



Fisheries and Oceans
Canada

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Ontario and Prairie Region
Fish and Fish Habitat Protection Program
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Burlington, ON
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Région de l'Ontario et des Prairies
Programme de protection du poisson et de son habitat
867 chemin Lakeshore
Burlington, ON
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September 13, 2021

Our file *Notre référence*
21-HCAA-01701

Darryl Drohomerski
Town of Drumheller
224 Center St.
Drumheller, Alberta
T0J 0Y4

**Subject: Bridge Replacement, Rosebud River, Drumheller (21-HCAA-01701) –
Implementation of Measures to Avoid and Mitigate the Potential for
Prohibited Effects to Fish and Fish Habitat**

Dear Darryl Drohomerski:

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on July 30, 2021. We understand that you propose to:

- Replace existing 30.5m single span bridge with a 33.6m x 4.9m single span bridge;
- Stabilize shoreline surrounding the abutments, resulting in a maximum footprint of 177.4 square meters (m²) below the High Water Mark (HWM) by installing rip rap to an appropriate slope along 24m of shoreline; and
- If water present, will conduct work following codes of practice for [Cofferdams and Diversion Channels](#), and [End-of-pipe fish protection screens for small water intakes in freshwater](#).

We understand the following aquatic species are subject to the *Aquatic Invasive Species Regulations* and may be found in the vicinity of your proposed work, undertaking, or activity:

- Prussian Carp Control Zone
- Feral Goldfish Control Zone

Our review considered the following information:

- Request for Review form and associated documents submitted on July 30, 2021; and,
- Additional information received by email on September 8, 2021.

Your proposal has been reviewed to determine whether it is likely to result in:

- the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the *Fisheries Act*;
- effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*; and,
- the introduction of aquatic species into regions or bodies of water frequented by fish where they are not indigenous, which is prohibited under section 10 of the Aquatic Invasive Species Regulations.

The aforementioned impacts are prohibited unless authorized under their respective legislation and regulations.

To avoid and mitigate the potential for prohibited effects to fish and fish habitat (as listed above), we recommend implementing the measures listed below:

- Plan in-water works, undertakings and activities to respect [timing windows](#) to protect fish, including their eggs, juveniles, spawning adults and/or the organisms upon which they feed and migrate;
- Limit the duration of in-water works, undertakings and activities so that it does not diminish the ability of fish to carry out one or more of their life processes (spawning, rearing, feeding, migrating);
- Limit impacts on riparian vegetation to those approved for the work, undertaking or activity;
 - Re-vegetate the disturbed area with native species suitable for the site;
- Implement measures to prevent aquatic invasive species spread during construction;
 - The project is within the current distribution of Prussian carp and Feral Goldfish, an invasive species in Alberta. As such, please report any non-native species found to aep.ais@gov.ab.ca, including:
 - Approximate quantity of non-native fish removed(number of fish);
 - Size class(es) of non-native fish removed;
 - Pictures would enhance the ability to report all items, and is encouraged as part of the report;
- Do not deposit any deleterious substances in the water course;
- Develop and implement a Sediment Control Plan to minimize sedimentation of the waterbody during all phases of the work, undertaking or activity;
 - Conduct all in-water works, undertakings or activities in isolation of open or flowing water to reduce the introduction of sediment into the watercourse;
 - Operate machinery on land in stable, dry areas;
 - Schedule work to avoid wet, windy and rainy periods (and heed weather advisories) that may result in high flow volumes and/ or increase erosion and sedimentation;

- Inspect and maintain regularly the erosion and sediment control measures and structures during all phases of the project;
- Monitor the watercourse to observe signs of sedimentation during all phases of the work, undertaking or activity and take corrective action; and,
- Develop and implement a response plan to avoid a spill of deleterious substances.

Provided that you incorporate these measures into your plans, the Program is of the view that your proposal will not require an authorization under the *Fisheries Act*, the *Aquatic Invasive Species Regulations* or the *Species at Risk Act*.

Should your plans change or if you have omitted some information in your proposal, further review by the Program may be required. Consult our website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) or consult with a qualified environmental consultant to determine if further review may be necessary. It remains your responsibility to remain in compliance with the *Fisheries Act*, the *Species at Risk Act* and the *Aquatic Invasive Species Regulations*.

Whirling disease, a disease of finfish, caused by infection with a microscopic parasite called *Myxobolus cerebralis*, has been identified in Alberta. There may be a requirement for you to apply for a permit from the Canadian Food Inspection Agency to move certain species of finfish, such as rainbow trout, and things, such as sediments, within or out of Alberta. Please visit <http://www.inspection.gc.ca/animals/aquatic-animals/domestic-movements/eng/1450122972517/1450122973466> for more information.

It is also your *Duty to Notify* DFO if you have caused, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat. Such notifications should be directed to FisheriesProtection@dfo-mpo.gc.ca or 1-855-852-8320.

We recommend that you notify this office at least 10 days before starting your project and that a copy of this letter be kept on site while the work is in progress. It remains your responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to your proposal.

If you have any questions with the content of this letter, please contact Amanda Swiniarski by email at Amanda.Swiniarski@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,

A handwritten signature in black ink, appearing to read "A. Swiniarski". The signature is written in a cursive style with a large initial 'A'.

Amanda Swiniarski
Biologist, Triage and Planning
Fish and Fish Habitat Protection Program

COPY:

Tyler Ray, Ghostpine Environmental Services Ltd., tyler@ghostpine.com
Steven Prozniak, MPE Engineering Ltd., sprozniak@mpe.ca