



Fisheries and Oceans
Canada

Pêches et Océans
Canada

301-5204 50th Avenue
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January 28, 2025

Your file *Votre référence*

Our file *Notre référence*

24-HCAA-03084

Imperial Oil – N.W.T Limited
Attention: Jacki Costley
505 Quarry Park Blvd. SE
Calgary, Alberta
T2C 5N1

Subject: Upper Bosworth Creek Bridge Armouring – Norman Wells, NT

Dear Ms. Costley:

The Regulatory Review Unit of the Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your request for review on December 16, 2024. We understand that you propose to undertake the armouring of the east abutment of the Upper Bosworth Creek Bridge on Bosworth Creek through the following methods:

- Creating an access route from the top of bank to Bosworth Creek.
- Moving equipment, 180m³ Class C/D riprap, and other materials to the work location.
- Prepare the worksite by excavating the on-land portion of the work area and removing creek ice.
- Place Class C and D riprap armour rock along the creek bank and bridge abutment per the design using an excavator.

Our review considered the following information:

- The Request for Review and accompanying information submitted to DFO on December 16, 2024.
- Information provided during a call on January 24, 2025.
- Supplemental information provided by email on January 24, 2025.

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 outcomes 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:

- Avoid killing fish by means other than fishing.
- Only conduct work while the watercourse is frozen to the bottom
 - If a need arises for work to be completed when the river is not frozen to the bottom, additional mitigation measures may need to be taken.
- Adhere to DFO's Code of Practice for Ice Bridges and Snow Fills.
- Limit impacts on riparian vegetation to those approved for the work, undertaking or activity.
- Avoid placing fill or other temporary or permanent structures below the High Water Mark outside of the approved work area.
- The armour should be clean, free of fine materials, and of sufficient size and placement to resist displacement during design flood events. All non-rock debris, such as rebar, should be removed from the armour material. The armouring should be tied into the existing bank elevations and profile with a smooth transition.
- Avoid introducing sediment (silts, clays, and sands) to the watercourse.
- Ensure all equipment arrives on site clean and free of invasive species.
- Develop and implement an erosion and sediment control plan to minimize the introduction of sediment into any waterbody during all phases of the work, undertaking or activity.
- Dispose of, and stabilize any excavated material above the High Water Mark or top of bank of nearby waterbodies and ensure sediment re-entry to the watercourse is prevented.
 - Remove sediment from the surface of the ice prior to project completion.
- Do not deposit any deleterious substances in the water course.
- Develop and implement a response plan to avoid a spill of deleterious substances.
- The creek channel and structure should be monitored to ensure stabilization, particularly during high flow events and pictures of the completed works should be sent to DFO-Yellowknife.

Provided that you incorporate these measures into your plans, the Program is of the view that your proposal is not likely to result in the contravention of the above mentioned prohibitions and requirements.


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 is your responsibility to remain in compliance with the *Fisheries Act*, the *Species at Risk Act* and the *Aquatic Invasive Species Regulations*.

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 Nicholas Wasilik by email at nicholas.wasilik@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,



Paul Harper
a/Fish and Fish Habitat Protection Program Biologist

Cc:
Nicholas Wasilik – DFO