

APPENDIX A - LETTER FROM FISHERIES AND OCEANS CANADA



Fisheries and Oceans
Canada

Pêches et Océans
Canada

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Your file: *Water/Institute*

Our file: *Water/Institute*
WI-04-1363

June 25, 2004

Bill Ebenspanger
Senior Bridge Construction Engineer
City of Winnipeg
100 Main Street
Winnipeg, MB R3C 1A4

Dear Mr. Ebenspanger:

Re: Maryland Twin Bridges Rehabilitation Project, Assiniboine River, Manitoba

Fisheries and Oceans Canada (DFO) has reviewed the potential effects of proposed bridge (i.e. a single structure spanning a watercourse) rehabilitation works on fish and fish habitat under the *Fisheries Act*. Provided the proposed bridge maintenance work is conducted as stated in the work plan received on June 25, 2004 (prepared by Dillon Consulting) and the following mitigation measures are adhered to, the work activities will not likely result in the harmful alteration, disruption or destruction of fish habitat:

1. Duration of the work and amount of disturbance to the bed and banks of the watercourse is minimized.
2. Appropriate precautions are taken to ensure waste construction materials do not enter the water.
3. The deposit of deleterious substances into water frequented by fish is prohibited under the *Fisheries Act*. Appropriate precautions are taken to ensure deleterious substances do not enter any such water course.
4. There is no instream use of tracked or wheeled equipment. Equipment is operated from the top of bank or road.
5. Equipment operating near any water body is properly maintained, in sound mechanical condition and is not leaking any fuel, grease, oil, hydraulic fluid or coolant. Cleaning, fuelling and servicing of equipment are conducted in an area from which spills or wash water will not enter any water body.

Any harmful alteration, disruption, or destruction of fish habitat occurring as a result of a change in plans for the proposed works or as a result of failing to properly implement the above mitigation measures may result in contravention of the *Fisheries Act*.

Please ensure DFO is notified of all changes in plans, specifications, or operating

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conditions that have the potential to adversely affect fish or fish habitat.

It is recommended that a copy of this letter be kept at the work site during construction and be provided to the contractor(s) prior to commencing any work.

DFO is also responsible for the *Navigable Waters Protection Act*. If maintenance is being conducted on a bridge crossing a navigable waterway, the proponent should submit the project to the Navigable Waters Protection Program for review.

It is the responsibility of the proponent to obtain any approvals that may be required under other federal, provincial or municipal legislation. Also note that this letter does not constitute authorization of these undertakings pursuant to the *Fisheries Act*.

If you have any questions please contact me at 983-3274.

Sincerely,



Neil Mochnacz
Fish Habitat Biologist
Winnipeg District
Prairies Area

Cc. Winnipeg Dist. (1)
J. Hunt (Water Stewardship, Winnipeg)
G. Friesen (MB Conservation, Winnipeg)
R. Wiebe (Dillon Consulting Ltd., Winnipeg)