Pelee Island
PROPERTY OWNERS ASSOCIATION

Member Association, Federation of Ontario Cottagers' Associations (FOCA)

Date: November 13, 2026

To:
The Honourable Julie Dabrusin, P.C., M.P.
Minister of the Environment, Climate Change and Nature
Government of Canada
Email: ministre-minister@ec.gc.ca

Impact Assessment Agency of Canada, Ontario Region
Attention: Daisy Hsu, Project Manager
Email: DesignationOntario@iaac-aeic.gc.ca

Cc:
Innovation, Science and Economic Development Canada (ISED), Southwestern Ontario District Office — spectrumswodo-spectrebdsoo@ised-isde.gc.ca
Pelee Island Bird Observatory (PIBO)

Re: Pelee Island Telecommunications Tower Project (Proponent: DRW NX Co.) — Comments in Support of the Request for Designation under Subsection 9(1) of the *Impact Assessment Act*

Dear Minister Dabrusin and Ms. Hsu,

On behalf of the Board of Directors and members of the **Pelee Island Property Owners Association**, we write in support of the designation request submitted by the Pelee Island Bird Observatory (PIBO) on October 6, 2026, and in response to the Agency's invitation for comments by November 16, 2026. We respectfully urge you to exercise your authority under subsection 9(1) of the *Impact Assessment Act* to designate the proposed 182.9-metre (600-foot) guyed telecommunications tower at 1246 Centre Dyke Road for a federal impact assessment.

About Our Association

The **Pelee Island Property Owners Association** has 373 members, including seasonal and permanent residents and property owners on Pelee Island. As a member association of the Federation of Ontario Cottagers' Associations (FOCA), which represents some 250,000 waterfront and rural property owners across Ontario, we are committed to environmental stewardship, source water protection, sustainable land-use planning and the protection of sensitive Great Lakes ecosystems. Our members are long-term stakeholders in the ecological integrity, natural heritage and year-round livability of the island.

Grounds for Federal Designation

Under subsection 9(1) of the *Impact Assessment Act*, the Minister may designate a physical activity that may cause adverse effects within federal jurisdiction. Section 2 of the Act defines these to include non-negligible adverse changes to migratory birds and to fish and fish habitat. Under subsection 9(2), the Minister may also consider public concerns about those effects and whether other processes can address them. In our view, this project meets each of these tests.

1. Migratory birds: an effect squarely within federal jurisdiction. Pelee Island's natural areas are a globally significant Important Bird Area, and Birds Canada identifies the island as a Key Biodiversity Area. It lies where the Atlantic and Mississippi flyways meet, on a main route birds use to cross western Lake Erie. PIBO's daily counts and banding recorded more than 660,000 birds in 2024 and 2025 combined. The proposed tower is guyed, lit at night and as tall as a 60-storey building, about three times the 199-foot maximum the U.S. Fish and Wildlife Service recommends for new towers. Research cited in PIBO's request finds that guyed towers kill about 16 times as many birds as unguyed towers of similar height. Mandatory aviation lighting is known to draw nocturnal migrants toward towers, especially in the low cloud and fog common over Lake Erie during migration. PIBO also reports that ten endangered or threatened bird species, including the Prothonotary Warbler and Wood Thrush, show breeding evidence in the surrounding breeding bird atlas square. Migratory birds protected under the *Migratory Birds Convention Act, 1994* are expressly named in section 2 of the Act as a component of the environment within federal jurisdiction.

2. Species at risk and federally mapped critical habitat. As set out in PIBO's request, the site lies within areas where Environment and Climate Change Canada maps critical habitat for seven species listed under the *Species at Risk Act*, including the Blue Racer, a snake found in Canada only on Pelee Island. Foundations, guy-wire anchors and access works within mapped critical habitat warrant federal scrutiny before any approval.

3. Fish habitat, island drainage and Lake Erie. Pelee Island is low-lying and depends on an engineered system of municipal drains and pumping stations, including the Big Marsh Drainage Scheme along Centre Dyke Road, which discharges to wetlands and to Lake Erie, a boundary water shared with the United States. Deep concrete foundations and widely spaced guy-wire anchors risk severing subsurface drainage tile, altering local hydrology, and increasing sediment and contaminant loads to connected wetlands, fish habitat and Lake Erie.

4. This is not a routine tower. In 2019 the Agency recommended against designating a telecommunications tower in Alberta Beach (Xplornet). That tower was 29.9 metres tall, self-supporting, without guy wires, and sited on a previously disturbed urban lot among existing structures; Environment and Climate Change Canada judged the bird-strike risk low in part because it was not between major staging areas. Every one of those factors is reversed here: the Pelee Island tower is six times taller, guyed and lit, on a rural island with no comparable structures, directly on a major migration crossing. For comparison, in the United States a new communications tower over 450 feet requires a federal environmental assessment before it can be built; this tower is 600 feet.

5. No existing process has assessed, or will assess, these effects. The project is not on the federal Project List. The Township of Pelee granted municipal concurrence on November 12, 2025 (By-law 2025-60), but has said it does not review or evaluate tower siting and that the matter is now federal. ISED's antenna-siting process under CPC-2-0-03 is a land-use consultation, not an environmental assessment, and the *Migratory Birds Convention Act, 1994* prohibits harm after the fact rather than assessing siting before construction. According to PIBO, the proponent's own study did not assess bird collisions, and its bird surveys consisted

of two counts in June and July 2025, outside the spring and fall migrations. Nor has there been any evaluation of less damaging alternatives, such as a shorter self-supporting structure, a site away from the flyway and the airport, or co-location on existing infrastructure. Only a federal impact assessment would examine these effects and alternatives together.

6. Public concern and the island economy. Pelee Island's economy, and the value of our members' properties and local businesses, depends on nature-based tourism, birdwatching and agriculture, including its well-known vineyards. Birders and naturalists travel from across North America to visit the island. Harm to migratory birds, wetlands and the island's open landscape would undermine that foundation. Public concern about this proposal is substantial and growing, among island residents and well beyond, and we ask that it be weighed under subsection 9(2).

7. Proximity to Pelee Island Airport and winter air access. The site is approximately 2.4 kilometres along Centre Dyke Road from Pelee Island Airport (772 Centre Dyke Road). When ferry service stops at winter freeze-up, scheduled air service is the island's only link for residents, medical emergencies and essential supplies. A 600-foot guyed tower near the island's aviation approach raises serious safety concerns in low-visibility winter weather over Lake Erie, and reinforces the need for a full review of alternative sites.

Subsection 9(7) and Pending Federal Authorizations

We understand that construction has not begun and that the proponent has indicated a 2027 construction timeline. We note that the Agency began its review of PIBO's request on October 21, 2026, which, consistent with the Agency's guidance, we understand to mean that no subsection 9(7) limitation currently applies. Because subsection 9(7) bars designation once a federal authority exercises a power that could permit the project to proceed, we respectfully ask that ISED, Transport Canada and any other federal authority refrain from issuing any licence, approval or authorization for this project until you have decided on the request.

Conclusion

Pelee Island is an irreplaceable part of the Great Lakes basin, and its ecological health, winter accessibility and agricultural and tourism economy are inseparable. Allowing a 600-foot guyed and lit tower to proceed on a major migration route without a federal assessment would be inconsistent with the purposes of the *Migratory Birds Convention Act, 1994* and the *Species at Risk Act*.

We respectfully request that you designate the project and require DRW NX Co. to undergo a federal impact assessment. Please add the Pelee Island Property Owners Association to the distribution list for all notices and decisions on this file. Our members would welcome the opportunity to share local knowledge of the island with the Agency.

Sincerely,

Rebecca Kandola
Director, on behalf of the Board of Directors
Pelee Island Property Owners Association
Member Association, Federation of Ontario Cottagers' Associations
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