



CHIEFS AND COUNCILS SAUGEEN OJIBWAY NATION

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November 24 2020

Town of South Bruce Peninsula
c/o Lara Widdifield
Director of Public Works
lara.widdifield@southbrucepeninsula.com

RE: Town of South Bruce Peninsula - Sauble Beach Dunes and Lakeshore Boulevard On-Street Parking Improvements

We have been made aware by concerned Saugeen Ojibway Nation (SON) members and members of the general public of works proposed by the Town of South Bruce Peninsula (the Town) along Lakeshore Blvd (from Crowd Inn to Kinloss Lane) in Sauble Beach, ON, Saugeen Ojibway Nation Territory. From our understanding, and in review of the Town Council Report dated November 17 2020, the Town of South Bruce Peninsula have approved of works to: cut back dune sand, install concrete block retaining wall, contour dune from wall to peak, and remove trees and vegetation along 469 m of Lakeshore Blvd. The purpose of these works is to address vehicle - pedestrian safety issues due to parking congestion along Lakeshore Blvd. The works are planned to proceed imminently (this week of Nov 23) and to be completed by mid-December 2020. We understand that Grey Sauble Conservation Authority (GSCA) and the Ministry of Environment, Conservation and Parks (MECP) have received copies of the proposal regarding the above works and have indicated conditional acceptance of these works, pending submission of detailed design.

We have several concerns regarding the above described works. Firstly, the location in question (the waterfront along the shore of Lake Huron including from Lot 25 to the middle of Lot 31), is and always has been part of Saugeen First Nation Indian Reserve #29. The town is well aware of this fact. The fact that this land is Saugeen's reserve land has been confirmed by the Federal Government, which has previously advised project proponents that no activities can occur there unless "you have obtained the consent of Saugeen First Nation to proceed with the" activities. As such, any undertaking on this portion of Saugeen's reserve land without consent is unlawful and is trespassing on the reserve. The claims of the Town that they hold title to this portion of Saugeen's reserve are subject to ongoing litigation filed against the Town by both Saugeen and the Government of Canada and that matter is expected to proceed to trial next year. Secondly, the location in question is within the Saugeen Ojibway Nation Territory and based on the described works, there is potential for negative impacts on the environment of SON Territory, including a notably sensitive ecosystem (sand dunes) and species at risk bird habitat (piping plover) and we have not received notice of these works or any detailed plans, permits or approvals from the Town, GSCA, or MECP.

Based on the information provided in the November 17 Town Council Report, we do not believe that any consideration has been made regarding the proposed works and the Town's obligations to consult Saugeen First Nation in regards activities occurring on Saugeen First Nation's land, to consult Saugeen Ojibway Nation regarding SON's Aboriginal and treaty rights in SON Territory or the potential environmental impacts to the sand dune ecosystem and sensitive species. In addition, we do not see that alternative solutions to the parking

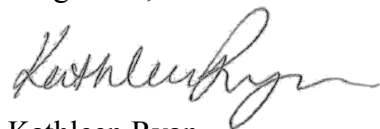
congestion issue have been proposed or considered by the Town, or that environmental impacts have properly scoped, assessed or mitigated.

The Town must provide to SON copies of all proposals or applications submitted to GSCA and MECP regarding the proposed works and include SON in future submissions of additional materials (e.g., detailed design). Additionally, we request that GSCA and MECP provide to SON any written reviews, comments, or conditional approvals provided to the Town on this matter.

All plans to proceed with the proposed work must stop until the Town has fulfilled its obligation to consult with and obtain consent from Saugeen First Nation regarding the proposed activities to occur within Saugeen First Nation Indian Reserve #29, and until Saugeen Ojibway Nation (Environment Office) has a full understanding and opportunity to review and assess the scope of work, consideration of alternatives, and the assessment of potential environmental impacts and mitigations.

Please forward the requested materials to Kathleen Ryan (Kathleen.ryan@saugeenojibwaynation.ca) on behalf of Saugeen Ojibway Nation and Doran Ritchie on behalf of Saugeen First Nation (doran.ritchie@saugeen.org) to initiate consultation regarding works described in this letter.

Miigwetch,



Kathleen Ryan
Acting Manager
Saugeen Ojibway Nation Environment Office
kathleen.ryan@saugeenojibwaynation.ca

CC.
Chief Lester Anoquot – Saugeen First Nation
Chief Greg Nadjiwon – Chippewas of Nawash Unceded First Nation
Doran Ritchie – Councillor Saugeen First Nation
Mayor Janice Jackson - Town of South Bruce Peninsula – Jjackson@brucecounty.on.ca
Tim Lanthier – Chief Administrative Officer – Grey Sauble Conservation Authority – t.lanthier@greysauble.ca
John S. Ritchie – Manager – Owen Sound District Ministry of Environment, Conservation and Parks –
john.s.ritchie@ontario.ca