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Early Works Statement of Completion

March 21, 2022

Kathleen O'Neill
Director, Environmental Assessments and Permissions Division
Ministry of the Environment, Conservation and Parks

Dear Kathleen O'Neill,

**RE: Early Works Statement of Completion in accordance with Ontario Regulation 697/21
County Road 4 Early Works (GWP 2008-21-00),
Highway 400 – Highway 404 Link (Bradford Bypass)
Ontario Ministry of Transportation**

1. Introduction

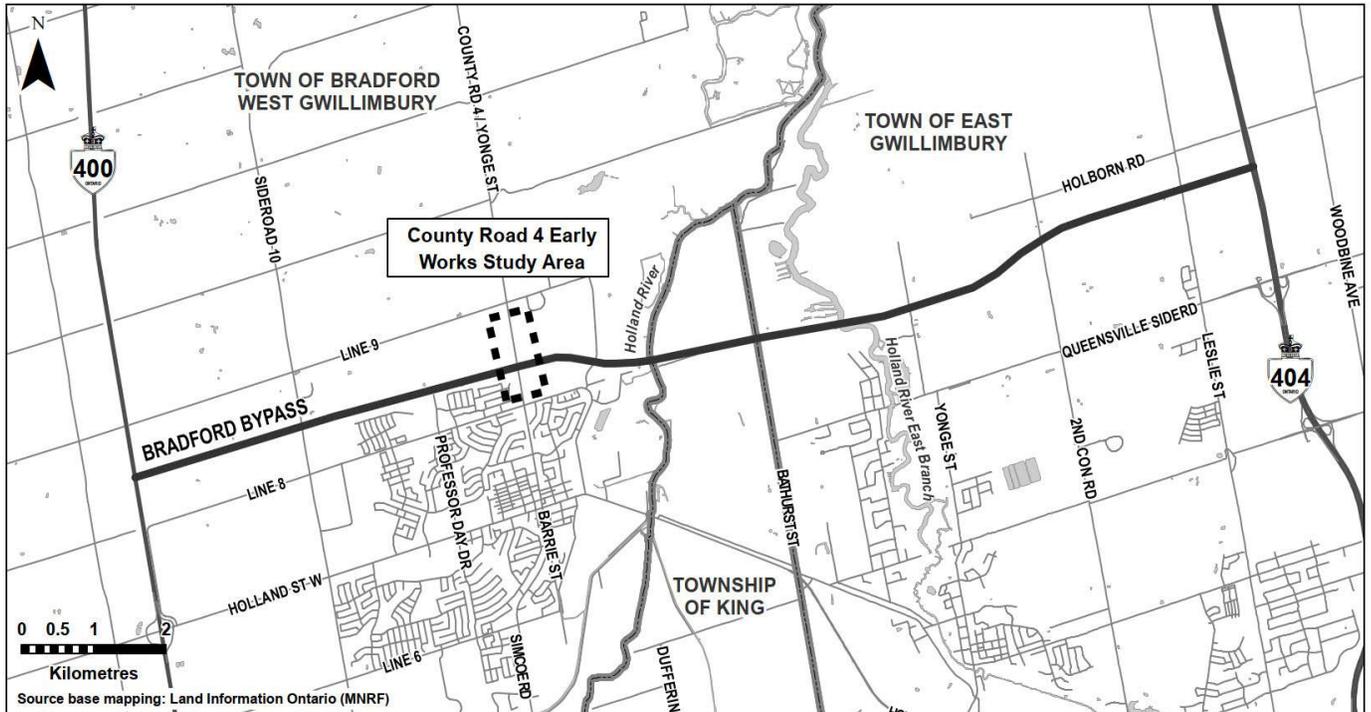
AECOM Canada Ltd. (AECOM) has been retained by the Ontario Ministry of Transportation (the Ministry) to advance this Early Works project in accordance with the provisions of the Ontario Regulation 697/21 (Regulation). The Early Works, as set out in the Regulation involves the design and construction of a grade separated bridge crossing for the Bradford Bypass on County Road 4 (Yonge Street) in the Town of Bradford West Gwillimbury, County of Simcoe.

To promote efficiencies between the Ministry's Bradford Bypass Project and the County of Simcoe's widening of County Road 4 (2012 approved Municipal Class Environmental Assessment), the County Road 4 Early Works will incorporate the widening of this section of County Road 4 including a 3.0 m wide multi-use path.

The Early Works study area covers County Road 4 from south of Line 9 to Line 8, in the Town of Bradford West Gwillimbury, County of Simcoe (see **Key Plan**).

The County of Simcoe completed an Environmental Study Report (2012) under the Municipal Class Environmental Assessment for the widening of County Road 4 from north of Line 8 to north of County Road 89 (approved 2012). The County of Simcoe has since started site preparation works for the widening of County Road 4 from the southern limit (Line 8) to Line 11. In September 2020, the Ministry initiated the Preliminary Design and Class Environmental Assessment Study for the Bradford Bypass (a new 16.2 km rural controlled access freeway) for the 2002 Environmental Assessment approved recommended plan and alignment and began discussions with municipalities to coordinate projects in the study area. As the Bradford Bypass will require a new bridge to carry County Road 4 over the new highway, the Ministry is working with the County of Simcoe to include the localized widening within the County Road 4 Early Works study limits and has prepared an Early Works report for the construction of the new bridge over the future highway.

Key Plan



2. The Recommended Plan

The County Road 4 Early Works focuses construction of a new bridge over the Bradford Bypass. The bridge's cross section will provide sufficient width for four through lanes, two speed change lanes, and a multi-use path on the east side. At the completion of construction of the Early Works project appropriate limits will be in place to prevent vehicles from driving on the part of the deck intended for the speed change lanes of a potential future interchange at this location.

The municipal roadway will be constructed with curb and gutter on the east and west edges of the travelled lanes and will achieve the 80 km/h design speed that was mutually agreed to by the Ministry of Transportation, the Town of Bradford West Gwillimbury, and the County of Simcoe. The posted speeds upon completion of the Early Works contract will be 70 km/h northbound, and 60 km/h southbound between the limits of north of 8th Line and south of 9th Line. The multi-use path will transition to paved sidewalk at the 8th Line intersection to match the existing condition, and will transition to fully paved shoulder south of the 9th Line intersection. It is anticipated that the multi-use path will be extended further north through other County of Simcoe widening contracts.

An interim multi-use path alignment was provided that minimizes rework once the future interchange is constructed.

At the proposed bridge structure, the County Road 4 alignment will be shifted to the east to minimize construction and schedule impacts to and from utilities, properties and archaeological sites.

The existing road profile of County Road 4 includes steep grades over the Bradford Bypass. To meet Ministry requirements for a future County Road 4 Interchange, road reconstruction is required to provide a maximum of 3% grade through the future ramp terminal intersections, and to provide the

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required clearances over the Bradford Bypass lanes. As a result of road profile modifications, entrances and driveways within the Limits of Work will also be modified to meet design requirements.

Construction Staging

To accommodate traffic safety, maintain traffic flow and efficient construction, construction staging is required to facilitate the proposed works. Construction staging will proceed with a temporary detour road adjacent to the new bridge during construction of the new bridge.

The following traffic parameters shall be met:

- A minimum of two lanes of traffic (one lane in each direction) are to be maintained between 8th Line and 9th Line throughout construction.
- At the intersection of County Road 4 and 8th Line, the Southbound through and right-turn lanes are to be combined during construction reducing the total available lanes from 6 to 5-lanes during various stages to tie-in the works in the south limits.
- At the intersection of County Road 4 and 8th Line, a Southbound left-turn lane will be removed during night-time lane closures for construction reducing the total available lanes from 5 to 4-lanes during various stages to tie-in the works in the south limits.

It is anticipated that construction staging will include the following:

- Construction of a two-lane temporary detour to the west of the existing County Road 4 alignment;
- Shifting of traffic to the temporary detour during construction of the County Road 4 bridge, maintaining two lanes of traffic; and
- Upon completion of the County Road 4 bridge, shifting traffic back onto County Road 4.

Environmental Issues and Commitments

In accordance with Sections 5(7) and 5(8) of Ontario Regulation 697/21, Section 6.0 of the Final Early Works Report identifies the key environmental issues, potential impacts, and outlines the recommended mitigation measures to be implemented during design refinement and construction. Where appropriate, monitoring commitments have been identified and will form commitments during construction, to verify the effectiveness of mitigation measures developed and implemented for the Early Works. These issues, concerns, mitigation measures and commitments are summarized in Section 6.6, Table 6-14 of the Final Early Works Report.

Project specific environmental studies have been prepared based on the Reference Concept Design, which was developed 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 carry forward and implement the environmental protection, mitigation and monitoring measures prescribed in this Early Works Report and environmental reports prepared for this Project. The Design-Build Team will be required to consult with regulatory agencies to obtain permits, licences, authorizations or approvals as required based on the completed design.

3. Compliance with Ontario Regulation 697/21

Early Works Indigenous Consultation Plan

The Ministry remains committed to fulfilling its Duty to Consult requirements and will engage with local Indigenous communities and consider Indigenous community interests and Treaty Rights for the Early Works design. The Ministry prepared an Indigenous Consultation Plan in accordance with Ontario Regulation 697/21, Section 4 and circulated the plan to Indigenous communities and the Ministry of

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Environmental, Conservation, and Parks. 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 *Constitution Act, 1982*, that may be impacted by the Early Works, and Indigenous communities that may otherwise be interested in the Early Works. The Director of Ministry of Environment, Conservation and Parks was notified and received a copy of the Indigenous Consultation Plan on December 13, 2021.

The following speaks to the Ministry's understanding of obligations and commitments to satisfy the Duty to Consult.

Section 35(1) of the *Constitution Act, 1982* 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.

The Ministry is committed to fulfilling its Duty to Consult requirements with Indigenous communities regarding Section 35 rights by the following:

- 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.

Throughout this Study, engagement and consultation with Indigenous communities has included:

- 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.

The Project Team has engaged or consulted with the following Indigenous communities. Initial outreach has commenced, per the list below. Consultation activities related to the Project are ongoing. The Ministry of Transportation is sensitive to the potential need for extended timelines for the Indigenous consultation process due to the current pandemic:

- 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;

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- Mississaugas of Scugog Island First Nation;
- Huron Wendat Nation (regarding archaeological resources only); and
- Métis Nation of Ontario - Georgian Bay Métis Council.

Draft Early Works Report

The Draft Early Works Report was prepared to satisfy the requirements of Section 5 of Ontario Regulation 697/21. The Draft County Road 4 Early Works Report was available for review on the project website (www.BradfordBypass.ca/early-works/) from January 13, 2022 until February 12, 2022. Interested persons were encouraged to visit the project website (www.BradfordBypass.ca/early-works/) or contact the Project Team.

Notice of Publication of Draft Early Works Report

A Notice of Publication of Draft Early Works Report was prepared in accordance with Ontario Regulation 697/21, Section 10 and published on the Project Website on January 7, 2022. Copies of the Notice with notification letters were distributed to the project contact list by mail and email on January 7, 2022 (total of 1,079 contacts), and brochures of the notice were distributed to all residents within 500 m of the Study Area via Canada Post Neighbourhood Mailing (approximately 9,887 notices).

Consultation and Issues Resolution for the Early Works Report

Consultation for the Bradford Bypass was initiated under the *Class Environmental Assessment for Provincial Transportation Facilities*, Group 'A' project and continued under Ontario Regulation 697/21 to meet the requirements of the new regulation. Details on the consultation process are provided in Section 4 of the Final Early Works Report.

A total of 39 comments were received on the Draft Early Works Report until March 17, 2022. In accordance with Section 11(4) of the Ontario Regulation 697/21, the Ministry established an issues resolution process for the County Road 4 Early Works. The issues resolution process included a review of comments provided during the public review period, engagement of subject matter experts as required, and then preparation and final review of responses. Issues were considered on a case by case basis to determine if changes were required to the Project or if clarification on the Project or process was required. Further consultation with individual stakeholders took place if required. A table of a record of issues and resolutions in the form of feedback received and project team actions were documented in Section 8 of the Final Early Works Report, as required by Section 12(1)(b) of Ontario Regulation 697/21. Any concerns received after March 17 (after the public review period) will be addressed outside of the issues resolution process.

Final Early Works Report

Comments received during the public review period of the Draft Early Works Report were incorporated into Section 8 the Final Early Works Report and the Final County Road 4 Early Works Report has been published on the project website.

A Notice of Publication of Final Early Works Report and the Final Early Works Report was published on the Project Website on March 21, 2022. Copies of the Notice with notification letters were distributed to the project contact list by mail and email (total of 1,079 contacts), and brochures of the notice were distributed to all residents within 500 m of the Study Area via Canada Post Neighbourhood Mailing (approximately 9,887 notices). All persons and Indigenous communities who

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received a copy of the Notice of Publication of Draft Early Works Report were also notified of the Publication of the Final Early Works Report and were provided with access to a copy of it.

Table 1 below outlines the requirements for the Early Works Report from Ontario Regulation 697/21 and the Sections from the Final Early Works Report where that information is available.

Table 1: Ontario Regulation 697/21 Early Works Report Requirements

Ontario Regulation 697/21 Section	Requirement	Section of Early Works Report
Section 5(2)(1)	A description of the early works, including a description of the alternatives that were considered or a description of why alternatives were not considered.	Sections 1 and 3
Section 5(2)(2)	The rationale for proceeding with the early works and a summary of background information relating to them.	Section 1
Section 5(2)(3)	A map showing the area of study for the early works described under paragraph 1, along with a rationale for the proponent's selection of the boundaries for the area of study.	Section 1
Section 5(2)(4)	An update to the description of the local environmental conditions within the area of study for the early works.	Section 5
Section 5(2)(5)	A description of all studies undertaken in relation to the early works, including the studies required by sections 6 to 9, which must set out, <ul style="list-style-type: none"> i. a summary of all data collected or reviewed, and ii. a summary of all results and conclusions. 	Sections 5 and 6
Section 5(2)(6)	The proponent's assessment and evaluation of the impacts that the preferred method of carrying out the early works and other methods might have on the environment, and the proponent's criteria for assessment and evaluation of those impacts.	Section 6
Section 5(2)(7)	A description of any measures proposed by the proponent for mitigating any negative impacts that the preferred method of carrying out the early works might have on the environment.	Section 6
Section 5(2)(8)	A description of the means the proponent proposes to use to monitor and verify the effectiveness of the mitigation measures proposed under paragraph 7, including a plan to make the results of the monitoring and verification available on the Project website.	Section 6
Section 5(2)(9)	A description of any municipal, provincial, federal or other approvals or permits that may be required for the early works.	Section 7
Section 5(2)(10)	A consultation record, including, <ul style="list-style-type: none"> i. a description of the consultations carried out with Indigenous communities, in accordance with the early works Indigenous Consultation Plan prepared under section 4, and with other interested persons, 	Section 4 and Appendix B

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Ontario Regulation 697/21 Section	Requirement	Section of Early Works Report
	<ul style="list-style-type: none"> ii. a list of the Indigenous communities and interested persons who participated in the consultations, iii. summaries of the comments submitted by Indigenous communities and interested persons, iv. a summary of discussions that the proponent had with Indigenous communities, and copies of all written comments submitted by Indigenous communities, v. a description of what the proponent did to respond to concerns expressed by Indigenous communities and interested persons, and vi. any commitments made by the proponent to Indigenous communities and interested persons in respect of the early works. 	
Section 12 (1)(b)	Update the draft early works report, including by adding, <ul style="list-style-type: none"> i. a description of the issues resolution process employed by the proponent in respect of any concerns raised by Indigenous communities and interested persons, ii. a description of the concerns raised by Indigenous communities and interested persons in the issues resolution process and of the outcome of the process, including what, if anything, the proponent did or will do in respect of the concerns raised, and iii. a description of any changes to the early works as a result of addressing concerns raised through consultation under this section; 	Section 8 and Appendix B

Early Works Stage III Archaeological Assessment

In accordance with Ontario Regulation 697/21, Section 6, Stage 3 Archaeological Assessments have been completed for two sites that were identified as having archaeological potential in the Stage 2 Archaeological Assessment Report. The Stage 2 Archaeological Assessment Reports were prepared in accordance with the Ministry of Heritage, Sport, Tourism and Culture Industries’ Standards and Guidelines for Consultant Archaeologists. The Stage 3 reports were shared with Indigenous Communities on February 4, 2022 and submitted to MHSTCI for review on March 18, 2022. Upon completion of the review by MHSTCI, the Archaeological Assessment reports will be entered into the public registry.

Early Works Stormwater Management Plan

In accordance with Ontario Regulation 697/21 Section 7, an Early Works Stormwater Management was prepared. The Early Works Stormwater Management Plan includes:

- plans and descriptions showing the type of stormwater management to be provided for the early works, including the portions not being drained to a stormwater management wet pond;
- a description of the receiving water features that would receive stormwater from the early works, including the characteristics, flow and ecological conditions and whether species protected under the *Endangered Species Act, 2007* are known to be present;

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- An operation and maintenance plan for the proposed stormwater management facilities; and
- A monitoring plan to evaluate the performance of stormwater management facilities against the design criteria and objectives to very receiving surface waters are protected.

The following design guidelines were used in the assessment of the existing and proposed drainage systems (temporary and interim) and in the development of the Early Works Stormwater Management Plan and the Erosion and Sediment Control Plan:

- Ministry of Environment, Conservation and Parks Stormwater Management Planning and Design Manual, March 2003;
- Lake Simcoe Region Conservation Authority Technical Guidelines for Stormwater Management Submissions, June 2016;
- South Georgian Bay Lake Simcoe Source Protection Plan (Amended June 16, 2021);
- The Ministry of Transportation Environmental Guide for Erosion and Sediment Control during Construction of Highway Projects, September 2015;
- The Ministry of Transportation Drainage Manual, 1997;
- The Ministry of Transportation Highway Drainage Design Standards, January 2008; and
- The Ministry of Transportation Contract Drawings, Contract No. 2021-2124.

The Draft Early Works Stormwater Management Plan was submitted to the agencies outlined in Section 7(4) of Ontario Regulation 697/21 for review and comment on January 27, 2022.

Comments received on the Draft Early Works Stormwater Management Plan were reviewed and considered in updates to the Final Early Works Stormwater Management Plan. The Final Early Works Stormwater Management Plan was submitted to the Director of the Ministry of Environment, Conservation and Park's Environmental Assessment Branch on March 18, 2022 and published on the project website on March 21, 2022.

Early Works Groundwater Protection and Well Monitoring Plan

In accordance with Section 8 of Ontario Regulation 697/21, an Early Works Groundwater Protection and Well Monitoring Plan was prepared. The plan included:

- The identification of all areas where the early works may directly or indirectly affect groundwater;
- A groundwater monitoring program for the identified areas;
- A description of the locations and parameters for the monitoring of groundwater quality and quantity;
- The proposed start date and frequency of groundwater monitoring; and
- A well water survey, including plans to collect appropriate water quality and quantity information.

The Draft Early Works Groundwater Protection and Well Monitoring Plan was distributed to the agencies and stakeholders outlined in Section 8(3) of Ontario Regulation 697/21 for review and comment on January 31, 2022.

Comments received on the Draft Early Works Groundwater Protection and Well Monitoring Plan were reviewed and considered in updates to the Final Draft Early Works Groundwater Protection and Well Monitoring Plan. The Final Early Works Groundwater Protection and Well Monitoring Plan was submitted to the Director of the Ministry of Environment, Conservation and Park's Environmental Assessment Branch on March 17, 2022 and published on the project website on March 21, 2022.

Early Works Noise Report

In accordance with Section 9 of Ontario Regulation 697/21, an Early Works Noise Report was prepared. The plan was prepared in accordance with the methods and procedures recommended in

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the Ministry of Transportation Environmental Guide for Noise. Relevant guidelines from the Ministry of Environment, Conservation and Parks and local municipal noise control bylaws were also considered in the assessment.

In accordance with Section 9(2) of Ontario Regulation 697/21, the Draft Early Works Noise Report was distributed to the Director of the Ministry of the Environment, Conservation and Parks' Environmental Assessment Branch for Review and Comment on January 27, 2022.

Comments received on the Draft Early Works Noise Report were reviewed and considered in updates to the Final Early Works Noise Report. The Final Early Works Noise Report was provided to the Director of the Ministry of the Environment, Conservation and Parks' Environmental Assessment Branch for their records on March 17, 2022.

4. Intention to Proceed with the Early Works

The Ministry is proceeding with the County Road 4 Early Works as documented in the Final Early Works Report, the Stage 3 Archaeological Assessment Reports, the Early Works Stormwater Management Plan, the Early Works Groundwater Protection and Well Monitoring Plan and the Early Works Noise Report. The Design-Build contract is expected to be awarded in March 2022, with construction anticipated to commence in September 2022.

5. Project Changes

Should any project changes be required during further design that are inconsistent with the Final Early Works Report, the Design-Build Team will be required to update the impact assessment and prepare an addendum in accordance with Section 29 of Ontario Regulation 697/21.

6. Closure

For direct communication with the Ministry, please contact me by phone at 647-267-5053 or by email at John.MacKinnon@ontario.ca. We thank you and your staff for your effort in addressing the reports related to the County Road 4 Early Works assessment.

Sincerely,



John MacKinnon
Ministry of Transportation Project Manager

cc. L. Sarris, MTO Project Manager
H. Singh, MTO Project Manager
R. Gribbon, MTO Senior Environmental Planner
S. Kalali, MTO Area Manager, Durham/York East
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