



February 12, 2025

Environmental Registry of Ontario
Toronto, ON

Dear Sir/Madame:

Re: Regulatory Changes Under the Endangered Species Act to Extend Application of Conditional Exemptions to Newly Listed Species and Update the Conditional Exemption for the Operation of Wind Facilities – ERO number 019-9411

I am writing to you today as the manager of the environment for Mississaugas of the Credit First Nation (MCFN). In my capacity, I advise on environmental issues and concerns that impact Mississaugas of the Credit First Nation treaty and traditional lands. One of my tasks is to help MCFN implement and maintain sustainability policies and to help the government ensure responsible development on treaty lands.

The Mississaugas of the Credit were the original owners of the territory embraced in the following description, namely commencing at Long Point on Lake Erie thence eastward along the shore of the Lake to the Niagara River. Then down the River to Lake Ontario, then northward along the shore of the Lake to the River Rouge east of Toronto, then up that river to the dividing ridges to the head waters of the River Thames, then southward to Long Point, the place of the beginning.

First of all, we would like to highlight our concerns with the Environmental Registry of Ontario. The Mississaugas of the Credit are treaty holders, and it isn't sufficient to provide notice of a proposal and then have us submit comments through a portal. The Crown has a duty to consult with MCFN and this requires full and meaningful engagement where we can understand the proposed amendments to the *Endangered Species Act*, share our concerns and understand how our feedback is being used. The duty to consult is a Supreme Court of Canada obligation that must be fulfilled by the Crown prior to taking of any action or making decisions that may have consequences for the rights of Indigenous peoples in Canada. At the least, the ministry should offer an introductory meeting to the proposed legislative changes and hear any potential concerns from MCFN. This is the first step in building a relationship on trust.

Because our treaty territory covers much of southern Ontario, we would like to share our early concerns with the regulatory changes under the *Endangered Species Act*. We note that no monitoring is required for the common approach (7 m / s cut-in speed), and we would strongly suggest monitoring be made a requirement. More monitoring would give the public and the Ministry of Environment, Conservation and Parks (MECP) a better understanding of the effectiveness of an increased cut-in speed in different locations and on different species of bats. Thus, MECP would be able to tailor solutions for individual areas and bat species, leading to the



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increased populations of bats in general, and hopefully, species at risk bats in particular. It is better to err on the side of caution and require more in the early days, rather than try to ask for more stringent requirements down the road. The costs of monitoring are worth the data that are needed to ensure strong protections for species at risk. It gives the public confidence that the province is committed to taking a cautious approach and balance energy needs with those of the environment as a whole.

A map of our treaty lands is attached to this letter.

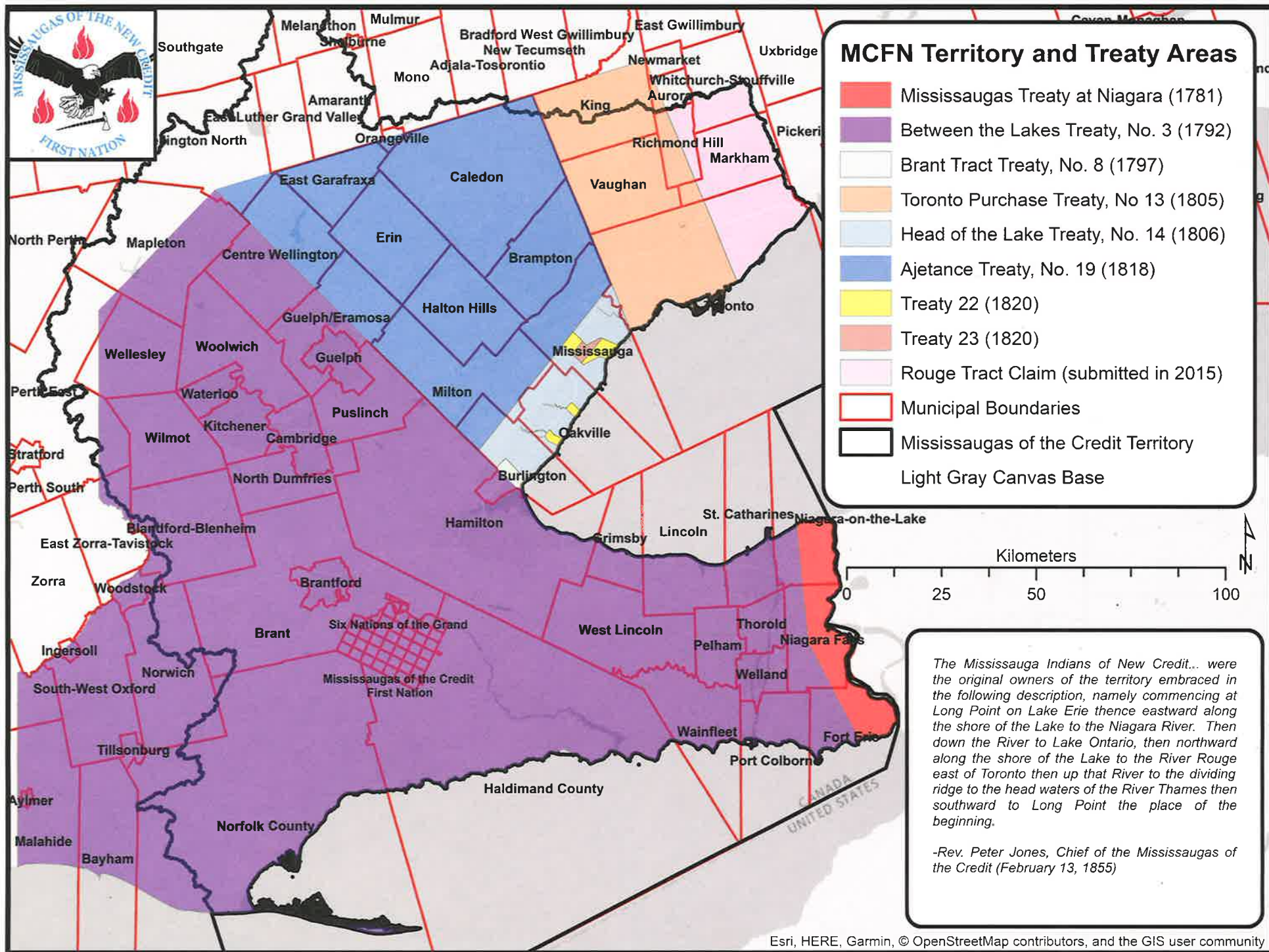
Regards,



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Manager of Environment for MCFN

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Municipalities within Mississaugas of the Credit Treaty Lands and Territory