

ONTARIO FEDERATION OF ANGLERS & HUNTERS



Ontario Conservation Centre

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To: Bradford Bypass Project Team
ProjectTeam@BradfordBypass.ca

Subject: **Bradford Bypass: Updated Draft Environmental Impact Assessment 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 "Updated Draft Environmental Impact Assessment Report" and offer the following comments for consideration.

As stated in our previous submission, much of the preferred bypass route 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 substantial social and economic activity, including fishing and hunting. As such, we feel the province must prioritize impact avoidance in these areas, followed by mitigation and offsetting only when absolutely necessary.

As a conservation organization, the OFAH's chief concerns lie in the ecological impacts of the Bradford Bypass. The Updated Environmental Impact Assessment Report clearly indicates that significant impacts are not only possible, but **expected** with respect to aquatic, vegetative, and wildlife health, wetland and hydrological function, and more. Despite this, MTO makes few explicit commitments to avoid, mitigate, or offset disturbance/damage to fish and wildlife habitat.

The assessment goes into detail regarding the potential impacts of this project on aquatic systems and river hydrology. For example, almost all associated "commitments" employ qualifiers like "where appropriate," "should" and "recommended." Regardless of how thorough their recommended tools and techniques may be, the use of such discretionary language across the document ensures that the Ministry is technically only committed to unavoidable legal obligations (e.g. under the Endangered Species Act). This discretionary language permeates the document and suggests that MTO does not intend to meaningfully consider stakeholder and expert input. Indeed, during public consultation periods, many stakeholder groups and experts have advised against many aspects of the project proposal, with little to no effect.

For the OFAH's part, we have strongly advocated for the following:

- That MTO seek immediate Fisheries Act authorizations for the project.
- That MTO ensure onsite buildings, which are possible species at risk (chimney swift and several species of endangered bats) habitat, be properly assessed.
- That MTO require specific removal approaches for invasive phragmites and other invasive vegetation.

To our knowledge, none of these recommendations have resulted in changes. Now that the full EI report has been made public, we have expanded this list to recommend the following actions:

Wildlife

- Require a complete examination of structures with the potential to provide suitable nesting and/or roost habitat for bird species protected under the Migratory Birds Convention Act and bird or bat species protected under the federal Species at Risk Act.

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- Provide further consideration for the comments/concerns of Indigenous communities, with special focus on the claim that endangered American Eel (*Anguilla rostrata*) and species of special concern Northern Sunfish (*Lepomis peltastes*) have been detected in the Holland River.
- To minimize impacts on endangered bat species, do not permit the use of high-pressure, sodium and LED lights immediately adjacent to woodlands.
- Require permanent exclusion fencing along the entire limits of the Bradford Bypass right-of-way, with appropriate “jump-out locations.”
- Require the immediate installation of exclusion fencing where the removal or accumulation of substrates is necessary in or around turtle habitat.
- Require suitable wildlife crossings/corridors for all sizes of wildlife, in accordance with the relevant Environmental Impact Assessment recommendations.
- Do not permit work within areas of candidate turtle overwintering habitat during the turtle overwintering period.
- Do not permit work within candidate reptile hibernacula habitat during reptile overwintering period.

Vegetation

- Require adherence to the Clean Equipment Protocol when removing vegetation to minimize risk of spreading invasive species.
- Require seeded mixes and/or live transplants of native species to be used to rehabilitate or restore areas of vegetation that have been temporarily disturbed.
- Require edge management plantings along newly exposed forest edges, using native vegetation.

Watercourses and ground water

- Require infrastructure to be located as far from any watercourse as possible to minimize erosion.
- Require that channel realignment be in accordance with “Natural Channel Design” principles and relevant Lake Simcoe Region Conservation Authority Guidelines.
- Require channel realignment to maintain the natural form and fluvial processes of the watercourse (e.g., sedimentation, erosion, and transportation).
- Require the use of open bottom culverts to avoid impacts on fish movement.
- Require any sections of the Holland River Marsh Provincially Significant Wetland that are disturbed by the project to be restored back to wetland habitat.
- Require wetland compensation, only where habitat cannot be restored.
- Require any watercourse banks that are disturbed to be immediately stabilized and re-vegetated to prevent erosion and/or sedimentation.
- Require erosion and sediment control measures to be installed along the construction footprint within 30 metres of any Provincially Significant Wetland.
- Require any crossings to be perpendicular to the watercourse to reduce erosion.
- If it is not possible for new crossings to span the recommended width (re: Updated Draft Environmental Impact Assessment), require additional erosion protection.
- Require any exposed groundwater flow to be filled in with the appropriate material to minimize impacts on groundwater flow, water quality, water temperature, and water levels.
- Require active monitoring of in-water and near-water works throughout the project.

General

- Require implementation and adherence to the Project Planning and Design Best Management Practices, Procedural Best Management Practices, Water Management Best Management Practices, and Erosion Control Best Management Practices, to minimize unnecessary, long-term landscape/environmental impacts.
- Require the continued consultation of experts during the Detail Design phase of this project, including biologists, ecologists, hydrologists, fluvial geomorphologist, and archaeologists.

As previously stated, the OFAH is focused on protecting fish and wildlife values. The materials, proposals, and processes associated with the Bradford Bypass thus far are simply too complacent in habitat destruction and loss of ecological function to warrant our support, nor have they shown a **meaningful** commitment to consultation. However, if the province were to change course and seriously consider the input of stakeholders/experts, we would be happy to work alongside MTO and other relevant entities to find solutions that protect fish and wildlife values while supporting the province's infrastructure needs.

Thank you for your consideration.

Yours in Conservation,

A handwritten signature in cursive script that reads "Matthew Robbins".

Matthew Robbins
Fish & Wildlife Biologist

MR/jb

cc: OFAH Board of Directors
OFAH Agriculture Liaison Advisory Committee
OFAH Land Use/Access/Trails Advisory Committee
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