

Appendix E:
DFO Request for Review

Sam Poole

From: Middleton, Kaela <Kaela.Middleton@dfo-mpo.gc.ca>
Sent: November 15, 2023 4:39 PM
To: Sean Derouin
Cc: howell.doug@sympatico.ca
Subject: RE: 23-HCAA-01745 - Request for Review

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Sean,

Thank you for this information! DFO has no concerns with the new work proposed below. The remaining advice provided in DFO's original response still stands.

It remains your responsibility to ensure you avoid causing any harmful alteration, disruption or destruction of fish and/or fish habitat in compliance with the Fisheries Act and the Species at Risk Act.

Best,

Kaela Middleton

Biologist | Biologiste

Fisheries and Oceans Canada | Pêches et Océans Canada

Fish and Fish Habitat Protection Program | Programme de Protection du Poisson et de Son Habitat

867 Lakeshore Road, Burlington, ON, L7S 1A1 | 867, ch. Lakeshore, Burlington, ON, L7S 1A1

Email/Courriel: Kaela.Middleton@dfo-mpo.gc.ca

From: Sean Derouin <SDerouin@lanarkcounty.ca>
Sent: Wednesday, November 15, 2023 8:11 AM
To: Middleton, Kaela <Kaela.Middleton@dfo-mpo.gc.ca>
Cc: howell.doug@sympatico.ca
Subject: RE: 23-HCAA-01745 - Request for Review

Hi Kaela,

The plan area of the wet footprint of the west end realignment is 97.5 square metres. This measurement was bounded by the new curved retaining wall, the existing flared retaining wall, the face of the new abutment and the existing shoreline.

The two piers to be removed have an in-water footprint of approximately 12 square metres each. The pier foundations and collars are irregular. The piers are 6.4 m long and have a shaft base width of 1.22 m.

The short causeway on the small island is eliminated with the new pier. The short causeway takes up about 35 m². This causeway is partly in the river and partly on elevated island.

The east abutment of the east bridge will be set back from the present abutment, and this frees up some of the footprint on the river.

The causeway on the big island is mostly out of the river presently and the proposed new curved causeway will also be out of the river.

If you need anything else, let me know.

Thanks!

Sean

From: Middleton, Kaela <Kaela.Middleton@dfo-mpo.gc.ca>

Sent: Tuesday, November 7, 2023 4:29 PM

To: Sean Derouin <SDerouin@lanarkcounty.ca>

Cc: howell.doug@sympatico.ca

Subject: RE: 23-HCAA-01745 - Request for Review

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Hi Sean,

Would you be able to provide the new footprint in meters squared?

Thank you,

Kaela Middleton

Biologist | Biologiste

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Email/Courriel: Kaela.Middleton@dfo-mpo.gc.ca

From: Sean Derouin <SDerouin@lanarkcounty.ca>

Sent: Tuesday, November 7, 2023 9:54 AM

To: Middleton, Kaela <Kaela.Middleton@dfo-mpo.gc.ca>

Cc: howell.doug@sympatico.ca

Subject: RE: 23-HCAA-01745 - Request for Review

Hi Kaela,

There would be a new footprint below the highwater mark for the west abutment.

We are also removing footprint as the existing piers will be removed.

Note the following elevations:

CL of new bridge= 98.60

100 yr flood upstream of bridge= 97.14

Top of mudslab/ underside of new abutment footing= 95.6

I Let me know if you need any more information.

Regards,

Sean

From: Middleton, Kaela <Kaela.Middleton@dfo-mpo.gc.ca>
Sent: Thursday, November 2, 2023 1:32 PM
To: Sean Derouin <SDerouin@lanarkcounty.ca>
Cc: howell.doug@sympatico.ca
Subject: RE: 23-HCAA-01745 - Request for Review

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Sean,

Thank you for this update. Is there a new footprint below the high water mark?

Thanks!

Kaela Middleton

Biologist | Biologiste

Fisheries and Oceans Canada | Pêches et Océans Canada

Fish and Fish Habitat Protection Program | Programme de Protection du Poisson et de Son Habitat

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Email/Courriel: Kaela.Middleton@dfo-mpo.gc.ca

From: Sean Derouin <SDerouin@lanarkcounty.ca>
Sent: Monday, October 30, 2023 2:29 PM
To: OP Habitat (DFO/MPO) <DFO.OPHabitat.MPO@dfo-mpo.gc.ca>
Cc: howell.doug@sympatico.ca
Subject: RE: 23-HCAA-01745 - Request for Review

You don't often get email from sderouin@lanarkcounty.ca. [Learn why this is important](#)

Hi Kaela,

We now have an Engineering Consultant on board working on this project, and there have been some changes to the design of the new bridge.

The new bridge will be widened symmetrically instead of widening to the north side only. Also, the replacement bridges will consist of three bridges, matching the existing configuration.

The alignment has been modified on the west bridge, kinking the west end to provide a safer approach.

This will also allow us to properly stage the work, maintaining access to the middle bridge.

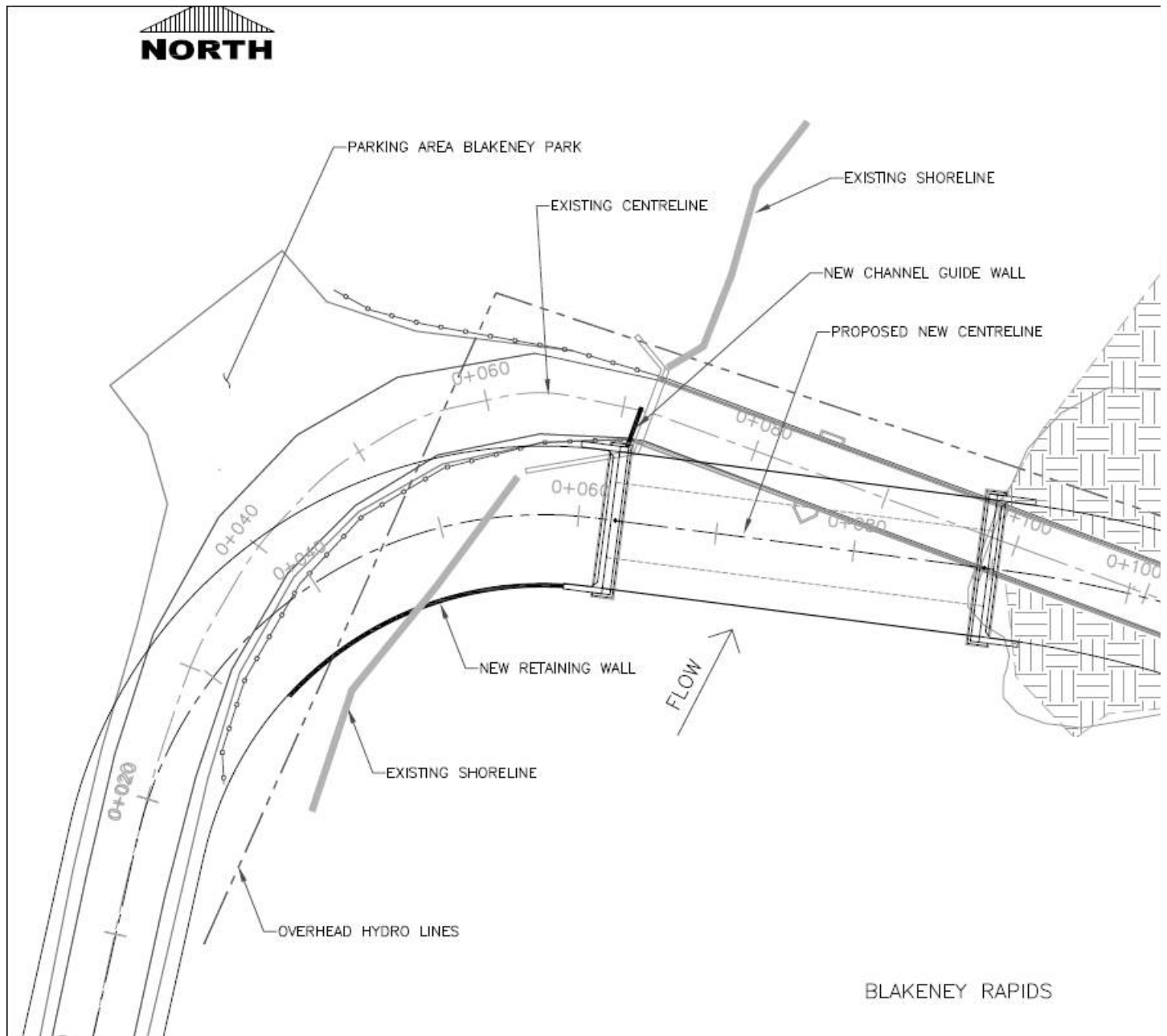
A new retaining wall would be constructed as shown on the below snip from the "NEW ALIGNMENT WITH NEW BRIDGES AND EXISTING BRIDGES" drawing.

The area of the new west bridge abutment and retaining could be considered in a slack water state. See attached photos taken on Oct 18, 2022.

Can you advise if this change in design will result in any change to the below direction.

Regards,

Sean Derouin, P.Eng., C.E.T.
Public Works Manager
County of Lanark
Cell: (613) 223-4670
Office: 613-267-1353
sderouin@lanarkcounty.ca



From: OP Habitat (DFO/MPO) <DFO.OPHabitat.MPO@dfo-mpo.gc.ca>
Sent: Wednesday, October 25, 2023 1:34 PM
To: Sean Derouin <SDerouin@lanarkcounty.ca>
Cc: howell.doug@sympatico.ca
Subject: RE: 23-HCAA-01745 - Request for Review

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sean Derouin,

Subject: Bridge Replacement, Mississippi River, Mississippi River (23-HCAA-01745) – Implementation of Measures to Avoid and Mitigate the Potential for Prohibited Effects to Fish and Fish Habitat

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on August 16, 2023. We understand that you propose to:

- Replace a 3-span bridge over the Mississippi River with a 2-span bridge, with wider abutments and wing walls (~15m² footprint below the high water mark); and,
- Work in isolation of open water to avoid sedimentation of the watercourse.

We understand the following aquatic species listed under the Species at Risk Act may use the area in the vicinity of where your proposal is to be located:

- River Redhorse listed as Special Concern

Our review considered the following information:

- Request for Review form and associated documents.

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*; and,
- 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*.

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

Provided that the plans are implemented in the manner, and during the timeframe described, the Program is of the view that your proposal will not require an authorization under the *Fisheries Act*, and the *Species at Risk Act*. Additional information on measures to protect fish and fish habitat can be found in the attached document.

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-ppp/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*, and the *Species at Risk Act*.

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 Kaela Middleton by email at Kaela.Middleton@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,



Kaela Middleton

Biologist | Biologiste

Fisheries and Oceans Canada | Pêches et Océans Canada

Fish and Fish Habitat Protection Program | Programme de Protection du Poisson et de Son Habitat

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Email/Courriel: Kaela.Middleton@dfo-mpo.gc.ca

From: Sean Derouin <SDerouin@lanarkcounty.ca>
Sent: Wednesday, August 16, 2023 12:31 PM
To: OP Habitat (DFO/MPO) <DFO.OPHabitat.MPO@dfo-mpo.gc.ca>
Cc: howell.doug@sympatico.ca
Subject: 23-HCAA-01745 - Request for Review

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Please see attached request for review.

Original documents have been sent in the mail.

Regards,

Sean Derouin, P.Eng., C.E.T.

Public Works Manager

County of Lanark

Cell: (613) 223-4670

Office: 613-267-1353

sderouin@lanarkcounty.ca