



## Application to Participate([A76450](#))

**Filing Date: 2016-04-19**

### Hearing Information

Project Name: Energy East Project and Asset Transfer

Company: Energy East Pipeline Ltd., TransCanada PipeLines Limited

File Number: OF-Fac-Oil-E266-2014-01 02

### I am Applying as:

- ☐ An Individual
- ☐ Authorized Representative on Behalf of an Individual
- ☒ A Group

Select which one best describes your group:

- ☐ Company
- ☐ Association (Special Interest Group)
- ☒ Aboriginal
- ☐ Federal Government
- ☐ Provincial Government
- ☐ Territorial Government
- ☐ Municipal Government
- ☐ Others

- ☒ My group is an organization that will represent its own interests
- ☐ My group is a collection of individuals with common interest

### Contact Information:

- If you apply as individual, the contact information is for the Person Applying to Participate.
- If you apply as Authorized Representative, the contact information is for the Individual you are representing.
- If you apply as Group, the contact information is for the Group's main contact.

Salutation: Chief

Last Name: Pitchenese

First Name: Esther

Title: Ms.

Organization: Wabigoon Lake Ojibway nation

Telephone: 807-938-6684

Facsimile: 807-938-1166

Email Address:

ChiefEsther@wlon.ca

Address:

PO Box300 RR 1 Site 115

Dryden, Ontario P8N2Y4

Canada

### Authorized Representative(s) Information:

*If you do not have an authorized representative this section will be blank.*

Salutation: Legal Counsel

Last Name: Librande

First Name: Tim

Title: Mr.

Organization: Barrister & Solicitor Librande Law Office

Telephone: 613-836-1313

Facsimile: 855-812-3096

Email Address:

Tim@Librandelaw.com

Address:

329 West Ridge Drive

Skittsville, Ontario K2S 2G7

Canada

Salutation: Ms.

Last Name: Kooshet

First Name: Lana

Title: Councillor

Organization: Wabigoon Lake Ojibway Nation

Telephone: 807-938-6684

Facsimile: 807-938-1166

Email Address:

Lana\_Kooshet@wlon.ca

Address:

PO Box 300 RR 1 Site 115

Dryden , Ontario P8N2Y4

Canada

Salutation: Mr.	
Last Name: Prithcard	
First Name: Gary	
Title:	Address: 128 Wellington Street West Suite 301 Barrie, Ontario L4N 8J6 Canada
Organization: Neegan Burnside Ltd.	
Telephone: 705-797-2047	
Facsimile: 705-797-2037	
Email Address: Gary.Pritchard@neeganburnside.com	
Salutation: Mr.	
Last Name: Williams	
First Name: Ron	
Title: Councillor	Address: PO Box300 RR 1 Site 115 Dryden, Ontario P8N 2Y4 Canada
Organization: Wabigoon Lake Ojibway Nation	
Telephone: 807-938-6684	
Facsimile: 807-938-1166	
Email Address: RonrWilliams@hotmail.com	

## Method of Participation

<p><b>I wish to participate as a:</b></p> <p><input type="radio"/> Commenter</p> <p><input checked="" type="radio"/> Intervenor</p>
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## Interest or Expertise

<p><input checked="" type="checkbox"/> The Group I am representing is <b>directly affected</b> by the proposed Project</p> <p><input checked="" type="checkbox"/> The Group I am representing has <b>relevant information or expertise</b></p>
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## Connection to Project Issues

<p>1. The need for the Project</p> <p>7. The potential environmental and socio-economic effects of the Project, including the environmental effects of accidents or malfunctions that may occur in connection with the project, and any cumulative effects that are likely to result from the Project, as considered under the <i>Canadian Environmental Assessment Act, 2012</i></p> <p>9. The appropriateness of the general route and land requirements for the Project</p> <p>11. Potential impacts of the Project on Aboriginal interests</p>
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12. Potential impacts of the Project on directly affected landowners and their land use
13. Safety and security associated with the construction and operation of the Project, including emergency response planning and third-party damage prevention
14. Contingency planning for spills, accidents, or malfunctions during construction and operations of the Project
15. Financial implications of contingency planning for spills, accidents, or malfunctions during construction and operations of the Project
16. The terms and conditions to be included in any recommendation or approval the Board may issue for the Project

Waabigoniw Saaga'iganiw Anishinaabeg (Wabigoon Lake Ojibway Nation) is submitting this application to Participate on behalf of the membership as an Intervenor in the NEB Energy East Pipeline Project hearing on the following basis:

Wabigoon Lake is located in North Western Ontario and is a party to Treaty #3. We sit approximately 2km away from the existing natural gas pipeline and if the proposed project gets approved we will be directly affected. Wabigoon Lake Ojibway Nation's traditional territory stretches Through Vermillion Bay, ON to English River, ON, the Pipeline is directly along this route. Wabigoon Lake Ojibway Nation exercises Aboriginal and Treaty rights in the area of the proposed project.

If allowed to proceed, the proposed Project will negatively impact Wabigoon Lake Ojibway Nation's ability to exercise their Aboriginal and Treaty rights. The land and water along the route is traditionally used and occupied by our families, and the water in question serves as our community's source of drinking water. The safety of the land and water affected is essential to our community's well being.

Wabigoon Lake holds traditional knowledge in respect of the project which may be relevant in the NEB's assessment as to whether the project should proceed.

The EEP has the capacity to greatly impact Wabigoon's natural resources and ecosystems in the event of an malfunction or spill. Wabigoon Lake has a flourishing amount of Manomin (Wild rice) and is traditionally harvested by community members each season, a right that is protected by treaty. Wabigoon Lake Ojibway Nation takes pride in preserving our Manomin and other natural resources for future generations. If an oil spill were to occur we would potentially lose our Manomin and other natural resources permanently, and lose any meaningful ability to exercise our constitutionally protected treaty rights.

The Crown has a constitutional duty to consult with Wabigoon Lake Ojibway Nation regarding the Energy East Pipeline Project. The proposed Project is also subject to Manito Aki Inakonigaawin (The Great Earth Law)

Wabigoon Lake Ojibway Nation is concerned about the potential impacts associated with this Project, including potential destruction of terrestrial and aquatic ecosystems including fisheries, the destruction of plants and medical plants, the disruption of sacred grounds, burial grounds and traditional sites, and the erosion of lands from the First Nation's traditional territory.

Wabigoon Lake Ojibway Nation is a member of, and supports, Grand Council Treaty 3. However, as Wabigoon Lake Ojibway Nation is an independent self – governing First Nation, Wabigoon Lake Ojibway Nation is applying to participate as an intervenor before the NEB independent of Grand Council Treaty 3.

## **Access, Notification and Service**

Which official language do you wish to use in correspondence with the Board and at the public hearing?		English <input checked="" type="checkbox"/>	French <input type="checkbox"/>
Documents submitted electronically are available on the Board's electronic document repository, (Click 'View' under 'Regulatory Documents' at <a href="http://www.neb-one.gc.ca">www.neb-one.gc.ca</a> ). If you have the capability to access the repository, the Board and other Participants in this proceeding may serve you by notifying you that a document has been filed and is available in the repository, instead of serving you with a hard copy of the document.			
Are you able to access the Board's electronic document repository?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Notification by email advising that a document has been filed will be sent to the following email addresses:			
Esther Pitchenese [ChiefEsther@wlon.ca] Gary Prithcard [Gary.Pritchard@neeganburnside.com] Lana Kooshet [Lana_Kooshet@wlon.ca] Ron Williams [RonrWilliams@hotmail.com] Tim Librande [Tim@Librandelaw.com]			