

Reference	Information Request	Due by	Lead	MTO Response
1.	Information about key project activities, maps and layouts of the location of project components, land tenure, zoning, and estimated timelines for planning, construction, operation, maintenance, and if applicable, decommissioning and abandonment.	March 03, 2021	Project Team	<p><b>Section 1 of the attached document</b> provides a description of the project, including information about key activities, location, land tenure, zoning and estimated timelines for planning. Construction of the Bradford Bypass is subject to funding and The Ministry of Transportation (MTO) obtaining necessary approvals. MTO is anticipated to proceed to the Detail Design Phase upon completion of Preliminary Design. However, the ultimate delivery model will be determined by MTO and may follow the standard design-bid-build approach where the Detail Design Phase is completed, a contract package is developed and then tendered for construction. MTO, in partnership with Infrastructure Ontario, may opt to advance the project beyond Preliminary Design to develop a Design-Build Ready package and subsequently advance the project through a Design-Build or P3 (Public-Private Partnership) model (i.e. Design-Build, Finance (DBF), Design-Build, Finance, Maintenance (DBFM)). Once construction of the Bradford Bypass is complete, the highway will be open to traffic and will operate as a public highway under provincial jurisdiction. The new highway will form a key east-west link in the provincial transportation network in the province.</p>
2.	Information about potential annual direct and indirect greenhouse gas emissions associated with the project.	March 03, 2021	Project Team	<p>MTO first published the <i>Environmental Guide for Assessing and Mitigating Air Quality Impacts and Greenhouse Gas Emissions of Provincial Transportation Projects</i> (the Air Guide) in 2012. The Air Guide, which was updated in May 2020 was reviewed and developed in consultation with numerous provincial and federal agencies including Environment and Climate Change Canada. It provides a framework and methodology to assess and quantify air quality impacts and GHG emissions in transportation projects. The methodology was designed to meet the needs of both provincial and federal regulatory agencies, in the spirit of the Canada-Ontario Agreement on Environmental Assessment Cooperation.</p> <p>The Air Guide provides guidance to support air quality and greenhouse gas assessments to support the selection of a preferred route in the early stage of projects using build and no-build scenarios, as appropriate for the project type (e.g. new or expansion).</p> <p>Once a preferred route is confirmed, a detailed assessment (comprehensive analysis) is completed for air quality and GHG emissions. For the GHG analysis, the estimated emissions for build and no-build scenarios for the reference years (year of construction, 10 and 20 years after construction) are assessed:</p> <ul style="list-style-type: none"> <li>• Predicting the annual VKT for each major vehicle type (e.g. passenger vehicle, heavy trucks, buses, and freight trains);</li> <li>• Estimating the emission factors in gram/ VKT of GHGs for each vehicle type using the US EPA MOVES emissions software; and</li> <li>• Determine the total GHG emissions on the roadway for the reference years.</li> </ul> <p>Following the selection of the refined design alternative, an Air Quality Comprehensive Analysis Impact Assessment will be performed as per the MTO's Air Guide. MTO's air quality impact assessment predicts the cumulative concentration of various contaminants of concern due to the operation of the project using a combination of historical background concentrations in the vicinity of the project and air emissions / dispersion modeling and compares to the Provincial Ambient Air Quality Criteria (AAQC) and the Canadian Ambient Air Quality Standards (CAAQS).</p> <p>Mitigation may be warranted if provincial or federal air quality criteria and standards for one or more criteria air contaminants are exceeded. MTO may consult with the MECP on mitigation requirements, and will consider a number of factors, such as the extent, frequency, severity of the impacts, as well as the sensitivity of receptors and difference between build and no-build scenarios.</p> <p>Based on the analysis, opportunities for mitigation may be identified and implemented on a project by project basis. This could include options to reduce greenhouse gas emissions in construction, design criteria and/or operational phases of the project.</p>

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				<p>Details of this methodology are discussed further in MTO's Air Guide. An Air Quality Impact Assessment Report will be prepared that includes the need for mitigation, construction impacts and a discussion of regional burden analysis of Provincial air pollutants and GHGs.</p> <p><b>Federal Strategic Assessment of Climate Change and Bradford By-Pass</b></p> <p>The Bradford Bypass workplan includes an air quality and GHG impact assessment report that will follow the MTO's Air Guide. As the project is a new highway build and a preferred route has been established, the work will follow the detailed assessment for a build only scenario (using 0, 10, and 20 years), as described above.</p> <p>To align with the Federal <i>Impact Assessment Act</i> requirements, the workplan will build upon the provincial requirements to include analysis of construction related GHG emissions. Results of this analysis could inform GHG mitigation measures for both the construction and operational phases of the project.</p> <p>Section 3.2 of the Federal Strategic Assessment considers the upstream GHG emissions of a project does not apply, as they are not significant.</p> <p><b>Please see Section 2.3.2.2 of the attached document for further details.</b></p>
3.	A list of all regulatory approvals (federal, provincial, municipal, other) and any federal financial assistance that would be required for the Project and the associated project components or activities.	March 03, 2021	Project Team	<p><b>Section 4 of the attached document</b> provides a summary table of all potential regulatory approvals and legislative requirements (federal, provincial, municipal, other) that may be applicable to the proposed undertaking.</p> <p>The project does not require and currently is not receiving federal funding or financial assistance. The project, and associated project components or activities are provincially funded and where appropriate, completed through agreements with municipal and/or regional governments.</p>
4. a)	<p>For each licence, permit, authorization and approval that would be required for this project, provide the following information:</p> <p>i) Name of the licence, permit, authorization or approval, the associated legislative framework, and the responsible jurisdiction.</p>	March 03, 2021	Project Team	<p>Building upon the 2002 Approved EA and preparatory works in advance of the Preliminary Design study, the Ministry and Project Team will carry out a wide range of environmental discipline studies, including field investigations to document existing conditions as part of this Project. In general, these will relate to natural environment, socio-economic, cultural, and technical disciplines. All reports will be undertaken in accordance with current legislative requirements, standards and best practices, including the MTO Environmental Guides and the MTO Environmental Reference for Highway Design. These studies will assess project focused impacts associated with each discipline, identify mitigation measures and document future commitments as required.</p> <p>These studies will adhere to all relevant new and existing provincial and federal legislation, including, but not limited to, <i>Endangered Species Act, Greenbelt Plan, Ontario Heritage Act, Fisheries Act, Species at Risk Act, Lake Simcoe Protection Act</i>, etc.</p> <p>The Project Team has, and will continue to engage with local municipalities, stakeholders and Indigenous Communities regarding the study and design of the project. The results of the engagement and consultation, environmental studies and engineering design will be documented in reports to present information to the public and review agencies.</p> <p>Through the environmental studies, consultation and engagement, a list of federal, provincial and municipal permits, licences, authorizations or approvals (PLAAs) will be developed in accordance with environmental protection principles of the Class EA for Provincial Transportation Facilities and current standards, conditions and legislation. <b>Table 4-1 of the attached document</b> provides a preliminary list of anticipated PLAAs that will be required for the Project to proceed to construction, including the associated legislative framework and responsible jurisdiction. A confirmed list of PLAAs will be provided in final environmental study documentation and will be carried forward as commitments through further stages of design to allow construction to proceed.</p>

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				<p>In addition to PLAAs, the Project will also meet various legislative requirements that do not necessarily require a specific PLAA but will include conditions and/or commitments to be carried forward through further stages of design and construction. These anticipated legislative requirements are outlined in <b>Table 4-2 of the attached document</b>.</p>
4. a)	<p>ii) Whether it would involve an assessment of any of the effects outlined in the paragraphs above, and if so, a general description of the assessment that you intend to undertake. Would conditions be set and if yes, what effects would those conditions address?</p>	<p>March 03, 2021</p>	<p>Project Team</p>	<p>The Project Team has identified a preliminary list of potential PLAAs that may be required for the Project to proceed to construction, outlined in <b>Table 4-1 of the attached document</b>. This table also includes a summary of potential conditions that may necessary and shall be carried forward through further stages of design and construction, applicable project components, and anticipated adverse direct or incidental effects (including changes to health and socio-economic conditions). The purpose of the preliminary design study will be to confirm preliminary permitting requirements in consultation with regulatory authorities and identify the preliminary conditions to be considered. As the design level detail is advanced, the PLAA requirements and corresponding conditions will be refined and applied to the project.</p> <p>Further detail on environmental studies being undertaken to support the Preliminary Design and PLAAs are outlined in <b>Section 2, 3 and 4 of the attached document</b>.</p>
4. a)	<p>iii) Whether public and/or Indigenous consultation would be required and, if yes, provide information on the approach you intend to take (if any steps have been taken, provide a summary, including issues raised as well as your responses). If there is an issues resolution process associated with the consultation, describe it.</p>	<p>March 03, 2021</p>	<p>Project Team</p>	<p>The Bradford Bypass is currently in the Preliminary Design Phase. The results of this phase will update and inform the Project Team as to the potential environmental impacts. At this time, the number of permits/approvals are yet to be confirmed. A preliminary list of potential permits, licences, approvals and authorizations that will be considered and may be applicable to the project are presented in <b>Table 4.1 of the attached document</b>. In addition, various legislative requirements will be considered through the environmental assessment as identified in <b>Table 4.2 of the attached document</b>. As an overview, it is likely the Project Team may require approvals or permits under the following provincial and federal legislation and will undertake consultation and negotiations with the governing authorities and key stakeholders as part of the approval process:</p> <ul style="list-style-type: none"> <li>• Fisheries Act (FA) – Fisheries and Oceans Canada (DFO)</li> <li>• Permits under the Federal Species at Risk Act (SARA) – DFO and Environment Canada and Climate Change (ECCC)</li> <li>• Permit under the Canadian Navigable Waters Protection Act (CNWA) – Transport Canada (TC)</li> <li>• Provincial Endangered Species Act (ESA) – Ministry of Environment Conservation and Parks (MECP)</li> <li>• Ontario Heritage Act (OHA) – Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI); and Indigenous Communities</li> <li>• Provincial Ontario Water Resources Act (Permit to Take Water) – MECP</li> </ul> <p>Consultation is an integral component of the transportation engineering and environmental protection planning for Ministry undertakings and is a key study principle under the <i>MTO Class Environmental Assessment</i>. As such, the Project Team will follow the process and guidelines associated with the relevant legislation, which may have specific consultation and engagement requirements; and, adhere to the Class EA process for consultation.</p> <p>With regard to issues resolution, opportunities were made available to raise issues and seek resolutions as part of the previously approved EA. Based on the submissions received as part of the 2002 approved EA, the Minister of Environment and Energy (now Minister of Environment, Conservation and Parks) issued the notice of approval to proceed with the undertaking and order under subsection 12.4(3) of Section 9 of the <i>EA Act</i> (EA File #TCCE02) on August 28, 2002. The conditions of this approval are to be considered through the current and future phase of the EA study for this project.</p> <p>The Ministry commenced preliminary design study in 2020 to refine the design, which provides opportunities throughout the study to address and resolve issues and concerns raised. Formal opportunities for consultation and engagement under the Class EA include: the Notice of Study Commencement, Public Information Centres 1 and 2, and the 30-day public review period for the Transportation Environmental Study Report (TESR). Throughout the EA process public input is solicited, documented, and where possible incorporated to the extent practicable. <b>See Section 4.2 of the attached document for more details.</b></p>

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				<p>Where a concern is related to an Aboriginal or treaty right, a request to the Minister of Environment, Conservation and Parks for a Part II Order requesting that the project be subject to an individual Environmental Assessment. As a representative of the provincial Crown, MTO is committed to fulfilling the duty to consult, and accommodate as appropriate, with respect to the potential adverse impacts of the project on established or credibly asserted Aboriginal and treaty rights for the project itself. The Project Team is committed to an open and transparent process that provides opportunities for all potentially adversely impacted Indigenous communities to help shape the outcome of the project and mitigate adverse impacts to their Aboriginal and treaty rights. MTO recognizes that consultation with Indigenous communities is not a one-time conversation but is instead an ongoing process over the lifespan of a project, from the planning phase through to construction and maintenance. It is convenient to use the production of reports at key decision points as a basis for consultation. While at time of writing those reports have not been defined with certainty, at a minimum, MTO would have consultation touch-points with Indigenous communities at key milestones of the project. The Ministry will also consider providing Indigenous communities with capacity funding to facilitate participation in consultation processes. Additionally, through the design and environmental assessment phases, and future construction, the Ministry will follow current policies for Stage 2, 3 and 4 archaeological assessment monitoring efforts. The Ministry will also consider providing Indigenous communities with capacity funding to facilitate participation in consultation processes. Additionally, through the design and environmental assessment phases, and future construction, the Ministry will follow current policies for Stage 2, 3 and 4 archaeological assessment monitoring efforts.</p>
4. b)	<p>Confirm whether any licence, permit, authorization or approval, including the applicable provincial assessment process, listed above would contemplate and manage effects on the following matters, and discuss, in general, the benchmarks or standards that you intend to meet (or would be expected to meet). Where applicable and available, provide general information such as proposed mitigation and follow-up program measures, or provide a rationale for why such are not required:</p> <p>i) Potential impacts to fish and fish habitat, including in the Holland Marsh wetland, the Holland River and Lake Simcoe, as well as any implications to the effective implementation of the Lake Simcoe Protection Act, 2008, S.O. 2008, c. 23 and the Lake Simcoe Protection Plan;</p>	March 03, 2021	Project Team	<p>The Project Team will undertake a comprehensive fisheries impact assessment study, along with fluvial geomorphology assessments, and drainage/hydrology assessment as part of the environmental assessment process to assess potential impacts and development appropriate mitigation measures. These studies will satisfy the <i>Fisheries Act</i>, and with respect to the <i>Lake Simcoe Protection Act</i>, drainage/hydrology, groundwater and contaminated property and waste management studies will be considered to assess potential impacts and development of mitigation measures to align with the Lake Simcoe Protection Plan and environmental legislation for water takings through the MECP.</p> <p><b>Section 3.1 of the attached document</b> outlines how the Project will assess potential impacts to fish and fish habitat, including legislative requirements, protocol, best management practices, and determination of the likelihood that the project may result in 'harmful alternation, disruption or destruction of fish habitat' (HADD). See also response information for question 4. b) x below.</p> <p>The Bradford Bypass is proposed to cross the Holland River and the Holland Marsh; however, the Project is located south of Lake Simcoe and will not impact Lake Simcoe directly. As the Project falls within the jurisdiction of the Lake Simcoe Region Conservation Authority (LSRCA), pertaining to Ontario Regulation 179/06, the Ministry will assess impacts to the <i>Lake Simcoe Protection Act</i> and the Lake Simcoe Protection Plan through consideration of water quality and quantity, stormwater management, groundwater management, landscaping and ecological restoration measures and plan, fluvial geomorphological designs for watercourses, erosion and sediment control and spills prevention and protection measures. <b>Section 2.3.2.4 of the attached document</b> outlines drainage and hydrology considerations, and <b>Table 4-2 of the attached document</b> outlines the legislative requirement, potential conditions, applicable project components and consultation requirements, and anticipated adverse direct or incidental effects (including changes to health, social and economic conditions).</p>
4. b)	<p>ii) Potential impacts on terrestrial and aquatic species at risk and their habitat, including changes to wetlands, woodlands and natural corridors;</p>	March 03, 2021	Project Team	<p>In addition to fisheries assessments noted above, through preliminary design and future design stages, the Project Team will undertake terrestrial ecosystem studies and complete targeted surveys for species at risk known or considered to inhabit the study area as part of the environmental assessment process to assess potential impacts and development appropriate mitigation measures, as required. These assessments are further outlined in <b>Section 2.3.2.12 of the attached document</b>. Additionally, <b>Section 3.3 of the attached document</b> outlines how the Project will assess and manage potential impacts to provincial and federal species at risk. <b>Table 4-1 of the attached document</b> outlines requirements for potential permits should they be required.</p>

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				See also response information for question 4. b) x below.
4. b)	iii) Potential impacts to migratory birds, including potential for direct effects (e.g., mortality due to vehicle collisions, poisoning, habitat loss and fragmentation), and indirect effects (e.g., noise, artificial light, barriers to movement, and edges associated with roads);	March 03, 2021	Project Team	<p>Based on secondary source information, migratory birds exist within the corridor. There are potential impacts to migratory birds, including within areas that may provide habitat for migratory birds. Tree and vegetation removal, including within areas that may provide habitat for migratory birds, will comply with the <i>Migratory Birds Convention Act</i>. Specific removal requirements will be confirmed through further assessment. As project planning and design proceed, opportunities to reduce the potential impacts on vegetated areas will be explored, and at a minimum, mitigation will include applying required timing windows, exclusion measures and surveys for construction activities that may impact migratory birds.</p> <p>With the implementation of the appropriate mitigation measures, including avoidance and timing windows, no permits are anticipated under the <i>Migratory Birds Convention Act</i>.</p> <p><b>Section 3.2 of the attached document</b> outlines how the Project will assess potential impacts to migratory birds and nests. <b>Table 4-2 of the attached document</b> outlines the legislative requirement, potential conditions, applicable project components and consultation requirements, and anticipated adverse direct or incidental effects (including changes to health, social and economic conditions).</p>
4. b)	iv) Potential impacts to human health, particularly from changes in air quality, and noise and vibration levels, during project construction and operations, and from potential impacts to water quality (e.g. phosphorus levels) in Lake Simcoe;	March 03, 2021	Project Team	<p>See also response information for question 4. b) x below.</p> <p>The air quality and greenhouse gas impact assessment for preliminary design of the Preferred Route will follow the MTO's <i>Environmental Guide for Assessing and Mitigating the Air Quality Impacts and Greenhouse Gas Emissions of Provincial Transportation Projects (May 2020) (Air Guide)</i>. MTO's air quality impact assessment predicts the cumulative concentration of various contaminants of concern due to the operation of the project using a combination of historical background concentrations in the vicinity of the project and air emissions/ dispersion modeling and compares to the Provincial Ambient Air Quality Criteria (AAQC) and the Canadian Ambient Air Quality Standards (CAAQS). Details of this methodology and air quality mitigation options such as vegetation are discussed further in MTO's Air Guide.</p> <p>The noise impact assessment for preliminary design of the preferred route is undertaken according to MTO's <i>Environmental Guide for Noise (October 2006) (Noise Guide)</i> and can be referred to for details. Noise mitigation consideration is given to receptors that experience an increase in noise levels compared to the "No-build" alternative or predicted noise levels are over a threshold. For noise mitigation to be warranted, it must meet MTO's technical, economic and administrative feasibility criteria as defined in MTO's Noise Guide. Noise mitigation options during construction considers the type/ operation of equipment, hours of operation or proximity of equipment to Noise Sensitive Areas (NSAs). The technical and economic feasibility of various alternatives of noise mitigation options such as timing constraints, setback distances, quieter alternatives are evaluated prior to selection of a noise mitigation option. Further details are available in MTO's Noise Guide.</p> <p>A developed HHI Scoping Report will provide input for the Refined Route of the project from a human health perspective. The HHI Scoping Report informs the need for a broader project-level health assessment exploring the project impact on socio-economic valued components within the study area. Human Health Impact Assessment (HHIA) may be developed based on the findings from initial human health screening and scoping discussions.</p> <p>A Human Health Risk Assessment (HHRA) or Screening-level Human Health Risk Assessment (SLHHRA) may be developed based on the findings from the Air Quality Impact Assessment (AQIA). If provincial or federal ambient air quality standards are exceeded or are of significant project and stakeholder concern, a HHRA or SLHHRA will provide further detail on the biophysical project impacts on human health.</p> <p>A compiled human health report may be constructed utilizing a determinants of health approach and a human health impact assessment framework. Recommendations from the human health study will be taken into consideration by the project team,</p>

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				<p>including mitigation and program follow-up options that may enhance beneficial impacts or reduce adverse impacts of the project.</p> <p>With respect to water quality, based on secondary source information for the Bradford Bypass project, there are no municipal supply wells or surface water intakes located within the study area. Wellhead Protection Areas (WHPA) and Surface Water Intake Protection Zones (IPZ) in relation to municipal wells or a surface water intake are present within the study area. In addition, there are Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA) present within the study area.</p> <p>A review of the MECP Source Protection Information Atlas indicates that there are no significant threats identified for the WHPAs, IPZs, HVAs and SGRAs present within the study area. Therefore, the proposed highway work will not pose significant drinking water threats in the vulnerable areas. However, this will be confirmed part of the study.</p> <p>MTO will follow and apply the current MTO Best Management Practices (BMPs) to minimize threats from these activities by way of adherence to the Ministry plans and policies, the use of special contract provisions, and contract oversight and monitoring.</p> <p><b>Section 2.3.2.14 of the attached document</b> speaks to how the Project will assess potential impacts to Human Health. In addition, further consideration of factors that have potential to impact human health are outlined in the following sections of the attached document: <b>Section 2.3.2.2</b>. Air Quality, <b>Section 2.3.2.4</b> Drainage and Hydrology (including water quality and quantity), <b>Section 2.3.2.8</b> Groundwater, <b>Section 2.3.2.9</b> Noise and Vibration, and <b>Section 2.3.2.13</b> Contaminated Property and Waste Management.</p> <p>See also response information for question 4. b) x below.</p>
<p><b>4. b)</b></p>	<p>v) Potential impacts to Indigenous peoples of Canada, including on</p> <ul style="list-style-type: none"> <li>o current use of lands and resources for traditional purposes;</li> <li>o physical and cultural heritage; and</li> <li>o any structure, site or thing that is of historical, archaeological, paleontological or architectural significance;</li> </ul>	<p>March 03, 2021</p>	<p><b>Project Team</b></p>	<p>The ongoing environmental assessment will identify potential impacts and associated mitigation measures to the natural, socio-economic and cultural environments, including potential adverse impacts to Aboriginal and treaty rights and the Indigenous peoples of Canada. The Bradford Bypass Project Team is planning to engage and consult with the following Indigenous communities. Initial outreach has commenced, per Table 5-3 of the attached document. MTO is sensitive to the potential need for extended timelines for the Indigenous consultation process due to the current pandemic:</p> <ul style="list-style-type: none"> <li>• Alderville First Nation</li> <li>• Beausoleil First Nation</li> <li>• Chippewas of Georgina Island First Nation</li> <li>• Curve Lake First Nation</li> <li>• Chippewas of Rama First Nation</li> <li>• Hiawatha First Nation</li> <li>• Mississaugas of Scugog Island First Nation</li> <li>• Mississaugas of the Credit First Nation</li> <li>• Huron Wendat Nation (regarding archaeological resources only)</li> <li>• MNO Georgina Bay Métis Council</li> </ul> <p>Please note that the above list is currently being reviewed internally by the MTO. MTO recognizes that the ministry may need to consult with additional communities as project details are refined and as result of new assertions and claims made by Indigenous communities. As project details are refined, communities may be added or removed from the list depending on whether there are (or are not) potential adverse impacts to Aboriginal and treaty rights. MTO is also aware of recent assertions made by the Mississaugas of the Credit First Nation to Aboriginal title in the vicinity of the project. This assertion has been deemed to be credible by the Ministry of Indigenous Affairs (Ontario) and MTO is consulting with the Mississaugas of the Credit First Nation accordingly.</p>

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				<p>Indigenous communities are being consulted throughout the study to obtain feedback on the ongoing environmental assessment work for the project, including potential impacts as well as proposed mitigation measures. The Ministry has received comments from Indigenous communities as outlined in Table 5-3 of the attached document. The comments have included but are not limited to requests to be engaged in archaeological studies, requests for meetings, requests for filing fees, as well as a summary statement of potential impacts. As MTO is in the early stages of the study and impacts are not yet known, the Ministry is currently discussing each community's comments and concerns with each community directly.</p> <p>Cultural Heritage Resource Assessments report was conducted during this PD Phase in 2020 to determine any potential impacts to any physical and cultural heritage; any structure, site or thing that is of historical, archaeological, paleontological or architectural significance. The result of these assessments will be included in the final document for review. Additionally, these reports will be made available to Indigenous communities, with opportunities to participate in archaeological assessments and/or to receive a presentation(s) to review the results.</p> <p><b>Please see Sections 5.3 of the attached document for additional detail.</b> See also response information for question 4. b) x below.</p>
4. b)	vi) Potential adverse impacts on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982;	March 03, 2021	Project Team	<p>As a representative of the provincial Crown, MTO is committed to fulfilling the duty to consult, and accommodate as appropriate, with respect to the potential adverse impacts of the project on established or credibly asserted Aboriginal and treaty rights for the project itself. The Project Team is committed to an open and transparent process that provides opportunities for all potentially adversely impacted Indigenous communities to help shape the outcome of the project and mitigate adverse impacts to their Aboriginal and treaty rights. MTO recognizes that consultation with Indigenous communities is not a one-time conversation but is instead an ongoing process over the lifespan of a project, from the planning phase through to construction and maintenance. The Ministry consultation involves touchpoints with Indigenous communities at key milestones for the project, which include key decision points in the EA process. The Ministry will also consider providing Indigenous communities with capacity funding to facilitate participation in consultation processes.</p> <p>Consultation and engagement with Indigenous Communities will continue to include open and transparent discussion throughout the project, specifically related to impacts to physical and cultural heritage; current use of lands and resources for traditional purposes; structures, sites or things of historical, archaeological, paleontological or architectural significance, as well as adverse impacts to Aboriginal and treaty rights (e.g. rights to hunt, fish, trap, gather and potential rights to title).</p> <p>Under the current Preliminary Design Project, engagement and consultation communications and meetings will be scheduled with Indigenous communities to present material, receive feedback and listen to concerns regarding the project impacts to communities Aboriginal and treaty rights.</p> <p>MTO's current consultation is focused around key study milestones:</p> <ul style="list-style-type: none"> <li>• The refinements to the 2002 EA approved route; and</li> <li>• The preliminary design of the refined route.</li> </ul> <p><b>Please see Section 2.3.2.15 and Section 5.3 of the attached document for additional detail.</b> See also response information for question 4. b) x below.</p>
4. b)	vii) Potential impacts to public safety	March 03, 2021	Project Team	<p>Safety is and will continue to be the top priority for both construction and operation of the provincial highway network in Ontario. <b>Section 2.3.2.16 of the attached document</b> outlines potential impacts to public safety and how safety is at the forefront of all components of the design.</p> <p>See also response information for question 4. b) x below.</p>
4. b)	viii) Potential impacts to aesthetics and local recreation;	March 03, 2021	Project Team	<p>The Ministry will develop a preliminary landscape plan for the refined alternative based on consultation with local municipalities and regulatory agencies. The landscape plan will address municipal and natural environmental requirements. The design will</p>

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				<p>provide preliminary landscaping mitigation, compensation or enhancements within the project corridor to support the Ministry's mandate towards meeting climate change and sustainability requirements. The design will be a collaborative process considering inputs from environmental factor-specific specialties to understand existing conditions, develop appropriate recommendations for the conceptual landscape plan that is integrated with the various design components, including the mainline corridor, interchanges, bridges/culverts, stormwater management, sensitive natural areas, snowdrift, cultural heritage and aesthetics, etc.</p> <p><b>Section 2.3.2.10 of the attached document</b> outlines potential impacts to landscape design, aesthetics and local recreation. In addition, the following sections also speak to integration with the landscape design, aesthetics and local recreation: <b>Section 2.3.2.1</b> Agricultural and Land Use, <b>Section 2.3.2.3</b> Cultural Heritage, <b>Section 2.3.2.4</b> Drainage and Hydrology, <b>Section 2.3.2.5</b> Erosion and Sediment Control, and <b>Section 2.3.2.11</b> Snow Drift Assessment.</p> <p>See also response information for question 4. b) x below.</p>
4. b)	ix) The potential greenhouse gas emissions associated with project construction and operations, including both direct and indirect emissions;	March 03, 2021	Project Team	<p>Potential greenhouse gas emissions associated with the project will be assessed under the MTO <i>Environmental Guide for Assessing and Mitigating Air Quality Impacts and Greenhouse Gas Emissions for Provincial Transportation Project</i> (May 2020), as outlined in Question 2, above.</p> <p><b>Section 2.3.2.2 of the attached document</b> outlines potential impacts to greenhouse gas emissions associated with the project.</p> <p>See also response information for question 2 above and 4. b) x below.</p>
4. b)	x) Whether any impacts named in points i. to ix. above would be permanent, and if yes, how you intend to manage those impacts, or provide a rationale for why such management would not be required; and	March 03, 2021	Project Team	<p>The Project Team will identify environmental sensitivities and assess potential permanent and temporary impacts. The potential impacts anticipated to result from the implementation of the Bradford Bypass are at a preliminary stage, compared to the level of design. The Ministry will undertake the environmental assessment for the project in accordance with the MTO <i>Class Environmental Assessment</i> to satisfy the principles and processes for transportation engineering, environmental, consultation, evaluation, documentation, and environmental clearance. The following provides an overview of how the Ministry will manage and consider permanent and temporary impacts. <b>Refer to the attached document</b> for additional detail related to the environmental impact assessment and consultation approach to be undertaken for the project.</p> <ul style="list-style-type: none"> <li>(i) Through the fish and fish habitat assessment, the Registry, Appraisal and Qualification System (RAQs) qualified fisheries assessment specialists will determine the potential permanent and temporary impacts of the various highway design alternatives and determine the likelihood of Harmful Alteration, Disruption, Destruction of fish habitat, and with respect to aquatic species at risk. Based on the impact assessment, the Project Team will undertake environmental protection and mitigation for highway design refinements, and where required to comply with the <i>Fisheries Act</i>, and develop compensation strategies.</li> <li>(ii) Through the terrestrial ecosystem assessment, the Project Team Wildlife and Plant specialists will determine the potential permanent and temporary impacts of the various highway design alternatives on sensitive natural areas (i.e. Provincially Significant Wetlands, Areas of Natural and Scientific Interest, significant wildlife habitat, species at risk habitat) and terrestrial species at risk. Based on this impact assessment, the Project Team will evaluate environmental protection, mitigation and/or compensation highway design refinements in consultation with key stakeholders and review agencies (e.g. Ministry of Natural Resources and Forestry, Ministry of Environment, Conservation and Parks, Lake Simcoe Region Conservation Authority, Nottawasaga Valley Conservation Authority) to satisfy provincial and federal environmental legislation.</li> <li>(iii) As part of the terrestrial ecosystem assessment, for 4. b) (ii) above, avian specialists will document the bird species present and consider potential permanent and temporary impacts to migratory birds for the proposed highway design refinements. Mitigation measures to address temporary impacts during construction will be applied through best management practices and avoidance (timing) measures, as well as landscaping and ecological restoration measures to mitigate for temporary and permanent impacts to natural areas that may be used by migratory birds.</li> </ul>

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				<p>Potential impacts to migratory birds as a result of new highway operation, will be considered through a balanced approach when developing the highway in accordance with the Ministry’s highway design and safety standards.</p> <p>(iv) The Project Team will consider potential impacts (positive and negative) of air quality, noise, land use, traffic congestion and safety, economics, social cohesion, and neighbourhood resources on human health. Mitigation strategies will be developed and the need for additional human health risk assessment(s) will be determined through the consultation process of the study. Permanent and temporary impacts related to water quantity and quality will be assess through surface water (drainage and hydrology) studies, contaminated property and waste management assessments and groundwater (hydrogeology) studies to inform the nature of potential impacts to develop mitigation measures to manage water quality and quantity downstream/down-gradient of the project that may influence drinking water sources and watershed quality guidelines.</p> <p>(v) The Ministry will for each of the various highway refinement alternatives undertake environmental assessments to determine the potential permanent and temporary impacts to environmental factors and mitigation measures in accordance with the <i>EA Act</i>, and other relevant legislation The Ministry will, undertake archaeology and cultural heritage assessments to determine the potential permanent and temporary impacts of the various highway refinement alternatives where required through the proposed highway corridor. The avoidance and protection of sites is always the preferred approach to the Stage 4 mitigation of impacts to archaeological sites. Through the engagement process, the Ministry will evaluate the potential impacts and implement, mitigation of Indigenous archaeological and cultural heritage resources. Field monitors from Indigenous communities will be provided opportunities to participate in archaeology assessment investigations in accordance with current MTO policies for monitoring during archaeology investigations.</p> <p>(vi) The Ministry will, through consultation processes, assess potential temporary or permanent impacts to Aboriginal and treaty rights, as well as the other interests of Indigenous communities and people via the environmental factor-specific studies undertaken through each stage of the project.</p> <p>(vii) The Ministry undertakes the design, construction, operation and management of provincial highways in accordance with Ontario’s <i>Public Transportation and Highway Improvement Act</i>, including applicable safety standards for provincial controlled access highways, and in accordance with <i>Accessibility for Ontarians with Disabilities Act</i>, and applicable safety regulations.</p> <p>(viii) Management of potential impacts to aesthetics will be undertaken through the consultation process to understand the nature of key concerns and incorporate aesthetic components where practical within the design of structural components of the highway (i.e. bridges, retaining walls, noise barrier walls). The landscaping and ecological restoration plan for the project, will consider various techniques and landscaping elements balance the needs of ecological restoration and aesthetics within the highway corridor. The Project Team will consult with local municipalities and stakeholders to consider interactions between provincial and municipal infrastructure where planned recreational infrastructure occurs or is identified through official plans and transportation master plans. The intent will be to consider project designs that do not preclude municipal recreational infrastructure.</p> <p>(ix) The Project Team will undertake air quality assessment for the study area of the project to determine permanent or temporary impacts to air quality and greenhouse gas. The study will assess the need for and practicality of mitigation measures and predict their utility given the Ministry’s jurisdiction and limited set of mitigation options for local and regional impacts.</p>
4. b)	xi) Whether the Project would result in cumulative effects, considering potential cumulative effects associated with other highway proposals in the project area, and expansion of municipal settlement and employment area boundaries in the vicinity of the project. If yes,	March 03, 2021	Project Team	<p>The project shall consider MECP’s Code of Practice, <i>Preparing and Reviewing Environmental Assessments in Ontario</i>, which encourages proponents to consider potential cumulative effects of the project in combination with past, present and reasonably foreseeable future activities where possible. Cumulative effects assessment would include consideration of the interdependence of air, land, water and living organisms, and the relationships with respect to the rights of Indigenous people and cultures, and among environmental, social, health and economic effects.</p> <p>Mitigation measures and the management of project specific impacts shall be developed and implemented in a manner that are technically and economically feasible to avoid or minimize the adverse effects of the proposed undertaking.</p>

Reference	Information Request	Due by	Lead	MTO Response
	describe how you intend to manage those impacts, or provide a rationale for why such management would not required.			<b>Section 3.6 of the attached document</b> outlines assessment of cumulative effects.
5.	For all federal licences, permits, authorizations, approvals, and/or financial assistance that may be provided for the Project, describe any anticipated adverse direct or incidental effects (including changes to health, social and economic conditions) that may occur as a result. For all effects, indicate whether the provincial assessment process would manage them. Where applicable and available, provide general information such as mitigation and follow-up program measures, or provide a rationale for why such are not required.	March 03, 2021	Project Team	<p><b>Section 3 of the attached document</b> provides specific information related to the project specific considerations and applicability for federal permits, licences, authorizations, approvals (PLAA) and/or financial assistance.</p> <p>The Project is provincially funded and does not require and currently is not receiving federal funding or financial assistance. Future Federal funding is not anticipated for the project in part or in full.</p> <p>Federal legislation with PLAAs that may be required and are being considered for this project include:</p> <ul style="list-style-type: none"> <li>• Fisheries Act (FA) – Fisheries and Oceans Canada (DFO) (<b>Section 3.1</b>)</li> <li>• Migratory Bird Convention Act (MBCA) – Environment Canada and Climate Change (ECCC) (<b>Section 3.2</b>) – With the implementation of the appropriate mitigation measures, including avoidance timing windows, no permits are anticipated under the MBCA.</li> <li>• Species at Risk Act (SARA) – DFO and ECCC (<b>Section 3.3</b>)</li> <li>• Canadian Navigable Waters Protection Act (CNWA) – Transport Canada (TC) (<b>Section 3.4</b>)</li> </ul>
6.	<p>a) Describe the steps that you have taken to engage the public and any steps that you will take for engagement during all phases of the Project.</p> <p>b) Indicate whether you are aware of public concerns in relation to the Project. If yes, provide an overview of the issues, including those raised in the enclosed letter, and indicate in general terms how you intend to address these matters.</p>	March 03, 2021	Project Team	<p>The Ministry initiated consultation and public engagement in 1993 during the Route Planning study, and documented the process and outcomes of that consultation in the 1997 Environmental Assessment (<i>Section 2.2</i> of the 1997 Environmental Assessment document provide in the Ministry’s response to IAAC Requests 1 and 2), which led to the 2002 Environmental Assessment approval. Key issues and concerns raised during the route planning study are being considered as part of the preliminary design study.</p> <p>In preparation for the preliminary design, the Ministry developed a project contact list to carry forward and update the list of key stakeholders involved during the route planning study, and expanding it to include study area specific contacts (e.g. Current local businesses, regulatory authorities, key stakeholders, property owners, indigenous communities, municipal/regional governments, Members of Parliament / Members of Provincial Parliament, etc.).</p> <p>The Project Team has developed and will implement a comprehensive consultation and engagement program for this project. This study will follow the approved planning process for a Group ‘A’ project under the MTO <i>Class Environmental Assessment for Provincial Transportation Facilities</i> (2000). Refinements within the Study Area will be generated and evaluated based on technical and environmental factors and in consultation with Indigenous communities, public stakeholders, municipalities and government agencies.</p> <p>Consultation is an integral component of the Class Environmental Assessment process and is critical to a project’s success. Effective consultation must be inclusive and timely in its approach to engage participants. The Project Team will strive to provide consultation opportunities that are meaningful and provide stakeholders with the ability to provide meaningful input to the outcome of the study. <b>Section 5 (Consultation and Engagement) of the attached document</b> provides detailed information on the consultation approach and key details thus far in the preliminary design study.</p> <p>The Project Team is continually updating and tracking the list of identified concerns and questions. Initial concerns were identified and responses to “Frequently Asked Questions” (FAQs) were developed and made available through the project website <a href="https://www.bradfordbypass.ca/faq/">https://www.bradfordbypass.ca/faq/</a>. <b>Table 5-1 of the attached document</b> identifies current concerns raised thus far by external stakeholders and the actions that the Project Team is undertaking to consider and address these items. <b>Table 5-3 of the attached document</b> identifies key concerns raised thus far by Indigenous communities and the actions being taken by the Ministry to address these concerns.</p>

Reference	Information Request	Due by	Lead	MTO Response
				<p>The process of identifying and tracking the concerns raised through the project design and environmental assessment is ongoing and is a key component of the consultation program under the <i>Class Environmental Assessment</i>. The Project Team, and the Ministry will continually work through and consult with stakeholders to understand their concerns and take necessary actions to respond and where appropriate, address those concerns through each phase of the design study. The results of consultation will be documented in Environmental Assessment documentation (i.e. Transportation Environmental Study Report), and excluding personal information, become part of the public record.</p>
7.	<p>a) Describe the steps that you have taken and will take to consult with Indigenous groups (please list the groups included). If available, provide a generalized record of engagement as well as planned engagement. Provide general information about your commitments to work with Indigenous groups to mitigate any potential impacts.</p> <p>b) Indicate whether you are aware of general concerns from Indigenous groups in relation to the Project. If yes, provide an overview of the key issues and indicate how you plan to address these matters.</p>	March 03, 2021	Project Team	<p>As a representative of the provincial Crown, MTO is committed to fulfilling the duty to consult, and accommodate as appropriate, with respect to the potential adverse impacts of the project on established or credibly asserted Aboriginal and treaty rights for the project itself. The Project Team is committed to an open and transparent process that provides opportunities for all potentially adversely impacted Indigenous communities to help shape the outcome of the project and mitigate adverse impacts to their Aboriginal and treaty rights. MTO recognizes that consultation with Indigenous communities is not a one-time conversation but is instead an ongoing process over the lifespan of a project, from the planning phase through to construction and maintenance. The Ministry consultation involves touchpoints with Indigenous communities at key milestones for the project, which include, at a minimum, key decision points in the EA process.</p> <p>The Ministry's touchpoints with Indigenous communities at key milestones of the projects, shall include the following:</p> <ul style="list-style-type: none"> <li>• Public Information Centre #1, dates to be determined, anticipated Spring 2021 <ul style="list-style-type: none"> <li>- The Project Team will be meeting with Indigenous communities in conjunction with the PIC public session to present and discuss the material and study information. The timing for these meetings will be arranged in consultation with Indigenous community member representatives.</li> <li>- Additional meetings may also be scheduled at the request of Indigenous communities to discuss specific concerns</li> </ul> </li> <li>• Public Information Centre #2, dates to be determined, anticipated Fall 2022 <ul style="list-style-type: none"> <li>- The Project Team will be meeting with Indigenous communities in conjunction with the PIC public session to present and discuss the material and study information. The timing for these meetings will be arranged in consultation with Indigenous community member representatives.</li> <li>- Additional meetings may also be scheduled at the request of Indigenous communities to discuss specific concerns</li> </ul> </li> <li>• TESR Submission, anticipated end of 2022.</li> </ul> <p>Additional information sharing regarding archaeological resources and other items of interest to Indigenous communities will be shared in writing or through meetings to be scheduled upon request of the Indigenous communities.</p> <p>At this stage of the preliminary design, the Project Team has initiated the following consultation activities with respect to Indigenous communities. General consultation approach for the project is outlined in <b>Section 5</b>, with specific details provided in <b>Section 5.3 of the attached document</b></p> <ul style="list-style-type: none"> <li>• September 24, 2020, the Project Team issued the Project Notice of Study Commencement, with direct communications via email issued to the following Indigenous communities and councils: <ul style="list-style-type: none"> <li>- Alderville First Nation</li> <li>- Beausoleil First Nation</li> <li>- Chippewas of Georgina Island First Nation</li> <li>- Curve Lake First Nation</li> <li>- Chippewas of Rama First Nation</li> </ul> </li> </ul>

Reference	Information Request	Due by	Lead	MTO Response
				<ul style="list-style-type: none"> <li>- Hiawatha First Nation</li> <li>- Mississaugas of Scugog Island First Nation</li> <li>- Mississaugas of the Credit First Nation</li> <li>- Huron Wendat Nation</li> <li>- MNO Georgian Bay Métis Council</li> </ul> <ul style="list-style-type: none"> <li>• Direct correspondence with representatives from Huron-Wendat Nation, Curve Lake First Nation and Hiawatha First Nation have occurred to date. This has included both written communications and in-person meetings. The Project Team met with the Huron-Wendat First Nation on December 2, 2020 and is coordinating with Curve Lake First Nation and the other six Williams Treaties First Nations to schedule a meeting with community representatives.</li> </ul> <p>Meetings and consultation with Indigenous communities is on-going through preliminary design and will be carried forward through future design and construction stages of the project.</p> <p>At this time general concerns raised by Indigenous communities have focused on understanding and participation in the investigations and assessments related to archaeological resources that may be encountered within the study area, with a focus on those that have cultural and heritage significance to the Indigenous communities. Additionally, there have been expressed interest in the potential impacts to environmental factor areas and requests for access to environmental assessment documentation. <b>Refer to Table 5-3 of the attached document for a summary of initial Indigenous communities concerns.</b></p>
8.	Provide any other comments in relation to environmental effects or impacts to the public or Indigenous peoples and how you intend to address and manage these effects.	March 03, 2021	Project Team	<p>Through the environmental assessment process, the Project Team will provide environmental protection in accordance with the environmental protection principles of the MTO <i>Class Environmental Assessment</i>. The project team will continue to conduct studies with an inherent approach of avoiding or minimizing overall impacts through an evaluation of design refinements. As part of the principles to protect the environment, the Project Team will identify existing environmental conditions and potential impacts specific to the project; meet the statutory duties and other requirements of federal and provincial environmental legislation, and meet the intent of approved policies.</p> <p>The Project Team will consider concerns raised by Indigenous communities and endeavor to mitigate and accommodate, if appropriate, adverse impacts to Aboriginal and treaty rights. The ministry will also endeavour to balance environmental protection considerations with transportation engineering considerations during the preliminary design and in each stage of the study for the project. It is recognized that safety and effectiveness of the transportation system is fundamental to such decisions. The Ministry recognizes that satisfying all interests when making these balanced decisions is seldom possible when evaluating design alternatives. Every environmental factor is considered and are evaluated in line with design and safety standards of the transportation principles.</p> <p>The Project Team will consult with Indigenous communities as well as key stakeholders and review agencies to develop appropriate environmental mitigation measures that provide a proportional benefit and level of effort to the environmental significance and consider the measures reasonable ability to mitigate the potential impact. Environmental protection measures will be carried forward as commitments to future design and construction stages and will include monitoring where required.</p> <p>Through the public and stakeholder consultation plan and Indigenous Engagement and Consultation plan for the project, the Project Team will consult with and engage the public and Indigenous peoples at key stages of the study. This will include project notifications, use of the project website to share information and in conjunction with public and individual meetings solicit feedback on the proposed design, existing conditions and environmental impact assessment process, and participate in the evaluation of design alternatives. This consultation and engagement process is an on-going adaptive process undertaken at each stage of the study and may include specific requirements to be carried out during construction.</p>

Reference	Information Request	Due by	Lead	MTO Response
				<p><b>Please see Section 5.3 and Section 6 of the attached document for additional details.</b></p>
9.	Explain your views on whether the Project should be designated under IAA.	March 03, 2021	Project Team	<p>MTO reviewed the Physical Activities Regulations (SOR/2019-285) under the <i>Impact Assessment Act</i> in order to reconfirm the applicability and requirements pertaining to the Bradford Bypass. MTO considered the applicability of the proposed Bradford Bypass as a 'Designated Project' pursuant to the <i>Impact Assessment Act</i>, whereas Section 51 of the Physical Activities Regulations applies to "The construction, operation, decommissioning and abandonment of a new all-season public highway that requires a total of 75 km or more of new right of way." The proposed Bradford Bypass project may include up to 35.0 km of road works, which takes into consideration the new Highway 400 to Highway 404 link mainline / designated right-of-way (16.2 km), plus consideration for associated infrastructure works to connect with existing segments along Highway 400 and Highway 404, municipal roads (10<sup>th</sup> Sideroad, County Road 4, Artesian Industrial Parkway, Bathurst Street, Yonge Street, 2<sup>nd</sup> Concession, and Leslie Street), and a segment associated with the Metrolinx rail line. The associated segments on existing infrastructure account for approximately 13.2 km (without staging) to 18.8 km (with staging).</p> <p>In consideration for the length of the project, Section 51 of the Physical Activities Regulations does not apply to the proposed Bradford Bypass, which involves less than 75 km or more of new right of way.</p> <p>The following were also considered in the determination of the proposed Bradford Bypass being subject to the criteria of a Designated Project per the <i>Impact Assessment Act</i>:</p> <ul style="list-style-type: none"> <li>• The Recommended Plan does not impact or impede on federal lands;</li> <li>• The Recommended Plan is not located within a Wildlife Area as defined in the Wildlife Area Regulations;</li> <li>• The Recommended Plan is not located within a Marine Conservation Area;</li> <li>• The Recommended Plan is not located in a migratory bird sanctuary, as defined in the Migratory Bird Sanctuary Regulations; and,</li> <li>• The Recommended Plan is not located on land administered by Parks Canada.</li> </ul> <p>Per review of the applicability of Section 51 of the Physical Activities Regulations and other considerations, the proposed Bradford Bypass does not meet the criteria for a defined 'Designated Project' per the Physical Activities Regulations under the <i>Impact Assessment Act</i> and, therefore is not subject to Federal Impact Assessment requirements per the <i>Impact Assessment Act</i>. MTO acknowledges that under subsection 9(1) of <i>Impact Assessment Act</i>, the Minister may, by order, designate a physical activity that is not prescribed in the Physical Activities Regulations.</p> <p>It should also be noted that the Bradford Bypass' potential impacts within federal jurisdiction are limited and will be managed through the Class Environmental Assessment process and federal permits, licences, authorizations and approvals (<b>refer to Section 2, 3 and 4 of the attached document</b>). The management and consideration of federal jurisdiction and approvals was initiated during the route planning study as part of the 2002 Environmental Assessment approved alignment. A comprehensive consultation and engagement program with local community members, Indigenous communities, municipalities, and stakeholders has been underway since initiation of the preliminary design study in 2020 and will continue through project implementation (<b>refer to Section 5 of the attached document</b>). The Ministry is actively addressing concerns from interested parties and will continue to do so throughout the project lifecycle.</p> <p>Designation of the Bradford Bypass under the <i>Impact Assessment Act</i> would delay realization of the tremendous benefits of the project including supporting the travel demand and economic development in the area.</p>