on the water.” The Anishinaabeg do not refer to those lands in</p>	<p>The language has been changed to not refer to the area as the ‘homeland’.</p>

	<p>Quebec as “homelands” simply because they lived there for a few hundred years. Words matter. They exude context. Ontario was not a homeland for the Huron-Wendat, but rather a “new land” in which they were ‘allowed’ (through political wampum agreements) to live and engage in their corn-growing-economy. When they were driven out of Ontario, they went back to Quebec City and some went south into the United States – presumable where they came from originally (their homelands).</p>	
Page 9	<p>“At the same time, Algonquian-speaking populations were utilizing the watershed for hunting and trapping.” This is all the mention that the Anishinaabeg peoples receive in Ontario archaeological narratives. And we are all lumped into a huge language family called: “the Algonquian speaking populations.” The Algonquian language family is huge and encompasses dozens of First Nations communities. Statements like these that apply a blanket framework upon non-Iroquoian speaking peoples in Ontario’s past serves to diminish the presence of many unique and diverse First Nations – including the Michi Saagiig Anishinaabeg – our people were here before, during, and after the corn growers came and went.</p>	Section added that provides more details about the Algonquian land use.
Page 9	<p>“By the 17th century, the Seneca no longer inhabited the Lake Ontario shores and the Algonquin-speaking Mississaugas began moving southward into the area. It was the Mississaugas who had settled the area by the time the British arrived in the late 18th century and from whom the Crown secured land for settlement.” The Mississaugas did not speak Algonquin. The Mississaugas did not “begin to move southward” in the 17th century – rather, they left (up north to extended families) during the times of disease and warfare (1640s-1650s) and then returned in the late 17th century. Our peoples did not “settle” areas. That is a European perspective. Rather our ancestors came back to our homelands after “the smoke had cleared.”</p>	Corrected the language error of ‘Algonquin-speaking Mississaugas...’ and language adjusted to change the emphasis that the Mississaugas were returning to earlier used lands.
<b>2.3.2 Treaty History</b>		
Page 10	<p>“The earliest includes the area as part of the far-reaching Five Nations’ Beaver Hunting Grounds of the 1701 Fort</p>	As we understand it, the legal status of the Nanfan Deed/Treaty has not been settled in

	<p>Albany/Nanfan Treaty between the Haudenosaunee Confederacy and the British Crown (Six Nations of the Grand River n.d.).”</p> <p>The Nanfan “Treaty” which was more of a business proposition (not really a treaty) should be explored more fully before making statements as above. This history should reflect a more robust contextual narrative of what the Nanfan was about, and what lands it lists as being encompassed within its boundaries as well as information about its signatories. There is a larger picture here that should be included, especially as it has been identified as the ‘earliest’ “treaty” of the area.</p>	<p>court. Respectfully, it is beyond the scope of this report to make such a determination.</p>
Page 10	<p>“In 1787-88, the Johnson-Butler Purchases sought to acquire the territory now occupied by the Mississauga nations along the north shore of Lake Ontario and further inland.”</p> <p>This statement is just insulting. Our ancestors did not “occupy” lands – that is a European concept. And our people have always been here. The Michi Saagiig are known as: ‘the people of the big river mouths’, and ‘the people of the big lake’, we were the ‘Salmon people’, fishing all the tributaries that flowed into Lake Ontario – which we knew as “The Beautiful Lake” in our language. There is a more fulsome history (1000s of years) of the north shore of Lake Ontario that reside with the Michi Saagiig (our namesake) that is consistently omitted from these types of reports.</p>	<p>Language adjusted to state ‘inhabited’ instead of ‘occupied’.</p>
Page 10	<p>“Also known as the Gunshot Treaty, these purchases proved difficult to uphold due to unclear records and poorly defined boundaries (Surtees 1984).”</p> <p>There is a more elaborate history about the Gunshot Treaty that should be included here – I.E., the reason it was called the Gunshot Treaty and what the British were hoping to accomplish with this acquisition of lands – and how integral that was to Canadian history and to Canadian sovereignty (birth of the nation).</p>	<p>While we agree this is a brief description of the Gunshot Treaty. We would reference the comprehensive history as needed.</p>
Page 10	<p>“It was not until the Williams Treaties of 1923 that the majority of the outstanding claims were settled with the Anishinaabe nations now affiliated with that treaty.”</p>	<p>Language adjusted to acknowledge that the Williams Treaty did not resolve the outstanding claims.</p>



	<p>Outstanding claims were NOT settled with the Anishinaabe nations in 1923 – rather they were heightened as hunting and fishing rights were removed from Michi Saagiig and Chippewa nations.</p> <p>There is a great section in this report on the Williams Treaties Settlement Agreement 2018 in general. However, the injustices imparted upon the Michi Saagiig and Chippewa peoples in the 1923 treaty process should be better stressed here. This is an opportunity for truth telling. While this section on treaties is more comprehensive than most, the truth of how the government starved our ancestors and drove them off these lands needs a voice. The federal government and the provincial government apologised for the negative impacts the Williams Treaties 1923 had on our peoples. The negative impacts should have more space in sections reporting about our collective treaty history. What were these negative impacts and how do they shape current realities and perspectives about Mississauga and Chippewa communities?</p> <p>The negative impacts have certainly resulted in a skewed view of land acquisition and land-use planning by European settlers over time. Our peoples were denied the right to hunt and fish on lands that had sustained them for thousands of years. Wetlands and tributaries where our peoples collected medicines and foods have been filled in, re-aligned, poisoned, and irrevocably altered in the face of development. Our grocery stores (the land, wetlands, lakes and rivers, hard wood bushes, and wild grass savannas) were denied to us – and so our people starved. They were labelled as ‘poachers’ for simply trying to feed their families and many were imprisoned. The negative impacts of the Williams Treaties 1923 cannot be under-emphasized – not only in terms of understanding the profound meaning of the 2018 Settlement Agreement to our peoples, but also understanding what Crown obligations exist and how that translates into implementation in land development activities.</p>	
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2.3.3 Nineteenth-Century and Municipal Settlement		
Page 11	<p>Although, there is Indigenous historical inclusion regarding the region (project area) prior to full scale European settlement and it is mentioned that the area was inhabited by Senecas and Mississaugas, that is where it ends. Indigenous peoples did not suddenly disappear during nineteenth century and municipal settlement, nor were they passive participants involved in significant political and social relationships at the time.</p> <p>There seems to be an invisibility of Indigenous peoples in general in all reporting on European settlement history. It is presented in a way that once Europeans moved in, Indigenous history ceased. There is a very rich settler/Indigenous relations history that merits inclusion as part of the truth-telling of relating the past.</p> <p>The Michi Saagiig Elders tell of our ancestors travelling throughout the landscape on their seasonal rounds, camping on farmers fields and trading with the local pioneering families. Relationships were positive and fruitful for many years, until fences started going up and ideologies about private property, rights, and ownership took on a different meaning than the original intent of the pre-Confederation Treaties. The Williams Treaties 1923 was a major catalyst in this event as the government took the position that ALL rights to the lands were surrendered by seven First Nations and thus, settlers too upheld that perspective.</p>	<p>Added a community composed history previously provided by Curve Lake First Nation to reflect their perspective on the continued land use.</p>
Page 14	<p>“The Stage 1 property inspection has visually confirmed that the majority of the Project area is considered extensively disturbed (0.39 ha) by previous stripping in the 1950s to 1980s and the extensive installation of below ground utilities. As such, these areas no longer retain archaeological potential and have been photo-documented.”</p> <p>Again, words matter. The truth matters. “These areas no longer retain archaeological potential,” is very mild in the face of the reality – these areas were originally bulldozed and excavated with no</p>	<p>Acknowledged that CRM archaeology in Ontario does not necessarily address or reflect the concerns/interests you have raised. It is regulated by the Province who established the requirements and is framed primarily from an archaeological lens. The language used here in the technical report is to meet the requirements and expectations set out by the MTCS.</p>

	<p>concern for the cultural heritage of Indigenous peoples, which was obliterated in the process. This needs to be acknowledged. Short and simple.</p> <p>Furthermore, the entire paradigm in CRM archaeology that holds: "if it is extensively disturbed" there is no "archaeological potential" is heavily rooted in western knowledge epistemologies. Archaeological potential is defined in terms of western theoretical standards: if there is nothing for us to learn or gain, there is no point...or it is simply a salvage exercise. That salvage exercise recovers our ancestors' belongings – whatever may be left after years and years of digging and disturbing and potential desecration through the development activities of European settlement culture. Although there may be no features left intact or any stratigraphy, or any context, those artifacts that may still remain are traces of our peoples on these lands. And given the opportunity, we would like to recover them.</p>	
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Line Item 4.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Donna Big Canoe  
R.R. #2, N13,  
SUTTON WEST, ON  
L0E 1R0

April 8<sup>th</sup>, 2022

Dear Grand Chief Big Canoe,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

- I. Approximately 330m of up to Nominal Pipe Size ("NPS") 8-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
- II. Approximately 16m of up to Nominal Pipe Size ("NPS") 6-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
- III. Approximately 25m of up to Nominal Pipe Size ("NPS") 4-inch diameter natural gas pipeline relocation at Eglinton Ave. E & Midland Ave. in the City of Toronto;
- IV. District Regulator Station to be relocated onto Metrolinx private property easement;
- V. Approximately 310m of NPS 4-inch diameter natural gas pipeline relocation at Lord Roberts Dr. & Midland Ave. in the City of Toronto; and
- VI. Approximately 120m of up to Nominal Pipe Size ("NPS") 2-inch diameter natural gas pipeline header relocation at 2480 Eglinton Ave. E;

Where possible, the Project will be located within existing road allowances. Permanent easements, temporary working space and laydown areas may be required, the latter of which is necessary to facilitate the movement and storage of equipment necessary for



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

construction. 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 proposed Project, Enbridge Gas has retained Dillon Consulting, an external consulting firm to undertake an Environmental Study of the construction and operation of the Project. The 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)"*.

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

Provincial:

- Ontario Energy Board
- Infrastructure Ontario
- Ministry of Transportation
- Ministry of Heritage, Sports, Tourism and Culture Industries ("MHSTCI");
- Ministry of Environment, Conservation and Parks ("MECP");
- Hydro One; and
- Metrolinx.

Municipal:

- The City of Scarborough; and
- The City of Toronto.

Other:

- Landowner agreements
- Indigenous engagement
- Toronto Transit Commission; and
- Utility circulation.

We would like to notify your community on the proposed Project. We are interested in your community's feedback, including whether the project may have adverse impacts on your Aboriginal or Treaty rights and how the impacts could be avoided, minimized, or mitigated.



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

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:

Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

A handwritten signature in black ink, appearing to read 'Melanie Green', with a stylized flourish at the end.

Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Line Item 5.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Ted Williams  
5884 Rama Road, Suite 200  
RAMA, ON  
L0K 1T0

April 8<sup>th</sup>, 2022

Dear Grand Chief Williams,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

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Where possible, the Project will be located within existing road allowances. Permanent easements, temporary working space and laydown areas may be required, the latter of which is necessary to facilitate the movement and storage of equipment necessary for



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

construction. 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 proposed Project, Enbridge Gas has retained Dillon Consulting, an external consulting firm to undertake an Environmental Study of the construction and operation of the Project. The 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)"*.

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

Provincial:

- Ontario Energy Board
- Infrastructure Ontario
- Ministry of Transportation
- Ministry of Heritage, Sports, Tourism and Culture Industries ("MHSTCI");
- Ministry of Environment, Conservation and Parks ("MECP");
- Hydro One; and
- Metrolinx.

Municipal:

- The City of Scarborough; and
- The City of Toronto.

Other:

- Landowner agreements
- Indigenous engagement
- Toronto Transit Commission; and
- Utility circulation.

We would like to notify your community on the proposed Project. We are interested in your community's feedback, including whether the project may have adverse impacts on your Aboriginal or Treaty rights and how the impacts could be avoided, minimized, or mitigated.





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Ottawa, Ontario K1K 2C7  
CANADA

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:

Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

A handwritten signature in black ink, appearing to read 'Melanie Green', with a stylized, cursive script.

Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Line Item 6.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Carr  
123 Paudash Street,  
Hiawatha, Ontario,  
K9J 0E6

April 8<sup>th</sup>, 2022

Dear Grand Chief Carr,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

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Ottawa, Ontario K1K 2C7  
CANADA

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- Utility circulation.

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Ottawa, Ontario K1K 2C7  
CANADA

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Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

A handwritten signature in black ink, appearing to read 'Melanie Green', written in a cursive style.

Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Line Item 7.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Remy Vincent  
255, place Chef-Michel-Laveau,  
Wendake, QC,  
G0A 4V0

April 8<sup>th</sup>, 2022

Dear Grand Chief Vincent,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

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- Ministry of Environment, Conservation and Parks ("MECP");
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- Metrolinx.

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- The City of Scarborough; and
- The City of Toronto.

Other:

- Landowner agreements
- Indigenous engagement
- Toronto Transit Commission; and
- Utility circulation.

We would like to notify your community on the proposed Project. We are interested in your community's feedback, including whether the project may have adverse impacts on your Aboriginal or Treaty rights and how the impacts could be avoided, minimized, or mitigated.



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Ottawa, Ontario K1K 2C7  
CANADA

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Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

A handwritten signature in black ink, appearing to read 'Melanie Green', with a horizontal line underneath.

Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

**Line Item 7.8**

Wendake, July 19, 2022

Ms. Lauryn Graham  
Community & Indigenous Relations Advisor  
Northern Region – Northwest Area  
Enbridge Gas

By email: lauryn.graham@enbridge.com

Re: Environmental Report: for the proposed Scarborough Subway Extension - Kennedy Relocation Project

Dear Ms. Graham

Further to your email addressed to the Huron-Wendat Nation dated July 4, 2022, on the Stage 1 AA EA Scarborough Subway Extension – Kennedy Station Relocation Project, the Huron-Wendat Nation (HWN) would like to thank you for giving us this opportunity to provide comments and feedback.

The project consists of the relocalisation of three infrastructure components of the natural gas supply in the area of the construction of the Metrolinx Scarborough Subway. That implies the construction of approximately 800 m of new natural gas pipeline and of a new district regulator station. The Study area is 0.88 ha and it's composed of ROW of Eglinton Avenue, Midland Avenue, Lord Robert Drive, a municipal footpath and a small piece of Metrolinx private property east of Midland Avenue. It's parts of Lots 26 and 27, Concession D, former Geographic Township of Scarborough, York County, now City of Toronto, Ontario.

A Stage 1 property inspection was realized and had confirmed that 39.8% of the study area (0.39 ha) was extensively disturbed by previous stripping and the installation of below ground utilities, those parts are considering exempt from retaining archaeological potential. Previous archaeological assessment was realized on 60.2% of the property (0.59 ha) and no further work was recommended on those parts. This Stage 1 concludes that no further archaeological work is recommended for this study area.



In conclusion, the report is satisfactory for the purposes of the Stage 1 AA EA Scarborough Subway Extension – Kennedy Station Relocation Project. Regarding potential future archaeological work, the Huron-Wendat Nation is requesting to be consulted at every stage. Please do not hesitate to contact our team should you have questions and to follow up with eventual next steps.

Additionally, please note that we would like the report to indicate that “Considering that even thorough archaeological assessments might miss some archaeological resources or relevant information, the HWN asks to be contacted should any Indigenous artifacts or human remains be encountered during the development process. Please contact Nation Huronne-Wendat, Bureau du Nionwentsïo, 255 Place Chef Michel Laveau, Wendake, Qc, G0A 4V0; Tel: (418)-843-3767; e-mail Dominic Ste-Marie, conseiller en gestion du territoire, at [dominic.ste-marie@wendake.ca](mailto:dominic.ste-marie@wendake.ca) and Marie-Sophie Gendron, analyste archéologue, at [marie-sophie.gendron@wendake.ca](mailto:marie-sophie.gendron@wendake.ca)”

Best regards,

Raphaëlle Gaudreau-Couture  
Assistante de recherche  
Bureau du Nionwentsïo

Line item 9.0



Enbridge  
400 Coventry Rd  
Ottawa, Ontario K1K 2C7  
CANADA

**Attention:** Grand Chief, Kelly LaRocca  
22521 Island Rd,  
PORT PERRY, ON,  
L9L 1B6

April 8<sup>th</sup>, 2022

Dear Grand Chief LaRocca,

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

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Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

Please feel free to contact me at [melanie.green@enbridge.com](mailto:melanie.green@enbridge.com) or 613.297.4365 should you have any comments or questions.

Many thanks,

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Melanie Green C.E.T  
Senior Advisor, Community & Indigenous Engagement, Eastern Region  
Enbridge Inc.  
613.297.4365  
[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Line Item 9.6

**From:** Consultation <consultation@scugogfirstnation.com>  
**Sent:** Thursday, May 12, 2022 11:51 AM  
**To:** Melanie Green <Melanie.Green@enbridge.com>; Lauryn Graham <lauryn.graham@enbridge.com>  
**Cc:** Don Richardson <don@ibabraiding.com>; Monica Sanford <mstanford@scugogfirstnation.com>; Waverley Birch <wbirch@ibabraiding.com>  
**Subject:** [External] Re: Draft Stage 1 AA Report for the proposed Scarborough Subway Extension - Kennedy Relocation Project

**CAUTION! EXTERNAL SENDER**

**Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.**

Hi Melanie,

Thank you for the opportunity to review the Draft Stage 1 AA Report for the proposed Scarborough Subway Extension - Kennedy Relocation Project. Please see comments on behalf of MSIFN below:

- MSIFN acknowledges that Enbridge Gas says it requires this project in order to reconfigure the natural gas supply in the surrounding area to accommodate construction of the Metrolinx Scarborough Subway Extension Transit Project while maintaining the existing service to Enbridge customers in the City of Toronto
- MSIFN acknowledges that the findings in the Stage 1 Archaeological Assessment indicate:
  - All previously assessed portions of the Project area where no further assessment was recommended do not require further assessment (0.59 ha; 60.2%)
  - All portions of the Project area identified as extensively disturbed do not retain archaeological potential and do not require further assessment (0.39 ha; 39.8%)
- MSIFN requests the opportunity to receive and review any future archaeological assessments if the extent of the Project Area or route alternatives change to incorporate lands not addressed in the current study.

As always, please continue to keep us updated on this project, and provide additional environmental reports as they become available.

Thank you!  
Sam

—  
Samantha Strubbe (she/her)  
BSc, EMA  
Consultation Advisor to MSIFN

**Line Item 9.17**

**From:** [Consultation](#)  
**To:** [Melanie Green](#)  
**Cc:** [Lauryn Graham](#); [Waverley Birch](#)  
**Subject:** [External] Re: Environmental Report: for the proposed Scarborough Subway Extension - Kennedy Relocation Project  
**Date:** Friday, September 2, 2022 2:01:49 PM

---

**CAUTION! EXTERNAL SENDER**

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?  
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hi Melanie,

The MSIFN consultation office has reviewed the environmental report for the Kennedy Relocation Project. We commented on the larger Metrolinx project in detail to that agency under separate cover. Given that the Kennedy relocation appears to be confined within a heavily urbanized area, our comments on this project are limited. In general, we ask that Enbridge commit to the following:

- Continue to share project updates and details, especially if there are new findings related to the environment report.
- Ensure that work is carried out in a manner that prevents impacts on waterbodies, watercourses, wetlands, and all living relatives to the greatest extent possible.
- Look towards opportunities to reduce greenhouse gas emissions from company infrastructure.

Thank you, have a good weekend.

Sam

---

Samantha Shrubsole (she/her)  
BSc, EMA  
Consultation Advisor to MSIFN

Line Item 10.1



Enbridge  
500 Consumers Road  
North York, ON  
M2J 1P8

April 8, 2022

Adam LaForme, Director of Consultation  
Department of Consultation and Accommodation  
Mississaugas of the Credit First Nation  
2789 Mississauga Rd, R.R.#6  
Hagersville, ON  
N0A 1H0

Dear Adam:

**Re: Scarborough Subway Extension - Kennedy Relocation Project**

Enbridge Gas Inc. (Enbridge Gas) is proposing to relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Scarborough Subway Extension Transit project, while maintaining the existing service to Enbridge Gas customers. Based on the conflict between the proposed subway extraction shaft and Enbridge Gas' existing assets, the Scarborough Subway Extension – Kennedy Relocation Project (the "Project"), is anticipated to include:

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Enbridge  
500 Consumers Road  
North York, ON  
M2J 1P6

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Other:

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- Indigenous engagement
- Toronto Transit Commission; and
- Utility circulation.

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 proposed Project may have on your Aboriginal or treaty rights.





Enbridge  
500 Consumers Road  
North York, ON  
M2J 1P8

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 proposed 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 proposed 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:

Amy Gibson  
Manager, Indigenous Energy Policy  
amy.gibson@ontario.ca  
Unit 77 Grenville St.  
6th Floor  
Toronto, ON  
M7A 1B3

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](mailto: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 June 3<sup>rd</sup>, 2022 if possible.

Meegwetch,

A handwritten signature in blue ink that reads 'Kevin Berube'.

Kevin Berube, Senior Advisor  
Community and Indigenous Engagement  
Enbridge Inc.  
500 Consumers Road  
North York, ON  
M2J 1P8  
[kevin.berube@enbridge.com](mailto:kevin.berube@enbridge.com)  
416 666 6759

### CONDITIONS OF APPROVAL

1. The OEB has developed standard conditions that are typically imposed in leave to construct approvals.<sup>1</sup> Enbridge Gas has reviewed these standard conditions and has not identified any additional or revised conditions that the Company wishes to propose for this Project.

---

<sup>1</sup> Standard conditions of approval are included in Schedule 1 of the OEB's standard issues list for leave to construct applications: <https://www.oeb.ca/sites/default/files/issues-list-LTC-natural-gas.pdf>