



November 16, 2021

Brock Council
Via clerks@brock.ca

Dear Mayor Grant and Brock Council,

RE: Updates on Bradford Bypass

As a broad coalition of residents and environmentalists that have strong concerns about the Bradford Bypass and its impacts on our communities, regionally and provincially, we wanted to update you on more issues that have surfaced about the Bypass. The province continues to obfuscate information that is key to ensuring informed consent from surrounding municipalities and today's residents.

The municipal Councils of Brock, Barrie, Georgina, and to some degree Innisfil, asked for greater scrutiny and protection of Lake Simcoe through the Environmental Assessment process for the proposed Bradford Bypass.¹ Thank you very much for your support! On October 7th, the province of Ontario did what the Rescue Lake Simcoe Coalition, Simcoe County Greenbelt Coalition and our community partners warned of - they exempted the Bradford Bypass from the Environmental Assessment process.² There will be even less transparency than before and less protection of the environment.

Highlights of our concerns of the exemption to the Environmental Assessment process:

- **Building an interchange before it's determined if the route is technically feasible.** "Early works" permissions allow the proponent to build an interchange on Yonge St. just north of Bradford, before the technical engineering is complete for the 16 km highway over the marsh. Therefore the budget is a total guess.
- **Mitigation / protecting Lake Simcoe.** The decision was made on October 7 to fully approve the early works and the Bradford Bypass before any studies have been

¹ Council resolutions about the Bradford Bypass proposed highway project:
<https://docs.google.com/document/d/1OpmNPe9UhoCe2P6umBZ8sXLe-6Qxx5COxsZ0qgUEYNc/edit?usp=sharing>

² ERO posting exemption <https://ero.ontario.ca/notice/019-1883>

released establishing that damage to Lake Simcoe can be mitigated. No agency such as the Ministry of the Environment, Conservation and Parks will review or approve any reports that may still be done, and none of those reports inform decisions about whether to proceed with the highway. The proponent will evaluate the impacts on the environment, and also choose the criteria for assessment and evaluation of those impacts. (Just like someone writing, taking, and marking their own test.) The Ministry of Environment, Conservation and Parks only makes comments; it is no longer approving anything.

- **Consultation** requirements are limited to First Nations and “interested parties” identified by the project proponent.

Since approval of the EA exemption, four things have happened which further change the landscape of building this highway and the attention it will draw:

1. Public opposition to costly, badly planned highways with little utility to drivers, in a climate crisis, has grown significantly.
2. The Provincial government is campaigning on a platform of building highways which has increased scrutiny provincially and locally of this highway.
3. A new request has been submitted to the Impact Assessment Agency, requesting a Federal Impact Assessment from F.R.O.G.S, The Concerned Citizens of King Township, and Stop the Bradford Bypass.
4. COP26 has set global leaders, including Canada, to commit to reducing greenhouse gas emissions, stop deforestation and limit methane emissions. The Bypass directly contributes to loss of forests, increased carbon and methane emissions.

Our position remains. We are insistent that alternatives to the highway must be properly studied. Much cheaper investments can be made in regional road upgrades, investment in GO transit and regional transit. Unfortunately, the province is not considering alternatives to the highway, nor did they consider the transit investments as a means to reduce congestion in the 1997 EA. This sets up the entire highway project to be another 407 boondoggle.

Understanding that the proposed way forward does not reflect the wishes of Lake Simcoe Councils we are asking your council to consider what level of support you have for this project now.

Will you support our allies’ renewed ask, that the Federal Minister of the Environment and Climate Change designate this project for a Federal Impact Assessment?

Conclusion:

We understand that municipal Councils need to balance many competing and contradictory interests. But your aim should always be to make sure that resources are spent intelligently. Thus, we urge you to request a Federal Impact Assessment in order to stop the half-baked,

cloaked in secrecy, irresponsible, future boondoggle highway proposal. It does not address municipal traffic and routing concerns, it will be bad for Lake Simcoe, and if you support it, it will hang around your neck as an example of a completely foolish and outdated, massively expensive piece of infrastructure that will not fix the problem. This needs a refresh, and that is what a Federal Impact Assessment will allow.

The Federal Impact Assessment agency will approach you for comment. Please contact us to discuss any questions or concerns you may have.

Sincerely,

Claire Malcolmson
Executive Director, Rescue Lake Simcoe Coalition
rescuelakesimcoecoalition@gmail.com

Margaret Prophet
Executive Director, Simcoe County Greenbelt Coalition
margaret@simcoecountygreenbelt.ca

Appendix 1 - Additional detailed concerns about the project as proposed today:

1. Contrasting MTO's claims to Councils to today's reality

MTO claims to Councils	Today's reality
That they would do the following: The Class EA documentation is a Transportation Environmental Study Report (TESR), which will be prepared and made available for a 30-day public and agency review period at the completion of the Study. The TESR will document the following:	Not following the Class EA process, and not doing a TESR. The project is now self-approval, so no approval is needed from the Ministry of the Environment. No public consultation is required.
The transportation needs, problems and opportunities,	This document has not been released publicly. Problems of local / commuter traffic will not be remedied if it's a toll road. Partial traffic studies that were released indicate <u>worse</u> congestion on Hwys 400 & 404 with the Bypass compared with a 'no Bypass' scenario by 2041. ³
Existing environmental conditions;	The project has been approved through the exemption without this study being completed or released publicly. There is no Ministry of the Environment approval of this report. The report does not have to cover climate change, health impacts of air quality or impacts to Lake Simcoe.
A summary of consultation undertaken throughout the Study	Consultation is now restricted to First Nations, and "interested parties" as defined by the proponent. A summary is still required, though the results of consultation can be ignored.
The generation, assessment and evaluation of alternatives within the Study Area;	The only changes considered are minor alignment changes. This project will go over / through the Holland Marsh provincially significant wetland, and will terminate on the east side at the end of the Carrying Place Trail and Lower Landing, a site of high historic and First Nations cultural

³ Maps contrasting traffic in 2041 with and without the Bradford Bypass shows that this project will not address local traffic issues.
<https://www.bradfordbypass.ca/2021/04/09/5-considerations-for-the-bradford-bypass-project/>

	significance. ⁴
The preferred alternative(s) / recommended plan; and,	There was only one plan considered: building a highway. Regional road improvements, controlling demand, rerouting truck traffic and transit were not considered. The exemption from the Environmental Assessment Act means alternative options will never be considered.
A summary of potential environmental issues and mitigation measures and environmental commitments to be carried forward through future design stages.	The project has been approved through the exemption without this study being completed or released publicly. There is no Ministry of the Environment approval of this report. The report does not have to cover climate change, health impacts of air quality or impacts to Lake Simcoe.
Minister of Transportation and MPP York - Simcoe, Caroline Mulroneu: "On top of that, we are undertaking at least 15 new studies for the Bradford Bypass, which will include an Agricultural Impact Assessment, Air Quality Impact Assessment, and many more." ⁵	It is now up to the proponent whether the 15 studies will be completed, what public consultation if any will occur and whether the impacts are mitigated. No expert agency such as a conservation authority or the Ministry of the Environment approves the quality or completeness of the studies or the adequacy of the mitigation.

2. Bradford Bypass is being planned as a toll road.

Based on Ministry of Transportation documents released through Freedom of Information requests, key staff documents outline the need to create a "business case" for tolling on the Bradford Bypass. Although rates have not been decided, quotes within the FOI documents demonstrate where roughly the implemented toll will fall.

"...include additional toll scenarios that fall between the 407 East and the 407 ETR toll rates because it is likely where ***the implemented one (toll) will fall into.***" (emphasis added)

Using the baseline tolling rates contained in the FOI documents (\$0.29/ km), the average cost for a one way trip from the 400 to the 404 would be \$4.64. Those who use the route daily (5 days/week) for commutes would see their annual transportation costs increase by over \$2300.

⁴
<https://www.bradfordtoday.ca/local-news/historically-significant-holland-river-site-threatened-to-be-destroyed-by-proposed-highway-greenbelt-coalition-4228329>

⁵
<https://www.bradfordtoday.ca/local-news/op-ed-building-bradford-bypass-will-set-community-up-for-success-3877413>

And with tolling, MTO's own calculations demonstrate that truck traffic on the Bypass will reduce by roughly 60% (compared to no tolls). What that means is that the new Bypass, as planned, will divert some truck traffic from Bradford's downtown, but most of it will still go through the core to avoid tolls.

We have seen how tolls have left the 407 and 407 East underutilized. However, the province is not in the position financially to fund this project as a priority without the tolls to re-capture the minimum of \$800 million dollar capital costs.

Recently, advocates trying to remove the tolls on the 412/418 in Durham, were met with the financial reality of MTO's projects. Voters were assured in the last provincial election that these would not be toll roads either.

"Put simply, removing the tolls wholesale would be unaffordable, while shifting the structure would create uncertainty," said Minister of Transportation Caroline Mulroney in a written statement, noting the government relied on projected toll revenue to fund the construction of the highways. The report outlined several different options for changing the toll structures, including removing them altogether, but labelled all as unfeasible. "All these options would lead to significant cost to the taxpayer," Mulroney explained. "We must move cautiously, especially as Ontario juggles competing priorities arising from the COVID-19 pandemic."⁶

It seems the false dichotomy that the province has created is to either build a highway quickly and toll it (which renders it underutilized and won't significantly reduce truck traffic in Bradford) OR build a highway that is untolled but won't be a provincial spending priority for years to come. Either way, the citizens and municipalities who want their traffic issues addressed will pay the price.

Clearly, the decision to build the Bradford Bypass is not based on transparent data and up to date science. The province is willing to court municipal support, but not be completely transparent about the highway and its final form.

3. Toronto Star investigation piece outlined the high influence of developer interests

Similar to the 413 investigation, the recent investigative piece about the Bradford Bypass demonstrated how much developers along the route would benefit from the project being built. Although we are not insinuating anything untoward happened, municipalities can appreciate the pressure that these interests put on the process to realize their profits. The involvement of paid lobbyists, large developer profits and political connections makes the public question the clarity and logic of the government's plans.

⁶ Available at:
https://www.thestar.com/local-whitby/news/2021/04/26/a-slap-in-the-face-no-toll-relief-for-durham-drivers.html?itm_source=parsey-api

Projects such as these become a poisoned well, especially considering the weak environmental oversight and EA exemption that rushes the project without full consideration of public interest or concerns.

You can read the piece here:

<https://www.thestar.com/news/investigations/2021/10/31/bradford-bypass-ford-government-secrecy.html>

4. Municipal concerns unaddressed by the Bradford Bypass plan:

If this highway is really meant to support growth in Bradford and East Gwillimbury, the province would listen to those local Council's concerns. They are not. In addition to the Council resolutions referenced above, the other Council concerns we are aware of are documented below:

East Gwillimbury:

As reported in the Toronto Star on August 4th, 2021,⁷ the Bradford Bypass' proposed "Interchanges are located at Highway 400, County Road 4, Bathurst Street, Leslie Street and Highway 404. Crossings are at 10th Sideroad, Artesian Industrial Parkway, Metrolinx rail corridor, Yonge Street and 2nd Concession Road. The current plan is to cross Yonge Street and 2nd Concession with overpasses and cross Leslie Street with a partial interchange." [East Gwillimbury] "Council had asked the ministry to consider 2nd Concession for an Interchange, as it is a central spine road in the town where a lot of new development is being planned. *But an MTO representative said an interchange at 2nd Concession isn't being considered at this time.*"

Councillor Tara Roy-DiClemente responded, "I think it is a little bit silly to plan a highway that isn't even built when the community that it is to run through is telling you need to revisit the interchange locations."

We also note that there are also important environmental concerns with the Bathurst Street interchange as the location of the interchange is a large wet woodlot that contains sensitive habitat for at-risk species.⁸

Bradford West Gwillimbury:

Tuesday, April 20, 2021, BWG Council passed a resolution⁹ which included the following:

⁷

<https://www.thestar.com/local-east-gwillimbury/news/2021/08/04/it-s-silly-east-gwillimbury-council-concerned-about-location-of-proposed-bradford-bypass-interchanges.html>

⁸ Detail on species at risk :

<https://thepointer.com/article/2021-07-02/we-can-t-keep-doing-this-pc-government-speeds-ahead-with-bradford-bypass-advocates-say-process-lacks-proper-scrutiny>

⁹ Bradford West Gwillimbury Council Resolution from Tuesday, April 20, 2021 Minutes 2021-133 Leduc/Contois

<https://bradfordwestgwillimbury.civicweb.net/Portal/MeetingInformation.aspx?Org=Cal&Id=2134>

“That Council requests that the scope of the preliminary design be expanded to include an interchange at Sideroad 10, as identified in the Town’s Official Plan;

That Council advises that the Preferred Option for the southbound ramps of the new freeway interchange with Hwy 400 should provide for access to County Road 88;

That Council commits to continuing to work with the Project Team as it completes the preliminary designs, detailed environmental studies and public consultation programs that are critical in the successful delivery of the Hwy 400 – 404 Freeway Link;...”

Appendix 2: Press release re Impact Assessment request from F.R.O.G.S, CCKT, and Stop the Bradford Bypass

FOR IMMEDIATE RELEASE

November 10, 2021

Local Citizen Groups Request Federal Government to Conduct Impact Assessment on Bradford Bypass Project

Bradford/East Gwillimbury/King - Three local groups whose communities will be directly impacted by the Bradford Bypass have officially asked the Impact Assessment Agency of Canada to designate the project for further federal study.

Although the Federal government refused to designate the highway project earlier this year, the groups insist that many things have changed since the decision that enables the federal Minister to reconsider.

Bill Foster from Forbid Roads over Greenspaces (FROGS) contends that considerable evidence has come forward that demonstrates this project isn't in the best interest of the public and that the Federal government must step in on issues that have been revealed.

"The last decision stated that the Minister had faith in the provincial process, but since then the provincial government has exempted itself from the Environmental Assessment Act. This means that the province has given itself full approval to build this project without further consideration of endangered species, fish habitat or climate change. The rigorous 15 studies that were promised to many of the municipalities will no longer be done. It's build now, think later. How can anyone have any confidence in that type of process?"

Another area of concern with the highway is its proximity to houses and parks and the impact that will have on air quality. Bradford's population has increased 2.5x since the EA was first completed in 1997 which means the route is closer to homes than when originally conceived. According to MTO's own 1997 studies, the levels of benzene, as one example, would exceed Ontario's air quality standards. Benzene is a known carcinogen and those living near the highway could have increased risk of disease including childhood leukemia, breathing problems and poor lung development in children.

"Many of our members are women and mothers in Bradford," says Tricia Hulshof, a member of the STOP the Bradford Bypass. "Based on the MTO's studies, this highway would directly threaten the health of the children and adults who live along the route. Let's fix our traffic

problems, but not in a way that threatens the health of our children. One child being sick because of supposed time savings is one too many in our opinion.”

The exemption also means that the impacts to Lake Simcoe and climate will not be studied despite many municipalities stating that they wanted to ensure that a fulsome process would be followed to ensure no harm comes to Lake Simcoe or the Holland Marsh Wetland by this project.

“Our group fully supports the Lake Simcoe Protection Plan and the principles upon which it stands,” says Bruce Craig of Concerned Citizens of King Township (CCKT). Our region’s way of life and economy is based on the health of the lake. To see corners being cut, bridges being built before studies are done and no new studies to ensure care of the Lake or climate saddens me. Once we’ve destroyed it, once we’ve paved it over, there’s no going back. There have never been any studies that look at the impacts to Lake Simcoe, the Greenbelt or climate change. While global leaders are making commitments to better protect green spaces, water and reduce GHG emissions, we’re investing in projects that counter those promises.”

Foster states, “Every time we meet new people who are curious about the Bypass we’re reminded of how little information about this highway has been shared with the public. The more people know, the more they don’t like it. No one likes gridlock, but this idea that the only way to deal with it is a highway that recent estimates suggest could cost over \$2B is ludicrous. This highway isn’t a done deal despite what the road signs say. It’s time for people to ask some serious questions and get informed before it’s too late.”

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Additional Resources:

Link to Federal Request Letter:

https://frogs.ca/wp-content/uploads/shared-files/Federal-Impact-Request-for-Bradford-Bypass-November-9-2021-FROGS-STPP-CCKT-digitally-signed_Signed.pdf

FROGS is an organization of East Gwillimbury residents, many of whom are directly impacted by the proposed Bradford Bypass Project. FROGS first came into existence in 1993 to oppose the Bradford Bypass during the environmental assessment process. FROGS has had over 300 local residents as members. In 2021 we began to organize again to oppose the exemption of the Bradford Bypass from environmental assessment and the fast-tracking of the project, and to support environmental organizations seeking more substantial assessment. www.frogs.ca

STOP the Bradford Bypass is an organization composed of residents in Bradford and the surrounding area, many of whom would be directly impacted by the project. STOP the Bradford Bypass is an organization founded in 2021 and run primarily by women who are concerned about the health, environmental and social impacts of the highway.

CCKT has been an active citizen-based group in King Township for 51 years, advocating to conserve important natural heritage systems and features. Over 50% of King Township is within the Lake Simcoe watershed, and the northern tip of King Township lies within the proposed routing of the Bradford-Bypass. CCKT is concerned about the impacts the highway will have on Lake Simcoe, local watersheds and sensitive ecosystems, plus the impact of GHG emissions on community health and climate. www.cckt.ca

For more information please see:

Archaeology:

<https://www.newmarkettoday.ca/local-news/bradford-bypass-endangers-historically-significant-holland-river-site-says-coalition-4228332>

Tolling:

<https://www.thestar.com/local-oshawa/news/2021/03/30/they-ve-done-diddly-squat-broken-promises-leave-tolls-in-place-on-durham-highways.html>

News / municipal response:

<https://www.thestar.com/news/investigations/2021/10/31/bradford-bypass-ford-government-secrecy.html>

<https://www.nationalobserver.com/2021/06/03/news/two-ontario-communities-shy-away-supporting-bradford-bypass>

<https://www.thestar.com/local-georgina/news/2021/08/16/what-s-the-bradford-bypass-and-why-should-georgina-residents-care.html>

<https://www.bradfordtoday.ca/local-news/environmentalists-protest-bradford-bypass-outside-mulroneys-office-13-photos-4755275>

<https://thepointer.com/article/2021-11-13/will-doug-ford-s-highway-gift-to-developers-cost-him-a-majority-government>