February 18, 2016

Chair Ed Sleiman and Board Members Essex Region Conservation Authority 360 Fairview Avenue West, Suite 311 Essex, ON N8M 1Y6



## Dear Chair Ed Sleiman and Board Members:

Ojibway Prairie is one of Essex County's largest natural areas. It is rare and unique, having the following designations: Provincially Significant Wetland, Area of Natural Life Science (Life Science), Environmentally Significant Area (ESA), Carolinian Site, Represents 50 % of the Windsor's remaining natural areas, Provincial Nature Reserve, International Refuge for the Detroit River, hosts 18 endangered and threatened species and their related habitats. In addition, Windsor has the lowest natural coverages and highest smog rates in the province, with 0.37% wetlands remaining.

It is a provincial and national significance, deserving of utmost protection. Please apply fully scoped tests of the Conservation Authorities Act regarding Coco Paving's development found adjacent to Ojibway's critical areas and its effects on Ojibway's environmental features. Please apply sec 28 (1) (c) of the Conservation Authorities Act if tests are not met:

"<u>prohibiting</u>, regulating or requiring the permission of the authority for <u>development if</u>, in the <u>opinion</u> of the authority, the control of flooding, erosion, dynamic beaches or <u>pollution or the conservation of land may be affected by the development</u>"

and/or apply a 120 m vegetation buffer as suggested by the Natural Heritage Reference Manual for significant habitat of endangered and threatened species, Provincially Significant Wetlands, and ANSI's from the development's environmental effects of: 1) road mortality, 2) habitat fragmentation, 3) reduction in prescribed burns, 4) increase pollution (salting, oil, grease, NO<sub>x</sub>, lighting, litter), 5) changes in hydrogeology, 6) increase in invasives species, and 7) heightened threats to 21 of its endangered and threatened species.

The OMB's decision stated consistency with Ontario's PPS, relying on the ESA permit and considerations of roads effects on Ojibway and its species. The ESA Permit's mapping includes Matchette Rd. but according to a Freedom of Information and Public Privacy Act (FIPPA) request, MNRF did not consider traffic nor its impact on Ojibway and its species. An MNRF email to the developer stated that "this permit process has not considered any impacts to SAR by proposed activities on City owned lands, or lands to be conveyed to the City for road widening as they are external to the lands for which a permit has been applied." The developer successfully quashed this evidence prior to the OMB Hearing.

Thank you for your time and attention protecting Ojibway Prairie.

Sincerely,