

Response ID	Section/Topic	Comment	Project Team Response
1	Reasonable Alternatives	Through the passage of O. Reg. 697/21, the province has gone to extreme measures to avoid having to update the EA approval to address a number of salient developments since 1997. These developments would likely have a material impact on this proposed project. This is because any such update, or even now eliminated Class EA, require consideration of reasonable alternatives. This would likely necessitate abandonment of the currently approved route though the Holland Marsh, adjacent woodlands and greenbelt lands.	<p>The Ministry is currently undertaking the Preliminary Design and project-specific assessment of environmental impacts as outlined in Ontario Regulation (O. Reg.) 697/21: <i>Bradford Bypass Project</i>. The Project Team will carry forward previous environmental commitments made during the 2002 approved Route Planning and EA Study. In addition, the Preliminary Design stage for the Bradford Bypass will include a wide range of environmental studies (as outlined on the project website at https://www.bradfordbypass.ca/overview/), as well as those identified in accordance with O. Reg. 697/21 and current legislative requirements.</p> <p>The Preliminary Design study involves design refinements to the 2002 Approved Technically Preferred Route within the Study Area. The evaluation of alternatives, including alignment options, consider property impacts, as well as a balance consideration for environmental and design criteria. PIC # 1 showcased Preliminary Design refinements and alternatives for the Bradford Bypass mainline, freeway-to-freeway interchanges, as well as arterial/crossing road interchanges. Feedback received during the PIC are factored into the evaluation of those alternatives.</p> <p>As part of the design refinement and evaluation process, the Project Team is actively engaged with Indigenous communities, local municipalities, regional governments and regulatory agencies for consultation on the design. The results of these consultations will be incorporated into the Ministry's preliminary design study and presented to the public at key design stages. Feedback received from key stakeholders, including members of the Environment, Community and Agriculture committee, are included in design considerations. We thank you for your participation and for providing valuable feedback to the team at the first committee meeting (December 8, 2021).</p> <p>O. Reg. 697/21 was introduced on October 7, 2021 by Ministry of Environment, Conservation and Parks (MECP) and allows the Ministry to complete a streamlined planning and assessment process to move the Bradford Bypass project forward in an environmentally conscious way. The Ministry is still required to complete all environmental requirements such as carrying out consultations as set out in the regulation and obtaining permits and approvals for the project prior to the start of construction.</p>
2	Eliminate Highway Alternative Traffic Problems Road Discontinuities	<p>Elimination of the fundamental need for this highway in this location as is set out in the approved 1997 EA Study:</p> <ul style="list-style-type: none"> ○ Traffic Problems - termination of provincial highways at lower-capacity municipal roadways (e.g. Highway 9 at Davis Drive). [Highway 9 is now a regional road]. ○ Road Discontinuities - Inefficient, out-of-the-way travel barrier to east-west travel formed by the lack of a crossing of the Holland River north of Highway 11 at Bradford. [The Bradford Bypass route is less than 1 km closer to Lake Simcoe than Queensville Sideroad, the current route. In its 1987 EA Study, MTO refused to consider the previously substantially approved Ravenshoe Road / Hwy 89 route which resolves out-of-the-way- travel problems]. 	<p>The purpose of this new 16.2-kilometre controlled access freeway is to improve connectivity as well as to provide capacity to accommodate future demand. Even with all currently planned transportation and transit investments, road congestion will continue to increase across the Greater Golden Horseshoe (GGH). The Bradford Bypass will relieve congestion on existing east-west local roads and provide an improved northern freeway connection between Highway 400 in the County of Simcoe and Highway 404 in York Region.</p> <p>As stated in the Project Team's response to your comments on September 24, 2021, the alignment is preferred for the freeway in terms of highway network expansion, ease of construction, relationship to provincial and municipal land use planning (Official and Transportation Master Plans, <i>Places to Grow Act</i>). The Project Team will continue to engage municipalities and will support future municipal interchange initiatives.</p>
3	Highway benefits	Organized misrepresentation of this highway's benefits by MTO and the Province's elected officials concerning the benefits of this highway to local residents aimed at securing strong support from local municipalities. (Details of the above points are set out in our Bait and Switch Report: https://frogs.ca/wp-content/uploads/shared-files/Bradford-Bypass-Bait-Switch-with-Critical-Update-FINAL.pdf)	The highway benefits are based on various studies that have taken place leading up to the re-initiation of the Bradford Bypass Preliminary Design in 2020. Significant population growth is projected for both Simcoe County and the Regional Municipality of York. The Bradford Bypass has been proposed as a response to this dramatic growth in population and travel demand in the area, including the forecasted increase in congestion on key east-west roadways linking Highway 400 to Highway 404. The proposed location for the Bradford Bypass was also identified in A Place to Grow: Growth Plan for the greater Golden Horseshoe (2019).
4	Increased population	Substantially increased Places to Grow growth requirements for south Lake Simcoe Basin municipalities. The resultant population levels will require major local roadways improvements which will be overwhelmed or precluded by the presence of the Bradford Bypass. [Significantly greater than originally forecast levels of local traffic will be comingled with long distance highway traffic]. Fuller details are set out in our Fact Sheet entitled: REASONS WHY WE NEED A TOTALLY NEW HOLISTIC STUDY NOT	As stated in the Project Team's response to your comments on September 24, 2021, the Ministry recognizes the need for consideration of current and future transportation and transit options. The proposed Bradford Bypass is one element of many transportation options being developed by the Ministry to keep people and goods moving through the Region. Simcoe County is expected to experience rapid population growth over the next 10 years, with the Regional Municipality of York growing to 1.79 million by 2041. Building the proposed

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		RESTRICTED TO MTO'S MANDATE: https://frogs.ca/wp-content/uploads/shared-files/Reasons-why-a-totally-new-holistic-study-which-is-not-restricted-to-MTO-is-needed-.pdf	<p>Bradford Bypass is necessary to relieve existing congestion on local east-west local roads and to address the expected long-term travel demand in the area.</p> <p>Even with all currently planned transportation and transit investments and an anticipated increase in the number of people working remotely, road congestion will continue to increase across the Greater Golden Horseshoe (GGH). For Ontarians in 2051, the average travel speeds are expected to be 16 per cent slower when compared to 2016.</p> <p>Congestion costs Ontario billions in lost productivity, adds to the costs of goods and creates harmful carbon emissions. Ontario needs new infrastructure to help move people and goods or the region will quickly become overwhelmed.</p> <p>As stated in Response ID #3 above, the Bradford Bypass is aligned with provincial and land use planning.</p>
5	Public Transit	Implementation of Go Train Service from Barrie to Union Station with frequent all-day service to be implemented shortly. This "reasonable alternative" was not considered in the 1997 EA Study and its subsequent 2002 EA Approval, which is now the final EA approval for this project.	The Project Team is consulting with Metrolinx to coordinate the Barrie GO Expansion with the overall Bradford Bypass. The traffic model for the Bradford Bypass does take into account road capacity and its impact on travel speeds as demand grows. The modelling also accounts for planned transit and other improvements which result in mode shifts from automobiles to other modes, including bus routes and GO Transit rail lines. As the population of Simcoe County and York Region continue to grow, they need to be serviced by various modes of transportation including those that facilitate goods movement, even with planned transit improvements in place.
6	Environmental Statutes	Implementation of a number of significant environmental protection statutes by the province such as the Greenbelt Protection Act and the Lake Simcoe Protection Act.	<p>The Ministry recognizes the importance of farmland and the Greenbelt's agricultural system for economic wellbeing, human health, and the quality of life of Ontarians. At the same time, there is a need to ensure that provincial transportation infrastructure keeps up with a growing population and helps build the economy. The Greenbelt Plan permits infrastructure, including highways, where it supports the significant growth and economic development expected in southern Ontario beyond the Greenbelt by providing connections among urban centres.</p> <p>Both the Early Works and the Preliminary Design for the overall Bradford Bypass are to adhere to all relevant new and existing provincial and federal legislation, including, the <i>Lake Simcoe Protection Act</i> and the <i>Greenbelt Protection Act</i>. The Ministry has assessed impacts for the County Road 4 Early Works and will assess impacts for the overall Bradford Bypass with respect to the <i>Lake Simcoe Protection Act</i> and <i>Lake Simcoe Protection Plan</i> through the consideration of water quality and quantity, stormwater management, groundwater management, landscaping and ecological restoration measures. Potential impacts to the watershed are assessed and mitigation measures are recommended to minimize those potential impacts in accordance with relevant provincial and federal regulatory requirements through all stages of construction.</p> <p>Further assessment of potential impacts as part of the overall Bradford Bypass will be provided in the Environmental Impact Assessment Report (EIAR) which will be made available for public and agency review once available.</p>
7	Federal Fisheries Act	Amendments to the Federal Fisheries Act, June 21, 2019, restoring protections to fish and fish habitat. Habitat protection provisions came into force on August 28, 2019 that prohibit the death of fish and the Harmful Alteration, Destruction, or Disruption of fish habitat. There are no MTO protocols with Fisheries and Oceans Canada to cover MTO's proposed works for this Early Construction project.	<p>The Fish and Fish Habitat Existing Conditions and Impact Assessment outlines the assessment and protection of fish and fish habitat using the most recent legislation and protocols.</p> <p>A meeting was held with Fisheries and Oceans Canada (DFO) on March 9, 2022 to discuss the Bradford Bypass Project and provide an update on the Early Works, including a discussion on the process for engaging DFO through further design and construction.</p> <p>During the Design-Build phase, the Design-Builder shall be responsible for consultation with DFO through the submission of a Request for Review, which will determine if approval under the <i>Fisheries Act</i> is required for these Early Works.</p>
8	Indigenous Consultation	At least six Supreme Court of Canada Cases have reinforced the crown's duty to consult with Canada's indigenous peoples. This duty to consult requires the development of mutual respect and meaningful two way consultations. Canada has created an Aboriginal	As documented in Section 4.6 of the Early Works Report, the Ministry remains committed to fulfilling its Duty to Consult requirements and continues to engage with local Indigenous communities and consider Indigenous community interests and Treaty Rights throughout design. The Ministry prepared an Indigenous Consultation

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		<p>and Treaty Rights Information System to assist proponents in meeting their consultation obligations. https://www.rcaanc-cirnac.gc.ca/eng/1100100014686/1609421785838</p>	<p>Plan in accordance with O. Reg. 697/21, which was provided to Indigenous communities and submitted to MECP. The Indigenous Consultation Plan was provided to Indigenous communities that have or may have existing Aboriginal or treaty rights, as recognized and affirmed in section 35 of the <i>Constitution Act, 1982</i>, that may be impacted by the Early Works, and Indigenous communities that may otherwise be interested in the Early Works.</p> <p>Section 35(1) of the <i>Constitution Act, 1982</i> provides that, “The existing Aboriginal and treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed.” Over the years, the common law has developed as court decisions have determined how governments are to give meaning to the protection of Section 35 rights.</p> <p>The Ministry of Transportation is committed to fulfilling its Duty to Consult requirements with Indigenous communities regarding Section 35 rights by the following:</p> <ul style="list-style-type: none"> ■ Meaningfully consulting with First Nations and Métis communities about adverse impacts of the Ministry of Transportation initiatives on their Aboriginal and treaty rights (fulfilling the duty to consult); ■ Accommodating, where appropriate, the adverse impacts on Aboriginal and treaty rights; and ■ Consideration of providing Indigenous communities with funding to facilitate participation in consultation processes. <p>Throughout this Study, engagement and consultation with Indigenous communities has included:</p> <ul style="list-style-type: none"> ■ Access to general information and consultation through the Project Website (www.bradfordbypass.ca); ■ Access to general communication through Project Telephone Line (1-877-247-6036); ■ Inclusion on the Project Contact List to receive regular project updates and to ensure that the correct individuals may be consulted by the Project Team; ■ Receive email communications and contact the Project Team through a dedicated Project email address (ProjectTeam@bradfordbypass.ca); ■ Receive project specific Mailings and notifications (via physical mail or email); ■ Newspaper advertisements and where appropriate, notifications will be provided in Indigenous community newspapers; ■ Indigenous community information sessions, and/or pre-screenings for Indigenous communities at the Public Information Centre held virtually as a result of government restrictions of group events; and ■ Meetings and correspondence with Chiefs and Councils, or their delegates. ■ Involvement in archaeological investigations and opportunities to review requested technical reports. <p>The Project Team has engaged or consulted with the following Indigenous communities.</p> <ul style="list-style-type: none"> ■ Alderville First Nation; ■ Beausoleil First Nation; ■ Chippewas of Georgina Island First Nation; ■ Curve Lake First Nation; ■ Chippewas of Rama First Nation; ■ Hiawatha First Nation; ■ Kawartha Nishnawbe First Nation; ■ Mississaugas of Scugog Island First Nation; ■ Huron Wendat Nation (regarding archaeological resources only); and ■ Métis Nation of Ontario - Georgian Bay Métis Council. <p>Consultation activities related to the Early Works and main Bradford Bypass project are ongoing. The Ministry is sensitive to the potential need for extended timelines for the Indigenous consultation process due to the current pandemic, and continues to engage communities in meaningful consultations.</p>
9	Statement of Qualifications and Limitations¹	<p>This Early Works report is meaningless to any outside reader without knowing:</p> <ul style="list-style-type: none"> • the scope, schedule, and other constraints and limitations in “the Agreement”, 	<p>Inclusion of a Statement of Qualification and Limitations is standard practice for a report of this nature. The constraints and limitations that are applicable are set out in the document.</p>

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		<ul style="list-style-type: none"> what information is included in this Early Works Report that has not been independently verified by AECOM, or is otherwise not warranted to be current as of the Date of this Early Works Report. - Please confirm that in every case, this Report identifies information that has not been independently verified and information that is not warranted to be current as of the date of this Report 	
10	Issues Resolution	While this process apparently follows O. Reg 697/21, as it will document the issue, it does not address how the issue will be resolved and what will happen with any issue that is not resolved. This is a serious shortcoming of the regulation which we recommend be addressed.	Section 4.7 and Section 8.0 of the Early Works Report (EWR) outline the Issues Resolution Process and both sections have been updated in the Final EWR to provide further clarity. Issues are considered on a case by case basis to determine if changes are required or if further clarification may be required.
11	Need for this speed	This rationale is no longer valid. There is now absolutely no compelling reason to proceed with early construction other the political aspirations of our Premier. Ford is essentially using this project to have the government fund a major platform of his re-election campaign. Simcoe County Road 4 construction is now delayed due to the need for stage 4 Archaeological assessment(s) https://www.barrietoday.com/local-news/yonge-st-widening-south-of-barrie-delayed-by-archaeological-assessments-4982323	The Ministry initiated preparatory work for the Bradford Bypass in 2019. Through the preparatory, the Ministry consulted with the County of Simcoe and was informed that the County is proceeding with the widening of County Road 4 from 8 th Line north to County Road 89. As the Bradford Bypass crosses County Road 4, proceeding with the County Road 4 Early Works will provide cost efficiencies between the Ministry and the County, minimize disruptions to the travelling public and provide infrastructure needed to meet travel demands in the shorter term. The Design-Build Team will be responsible for continued coordination with the County of Simcoe and their widening Project.
12	2 Study Process 2.1 Ontario Regulation 697/21: Bradford Bypass	A prudent person would think that these permits would be obtained prior to awarding the contract to build the bridge. If no, why not? It appears that MTO proposes to obtain important extra jurisdictional permits after the construction contract has been let. What happens if the permit is not issued? Perhaps this is simply an oversight in the wording of the Regulation. In any event, as noted in our opening comments, much has changed since 1997. MTO would be well advised to adopt a consultative as opposed to its current apparently cavalier approach to address these fundamental matters.	The County Road 4 Early Works will be delivered through one advance Design-Build Contract scheduled to be awarded in Spring of 2022. Upon award of the Design-Build Contract, the Design-Build Team will be required to complete the Detail Design according to design standards, as well as the environmental protection, mitigation and monitoring measures prescribed in the EWR and environmental reports prepared for the project. The Design-Build Team will be required to finalize the design and consult with necessary regulatory bodies to secure the necessary Permits, Licences, Approvals and Agreements (PLAA) prior to advancing construction. Construction of elements of the design subject to a PLAA will be advanced once the corresponding PLAA has been secured. Those works are then subject to the conditions of those PLAAs, in addition to the prescribed environmental protection, mitigation and monitoring requirements of the EWR.
13	2.1.1 Early Works Report 2.1.1.1 Draft Early Works Report	<p>The fisheries information in this Early Works Report is not current nor is it complete. There is no justification to now move this to a Final Early Works Report and commence construction. No matter what legal environmental assessment regime you are working under, the timetable must be based on completion of all legislative / regulatory requirements. It is totally inappropriate to base your timing on the government's political aspirations. In order to comply with O. Reg. 697/21, since all work must cease upon issuance of this draft Early Works Report, this report needs to be withdrawn so that</p> <p>MTO can continue to properly complete this fisheries study, and obtain all necessary permits. This action is, or should be required to comply with Section 14 of O, Reg. 697/21.</p>	<p>The Fish and Fish Habitat Assessment Technical Memorandum (AECOM, December 2021) was prepared based on the Reference Concept Design which was prepared to approximately a 30% Detail Design level of completion. Upon award of the Design-Build Contract, the Design-Build Team will be required to complete the Detail Design according to design standards, as well as the environmental protection, mitigation and monitoring measures prescribed in the EWR, Section 6.1.2 and Table 6-14 and environmental reports prepared for the project. The Design-Build Team will be responsible for completing Request for Review if required and to secure approvals under the <i>Fisheries Act</i> (if required), as outlined in Section 7.1.1 of the EWR.</p> <p>Section 14 of O. Reg. 697/21 outlines the timing of the early work assessment process which requires work to be completed prior to the Notice of Publication of the Draft Environmental Impact Assessment Report with the exception of proposed changes pursuant to Section 29. As per Section 14(3), any project changes requiring further design and construction that are inconsistent with the Final EWR will require an addendum to be prepared in accordance with Section 29 of O. Reg. 697/21 and are not subject to being carried out prior to the Notice of Publication of the Draft Environmental Impact Assessment Report.</p>
14	2.1.1.2 Consultation and Issues Resolution Process	Simply documenting reviewer's concerns does little to address or resolve them.	As outlined in Section 4, the Project Team will review and provide responses to all comments received, and document the actions taken to address or resolve comments and concerns raised.
	2.1.1.3 Final Early Works Report	So what you are saying is it doesn't matter what the input from this consultation is, the most you will do is document it in the final study but press on with early construction regardless of this input. Please confirm that the entire contents of all received comments for this report will be incorporated into the Final Early Works Report.	Any concerns raised during the public review period of the Draft EWR by Indigenous communities and interested persons, with the exception of personal information protected under the <i>Freedom of Information and Protection of Privacy Act</i> , have been documented in the Final EWR along with the outcome of the process. A full consultation record is available in Appendix B of the EWR.

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15	2.2.3.1.2 Provincial Policy Statement	While the County Road 4 Early Works may be consistent with the objectives of the Provincial Policy Statement as a stand-alone bridge works, it totally violates the above noted policy objectives because it will be a component of the Bradford Bypass which violates these policy objectives.	The Bradford Bypass considers the objectives of the Provincial Policy Statement which considers the highway and the interchange at County Road 4.
16	2.2.3.1.3 Greenbelt Plan 2017	This is a blatant misrepresentation! The only reason for this bridge is that it will be a component of the Bradford Bypass. The Bradford Bypass clearly impacts the Greenbelt. If AECOM is prepared to make this extremely misleading, out of context statement, it begs the question: what other unethical acts are they prepared to perform to satisfy MTO?	<p>The County Road 4 Early Works is located in a Settlement Area outside of the Greenbelt; see Schedule 3 of the Greenbelt Plan 2017 or Schedule D-1 of the Bradford West Gwillimbury Official Plan 2021. The County Road 4 Early Works focuses on building upon the County of Simcoe's approved widening plan as documented in their 2012 Environmental Study Report. The Bradford Bypass Project will consider the Greenbelt policies and legislation in a broader context.</p> <p>The Ministry recognizes the importance of farmland and the Greenbelt's agricultural system for economic wellbeing, human health, and the quality of life of Ontarians. At the same time, transportation infrastructure needs to keep up with a growing population and help building the economy. The Greenbelt Plan permits infrastructure, including highways, where it supports the significant growth and economic development expected in southern Ontario beyond the Greenbelt by providing connections among urban centres.</p>
17	Lake Simcoe Protection Act / Plan	<p>It should be noted that no mention is made in this Draft Early Works Report of the Lake Simcoe Protection Act, (LSPA). This report requires that infrastructure projects, such as the Bradford Bypass, will only be permitted if they have been approved by an Environmental Assessment or similar process and that all reasonable alternatives have been considered (but rejected for reason that the proposed infrastructure is both needed and will cause the least impact of the reasonable alternatives on Lake Simcoe).</p> <p>The 1997 Bradford Bypass EA was completed well before the passage of the LSPA. While that EA study was conducted with regard to the requirements to protect the Oak Ridges Moraine, the study had no regard for any form of protection of Lake Simcoe. When the proposal for this highway was resurrected, the original EA study was to be updated by the conduct of a Class EA Study. This study included a requirement to consider reasonable alternatives to the undertaking and reasonable routes including a combination of private and rural and regional roads as alternative routes to satisfy the problems to be addressed by the Bradford Bypass. These requirements were pointed out to the Consultants as part of the PIC 1 consultation process⁹.</p> <p>Subsequently, in early October 2021, the province enacted Ontario Regulation 697/21. This Regulation terminated the requirement to complete a Class EA Study and apparently superseded the LSPA requirement to consider alternatives including alternative routes. Had the LSPCA been in effect when the original EA Study was done based on the published selection criteria, one of the two ring road options south or Newmarket would have been selected rather than the current extremely environmentally intrusive corridor. This corridor will have serious detrimental impacts on Lake Simcoe due to salt runoff from the highway. The LSPA is intended to protect the lake from this very type of pollution.</p>	<p>See Response ID #6 above regarding the <i>Lake Simcoe Protection Act</i>. The further assessment of potential impacts as part of the overall Bradford Bypass will be provided in the Environmental Impact Assessment Report.</p> <p>As stated at Public Information Centre (PIC) #1, the main objectives of the Preliminary Design study are to review the recommended plans of the 2002 Approved EA and undertake refinements and development refinements and alternatives for the mainline alignment, interchanges and crossings including:</p> <ul style="list-style-type: none"> ■ Develop Preliminary Design refinements for the Bradford Bypass mainline alignment, grade separated crossings and interchanges; ■ Develop refinements and alternatives for freeway-to-freeway interchanges that include design concepts to mitigate weaving distance concerns with adjacent interchanges; ■ Evaluate the refinements and alternatives to recommend preferred refinements / alternatives for the above elements; ■ Develop a preferred staging and construction sequencing strategy for the corridor; ■ Develop preliminary level design for all highway engineering components; and ■ Environmental Assessment Process and Consultation for the project. <p>Although the study process has changed to follow O. Reg. 697/21, the study is still undertaking refinements and developing refinements and alternatives for the mainline alignment, interchanges and crossings, and will still complete consultation throughout the study. The Project Team is actively consulting with Lake Simcoe Region Conservation Authority and will continue to throughout the study process.</p>

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18	4.4 Meetings and Presentations	<p>We acknowledge that MTO / AECOM have given a number of presentations to various municipal groups which appear to be fairly informative. All of the presentations included in Appendix B give no indication of what actual consultations, in the form of two way communications, actually occurred. Additionally the information provided in these various presentations are only available to the public if they are given to municipal governments and the members of the public diligently tracked all municipal calendars and reviewed all meeting agendas to join the meeting while it was in process.</p> <p>Furthermore the presentations to our First Nations have redactions. Why is different information being provided to different groups? What input did AECOM obtain from their limited First Nations presentations? Given the apparently limited number of contacts with each of these First Nations Groups, and lack of any feedback from any of these groups, how can AECOM prove that their consultations with our First Nations satisfied the requirements set down by the Supreme Court of Canada?</p> <p>We respectfully request and recommend that all of these presentations and study reports be posted on the project website so that the public can be better informed of MTO / AECOM's activities. That practice would significantly improve the extent and quality of your consultations.</p>	<p>Copies of meeting summaries for the meetings with municipal groups have been added to Appendix B.</p> <p>The redactions in the Indigenous community presentations relate to sensitive archaeological information including the locations of archaeological sites and images of artifacts. The location and details of archaeological sites are protected to prevent potential looting of archaeological resources at known sites or potentially unknown sites in proximity to known sites that have been mitigated.</p> <p>The Ministry is continuing to actively engage with Indigenous communities through the Early Works study process and through to design and construction. Indigenous communities are being provided environmental reports for review and discussion, and the Project Team is addressing any potential comments received directly with each community.</p> <p>A Consultation Record is included in Appendix B of the EWR and will be included in the Environmental Conditions Report and Environmental Impact Assessment Report.</p>
19	4.4 Meetings and Presentations - ECA Meeting	<p>As someone who has participated in the original Bradford Bypass 1993-1997 EAS, the Highway 404 Extension Study and the York Region Water Reclamation EA study, I have great difficulty understanding how you can state that you have actively addressed concerns from Indigenous Communities and interested parties. I am on your ECA Committee. This committee has only been consulted once – December 8, 2021. Following that meeting, I requested a video of the zoom meeting or at least minutes of the meeting. I have never received a response to my request. I provided substantial comments in response to your PIC #1 and received at best a perfunctory response some months later. There is no reason why the video of that December 8th meeting cannot be made public and posted on the project website now. Also of note: traditionally minutes of meetings are approved by the attendees at the meetings, at which time they are appropriately filed and preserved. Aecom's form of minutes, if they are ever produced, will likely be one sided and essentially say what AECOM wants them to say. Hence, given AECOM's strong desires, if not specific instructions, to please MTO, these minutes are useless as any form of official record of these consultation meetings.</p>	<p>The Environment, Community and Agriculture Committee meeting was not recorded. The minutes of the meeting have been posted on the project website and sent to all attendees in February 2022.</p>
20	5.1.2 Fish and Fish Habitat	<p>The following is an excerpt of a 2020 Fisheries Report.</p> <p>A comprehensive Fisheries Assessment is typically supported by field investigations; therefore, it is recommended that the information regarding fish and fish habitat provided within this report be supplemented with field investigations conducted in accordance with the MTO Environmental Guide for Fish and Fish Habitat (MTO, 2009) during the Preliminary Design phase.</p> <p>Outdated habitat information (flow regime, substrate type, riparian and in-stream habitat, barriers to fish movement etc.) and any related constraints and opportunities that may exist at and/ or near the identified aquatic features have been identified as the key data gaps within this report. Additionally, the Study Area is largely within an area of dynamic agriculturally-dominant land use and thus there is an extensive network of field and field edge drainage ditches designed to lower water levels in the surrounding agricultural fields. These drainage ditches and flow conveyance features can potentially contain or</p>	<p>A comprehensive fisheries assessment for the County Road 4 Early Works was completed following methodologies outlined in the Ministry of Transportation Environmental Guide for Fish and Fish Habitat (2020) and in conjunction with the MTO/DFO/ Ministry of Natural Resources and Forestry Protocol for Protecting Fish and Fish Habitat on Provincial Transportation Undertakings, Version 4 (2020).</p> <p>Referencing Section 5.1.2.1.2 of the Draft EWR, AECOM ecologists completed a field investigation on September 30, 2021 to document existing aquatic habitat conditions within the Study Area. A detailed aquatic field investigation was completed at the County Road 4 crossing of the Unnamed Tributary North Branch and the adjacent Stormwater Management Pond, including a general investigation 50 m upstream and 200 m downstream in accordance with the Environmental Reference for Highway Design and the MTO Environmental Guide for Fish and Fish Habitat. .</p>

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21	5.1.2.2.2 Fish Species	<p>Yet another reason for further investigation and communication with Fisheries and Oceans Canada.</p>	<p>As stated in Response ID #13, the Design-Builder will be required to complete the Detail Design and submit of a Request for Review (if required) to DFO.</p> <p>DFO have been engaged at key stages throughout the project. In accordance with O. Reg. 697/21, DFO was provided an opportunity to review and comment on the Early Works Stormwater Management Plan. DFO provided comments on the Early Works Stormwater Management Plan on February 4 and February 21, 2022 which are being addressed. Additionally, DFO met with the Project Team on March 9, 2022 and provided confirmation on the process for engaging DFO. The Ministry will follow the process for engagement and review dictated by DFO, which involves the submission of a Request for Review where applicable to confirm the issuance of a Letter of Advice or the requirement for a <i>Fisheries Act</i> Authorization. Future Works are subject to the receipt of a Letter of Advice or Fisheries Act Authorization and the conditions shall be commitments to work during further design and construction.</p>
22	5.1.4 Surface Water and Hydrology	<p>Yet another reason for further investigation and communication with Fisheries and Oceans Canada.</p>	<p>See Response IDs #13 and 21 above.</p>
23	5.2.3.4 Bradford Bypass Noise Impact Assessment	<p>Mitigation requirements are triggered by either noise increases of greater than 5db or total noise of >65 db. It appears that an incremental approach will be used for this project which may ultimately result in no requirement for mitigation when the Bradford Bypass Noise Impact assessment is done as the noise from the then pre-existing County road 4 widening and bridge will become the baseline for measuring the increased level of noise caused by the Bradford Bypass. This is an inappropriate approach. The baseline for the Bradford Bypass Noise Impact Assessment should be on the basis that the bridge will be built as part of building the Bradford Bypass</p>	<p>The Noise Impact Assessment for the Bradford Bypass will consider existing conditions without the widening of County Road 4.</p> <p>The widening of County Road 4, while a change in condition, is not ultimately a result of the Bradford Bypass Project as it is part of the County of Simcoe's widening project. The construction of the bridge along County Road 4 over the Bradford Bypass is the focus of the County Road 4 Early Works and the results of the noise assessment indicate that the noise levels due to the temporary detour, and the long-term impact due to the change in grade of County Road 4 will have negligible to minor perceived noise increases at most receptors. At all locations, the predicted noise levels and changes in noise levels are below the Ministry's criteria for noise mitigation investigation.</p> <p>The Noise Impact Assessment for the Bradford Bypass Project will look at the change in condition and recommend mitigation measures to reduce noise impacts on sensitive receivers if applicable. To determine a noise impact a comparison shall be made for the predicted future sound levels with and without the undertaking for the outdoor living area (OLA) of the NSAs. The forecasting of future traffic volumes of 10 years after the proposed construction year is used to determine the noise impacts</p>
24	5.2.5.3 Climate Change Adaptation	<p>While this is an interesting intellectual analysis. We believe it totally misses the point of national and international climate change mitigation efforts. The fundamental question is: How much greenhouse gas emissions will occur as a result of both the construction phase and the operations / maintenance phases of this project that would not exist if the</p>	<p>The climate change assessment followed MECP's guide <i>Considering Climate Change in the Environmental Assessment Process</i>. The assessment looks at a qualitative assessment and possible mitigation options for reducing the Project's effects on climate change (Climate Change Mitigation) and for reducing the effects of</p>

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		<p>project were not undertaken. We respectfully ask that you provide this information. The answer for the construction phase is likely the greenhouse gasses emitted as a consequence of the construction, concrete and steel manufacturing plus emissions from construction equipment. The answer for the operational / maintenance phase is a combination of emissions expected to be generated by vehicles while travelling the length of the project and levels of increased vehicular traffic due to induced demand.</p>	<p>climate change on the Project (Climate Change Adaptation). The mitigation options include various best practices for construction, operations and maintenance to reduce potential impacts.</p> <p>The Climate Change Adaptation sections helps to assess and evaluate the risk between Project components and climate variables to prevent significant adverse environmental impacts during construction. Further adaptation measures will be considered as part of the overall Bradford Bypass looking at construction and operations. As per MECP, considering impacts of climate change on a project are also important as they help address any unintended risks or impacts to the environment when climate change impacts are added to the project's effects on the environment (MECP, 2017. <i>Considering climate change in the environmental assessment process</i>).</p>
25	Preliminary Impact Assessment¹⁹	This matter will be addressed in our comments to: 7.1.1 Fisheries Act	See Response IDs #13 and 21 above.
26	Notice of Application for Approval to Expropriate Land	Given that the Early Works Report is still in draft form, on what authority has MTO proceeded with any expropriation proceedings?	<p>With respect to the property expropriation and its relation to the completion of the Final EWR, the following should be noted:</p> <ul style="list-style-type: none"> ■ Property expropriation is a process that exists outside of O. Reg. 697/21 for the Bradford Bypass and County Road 4 Early Works, outside the Environmental Assessment (EA) process and outside EA approvals for projects where the Class EA applies. The ability to acquire property is not linked to O. Reg. 697/21 or the EA Act; ■ The test under the Expropriations Act is whether the need to acquire property is fair, sound and reasonably necessary; ■ There should be a significant level of technical justification for the property taking. <p>As part of the County Road 4 Early Works, the Ministry has been meeting with individual landowners to discuss potential or expected impacts to individual properties, based on the previously approved Technically Preferred Route for the Bradford Bypass and project limits for the Early Works. The Ministry works with owners to understand their individual concerns and identify opportunities to mitigate impacts prior to advancing temporary limited interest (permission to enter and construct) or property acquisition.</p> <p>The Ministry's preferred approach is to negotiate in good faith with owners as early as possible to reach amicable agreements for the acquisition of any properties needed to support important infrastructure improvements like this. Expropriation is only used when agreements can not be reached within suitable project timeframes.</p>
27	6.3.2.2 Commitments and Recommended Mitigation Measures	What is the current status of BaGv-113? If avoidance is required, how will that impact the detailed design of this bridge? The absence of a Ministry of Heritage, Sport, Tourism and Cultural Industries review and satisfaction letter of concurrence strongly suggests that issuance of this Early Works Report is premature.	A Stage 3 Archaeological Assessment has been completed on site BaGv-113 and the report is currently with Indigenous communities for review, after which it will be submitted to the Ministry of Heritage, Sport, Tourism and Cultural Industries for review. A portion of the site is subject to further Stage 4 Archaeological Assessment mitigation if the site cannot be avoided. This will be determined during further design and if significant design changes are required they will be documented in an addendum in accordance with O. Reg. 697/21, Section 29.
28	FISH - 2.00 Temporary Alteration, Disruption, Destruction Of fish habitat²¹	The issuance of this Early Works Final Report is both premature and likely not in compliance with the requirements of O. Reg 697/21. Fisheries permits are a fundamental precondition for construction of the Bradford Bypass. The only reason this bridge is being built is because it is a necessary component of the Bradford Bypass project. The phrase "It is anticipated that a Letter of Authorization may be issued" should not be taken lightly! This is the only place in this lengthy, repetitive, report that the use of the word "may" has been used in this context. We read this as the author's way of protecting himself from a charge that he failed to disclose the true risks of not first obtaining Fisheries and Oceans Canada Letters of Authorization. We suspect the writer of this section of the Report had also seen Appendix C of this Report.	See Response IDs #13 and 21 above.

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		<p>Seven Lake Simcoe Basin municipal governments have passed resolutions requesting further studies to determine the impact of the proposed Bradford Bypass on Lake Simcoe primarily due to salt run-off. The Federal Fisheries Act was amended on June 21, 2019 to restore protections to fish and fish habitat. Habitat protection provisions came into force on August 28, 2019 that prohibit the death of fish and the Harmful Alteration, Destruction, or Disruption of fish habitat. Given what we know from reports issued by Lake Simcoe Region Conservation Authority, salt run-off from roadways and highways are already exceeding safe levels. Unless MTO can find a way to totally avoid salt run-off from this highway and highway 407, proper enforcement of the Federal Fisheries Act dictates that Letters of Authorization for any part of the proposed Bradford Bypass should not be issued.</p>	
29	<p>7.1 Federal 7.1.1 Fisheries Act</p>	<p>Appendix C is noteworthy: Relocating the existing culvert to the north will result in the permanent loss of direct fish habitat in the existing culvert as described above. [Emphasis added]. Therefore, the existing fish habitat will be destroyed and recreated in the new culvert immediately to the north.</p>	<p>All works relating to fish habitat will be completed in accordance with the <i>Fisheries Act</i> which includes submission of a Request for Review of the proposed works by DFO (if required). As stated in the EWR, fish habitat will be recreated in the new culvert immediately to the north and the mitigation measures outlined in the EWR will be implemented to minimize any potential impacts to fish and fish habitat during construction and the culvert relocation.</p>
30	<p>Fisheries Assessment Specialist Recommendation</p>	<p>MTO is clearly on notice that this part of the project will require DFO participation. Withholding material information from DFO until the project is nearly a fait accompli is a confrontational, rather than a conciliatory approach to dealing with a regulatory body such as DFO. A confrontational approach towards DFO is likely beyond the MTO Project Manager's approved job description. If he has this authority, that information should be included in the preamble for this draft report. If he does not have this authority in his job description, but he has this authority in writing from a superior, that information should be included in the preamble of this report. The fact that a ministry of the province would address any part of the federal government, especially a regulator, in a confrontational manner, is an extremely serious matter that needs to be promptly addressed and rectified!</p>	<p>See Response IDs #13 and 21 above.</p>