

# ONTARIO FEDERATION OF ANGLERS & HUNTERS



*Ontario Conservation Centre*

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To: Bradford Bypass Project Team  
[ProjectTeam@BradfordBypass.ca](mailto:ProjectTeam@BradfordBypass.ca)

Re: County Road 4 Draft Early Works Report

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, fish and wildlife conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. We have reviewed the County Road 4 Draft Early Works Report (the Report) and have concerns regarding various environmental impacts and the lack of Fisheries and Oceans Canada (DFO) oversight on aspects of this project.

The area where the Bradford Bypass is proposed to be constructed is in close proximity to highly valuable fish and wildlife habitat. The Lake Simcoe watershed contributes nearly one billion dollars to Ontario's economy annually and Lake Simcoe itself is designated a Provincially Significant Inland Fishery. The Holland Marsh wetland complex is a Provincially Significant Wetland, which contains a provincially significant Area of Natural and Scientific Interest and a Provincial Wildlife Area. Not only do these areas provide critical ecosystem services and habitat, but they are also areas of significant social and economic activity, including fishing and hunting. Due to the sensitive and valuable nature of this area, the utmost care should be given to ensure environmental impacts are avoided wherever possible, kept at a bare minimum where unavoidable, and mitigated to the greatest degree possible. The OFAH recommends that AECOM and the Ministry of Transportation (MTO) work closely with both provincial and federal agencies who are responsible for the protection of our natural heritage features to ensure that minimal damage is done to this critical resource.

## Fisheries Impacts

In Appendix C of the Report (Aquatic Effects Assessment Summary Table) it is clearly shown that there will be harmful alteration, disruption, or destruction of fish habitat during the removal of an existing culvert. Approximately 80.67m<sup>2</sup> of fish habitat will be permanently removed. The recommendation made by the Fisheries Assessment Specialist is that the project be sent for review by DFO and that the project submission to the DFO should be reassessed once the design process has been advanced further. This proposal to delay the DFO assessment is reflected within section 6.1.2.1 (potential impacts of fish and habitat) of the Report, in which it is stated that a fish and fish habitat impact assessment of the culvert work will be reevaluated and updated when the detail design reaches 60-90% complete. The Report also indicates that the impact to fish habitat that will result from the culvert removal does not qualify as Ministry of Transportation Routine Works nor does it meet the condition for the Ministry of Transportation Best Management Practices Manual for Fisheries. Because of these clear impacts to fish and fish habitat, **the OFAH requests that AECOM and the MTO immediately seek Fisheries Act authorizations for the proposed work.** So long as the culvert removal remains within the detail design for the project, there is no reason to wait to seek the DFO approvals and authorizations for the work being done.

The Report discusses how although 80.67m<sup>2</sup> of fish habitat will be removed, the new culvert being put in will create 120.96 m<sup>2</sup> of fish habitat; however, that is not a guarantee. The new culvert may not be utilized in the same way by the fish species present in that location as the old culvert did. There will likely be a period of time in which there is a net loss of fish habitat in that small area, which could have negative effects on the aquatic community that may not be recoverable. Even though this is potentially a small loss of fish habitat, there will be ongoing work in the surrounding area for years to come during the entire construction of the Bradford Bypass. If all of the small-scale losses of fish habitat are ignored, they will accumulate into a larger issue. All potential loss of fish habitat through the entirety of this project should be evaluated by the DFO in the context of their local impacts and cumulative effects. Outlining these plans with DFO now (or as early as possible in the process) and identifying all the potential impacts to fish and fish habitat will also streamline the discussion around what type of offsetting measure may be needed.

Species at Risk

The Report indicates that there are potential impacts to species at risk, specifically to the threatened chimney swift and several species of endangered bats. This risk has not adequately been evaluated as the building that could house these species was not assessed due to potential health and safety risks. The OFAH recommends that a thorough assessment of the building be done prior to demolition to ensure the absence of use by species at risk. If it is impossible to assess the building, then it must be assumed that the species are present and mitigation efforts must be taken. There are requirements under the Endangered Species Act when dealing with the removal of species at risk habitat that will need to be followed, and we recommend that AECOM and the MTO work with the Ministry of Environment, Conservation and Parks (MECP) prior to any work being done. As stated in the Report, the removal of the building is necessary for the proposed work to move forward, so it will be critical to conduct an adequate assessment as soon as possible so that any necessary mitigation actions or work (including the potential construction of new habitat) can be done prior to the commencement of the project.

Invasive Species

The Report outlines the removal of invasive phragmites and replanting of native riparian species. There are several aspects of this plan that raise concerns when considering the potential spread of phragmites. Timing of the removal of phragmites is an important consideration; if the intention is to undergo mechanical removal of the plants, it should be done just prior to the emergence of the seed head. Excavation of the plants and the soil will likely be unsuccessful and only act to spread root fragments and seeds further, making the infestation worse. A detailed plan of phragmites removal and native species restoration should be created prior to this work taking place. Following guidance from the Ontario Invasive Plant Council's Invasive Phragmites Best Management Practices and Clean Equipment Protocol will be essential to help reduce the amount of phragmites spread due to this undertaking. Specifically, the Clean Equipment Protocol must be followed to ensure that phragmites is not spread to other areas through the transfer of heavy equipment and people. Phragmites is frequently spread via equipment along travel corridors and considering the sensitive habitat near to the project site, it is critical that steps are taken to prevent additional spread of phragmites.

Conclusion

The OFAH has concerns with the shortcomings presented in the Report with regards to obtaining proper approvals and consideration of environmental impacts. We have outlined several aspects above that illustrate that more work needs to be done prior to moving forward with the early work outlined in the Report. While we understand that this consultation is only in regards to the County Road 4 early work, the issues presented in the Report have the potential to create large-scale environmental impacts if they are repeated throughout the entire Bradford Bypass project. Ensuring that the proper care is taken at the start of this project will lead to fewer impacts on the sensitive and valuable ecosystems in the project area as it moves forward. Most critically is to engage Fisheries and Oceans Canada immediately to adequately review and monitor all alteration or destruction of fish and fish habitat, with the goal of avoiding irreparable harm and providing meaningful mitigation measures and offset for the impacts that will occur.

Yours in Conservation,



Mark Ryckman  
Manager of Policy

MR/jb

cc: The Honourable Joyce Murray, Minister of Fisheries and Oceans  
The Honourable David Piccini, Minister of Environment, Conservation and Parks  
The Honourable Caroline Mulroney, Minister of Transportation  
OFAH Board of Directors  
Angelo Lombardo, OFAH Executive Director  
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