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October 25th, 2017

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Hon. Catherine McKenna
Minister of the Environment
House of Commons
Ottawa, ON
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Hon. Marc Garneau
Minister of Transport
House of Commons
Ottawa, ON
K1A 0A6

Re: Environmentally Critical Land in Windsor, Ontario – Ojibway Shores

Dear Ministers McKenna and Garneau,

I am writing you both today to bring to your attention an issue that can assist your government achieve some of its climate change objectives.

Ojibway Shores is a federal property currently under the management of the Windsor Port Authority; it is a 33 acre parcel of land of major environmental and heritage significance. This property provides the opportunity to preserve, protect unique and crucial environmental piece of land.

I am proposing the Government of Canada transfer the management of this property from under the Windsor Port Authority to Environment Canada. The law with respect to this process is clear and simple, it only takes political will.

The Windsor-Essex region hosts an incredible collection of properties known as the Ojibway Prairie Complex (OPC); collectively their environmental significance cannot be understated. You will find enclosed some of the documentation outlining the OPC's environmental importance but in short it is a haven for species at risk, rare fauna and flora.

Ojibway Shore needs to be placed under federal environmental protection as a matter of consistency and realizing a community dream.

As a component of the broader OPC, Ojibway Shores is a living environmental laboratory that properly belongs under the jurisdiction of Environment Canada. Bringing it under the jurisdiction of this Ministry will afford the government the opportunity to fully protect and preserve this ecological treasure and advance your environmental agenda.

As Ojibway Shores is federally owned but under the management of the Port Authority, for the land transfer to proceed the Transport Minister would have to notify the Port of his intention to remove the property in question from under the management of the Port. Once this process is vetted the property could then be transferred from one Ministry (in this case Transport) to another (Environment).

As you are aware the Windsor Port Authority is simply the agent of the Federal government holding stewardship over this property. The federal government is well within its authority to remove this property from under their stewardship at any time and is under no obligation whatsoever to compensate the Port.

You will find that this parcel of land could be eligible for many of the environmental protection programs administered through Environment Canada. A recent study jointly published by several leading local environmental organizations, including our regional conservation authority has concluded that this parcel of land is of "natural heritage significance" and further noted that Ojibway Shores is a "great candidate for preservation and habitat enhancement."

I have enclosed a copy of this study for your convenience.

You may also be aware that Environment Canada has virtually no federally protected lands in South Western Ontario. Ojibway Shores is a very strong candidate for federal protection and is already federal land, making it an uncomplicated and unique opportunity.

Given the mandate of the Port Authority and the environmental significance of Ojibway Shores the management of this parcel of land is misplaced. The Port is rightly concerned with its own mandate of advancing the marine commercial interests of the region and simply not equipped to properly administer a parcel of land as ecologically important as Ojibway Shores.

The community has time and again re-iterated its deep concern for the protection and preservation of this property. Previous proposals for its development were met with strong community opposition that ultimately led to the WPA and partners abandoning development plans.

Therefore from the perspective of the WPA, this land is a pure liability as it not possible for them to develop it for commercial interests. The public has spoken; they want their land, which they own protected.

It's clear that the Port Authority understands the untenable situation they are in given their recent statements regarding divestment of Ojibway Shores. As you are likely aware there is a discussion in my community around Community Benefits in the context of the construction of the Gordie Howe International Bridge. They have proposed that \$10 Million of those funds be used to pay the Port Authority for the community to acquire Ojibway Shores.

It's appalling that the WPA interprets the Community Benefits discussion as an opportunity to further their own interests instead of recognizing it as a vehicle through which crucial, mitigating investments can be made in our community. These funds are meant to help offset the significant deleterious impacts we have experienced in places like Sandwich Towne, where we have lost schools, businesses public services and housing all due to a major international border crossing being located in the immediate neighbourhood.

As I point out above, the community already owns Ojibway Shores. In attempting to leverage people's concern for the environment to secure an absurdly high pay out for land that is a pure liability, the WPA is taking an odious position. The land is undevelopable for commercial interest and as such is essentially less than worthless in the furtherance of the WPA's mandate.

However, from the broader perspective of the federal government as a whole and to the Canadian public generally is a major opportunity. Transferring the administration of Ojibway Shores from Port Authority management to Environment Canada will relieve the WPA of a liability; provide the Government of Canada the opportunity to properly protect and study of Ojibway Shores. Proceeding as I suggest aligns very succinctly with many of the articulated goals in your Government's Federal Sustainable Development Strategy (FSDS).

Some FSDS priorities listed in the government's document that the transfer of Ojibway Shores to your Department would support include the following:

- Effective action on climate change
- Sustainably Managed Lands and Forests
- Healthy Wildlife Populations
- Connecting Canadians with Nature
- Safe and Healthy Communities

The status quo is no longer sustainable; the Port cannot develop Ojibway Shores and is not equipped to exercise proper stewardship over this property. It is under the direct stewardship of Environment Canada where this property will yield the greatest benefit to all stakeholders – including the WPA.

I trust you will give this proposal your thoughtful consideration; I would be pleased to have the opportunity to discuss this in greater detail at your convenience.

Sincerely,



Brian Masse M.P.
Windsor West

Encl. Ojibway Shores Natural Heritage Inventory/Evaluation (2017)

c.c. The Rt. Hon. Justin Trudeau – Prime Minister of Canada

 Mr. David Cree – President/CEO Windsor Port Authority

 Mr. George Sandala – Chair, Board of Directors,
 Windsor Port Authority (Federal Government appointee)

 Rocco Lucente – Vice Chair, Board of Directors
 Windsor Port Authority (Federal Government appointee)

 Walter Benzinger – Board of Directors,
 Windsor Port Authority (Federal Government appointee)

 Barry Fowler – Board of Directors,
 Windsor Port Authority (Provincial Government appointee)

 Anthony Mascaro – Board of Directors,
 Windsor Port Authority (City of Windsor appointee)

 Bianca DeLuca – Board of Directors,
 Windsor Port Authority (Federal Government appointee)

 Mr. Tom Porter – Board of Directors,
 Windsor Port Authority (Federal Government appointee)