

Enbridge Feedback on the Regulatory Changes under the Endangered Species Act

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About Enbridge Inc.

At Enbridge, we safely connect millions of people to the energy they rely on every day, fueling quality of life through our North American natural gas, oil or renewable power networks and our growing European offshore wind portfolio. Enbridge Gas, a subsidiary of Enbridge Inc., is Canada's largest natural gas storage, transmission and distribution company based in Ontario, with more than 170 years of service to customers. The distribution business provides safe, affordable, reliable energy to about 3.8 million homes, businesses and industries and is leading the transition to a clean energy future through net-zero emissions targets and investments in innovative low-carbon energy solutions. We're investing in modern energy delivery infrastructure to sustain access to secure, affordable energy and building on two decades of experience in renewable energy to advance new technologies including wind and solar power, hydrogen, renewable natural gas and carbon capture and storage. We're committed to reducing the carbon footprint of the energy we deliver, and to achieving net zero greenhouse gas emissions in our operations by 2050.

Headquartered in Calgary, Alta., Enbridge's common shares trade under the symbol ENB on the Toronto (TSX) and New York (NYSE) stock exchanges.

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Introduction

Enbridge Inc. (Enbridge) is a North American energy delivery company with a focus on natural gas, oil, renewable power, and a growing offshore wind portfolio. One of our company's environmental goals is to achieve net-zero greenhouse gas emissions in our operations by 2050. Enbridge believes in an all-of-the-above energy approach, which includes investment in renewable power generation (e.g., wind and solar facilities) to supply low-carbon electricity to the Ontario market.

We are also aligned with the goal of the Ministry of Environment, Conservation and Parks (MECP) Endangered Species Act to promote the recovery of species that are at risk. We would like to work together to try to achieve both of these important environmental goals.

Executive Summary

Listed below are two aspects of the proposed regulatory changes that would have a significant impact on the wind industry and Ontario's electricity generation capacity.

- **Default Minimum Cut-In Speed (Custom Approach):** The proposed minimum cut-in speed of 7 m/s would reduce overall energy production, affect economic viability of wind farms, and diminish Ontario's energy diversity and reliability.
- **Monitoring Requirements:** The proposed requirement for 3 years of monitoring would add significant costs to operating facilities and may not add value to facilities with low bat fatalities.

Should MECP continue to pursue this proposal, Enbridge has two recommendations to reduce the impact of any new requirements on energy production while still supporting efforts to increase bat populations:

- **Site-Specific Minimum Cut-in Speed (Custom Approach):** Operators would use site specific data to suggest an appropriate cut-in speed, rather than the default 7 m/s.
- **Modification to the Monitoring Requirements:** Operators would use existing data to create a site-specific monitoring program.

For clarity, Enbridge does not support changes to the existing regulations, which are robust and sufficient to mitigate adverse species impacts. The current framework already allows for a customized, evidence-based, and site-specific approach to operational mitigation plans, including:

- Implementing reasonable measures to avoid killing, harming, or harassing species, such as adjusting cut-in speeds and scheduling periodic shutdowns during high-risk periods.
- Creating or enhancing habitat for the species in alternative locations.
- Taking additional actions to improve the plan's effectiveness and implementing other reasonable measures as needed.

Enbridge recommends maintaining the existing regulatory framework. However, if the MECP identifies evidence-based limitations or insufficiencies, we advise initiating a comprehensive stakeholder consultation. This process should review the evidence and rationale, allow for supplemental input, and collaborate with the province to develop a solution that addresses the insufficiency without compromising long-term emissions targets, environmental and habitat integrity, or the reasonable contracting and financial assumptions of Ontario's clean electricity agreements.

Minimum Cut-In Speed

Implementing an arbitrary 7 m/s cut-in speed would reduce energy production as a significant amount of electricity is generated from wind speeds between 3 m/s and 7 m/s. Excluding this range of wind speeds from electricity production will lower the windfarms' overall output and efficiency. With predicted energy consumption increasing globally, and particularly in Ontario, it is imperative to optimize our power generation assets and capacity.

We are not aware of any evidence to support a uniform cut-in speed at any site as an optimal mitigation tool, or any evidence of a uniform distribution of bat populations or migration patterns across the province.

Should MECP proceed with a bifurcated approach as proposed regardless, then as part of the Site-Specific Approach, windfarm operators should be permitted to use available site data to suggest an appropriate cut-in speed along with appropriate intervals (windows) for effective mitigation. The validity of the initial cut-in speed could be confirmed as monitoring data is obtained.

An adaptive management approach, using site-specific and evidence-based cut-in speeds rather than a mandatory 7 m/s, would balance bat conservation with efficient wind energy production. This approach supports an optimal environmental, commercial, and societal strategy while recognizing the benefits of wind power generation.

Monitoring Requirements

The existing Ontario Regulation 242/08 Section 23.20 (13) mandates operators to complete three years of monitoring after submission of a notice of activity at project start up, and then every 5 years thereafter. Many facilities, including Enbridge facilities, have previously collected data on bat fatalities, including for the newly proposed listed bats.

Enbridge proposes that operators can evaluate their existing bat fatality data to determine both the appropriate mitigation strategy, as identified above, and the proposed frequency of monitoring necessary. An additional three years of monitoring does not add value to bat conservation for facilities where documented bat fatalities are known to be low and is both costly and disruptive to landowners and operators. The appropriate frequency for wildlife monitoring at wind farms, when existing data is available, should be flexible and adaptive, based on ongoing analysis and findings.

Conclusion

Enbridge suggests a balanced approach to addressing the risks to renewable energy production and the risk to endangered bat populations. We are concerned that the proposed changes to the Endangered Species Act will negatively impact the reliability of Ontario generation capabilities and resource diversity.

We are suggesting 1) a site-specific minimum cut-in speed rather than the default 7 m/s and 2) a modification to the monitoring requirements to account for existing data, to ensure that operating wind facilities can remain economically viable.

Further, Enbridge shares many of the concerns included in the Canadian Renewable Energy Association (CanREA)'s submission with respect to this posting.



Thank you for your consideration of these comments and for any opportunity that may exist to discuss these further with Ministry officials as part of this or any subsequent related consultation.

For any further inquiries or additional information, please contact Islam Elsayed, Senior Advisor, Government Affairs (islam.elsayed@enbridge.com).