

APPENDIX 'D'

DFO GUIDANCE MATERIALS

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Fisheries and Oceans
Canada

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Prairies Area, Manitoba District
501 University Crescent
Winnipeg, Manitoba
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(204) 983-4231

Pêches et Océans
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Secteur des Prairies, District du Manitoba
501 University Crescent
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January 4, 2010

Your file Votre référence

Our file Notre référence
WI-09-3720

Michelle Harms
City of Winnipeg, Public Works
106-1155 Pacific Ave
Winnipeg, MB R3E 3P1

Dear Mrs. Harms:

Subject: Proposal not likely to result in impacts to fish and fish habitat.

Fisheries and Oceans Canada - Fish Habitat Management Program (DFO) received your proposal from Stantec Consulting Ltd. (Kevin Amy) on December 24, 2009 for the extension of a culvert on Lot 16 Drain at Kenaston Boulevard. Please refer to the file number and title below:

DFO File No.: **WI-09-3720**
Title: **Lot 16 Drain culvert extension at Route 90 (Kenaston Boulevard), in Winnipeg, Manitoba**

Your proposal has been reviewed to determine whether it is likely to result in impacts to fish and fish habitat which are prohibited by the habitat protection provisions of the *Fisheries Act* or those prohibitions of the *Species at Risk Act* that apply to aquatic species.*

Our review consisted of:

- Information provided by email from Stantec Consulting on December 24, 2009 including a project description, design drawings, photographs, map location and a description of best management practices to be followed during construction.

We understand that you propose to:

- Extend the existing box culvert on Lot 16 Drain at Kenaston Boulevard by 20 m in length to accommodate the construction of an additional lane of traffic.
- Construction will be completed by March 31, 2010
- This project is funded in part through the Federal Building Canada Fund infrastructure program.

No fish species which are currently listed as species at risk in Canada are believed to use this area. If you would like more information about fish species at risk please visit the *Species at Risk Act* Public registry at www.sararegistry.gc.ca.

*Those sections most relevant to the review of development proposals include 20, 22, 32 and 35 of the *Fisheries Act* and sections 32, 33 and 58 of the *Species at Risk Act*. For more information please visit www.dfo-mpo.gc.ca.

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Provided that your plans are implemented as described DFO has concluded that your proposal is not likely to result in impacts to fish and fish habitat.

You will not need to obtain a formal approval from DFO in order to proceed with your proposal.

Please notify this office at least 10 days before starting the work. A copy of this letter should be kept on site while the work is in progress.

If the plans have changed or if the description of your proposal is incomplete you should contact this office to determine if the advice in this letter still applies.

Please be advised that any impacts to fish and fish habitat which result from a failure to implement this proposal as described could lead to corrective action such as enforcement.

If you have any questions please contact Todd Schwartz at our Winnipeg office at (204) 983-4231, by fax at (204) 984-2402, or by email at Todd.Schwartz@dfo-mpo.gc.ca.

Yours sincerely,



Todd Schwartz
Fish Habitat Biologist
Prairies Area, Winnipeg Office

cc: Winnipeg Distribution
J. Hunt (MB Water Stewardship, Winnipeg)
G. Klein (MB Water Stewardship, Gimli)
Jim Gallagher (Manitoba Housing Renewal Corporation, Winnipeg)
Elizabeth Newgard (Transport Canada, Ottawa)
Kevin Amy (Stantec Consulting Ltd., Winnipeg)