



MOHAWKS OF THE BAY OF QUINTE

KENHTÈ:KE KANYEN'KEHÁ:KA

TYENDINAGA MOHAWK COUNCIL,
24 Meadow Drive, Tyendinaga Mohawk Territory, ON K0K 1X0
Phone 613-396-3424 Fax 613-396-3627

May 16, 2025

The Honourable Doug Ford
Premier of Ontario
Legislative Building Queen's Park
Toronto, ON M7A 1A1
[Email: premier@ontario.ca](mailto:premier@ontario.ca)

Subject: Mohawks of the Bay of Quinte Comments on Bill 5 – Protect Ontario by Unleashing Our Economy Act, 2025

Dear Premier Ford,

I am writing to express the concerns and opinions of the Mohawks of the Bay of Quinte on the proposed Bill 5, *Protect Ontario by Unleashing Our Economy Act, 2025*. Our community is concerned with the Bill's proposed amendments to the *Endangered Species Act, 2007* ("ESA") and the proposal to replace the ESA with the *Species Conservation Act, 2025*. We also have concerns regarding the proposed amendments to the *Electricity Act, 1998*, the *Environmental Assessment Act*, the *Mining Act*, the *Ontario Heritage Act*, the *Special Economic Zones Act, 2025*, and the *Rebuilding Ontario Place Act, 2023*, and how they would negatively impact our members, our traditional territories, and our rights as Indigenous people.

Although our community, Kenhtè:ke, is confined within the borders of Tyendinaga Mohawk Territory, our traditional territory extends to a vast area in Ontario and our Members reside all across Canada and Ontario. Our Members also reside within the City of Toronto, other First Nations communities, and in other communities across the province that will be impacted by Bill 5 and its proposed changes to the aforementioned laws and regulations. As Chief of the Mohawks of the Bay of Quinte, it is my responsibility to act in the best interests of our members, no matter where they reside. For this reason, the concerns expressed in this letter capture potential threats to Tyendinaga Mohawk Territory, our traditional territory, and any other territories in the province upon which our members are resident.

The Province of Ontario has the highest Indigenous population across the country. Indigenous peoples have been the stewards of these lands and its inhabitants for centuries, ensuring that no matter what unexpected threats were posed, including threats to the environment and threats to trade and economic relations, the environment remained cared for and protected. This is our sacred duty and one that we do not take lightly. Without a healthy environment, the chances of future generations being prosperous, are greatly diminished.

Concerns Regarding the Environment

We would like to note that the proposals posted by the Province of Ontario to the Environmental Registry of Ontario on April 17, 2025, represented by ERO numbers 25-0416, 025-0380, 025-0409, 25-041, 25-0391, 025-0396, 25-0389 are of great concern to our community. It is evident that the proposals both individually and collectively have the potential to cause serious adverse impacts on the environment, human health, and our right as Indigenous peoples to the stewardship of our lands.

Bill 5, *Protect Ontario by Unleashing Our Economy Act, 2025*, if passed, will:

1. Exempt key projects from *Environmental Assessment Act* reviews.
2. Repeal the Endangered Species Act, 2007, replacing it with a weaker Species Conservation Act, 2025.
 - a. Reduce protection of the critical habitats of species at risk
 - b. Allow species to be at risk of harassment
 - c. Remove any reference to stewardship and Indigenous Traditional Knowledge
3. Empower the province to declare “special economic zones” under the Special Economic Zones Act, 2025, where provincial laws and municipal by-laws—including environmental and public-participation rules—would be inoperative.
4. Remove the third-party and science-based nature of species at risk assessment and introduce political interference in identifying what species at risk is added to the protection regulation.
5. Reduce opportunity for domestic renewable energy.
6. Weaken oversight of mining activities under the Mining Act.

The above proposed changes and introductions will reduce and/or eliminate provincial protections for endangered, threatened and special concern species in Ontario. The elimination of these protections will cause further species decline, loss of biodiversity and unpredictable impacts to food web dynamics.

Permitting and approval processes are crucial in assessing the potential negative environmental impact of a project, and the process requires essential education to ensure projects are carried out with minimal impact. Without the current permitting and approval processes or provincial oversight, there could be an increase in environmental negligence and non-compliances. The proposals eliminate vital safeguards that have been put in place over the years in recognition of their necessity for environmental and human health safety.

This is of grave concern to our community as we have hundreds of endangered species living within our territory. Additionally, our territory is situated on the Bay of Quinte where many of our people rely on the quality of its waters for drinking water, hunting and consuming fish as we have been doing for centuries.

Mohawks of the Bay of Quinte would like to note that the proposals are likely to have direct and indirect negative effects on our traditional and treaty rights through potential negative environmental impacts that would put our food for sustenance and water resources at risk.

Concerns Regarding the Indigenous Rights and Sovereignty

Further to the environmental impacts that the changes and introductions in Bill 5 could have, our community is concerned with the threats that these changes and introductions pose to our rights as Indigenous peoples.

After many years of leading in stewardship by example, education, and advocacy, Canadian and provincial laws are beginning to recognize the value of our traditional knowledge as Indigenous peoples, especially when it comes to caring for the environment. Our rights as Indigenous people to be consulted and accommodated in projects that will impact our traditional territories has been affirmed in Canada's highest court. Additionally, the principle of Free, Prior, and Informed Consent, has been enshrined into Canadian law with the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

Bill 5, *Protect Ontario by Unleashing Our Economy Act, 2025*, if passed, will:

1. Potentially bypass, and therefore undermine, the Duty to Consult in interest of economic gain.
2. Violates the principle of Free Prior and Informed Consent as required by the UNDRIP, which Canada and Ontario have both committed to implement.
3. Weakened oversight of mining activities under the Mining Act.

Not only are our rights as Indigenous people inherent, but they have also been affirmed in Canadian law. Bill 5, as it is currently proposed, threatens these inherent and Constitutionally recognized rights. In reducing government review and oversight on development projects, the proposed amendments ignore the legal obligation for Ontario and proponents to consult and accommodate First Nations.

Concerns Regarding Ontario Powers

Our final concern is regarding the seemingly unilateral decisions and exemptions that Ontario is proposing. Though we have our own laws as Haudenosaunee, our laws and teachings have a value that is shared with Canada's laws; no one is above the law, everyone is equal under the law. This is a value that is integral to democracy. Our people have been acting under a democratic system for centuries which is one of the reasons why we are so concerned with Bill 5 and its proposed changes and additions.

Bill 5, *Protect Ontario by Unleashing Our Economy Act, 2025*, if passed, will:

1. Avoid public accountability by seeking to shield government decisions from civil liability.
2. Allow Ontario to make exemptions for proponents by bypassing provincial and local laws and regulations.
3. Allows Cabinet to make extensive changes without legislative scrutiny.

As a First Nation, with Aboriginal and Treaty Rights and with a Nation-to-Nation relationship with Canada and Ontario, we are concerned that Ontario is proposing changes that would make itself and the other named parties exempt from legal recourse and would allow itself and the named parties to

make decisions without consulting experts in the field, including Indigenous peoples. We are also concerned, as noted above, that the Bill will allow Cabinet to make extensive changes to laws unilaterally, without the review and scrutiny of the public. These changes go directly against the heart of Rule of Law which is meant to protect citizens.

Concluding Remarks

Mohawks of the Bay of Quinte are of the opinion that Bill 5 would remove many of the most meaningful protections that safeguard our environment, human health, and Indigenous rights. Bill 5 undermines tremendous, necessary progress made in environmental protection and Indigenous rights recognition and marks a regression that is not in the interest of our seven generations to come.

In solidarity with the Chiefs of Ontario and the Association of Iroquois and Allied Indians, the Mohawks of the Bay of Quinte call for a pause on the advancement of this legislation and call for the Province of Ontario to meaningfully partner and engage with First Nations leadership across the province on the issues raised in the Bill and the future of economic growth and stability in the province.

The above shall not be construed so as to derogate from or abrogate any inherent, Aboriginal, treaty, constitutional, or legal rights of the Mohawks of the Bay of Quinte.

Sincerely,



R. Donald Maracle, Chief
Mohawks of the Bay of Quinte

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