



October 31, 2024

Ministry of Environment, Conservation and Parks

Re: ERO number 019-9193

The Consultation Unit of Chippewas of the Thames First Nation (COTTFN) has concerns about the proposed Environmental Compliance Approval for the stormwater management system of a new fertilizer storage facility at 25700 Kerwood Road, Strathroy, Ontario.

The Consultation Unit has not received information about this proposed project, which would be located in the Longwoods Treaty area, to which COTTFN is the sole First Nations signatory. It would also be in COTTFN's traditional territory, as acknowledged in the Big Bear Creek Settlement Agreement (2013).

Contemplating issuing the ECA should trigger the Crown's duty to consult, as it is Crown conduct that potentially impacts COTTFN's protected Aboriginal and Treaty rights. To the best of our knowledge, we did not receive any notification or submission to our NationsConnect consultation portal.

This project involves the storage of up to 110,000 meters of fertilizer biosolid pellets near the Sydenham River. The Sydenham River is significant to COTTFN as a waterway where citizens in the past and present have exercised their rights as Anishinaabe. We understand that this proposed facility would be much larger than the average. We also do not have information on where the source materials are coming from and potential contaminants. We are concerned that the stormwater site design may not be adequate to protect the Sydenham watershed in case of flooding, which could impact the health of the river and the health of citizens when exercising their rights on the river. We also understand that there is a combustion risk, along with other concerns like odours and traffic. We cannot assess these risks without access to information.

The ECA approval must not proceed until there has been meaningful consultation with COTTFN, including providing copies of all the associated studies and site plans. Consultation submissions can be made to our portal at NationsConnect.ca.

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