

REPORT NO. 74
of the
WINDSOR-ESSEX COUNTY ENVIRONMENT COMMITTEE (WECEC)
of its meeting held
July 4, 2013
at 5:30 o'clock p.m.
Lou Romano Water Reclamation Plant, 4155 Ojibway Parkway

Members present at the July 4, 2013 meeting:

Councillor Alan Halberstadt, Co-Chair
Charlie Wright
Councillor Hilary Payne
Pauline Cheslock
Derek Coronado
Rick Coronado
Jesse Costa Gardner
Roger Dzugan
Evan Freeman-Gibb
Paul Henshaw
Mike Nelson
Phil Roberts (alternate)
Tamara Stomp

Your Committee submits the following recommendation:

Moved by T. Stomp, seconded by C. Wright,

WHEREAS the City of Windsor will be receiving a report regarding the designation of City of Windsor Park properties as part of the Detroit River International Wildlife Refuge; and

WHEREAS Windsor's unique natural resources could be seen as part of the Detroit River International Wildlife Refuge that would result in positive public relations and would help in marking the City and region; and

WHEREAS the Detroit River International Wildlife Refuge is a unique partnership with Canada and offers Windsor more opportunities to leverage human and financial resources for wildlife management, research, and education; and

WHEREAS being part of the Detroit River International Wildlife Refuge would help Windsor become part of major celebrations such as International Migratory Bird Day, World Wetlands Day; and

WHEREAS there would be no costs associated with park designation of certain Windsor parks nor any loss of ownership rights as part of the Detroit River International Wildlife Refuge;

THEREFORE BE IT RESOLVED that City Council favourably consider designating the recommended parks as part of the Detroit River International Wildlife Refuge.

Carried.

Note: The report of the Naturalist dated September 3, 2013 entitled "Western Lake Erie Watersheds Priority Natural Area Registry of Lands" is attached.

LiveLink #16586

COUNCILLOR ALAN HALBERSTADT, CO-CHAIR

COMMITTEE COORDINATOR

NOTIFICATION:	
NAME	CONTACT INFORMATION
WECEC Committee including resource personnel	on file
Dr. Hartig, Refuge Manager, Detroit River International Wildlife Refuge	John_hartig@fws.gov
Richard Wyma, General Manager, Essex Region Conservation Authority	rwyma@crca.org
John Miceli, Executive Director of Parks and Facilities	jmiceli@city.windsor.on.ca
Paul Pratt, Naturalist	ppratt@city.windsor.on.ca

**THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY ENGINEER- Parks & Facilities**

**MISSION STATEMENT:**

"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"

LiveLink REPORT #: 16586 EI2013	Report Date: September 3, 2013
Author's Name: Paul Pratt	Date to Council: October 7, 2013
Author's Phone: 519 966-5852	Classification #:
Author's E-mail: ppratt@city.windsor.on.ca	

To: Mayor and Members of City Council

Subject: Western Lake Erie Watersheds Priority Natural Area Registry of Lands

P&R# 13 -106

1. RECOMMENDATION:

City Wide: Ward(s): ___

That the City of Windsor **APPROVE**, in principle, the inclusion of the following parks within the Western Lake Erie Watersheds Priority Natural Area Registry of Lands in support of binational collaboration on the Detroit River International Wildlife Refuge: Peche Island, Black Oak Heritage Park, Ojibway Park, Tallgrass Prairie Heritage Park, Spring Garden Natural Area and Oakwood Park.

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the required registry agreement, approved as to technical content by the Executive Director of Parks and Facilities and form by the City Solicitor or designate.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

On April 8, 2013, Councillor Jo-Anne Gignac asked the following: CQ 12-2013 "Asks Administration to prepare a report outlining the process, benefits and cost if any of designating Peche Island and any other appropriate Municipal holdings as Natural Heritage Sites".

Several city parks associated with the Ojibway Prairie have received designation as a provincially significant natural heritage site called the Ojibway Prairie Remnants Area of Natural and Scientific Interest.

Further designation as part of an international wildlife refuge would enhance these sites and provide many benefits.

3. DISCUSSION:

The Detroit River was designated an American Heritage River in 1998 and a Canadian Heritage River in 2001, the only river in North America with both designations. Following its designations, also in 2001, Canada and the US developed and signed a 'Conservation Vision' for the Lower Detroit River Ecosystem, with a goal of establishing "... *an international conservation region where the health and diversity of wildlife and fish are sustained through protection of existing significant habitats and rehabilitation of degraded ones, and where the resulting ecological, recreational, economic, educational, and 'quality of life' benefits are sustained for present and future generations.*"

The Detroit River watersheds are home to over 300,000 Canadian residents and are situated in a border region of over 4 million people. In the Essex region, these watersheds lie fully within the Carolinian Zone, which supports the greatest diversity of plant and animal species of any region in Canada. At the same time, the region is under great stress from urban and industrial development and rural land use, and is exhibiting signs of degradation. Blue green algae blooms have become a serious issue over the past few years. Significant threats exist to the region's watersheds, tributaries, nearshore and open water areas. Only about 3 per cent of the area is protected as national and provincial parks or conservation lands, which is the lowest proportion of protected areas of any region in Ontario.

In 2001, US Fish and Wildlife established an International Wildlife Refuge (IWR) for the Detroit River which includes a Land Registry that has grown to over 4,000 acres of public and private conservation lands. The designation is based on US legislation and though intended to be international, does not apply to sites in Canada.

In response, Canadian partners including Environment Canada, Department of Fisheries and Oceans Canada, Ontario Ministry of Natural Resources, Nature Conservancy of Canada, Ducks Unlimited Canada, and the Essex Region Conservation Authority created a "Western Lake Erie Watersheds Priority Natural Area" (PNA), also the first of its kind in North America (map attached). The PNA initiative intends to stimulate, excite and engage the community through education and outreach projects. It is also expected to strengthen research and monitoring, and to build a liveable, sustainable future for the region, and a community that recognizes the relationships between healthy environment, healthy people and healthy economy. The PNA also includes both a Registry of Lands, and a Registry of Actions which highlight the municipal, private, and other projects that have been undertaken in the watersheds, including.

The PNA initiative provides a mechanism for enhanced collaboration and coordination of resource management programs and projects within the boundaries of the IWR and PNA and build on and complement existing programs such as the Detroit River Remedial Action Plan, the Detroit River Heritage River designations, and the Lake Erie Lakewide Management Plan, and will stimulate further actions in support of existing programs. Program successes will be achieved through the voluntary participation and agreement of partners, public and private landowners and other participants.

In August 2013, ERCA, on behalf of PNA Partners, and US Fish and Wildlife, on behalf of IWR Partners, signed a Memorandum of Understanding to clarify the cooperative and collaborative relationship between the Essex Region Conservation Authority (ERCA) and the U.S. Fish and Wildlife Service (USFWS) regarding cooperative conservation and ecosystem-based management of lands, waters, and biota along the Detroit River and western Lake Erie watersheds. The MOU includes cooperation on conservation and ecosystem-based management,

communication and collaboration, and knowledge/management and resource sharing. The signing of the MOU also included the creation of a Canadian Registry of Lands for the Western Lake Erie Watersheds Priority Natural Area in support of binational collaboration on the Detroit River International Wildlife Refuge (MOU attached as Appendix A).

It is intended that other protected areas, managed municipally, provincially, federally or by partner agencies involved in the PNA would be added to the Land Registry. In the City of Windsor, several existing natural areas could be included in the Land Registry, including Black Oak Heritage Park, Ojibway Park, Spring Garden Natural Area, Oakwood Bush and Peche Island; adding approximately 980 acres to the Canadian Registry of Lands.


If all existing protected areas were to be included, the Canadian Land Registry would include more than 11,300 acres of public lands, in addition to private lands which are expected to be included through partnership agreements with the PNA. Combined with US IWR registry, and the US Fish and Wildlife partnership with Michigan Department of Natural Resources, over 25,000 acres of natural areas would be included on the US and Canadian Land Registry.

Inclusion of Windsor natural areas within the PNA would not affect ownership of lands, or how these parks would be operated or managed but would result in significant public awareness of the importance of the region and its natural resources, and profile to leverage additional funding and other shared resources in support of wildlife management, research and education, marketing and promotions (e.g. International Migratory Bird Day, World Wetland Day, ByWays to FlyWays Driving Tour, joint communications, etc.). In addition, the City lands would be part of an international effort, resulting in positive public relations and help in marketing the City and region. The Detroit River International Wildlife Refuge is a unique partnership with Canada and offers Windsor more opportunities for interaction and collaboration with U.S. researchers and participation in bi-national environmental education activities/events with US students.

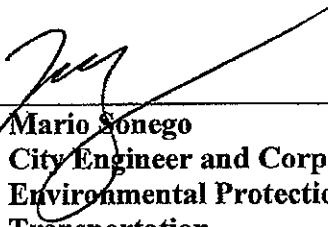
- John H. Hartig, Refuge Manager of the Detroit River International Wildlife Refuge

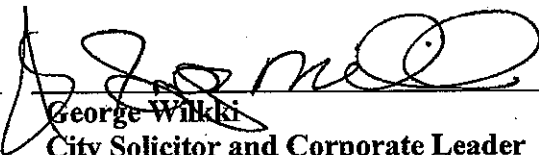
7. CONCLUSION:


The Department of Parks and Facility Operations supports the designation of select parks as part of the international wildlife refuge. We look forward to the exciting opportunities this designation will provide.


 Paul Pratt
 Naturalist


 Giovanni Miceli
 Executive Director Parks & Facilities


 Mario Sonogo
 City Engineer and Corporate Leader
 Environmental Protection and
 Transportation


 George Wilki
 City Solicitor and Corporate Leader
 Economic Development and Public Safety


 Helga Reidel
 Chief Administrative Officer

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APPENDICES:
Appendix A: MEMORANDUM OF UNDERSTANDING

DEPARTMENTS/OTHERS CONSULTED:
 Name:
 Phone #: 519 ext.

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX



MEMORANDUM OF UNDERSTANDING
between the
ESSEX REGION CONSERVATION AUTHORITY
and the
U.S. FISH AND WILDLIFE SERVICE
concerning the
DETROIT RIVER INTERNATIONAL WILDLIFE REFUGE
and the
WESTERN LAKE ERIE WATERSHEDS PRIORITY NATURAL AREA

1. PURPOSE

This Memorandum of Understanding (MOU) is to establish the cooperative and collaborative relationship between the Essex Region Conservation Authority (ERCA) and the U.S. Fish and Wildlife Service (USFWS) regarding cooperative conservation and ecosystem-based management of lands, waters, and biota along the Detroit River and western Lake Erie watersheds.

2. BACKGROUND

WHEREAS, ERCA and the USFWS have the authority to enter into an understanding with another organization for cooperative conservation; and

WHEREAS, the Detroit River and western Lake Erie watersheds are at the intersection of two major North American flyways – the Atlantic and Mississippi; and

WHEREAS, over 300,000 diving ducks, 75,000 shorebirds, and hundreds of thousands of

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land birds and fall raptors frequent the area to rest, nest, and feed along these unique shoreline habitats, including many islands and marshes; and

WHEREAS, over 30 species of waterfowl, 23 species of raptors, 31 species of shorebirds, and 160 species of songbirds are found along or migrate through this corridor; and

WHEREAS, 117 species of fish are found in or migrate through the Detroit River; and

WHEREAS, the North American Waterfowl Management Plan has identified the Detroit River and western Lake Erie basin as part of one of 34 Waterfowl Habitat Areas of Major Concern in the U.S. and Canada; and

WHEREAS, the lower Detroit River and western Lake Erie have been declared part of a Regional Shorebird Reserve by the Western Hemispheric Shorebird Reserve Network; and

WHEREAS, the lower Detroit River and western Lake Erie are collectively a key stopover site, identified by The Nature Conservancy, that is home to up to 10% of the estimated global population of Canvasback Ducks in some years and up to 1,900 Tundra Swans; and

WHEREAS, the lower Detroit River, Pelee Island Archipelago, Point Pelee National Park, and Holiday Beach/Big Creek Conservation Area are designated an Important Bird Area by BirdLife International, National Audubon Society, Michigan Audubon Society, and the Kalamazoo Nature Center; and

WHEREAS, the Detroit River and western Lake Erie have been recognized for their biodiversity in the United Nations Convention on Biological Diversity and the Biodiversity Investment Area Program under the U.S.-Canada State of the Lakes Ecosystem Conference; and the International Biodiversity Conservation Strategy for Lake Erie;

WHEREAS, the Detroit River and western Lake Erie have been designated North America's only International Wildlife Refuge; and

WHEREAS, the Western Lake Erie watersheds, including the Detroit River watershed, have been designated North America's only Priority Natural Area

WHEREAS, significant threats to the natural areas of the Detroit River and western Lake Erie watersheds exist, and the Detroit River and western basin of Lake Erie are exposed to the greatest stress due to urbanization, population growth, industrialization, and rural land use and are exhibiting signs of degradation including nutrient enrichment; and

WHEREAS, ERCA and the USFWS were key partners in the development of the 2001 Conservation Vision for the Lower Detroit River Ecosystem that called for strategic international conservation partnerships to further binational coordination of efforts to protect this continentally significant ecological corridor, create an international wildlife refuge; and catalyze actions in both Canada and the US; and

WHEREAS, the *Detroit River International Wildlife Refuge Establishment Act* of December 21, 2001, authorizes the Secretary of the Interior or his authorized representative to enter into cooperative agreements with any other person or entity for management of lands located within the boundaries of the Detroit River International Wildlife Refuge for the purposes of

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protecting remaining high-quality fish and wildlife habitats, restoring and enhancing degraded wildlife habitats associated with the Detroit River, and promoting public awareness of the important resources of the Detroit River International Wildlife Refuge; and

WHEREAS, ERCA and other Canadian partners, including Environment Canada, Fisheries and Oceans Canada, the Ontario Ministry of Natural Resources, the Nature Conservancy of Canada, and Ducks Unlimited Canada, have signed a "Memorandum of Collaboration Agreement for the Western Lake Erie Watersheds Priority Natural Area" to improve the effectiveness and efficiency of natural resource management through enhanced collaboration and cooperation; engage the local communities through education / outreach; protect, increase and enhance natural areas and water quality through public and private efforts; and strengthen scientific research and monitoring in support of science-based decision making; and

WHEREAS, the Conservation Vision, International Wildlife Refuge and Priority Natural Area encourage all partners to collaborate and complement existing programs such as the Detroit River Remedial Action Plan (RAP), the Lake Erie Lakewide Management Plan (LAMP), and the Detroit River Heritage River initiatives; and contribute to a liveable and sustainable future for the region, and a community that recognizes the relationships between healthy environment, healthy people, and healthy economy; and

WHEREAS, ERCA and the USFWS have a long history of working with partners to achieve binational conservation and restoration goals (e.g., building a successful sturgeon spawning reef off Fighting Island that represented the first ever fish habitat restoration project in the Great Lakes funded with both U.S. and Canadian resources; 51 soft shoreline engineering projects completed in the last 12 years; common tern habitat restoration).

THEREFORE, ERCA and the USFWS agree that it is in the best interests of all concerned to enter into this Memorandum of Understanding.

3. OBJECTIVES

a. Cooperative Conservation and Ecosystem-Based Management

The USFWS and ERCA agree to work cooperatively to voluntarily manage lands, waters, and biota in each country in the spirit and intent of the 2001 Conservation Vision, the Detroit River International Wildlife Refuge, and the Western Lake Erie Watersheds Priority Natural Area.

ERCA and the USFWS recognize the necessity of using cooperative conservation and ecosystem-based management relative to management of shared lands, waters, and biota within this trans-boundary ecosystem.

Specifically, ERCA and the USFWS, along with partners, agree to work cooperatively on:

- Habitat conservation, rehabilitation, restoration, and enhancement, including soft shoreline engineering;
- Fish and wildlife management, and conservation of biodiversity;
- Waterfowl, colonial nest bird, and other surveys;

- A Canadian Registry of Lands for the Western Lake Erie Watersheds Priority Natural Area in support of binational collaboration on the Detroit River International Wildlife Refuge
- A U.S. Registry of Lands for the Detroit River International Wildlife Refuge in support of binational collaboration with the Western Lake Erie Watersheds Priority Natural Area;
- A Canadian and U.S. registry of actions pertaining to restoration, conservation, and sustainability for the Detroit River and western Lake Erie;
- Identification of shared funding sources that would contribute to identified priorities: e.g., North American Wetlands Conservation Act, other funding to be used for expanding the Fighting Island sturgeon reef and for other enhancements and acquisitions, etc.

b. Communication and Collaboration

The USFWS and ERCA will continue to follow applicable federal, state, provincial, and local laws, and agency policies and procedures pertaining to managing their respective lands, waters, and biota, but agree jointly to collaborate to achieve efficiencies, synergies, and greater effectiveness, where possible. Both ERCA and the USFWS agree to meet at least twice per year to ensure adequate communication and cooperation.

Specifically, ERCA and the USFWS agree to work cooperatively on:

- Public use and outreach activities like International Migratory Bird Day, World Wetlands Day, the ByWays to FlyWays Bird Driving Tour for southwest Ontario and southeast Michigan, and others;

c. Knowledge, Management Expertise, and Resource Sharing

ERCA and the USFWS will share knowledge, management expertise, and resources to more fully achieve the goals of cooperative conservation and ecosystem-based management in the Detroit River-western Lake Erie watersheds.

Specifically, the ERCA and the USFWS agree to work cooperatively on:

- Research relative to answering critical questions for effective cooperative conservation and ecosystem-based management;
- Providing input to responsible agencies for reporting of status and trends of key indicators in support of biennial State of the Strait Conferences, Canada-U.S State of the Lakes Ecosystem Conferences, fish community objectives under the Lake Erie Committee of the Great Lakes Fishery Commission, reporting under the North American Waterfowl Management Plan, the Comprehensive Conservation Plan for the Detroit River International Wildlife Refuge, the Lake Erie Lakewide Management Plan, and Remedial Action Plans for Great Lakes Areas of Concern.

d. Funding

The USFWS and ERCA agree to jointly support, and when and where appropriate, seek funding to achieve the goals of cooperative conservation and ecosystem-based

management of the Detroit River and western Lake Erie, where possible.

4. PROJECT OFFICERS:

The principle contact for the USFWS concerning this agreement will be:

- Dr. John H. Hartig, Refuge Manager
Detroit River International Wildlife Refuge
9311 Groh Road, Grosse Ile, MI 48138 USA
Voice: 734.692.7608 ; Fax: 734.692.7603 ; E-mail: john_hartig@fws.gov

The principle contact for the ERCA concerning this agreement will be:

- Mr. Richard Wyma, General Manager/Secretary-Treasurer
Essex Region Conservation Authority
360 Fairview Avenue West, Suite 311, Essex, Ontario, Canada N8M 1Y6
Voice: 519.776.5209, ext. 353; Fax: 519.776.4319 ; E-mail: rwyma@erca.org

5. SPECIAL PROVISIONS:

The USFWS and ERCA agree to indemnify and hold each organization harmless, including commissioners, officers, agents, and employees, from all claims, damages, losses, suits, or actions, including reasonable costs and attorney fees, arising or resulting from installation, construction, operation, maintenance, repair, renewal, replacement or removal activities. Each party agrees that it will be responsible for its own acts and the results therein to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. This provision shall survive the expiration or termination of this agreement.

6. AMENDMENTS:

Amendments or modifications to this agreement may be proposed by either party at any time, and will become effective upon written ratification by both.

7. TERMINATION:

This MOU may be terminated by any party upon written notice to the other parties to this agreement of the intent to termination. Such termination shall not be effective until 90 days after notice is received by the parties to the agreement. If this agreement is not renewed, it will automatically terminate 50 years from the date of original signature.

IN WITNESS WHEREOF, the parties hereto have subscribed their names as of the date indicated.

WITNESSES

ESSEX REGION CONSERVATION AUTHORITY

JUNE 21 2013

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By:

Date:

Mr. Richard Wyma

General Manager/Secretary Treasurer

WITNESSES

U.S. FISH AND WILDLIFE SERVICE

By:

Date:

Dr. John Hartig

Refuge Manager of the Detroit River
International Wildlife Refuge, Region 3,
U.S. Fish and Wildlife Service

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