

Section 5: First Nation Consultations

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5.0 First Nation Consultations

As part of the Public Consultation process, six (6) First Nations, were contacted and offered the opportunity to provide input on the project. The Project Team also extended the invitation to engage in direct consultation (if desired) with each First Nation.

Correspondence with each First Nation has been provided in the corresponding sub-sections herein. A distribution list cataloguing all of the correspondence sent and received with each First Nation is also attached in this section of the Project File.

5.1 Notices and Information Packages

The following notices were sent to all of the First Nations to notify them of the Public Drop-In Centres, update them on the project status and to extend an offer of consultation.

- Notice of Intent & Invitation for Consultation (Public Drop-In Centre No. 1) – November 8, 2022
- Notice of Completion – January 8th, 2024

5.2 Feedback Summary

A summary of the feedback we have received from each First Nation has been provided below.

5.2.1 Aamjiwnaang First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

5.2.2 Caldwell First Nation:

All of the project information was submitted to Caldwell using the online portal. No feedback or response was received over the course of the project. Screen shots of the online portal have been provided for reference.

5.2.3 Chippewas of Kettle and Stony Point First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

5.2.4 Chippewas of the Thames First Nation:

The project was reviewed by COTTFN during the Master Plan stage of the project and a letter was provided by Fallon indicating minimal concern. A copy of the review received May 16, 2022 is attached in this section for reference.

Through the Master Plan process, COTTFN was notified that a Stage 2 Archaeological Assessment was scheduled for May 25th, 2022. COTTFN expressed interest in attending and sent an agreement for the City

to sign in order for a representative to attend. The City's legal department made two changes to the agreement sent by COTTFN on May 19th, 2022. COTTFN's legal department could not respond to those changes in time for the agreement to be signed and therefore, they did not attend the site for the Stage 2. After the Stage 2 was completed, an update e-mail was sent to Fallon Burch to notify her of the outcome.

An e-mail was received indicating that COTTFN has reviewed the Project File and had some comments. The update (through Nations Connect) said that there were some comments attached, but they were not uploaded. Landmark responded to Erna-Marie Leclair to indicate the comments were not received. Subsequently, Erna responded by e-mail with an attached letter including comments. Later that same day, Landmark replied to Erna to address the comments and concerns expressed in the letter.

All correspondence and print outs of the Nations Connect conversations have been included in this section of the Project File for reference.

5.2.5 Oneida Nation of the Thames First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

5.2.6 Walpole Island First Nation:

All of the project information and notifications were submitted by e-mail. No feedback or response was received over the course of the project.

Sandpoint Beach Master Plan First Nations - Distribution List & Communications Inventory

First Nations	Communications Sent			Communications Received		
	Date	Type	Description	Date	Type	Description
Aamjiwnaang First Nation 978 Tashmoo Avenue Sarnia, Ontario N7T 7H5 Attn: Chief Chris Plain chief.plain@aamjiwnaang.ca cc: Sharilyn Johnston sjohnston@aamjiwnaang.ca Cathleen O'Brien Environment Coordinator cobrien@aamjiwnaang.ca cc: Courtney Jackson Environment Consultant Worker cjackson@aamjiwnaang.ca	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation	8-Nov-22	E-mail	Sharilyn is retired. New contact is Cathleen O'Brien
	9-Jan-24	E-mail	Notice of Completion			
Walpole Island First Nation Bkejwanong Territory R.R.#3 Wallaceburg, Ontario N8A 4K9 Attn: Mr. Dean Jacobs Consultation Manager dean.jacobs@wifn.org cc: Janet Macbeth Project Review Coordinator janet.macbeth@wifn.org cc: Chief Dan Miskokomon drskoke@wifn.org	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation			
	9-Jan-24	E-mail	Notice of Completion			
Chippewas of Kettle & Stoney Point First Nation 6247 Indian Lane Kettle & Stoney Point, FN, Ontario N0N 1J0 Attn: Emily Ferguson Consultation Advisor consultation@kettlepoint.org	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation			
	9-Jan-24	E-mail	Notice of Completion			
Chippewas of the Thames First Nation 320 Chippewa Road, R.R. #1 Muncey, Ontario N0L 1Y0 Attn: Chief Jacqueline French jfrench@cottfn.com Attn: Fallon Burch Consultation Coordinator consultations@cottfn.com Attn: Erna-Marie Leclair emleclair@cottfn.com	9-Nov-22	Online Portal	Notice of Intent and Invitation for Consultation - sent through the online consultation portal chat.	10-Nov-22	Online Portal	Confirmation received from Fallon Burch
	9-Jan-24	Online Portal	Notice of Completion	08-Feb-24	Online Portal / E-mail	E-mail from Erna to notify update on the Online Portal. No comments attached in the portal.
	9-Feb-24	Online Portal	Follow up response to notify Erna that the comments were not attached.	12-Feb-24	E-mail	Erna sent response letter with comments by e-mail.
	12-Feb-21	E-mail	Replied to Erna's comments.			
Caldwell First Nation 14 Orange St. Leamington, Ontario N8H 3W3 Consultation Coordinator ecc@caldwellfirstnation.ca	9-Nov-22	Online Portal	Notice of Intent and Invitation for Consultation - uploaded to the online consultation portal.			
	9-Jan-24	Online Portal	Notice of Completion			

First Nations

Communications Sent

Communications Received

	Date	Type	Description	Date	Type	Description
Oneida Nation of the Thames Attn: Chief Adrian Chrisjohn adrian.chrisjohn@oneida.on.ca 519-318-4598	8-Nov-22	E-mail	Notice of Intent and Invitation for Consultation			
	9-Jan-24	E-mail	Notice of Completion			

NOTE:

1. This distribution list pertains to only the communication sent during the EA process. Some consultation was undertaken prior to the EA, during the Master Plan phase for the project site. Correspondence from the Master Plan phase has been added to the project file where applicable.
2. Only COTTFN and CFN have online portals for consultation. Screen shots of the information sent through the portals has been included in this section of the file.

Liz Michaud

Subject: FW: Sandpoint Beach Park Master Plan and Environmental Assessment
Attachments: 21-050 Notice of Intent & Location Plan (7Nov22).pdf; 21-050 Concept Plan (27April22).pdf

Good Afternoon,

In May of 2022, we commenced the Master Plan phase of the Sandpoint Beach Park Master Plan and Shoreline Class Environmental Assessment (EA) project and initiated consultation on the preliminary design concept. A copy of the concept plan is attached for reference.

The concept plan developed through the Master Plan process identified a set of potential modifications to the existing shoreline. The shoreline modifications trigger the Environmental Assessment (EA) process, which must be completed prior to detailed design or construction of the project. Through the EA process, shoreline alternatives must be considered and ultimately, a preferred solution will be identified.

At this time, the City of Windsor is proceeding with the Sandpoint Beach Park Shoreline Class EA in accordance with the approved procedures contained in the Municipal Class EA. The project team has identified that this project falls under the Schedule 'B' of the MCEA. Attached is a copy of the Notice of Intent and Invitation for Public Comment and a Location Plan.

We are presently reaching out to notify you of our upcoming Public Information Centre and offer consultation on the proposed shoreline improvements.

To aid in the dissemination of information, all project-related information will be available for review on the City of Windsor's website:

<https://www.citywindsor.ca/residents/parksandforestry/Parks-Development/park-improvement-open-houses/Pages/Sandpoint-Beach-Park-Master-Plan-and-Environmental-Assessment.aspx>

If you have any questions or would like to plan a time to discuss the project, please feel free to reach out to me at any time.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT



NOTICE OF INTENT AND INVITATION FOR PUBLIC COMMENT

The City of Windsor intends to carry out a study of the Sandpoint Beach Park shoreline in order to assess possible shoreline modifications that would address public safety concerns, while improving and/or maintaining flood and erosion protection. The study is being planned under Schedule B of the Municipal Class Environmental Assessment which is an approved process under the Environmental Assessment Act.

The study has progressed to the point where alternative solutions have been evaluated and a recommended solution has been identified for review and public comment.

PUBLIC INFORMATION CENTRE

The study area is as shown on the attached location plan. Interested parties are welcome to attend the Public Information Centre. Representatives of the City of Windsor and Landmark Engineers Inc. will be present to answer any questions and obtain feedback. The Public Information Centre will be held on:

DATE: Tuesday, November 22, 2022
TIME: 2:00 – 4:00 p.m. and 6:00 – 8:00 p.m.
PLACE: Riverside Sportsmen Club
10835 Riverside Drive East
Windsor, Ontario

We are presently contacting all private and public agencies that may have an interest in the project to solicit their comments and to confirm their interest in the Environmental Assessment process. For additional information or to provide direct comments regarding the project, please contact one of the following individuals:

Landmark Engineers Inc.
Ms. Liz Michaud, P.Eng.
2280 Ambassador Drive
Windsor, Ontario N9C 4E4
(519) 972-8052
lmichaud@landmarkengineers.ca

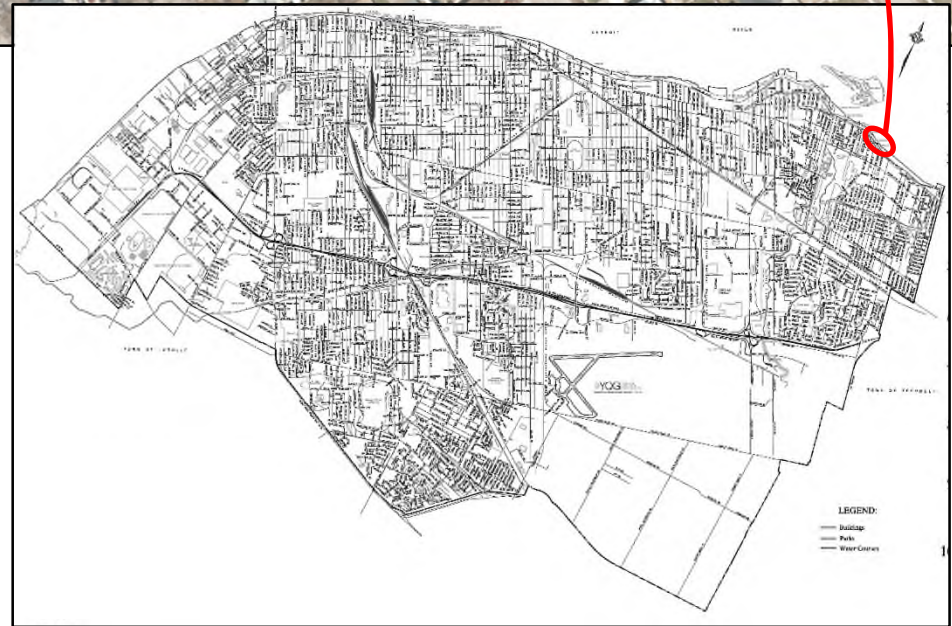
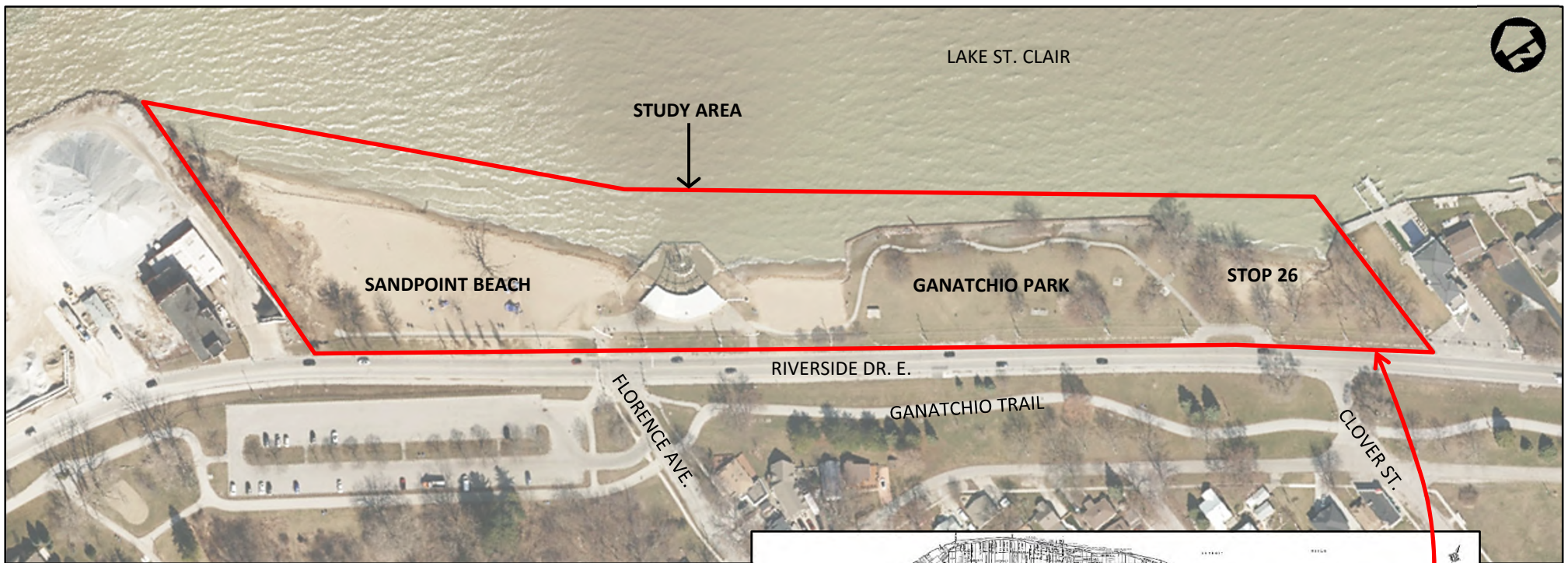
City of Windsor
Ms. Laura Ash, P.Eng.
2450 McDougall St.
Windsor, Ontario N8X 3N6
(519) 253-2300 Ext. 2735
lash@citywindsor.ca

Project information can be found at the website below or by scanning the QR code here:

<https://www.citywindsor.ca/residents/parksandforestry/Parks-Development/park-improvement-open-houses/Pages/Sandpoint-Beach-Park-Master-Plan-and-Environmental-Assessment.aspx>



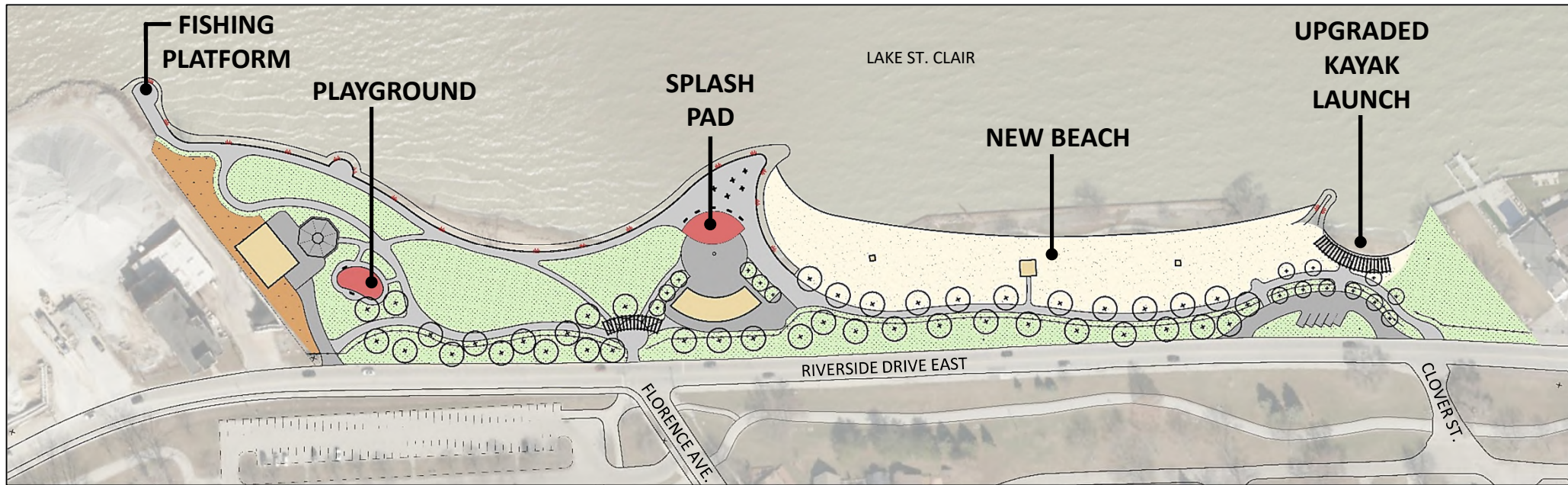
Under the *Municipal Freedom of Information and Protection of Privacy Act* and the *Ontario Environmental Assessment Act*, unless otherwise stated in submission (with the exception of personal information) all comments will become part of the public record and will be released (if requested) to any person.



Title LOCATION PLAN	Date NOV. 2022	FIGURE 1
	Scale NTS	
	Project No. 21-050	
Project: SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT		



EXISTING



PROPOSED

Liz Michaud

From: Liz Michaud
Sent: January 9, 2024 12:31 PM
Subject: Sandpoint Beach Park Shoreline Class Environmental Assessment - Notice of Completion
Attachments: 21-050 Notice of Completion (8Jan24).pdf

Good Afternoon,

In accordance with the approved procedures contained in the Municipal Class Environmental Assessment (EA), this letter is to advise you that the Class EA for the Sandpoint Beach Park Shoreline has now been completed. Attached is a copy of the Notice of Study Completion.

All of the project information is being made available for review online and can be found at the website here: <https://www.citywindsor.ca/residents/parksandforestry/Parks-Development/park-improvement-open-houses/Pages/Sandpoint-Beach-Park-Master-Plan-and-Environmental-Assessment.aspx>

Subject to comments received as a result of this Notice, and the receipt of necessary approvals, the City of Windsor may proceed with the design and construction of the shoreline works.

If you wish to discuss this project at any time, please feel free to reach out and I would be happy to discuss any questions or concerns.

Best Regards,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT



NOTICE OF STUDY COMPLETION

The City of Windsor has now completed a study of the Sandpoint Beach Park shoreline in order to assess possible shoreline modifications that would address public safety concerns, while improving and/or maintaining flood and erosion protection. The study has been completed under Schedule B of the Municipal Class Environmental Assessment which is an approved process under the Environmental Assessment Act.

Subject to comments received as a result of this Notice and receipt of necessary approvals, the City of Windsor may proceed with implementation of the Preferred Solution of the project.

All of the project information is being made available for review online and can be found at the website below or by scanning the QR code here:

<https://www.citywindsor.ca/residents/parksandforestry/Parks-Development/park-improvement-open-houses/Pages/Sandpoint-Beach-Park-Master-Plan-and-Environmental-Assessment.aspx>



The website contains links to view the Project File, which contains all information regarding the project to date. If you do not have access to the internet, please contact Landmark Engineers Inc. at the address below to make arrangements to review a hard copy.

Interested persons may provide written comment to our project team by February 7th, 2024. All comments and concerns should be sent directly to Ms. Liz Michaud, P.Eng. at Landmark Engineers Inc.

In addition, a request may be made to the Ministry of the Environment, Conservation and Parks (Ministry) for an order requiring a higher level of study (i.e. requiring an individual/comprehensive EA approval before being able to proceed), or that conditions be imposed (e.g. require further studies), only on the grounds that the requested order may prevent, mitigate or remedy adverse impacts on constitutionally protected Aboriginal and treaty rights. Requests on other grounds will not be considered. Requests should include the requester's contact information and full name.

Requests should specify what kind of order is being requested (request for conditions or a request for an individual/comprehensive environmental assessment), how an order may prevent, mitigate, or remedy potential adverse impacts on Aboriginal and treaty rights, and any information in support of the statements in the request. This will ensure that the Ministry is able to efficiently begin reviewing the request.

The request should be sent in writing or by email to:

Minister of the Environment, Conservation and Parks
Ministry of Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3
minister.mecp@ontario.ca

SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT



and

Director, Environmental Assessment Branch
Ministry of Environment, Conservation and Parks
135 St. Clair Ave. W, 1st Floor
Toronto ON, M4V 1P5
EABDirector@ontario.ca

Requests should also be copied to Landmark Engineers Inc. by mail or by e-mail. Please visit the Ministry's website for more information on requests for orders under section 16 of the Environmental Assessment Act at: <https://www.ontario.ca/page/class-environmentalassessments-part-ii-order>.

All personal information included in your request – such as name, address, telephone number and property location – is collected, under the authority of section 30 of the Environmental Assessment Act and is collected and maintained for the purpose of creating a record that is available to the general public. As this information is collected for the purpose of a public record, the protection of personal information provided in the Freedom of Information and Protection of Privacy Act (FIPPA) does not apply (s.37). Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential.

Landmark Engineers Inc.
Ms. Liz Michaud, P.Eng.
2280 Ambassador Drive
Windsor, Ontario N9C 4E4
(519) 972-8052
lmichaud@landmarkengineers.ca

City of Windsor
Ms. Laura Ash, P.Eng.
2450 McDougall St.
Windsor, Ontario N8X 3N6
(519) 253-2300 Ext. 2735
lash@citywindsor.ca

This Notice issued 8 January 2024.

Chippewas of the Thames
First Nation Correspondence

21-050 : **Sandpoint Beach Park Master Plan and EA**

Distributed: May 5, 2022

Project description

The City of Windsor is carrying out a study of Sandpoint Beach Park for the purpose of establishing a Park Master Plan and potentially modifying the existing shoreline to improve public safety. Located on the east end of Windsor, Sandpoint Beach Park is a municipally-owned park, comprised of three segments; Sandpoint Beach, Ganatchio Park and Stop 26, which together are commonly referred to as Sandpoint Beach Park. The park provides recreational facilities and public beach access to Lake St. Clair near the mouth of the Detroit River.

In response to the most recent drowning incident that occurred in May of 2021, the City of Windsor has retained Landmark Engineers Inc. (hereafter Landmark) to undertake a redesign of Sandpoint Beach Park. The primary purpose of this redesign would be to modify the existing shoreline and swimming facilities in a manner that would improve public safety. At this time, we are reaching out to commence consultation through the Master Plan and Municipal Class Environmental Assessment process.

Information

Consulting organization

Organization: Landmark Engineers Inc.

Primary Contacts

Contact: Elizabeth Michaud

Region

Ontario

Consultation stream

Municipal / County Governance

Project type

Master Plans

Project access requirements

Uses existing access

Requested response date

2022-05-19

Project area

2.15 hectares

Area of new cut (disturbance)

hectares

< Details

Area of new cut (disturbance)

hectares

Location description

Sandpoint Beach Park, Windsor, Ontario

Supplemental organizations

Organization: City of Windsor




Contacts: Laura Ash

Documentation

Project web page links

[City of Windsor Website](#)



Attachments

-  [21-050 First Nations Letter \(5May22\).pdf](#)
-  [21-050 Notice of Intent, Location Map and Photos \(5May22\) .pdf](#)
-  [Stage 1 DRAFT Archaeological Plan - 2022-654 29 March 2022.pdf](#)

Spatial files

 [Sandpoint Beach Park.kmz](#)

Attachments for Chippewas of the Thames First Nation

-  [21-050 First Nations Letter \(5May22\).pdf](#)
-  [21-050 Notice of Intent, Location Map and Photos \(5May22\) .pdf](#)

⏪ BACK



CHIPPEWAS OF THE THAMES FIRST NATION

Project Name:

Sandpoint Beach Park Master Plan and EA

FN Consultation ID:

21-050

Consulting Org Contact:

Liz Michaud

Consulting Organization:

[Landmark Engineers Inc.](#)

Date Received:

Thursday, May 5, 2022

May 16, 2022

Dear: Liz

We have received information concerning Sandpoint Beach Park Master Plan and EA, submitted on May 5, 2022. The proposed project is located within the McKee Treaty area to which Chippewas of the Thames First Nation (COTTFN) is a signatory. It is also located within the Big Bear Creek Additions to Reserve (ATR) land selection area, as well as COTTFN's Traditional Territory.

After reviewing Sandpoint Beach Park Master Plan and EA, we have identified minimal concerns with the information that has been presented to us at this time. We ask that if there are any substantive changes to the proposed plan that you notify COTTFN with the opportunity to review and provide comments if needed. We understand that there is a Stage 2 Archaeology Assessment planned on May 25, 2022. I have attached an agreement that is required to be signed by the consultant/proponent and COTTFN prior to an Archaeology Field Liaison actively participating on behalf of this First Nation.

In regards to the invitation to provide feedback to expand or enhance the existing Indigenous Heritage Recognition site, I encourage you to contact COTTFN's Language, Cultural and Heritage Department at (519) 264-2500.

We look forward to continuing this open line of communication. To implement meaningful consultation, COTTFN has developed its own protocol - a document and a process that will guide positive working relationships. As per 'Appendix D' of the Wiindmaagewin, please find attached invoice #0313.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Original Signed

Fallon Burch

Consultation Coordinator

Chippewa of the Thames First Nation

320 Chippewa Road, Muncey, ON, N0L 1Y0

(519) 289-5555 Ext 251

fburch@cottfn.com

Liz Michaud

From: Liz Michaud
Sent: May 26, 2022 10:29 AM
To: Fallon Burch
Cc: Ash, Laura; 'Chippewas of the Thames First Nation'; Jennifer Mills; Rochelle Smith
Subject: RE: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

Good Morning Fallon,

The Stage 2 assessment was undertaken yesterday morning. The Archaeologists determined that the entire study area is disturbed and no further work is required. Once we have the final report, I will forward for your records. I will continue to update the online consultation portal with information as the project progresses.

If you have any questions, please don't hesitate to reach out.

Thank you,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

From: Fallon Burch <fburch@cottfn.com>
Sent: May 25, 2022 9:19 PM
To: Ash, Laura <lash@citywindsor.ca>; 'Chippewas of the Thames First Nation' <no-reply-cottfn@knowledgekeeper.ca>; Jennifer Mills <jmills@cottfn.com>; Rochelle Smith <rsmith@cottfn.com>
Cc: Liz Michaud <lmichaud@landmarkengineers.ca>
Subject: RE: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

Hi Laura,

I apologize for the delay on our end, we had to seek legal advice on the proposed changes the City of Windsor had made to the agreement. Can you please provide an update on the status of this assessment?

Thank you,

Fallon



Fallon Burch

Consultation Coordinator, Chippewas of the Thames First Nation

320 Chippewa Rd Muncey, ON N0L 1Y0 | 519-289-5555 | www.cottfn.com/consultation

This email or documents accompanying this email contain information belonging to the Chippewas of the Thames First Nation. Which may be confidential and/or legally privileged. The information is intended only for the addressed recipients(s). If you are not an intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this email. Is strictly prohibited. If you have received this email in error, please advise my office and delete it from your system.

From: Ash, Laura <lash@citywindsor.ca>

Sent: May 19, 2022 10:25 AM

To: 'Chippewas of the Thames First Nation' <no-reply-cottfn@knowledgekeeper.ca>; Fallon Burch <fburch@cottfn.com>; Jennifer Mills <jmills@cottfn.com>; Rochelle Smith <rsmith@cottfn.com>

Cc: lmichaud@landmarkengineers.ca

Subject: RE: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

Some people who received this message don't often get email from lash@citywindsor.ca. [Learn why this is important](#)

Good morning,

Thank you very much for reviewing the information and providing feedback. Please review the revised agreement attached for an AFL to attend the Stage 2 Archaeological Assessment on May 25, 2022. Your earliest attention to this matter would be greatly appreciated.

Revisions include:

- 1) added a provision in item 3.5 for the City of Windsor's COVID 19 and mask policy; and
 - 2) added item 12.3 regarding the Municipal Freedom of Information and Protection of Privacy Act.
- Both revisions coincide with a recent agreement signed between The Corporation of the City of Windsor and The Chippewas of the Thames First Nation for another project.

Please feel free to contact me if you have any questions or require additional information.

Sincerely,

Laura Ash, MAsc, P.Eng | Supervisor, Parks Projects



Parks - Design & Development
2450 McDougall St. | Windsor, ON | N8X 3N6
Office: 519-253-2300 Ext. 2735

Cell: 519-564-4187

www.citywindsor.ca

From: Chippewas of the Thames First Nation <no-reply-cottfn@knowledgekeeper.ca>

Sent: May 16, 2022 8:33 PM

To: fburch@cottfn.com; jmills@cottfn.com; rsmith@cottfn.com; lmichaud@landmarkengineers.ca; Ash, Laura <lash@citywindsor.ca>

Subject: Decision regarding consultation: 21-050 - Sandpoint Beach Park Master Plan and EA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see attached PDF.

^ From: Elizabeth Michaud

Created: 9-Nov-2022 

Good Afternoon,

This project has moved from the Master Plan phase of the project into the Environmental Assessment phase. At this time we are sending out Notices regarding the start of the Shoreline Environment Assessment. I have attached the Notice here for your records.

At this time there has been no changes to the plan itself. Once the PIC is complete and the Preferred Solution is identified, I will reach out again with an update to the project.

If you have any questions please reach out at any time.

Thank you,
Liz Michaud
519-972-8052

”

 [21-050 Notice of Intent & Location Plan \(7Nov22\).pdf](#)

^ From: External system

Created: 10-Nov-2022

Good morning Liz,

Thank you for providing the Notice of Intent & Location Plan. I look forward to future updates on the preferred solution.

Fallon Burch
Consultation Coordinator
Chippewas of the Thames First Nation
(519) 289-5555 Ext. 251

”

Liz Michaud

From: Kwusen Support <support@kwusen.com> on behalf of NationsConnect <support@kwusen.ca>
Sent: February 8, 2024 4:11 PM
To: Liz Michaud
Subject: NationsConnect: Consultation Response-Sandpoint Beach EA regarding Sandpoint Beach Park Master Plan and EA

A new conversation has been started and you were indicated as a person to notify.

Subject: Consultation Response-Sandpoint Beach EA

Hello,

Attached is a response in regards to Sandpoint Beach Draft EA. Apologies for it being one day late.

Body:

Have a great day,

Erna

[View message and reply via NationsConnect](#)



Sandpoint Beach Park Master Plan and EA
Consultation

Participants: Landmark Engineers Inc.

Chippewas of the Thames First Nation



^ From: External system “

Created: 08-Feb-2024 ¹

Hello,

Attached is a response in regards to Sandpoint Beach Draft EA. Apologies for it being one day late.

Have a great day,

Erna

”

 [Sandpoint Beach EA Project File DRAFT.pdf](#)

^ From: Elizabeth Michaud “

Created: 09-Feb-2024

Good Morning Erna,

Thank you very much for taking the time to review the project and provide comments.

Unfortunately, the only attachment that I can see is the draft project file. I have skimmed though to see if you added comments to the PDF but I didn't see any. If you could please direct me to where the comments are I would very much appreciate your help.

Regards,
Liz Michaud

”

 REPLY

Liz Michaud

From: Erna-Marie Leclair <emleclair@cottfn.com>
Sent: February 12, 2024 3:19 PM
To: Liz Michaud
Subject: Sandpoint Beach Comments
Attachments: SandpointResponse.pdf

Hello Liz!

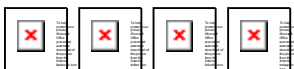
Apologies for the delay! I wasn't officially assigned on the project file, so it took some time to notice your message on the CKK.

I have attached the PDF to this email. Please let me know if it opens for you.

Have a great day



Erna-Marie Leclair (she/her)
Consultation Analyst
Chippewas of the Thames First Nation
Email: emleclair@cottfn.com
Cell: 226-236-0816
320 Chippewa Road, Muncey, Ontario



[Visit us online at cottfn.com](http://cottfn.com)

This communication is intended for the use of the recipient to whom it is addressed and may contain confidential and or privileged information. If you are not the intended recipient of this communication any information received should be deleted or destroyed.



February 7, 2024

Dear Liz,

Thank you for providing the Draft version of the Sandpoint Beach Park Shoreline Class Environmental Assessment Document. As stated in a previous response, the proposed project is 1) located within the McKee Treaty area to which COTTFN is a signatory, 2) is located within the BBC Additions to Reserve land selection area and 3) located in COTTFN's Traditional Territory.

After reviewing the Environmental Assessment, the Consultation Unit within the Treaties, Lands and Environment Department at COTTFN has several comments/questions:

- The initial Marine Archeology Assessment identified that the works being completed are of a concern, especially if excavation extends further than 1m because this area has been historically used by Indigenous Peoples. This combined with the statement from a private citizen stating this area is an important area for Indigenous Artefacts to wash up onto the shoreline, COTTFN supports this conclusion and requests to be notified if any construction near or in the water will entail digging/boring/drilling 1m below current grade. As a reminder, COTTFN also requests the opportunity to send out archeological field liaisons if further marine archeology is required.
- It should be noted that when installing new and removing rock features, checking for the presence of turtles and snakes on the rocks before any work commences as this area could provide basking habitat.
- For any near water or in water works will there be a need for any turbidity controls?
- In the past communications, there was mention of providing feedback on expanding this Indigenous Heritage Recognition Site. Was this followed up on?
- I will add this EA file to the project file so we can keep our project management tool (NationsConnect) updated with the latest information. However, further communications/updates should occur through the original project submitted through NationsConnect using the Communication Feature.

We look forward to continuing this open line of communication. If you would like to set up a meeting to discuss these questions, please reach out. To implement meaningful consultation, COTTFN has developed its own protocols - a document and a process that will guide positive working relationships. We would be happy to meet with you to review COTTFN's Consultation Protocols. As per 'Appendix C' of the Wiindmaagewin, we will be sending an invoice based on our time to review the documentation. The invoice will come from COTTFN's Finance Department.

Please do not hesitate to contact me if you need further clarification of this letter.

Sincerely,

Original Signed
Erna Leclair
Consultation Analyst
Chippewa of the Thames First Nation
320 Chippewa Road, Muncey, ON, N0L 1Y0
(519) 289-5555 Ext 239
emleclair@cottfn.com OR consultation@cottfn.com



Liz Michaud

From: Liz Michaud
Sent: February 12, 2024 4:02 PM
To: Erna-Marie Leclair
Subject: RE: Sandpoint Beach Comments

Good Afternoon Erna,

Thank you for sending this by e-mail for my convenience. I will add this communication to the official Project File and update the file to also include your requests during the project's next steps.

The initial Marine Archaeology was a desktop study of the nearshore area to identify the significance of the property and to guide the next steps. As the project's main purpose is focused on shoreline improvements that would not impact the lake bed more than 1m deep (ie – rock revetment built up along the water and steel sheet piles being removed), the City would only need to implement a Stage 2 underwater Marine assessment prior to installing any pile supports for the fishing pier. We have opted to wait for the Stage 2 Marine assessment at this time. It would be a costly study for a feature that is not essential to the shoreline. The team has decided that if a Pier were to be desired in the future, an assessment would be undertaken as the first step prior to design and construction of the fishing pier. I will make a note in the file that COTTFFN would like to be part of any future Archaeological assessments.

It should be noted that the water in this location is very shallow (from 0 at the shoreline to less than 1 meter deep at 250 meters out from the shoreline). There will also be very little excavation (if any at all) along the shoreline that would cause turbidity. The soil in the area is very sandy (it is a beach environment) with very little sediment. We do not anticipate the need for turbidity curtains at this time, but that may change based on final detailed design and consultations with DFO.

There has been no further conversions or consultations regarding expanding the Indigenous Heritage Recognition at the site as part of the EA. The EA is really just focused on the shoreline improvements. The Park Master Plan, which includes improvements to the the building and parklands, would be an opportunity for COTTFFN to work with the City moving forward. I will forward this letter to the City representative that would liaise on this so that they are aware of your request for any future opportunities to be involved with the site development.

Although our official deadline regarding the Municipal Class EA has ended, please continue to forward any comments or concerns anytime. I will continue to provide information officially though Nations Connect as requested for any future consultations.

Thank you again for taking the time to review the project and provide meaningful feedback.

Regards,

Liz Michaud, P.Eng.



Landmark Engineers Inc.

2280 Ambassador Drive

Windsor, ON, N9C 4E4

p (519) 972-8052

c (519) 999-8052

f (519) 972-8644

e-mail lmichaud@landmarkengineers.ca

Caldwell

First Nation Correspondence



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Project Overview

Project:	Sandpoint Beach Park Master Plan and Environmental Assessment
Created:	Apr 18, 2022
Timeline:	This is a planning project. The intent is to finalize the Master Plan and Environmental Assessment by November 2022
Status:	Awaiting response from CFN
Description:	In response to the most recent drowning incident that occurred in May of 2021, the City of Windsor is considering a complete redesign of the Sandpoint Beach Park. The primary purpose of the redesign would be to modify the existing shoreline and swimming facilities in a manner that would improve public safety.
Assessment Level:	Level 4



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Project Location

Does your project or any associated activities physically overlap with any of the following areas, including land, water and flora and fauna therein? Please see the map for reference and select all that apply.

None

Does your project or any associated activities likely to result in impacts on the highlighted area on the map, including land, water and flora and fauna therein? Please see the map for reference.

No

Is it possible the project could still have impacts on the air, water or land within a 100 km radius of The Municipality of Leamington, The Town of Essex, The Township of Kingsville, and The Township of Pelee (Point Pelee & Pelee/Island), as set out on the map? Please see the map for reference.

Yes

Project Impact Assessment

Do you anticipate or are you already aware that this project will require approvals by any of the following regulatory authorities or ministries? Please select all that apply.

Fisheries and Oceans Canada

Ontario Ministry of the Environment, Conservation and Parks

Ministry of Natural Resources and Forestry

If you anticipate that the project requires a federal impact assessment and/or a provincial environmental assessment, or you are already aware that such an assessment is required, please indicate the classification for each assessment (e.g. Municipal Class EA, Schedule C, TPAP, etc.)

Provincial

This project is the Municipal Class EA project for the site. The project is being completed as a Schedule 'B' with an additional public consultation added for the Master Planning stage for additional feedback.

Impact assessment documents - description of uploads:

Location Plan - Indicates location of the site and study boundary.rnrnMore information will be updated as the project progresses.

Impact assessment documents - files

[21-050-Location-Plan-14April22.pdf](#)

Economic Impacts

Could this project directly benefit CFN members economically through any of the following? Please select all that apply:

Unsure, too early in the process

Please explain.

There will be opportunity for attend the site for a Stage 2 Archaeological Assessment. This date has not been scheduled yet. As well, there may be opportunity to become involved in projects that come out of the Master Planning process of the site.

Could this project directly impact the CFN members economically through any of the following? Please select all that apply:

None of the above

Does this project physically overlap with the area highlighted in this map (located within the municipality of Leamington)?

No

Archaeological & Sacred Sites

Please select all of the statements regarding archaeological and sacred sites that apply to this project.

An archaeologist has been hired for this project

According to the Ministry of Heritage, Sport, Tourism and Culture Industries' Standards and Guidelines for Consultant Archaeologists, does this project require any of the following. Please select all that apply. If unsure about any, please select 'Unsure' as well.

Stage One Archaeological Assessment

Stage Two Archaeological Assessment

Archaeological assessment documents - description of uploads:

Stage 1 DRAFT Archaeological Plan from AMICK Consultants. A Stage 2 on site assessment will be held on May 25th, 2022. Please reach out if you or a member of your staff would like to attend the Stage 2.

Archaeological assessment documents - files

[Stage-1-DRAFT-Archaeological-Plan-2022-654-29-March-2022.pdf](#)

Species at Risk

Have you entered into, or are you in negotiations toward a landscape agreement under Ontario's Endangered Species Act, 2007?

No

Have you applied for a permit under section 17 of Ontario's Endangered Species Act, 2007, or have you applied for a permit or an agreement under section 73 of the Species at Risk Act?

No

Does the project construction, operation and / or implementation overlap with the habitat or flight paths of the following species listed in Ontario's Endangered Species Act, the Species at Risk Act, or in the Schedule of the Migratory Birds Convention Act?

Yes

Waterways

Do any of the following apply to the project? Please refer to the map. If you are unsure about any of these, please select unsure as well.

The project physically overlaps with or concerns a waterway located within the area circled

The project involves building or improvement of infrastructure over or adjacent to a waterway located within the area circled

Do any of the following apply to the project? If you are unsure about any of these, please select unsure as well.

The project requires at least one authorization from the Minister of Fisheries, Oceans and the Canadian Coast Guard (e.g., Fisheries Act authorizations, Species At Risk Act permit, etc.)

Culture & Language

Could this project directly benefit CFN members culturally through any of the following? Please select all that apply. If you are unsure about any of these, please select unsure as well.

Other (please explain)

The site is located along a municipal recreational trail on the south side of Riverside Drive known as the "Ganatchio" trail. It is our understanding that this name is derived from the Native American/First Nations name for Lake St. Clair. In 1982, the Windsor-St. Clair Rotary Club assisted in funding the creation of the Sandpoint Beach Totem Pole. It was carved by a Nootkon artist, Wikinanish, in 22 weeks of work over 14 months of time. The log used for the pole was a red cedar, imported from British Columbia. The existing totem pole and name of the adjacent municipal trail system are testament to the presence of the indigenous heritage of the area. As part of our consultation, we are interested in feedback on the potential to enhance or expand the indigenous recognition at the site.

Human Health

Does this project involve the use, production, or release of any pollutant, effluent or substance that has been known or presumed to have harmful effects on human health?

No

Please list which substances, pollutants or effluents this project will use, produce and release.

Are there any scientific reports you have had to submit or will have to submit to the Crown concerning the use of toxins or contaminants?

No

Other

Does the project involve an influx of people during the construction phase (more than 100) within any of the regions below? Please select all that apply.

None of the above

Are there any addition documents you would like to include for this submission?

Yes

Additional documents - description of uploads:

21-050 First Nations Letter - Letter to inform Consultation Coordinators about the project and invitation to attend Stage 2 Archaeological on May 25th at 10am.rnrn21-050 Notice of Intent, Location Map and Photos - Project Notice, Location Map, Site Photos and Preliminary Proposed Plan images.

Additional documents - files

[21-050-First-Nations-Letter-5May22.pdf](#)

[21-050-Notice-of-Intent-Location-Map-and-Photos-5May22-.pdf](#)

[21-050-Notice-of-Intent-Location-Plan-7Nov22.pdf](#)

Is there anything else you would like to share about the project?

Would you like a follow-up meeting?

No meeting is necessary

Recommendation

Based on the results of the proponents responses, we recommend that CFN negotiate with the proponent for funding to retain traditional ecological knowledge expert and an expert in a relevant field of western science to determine whether the project impacts construction, operation and / or implementation overlap with the habitat or flight paths of the following species, which are important to CFN's traditional harvesting:

- White-tailed Deer
- Wild Turkey
- Perch
- Pickerel
- Crappy
- Blue Gill
- Dogfish
- Mudpuppies
- Rainbow Trout
- Ducks
- Geese
- Cotton Tail Rabbits
- Jack Rabbits
- Birch
- Muskrat
- Pickerel
- Frogs
- Turtles
- Beavers
- Min
- Smelt
- Sweetgrass
- Tobacco
- Sage
- Cedar
- Black Willow
- Red Willow



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Impact Assessment Documents

1 File:

Filename	Date Uploaded
21-050-Location-Plan-14April22.pdf	

Archaeological Assessment Documents

1 File:




Filename	Date Uploaded
Stage-1-DRAFT-Archaeological-Plan-2022-654-29-March-2022.pdf	

Scientific Report Documents

None

Additional Documents

3 Files:

Filename	Date Uploaded
 21-050-First-Nations-Letter-5May22.pdf	
 21-050-Notice-of-Intent-Location-Map-and-Photos-5May22-.pdf	
 21-050-Notice-of-Intent-Location-Plan-7Nov22.pdf	Nov 9, 2022

[Click here](#) to upload additional documents