



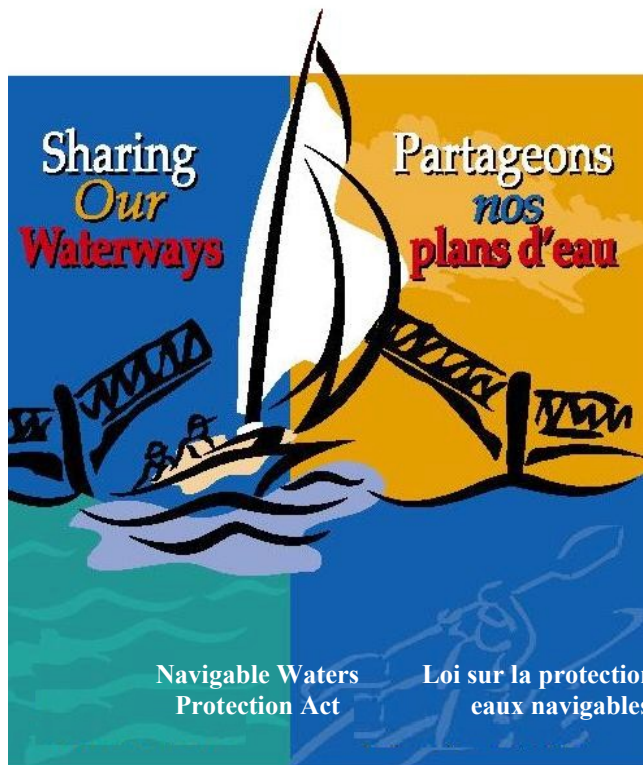
Transport Canada
Marine

Transports Canada
Maritime

Prairie & Northern Region

NAVIGABLE WATERS PROTECTION ACT

APPLICATION GUIDE



**Navigable Waters Protection
1100 9700 Jasper Avenue
Edmonton AB T5J 4E6**



APPLICATION GUIDE CHECKLIST

Before returning your application form, the following **must** be included otherwise your application will not be processed:

- Name of property owner & description of the project site
- Complete mailing address of the property owner
- Plot or survey plan with project shown & adjacent landowners
- Map or chart with arrow to show location of project
- Plan view of the project (with dimensions)
- Side view of project (with dimensions)
- Location for disposal of dredge spoils (if applicable)
- Name of the contractor/firm doing the work (if applicable).

APPLICATION GUIDE

INTRODUCTION

The Navigable Waters Protection Act (NWPA) revised Statutes of Canada, 1985, is one of the oldest pieces of federal legislation. It first became law on May 17, 1882. The principle objective is to protect the public right of navigation by prohibiting the building or placement of any “work” in, upon, over, under, through, or across a navigable water without the authorization of the Minister of Transport, Infrastructure and Communities. The jurisdiction of the legislature begins at the high water mark. Therefore structures that are between low and high water marks will require approval under the NWPA. The administration of the NWPA was recently transferred to Transport Canada.

Important Notice

An approval granted by the Minister is neither a general approval of construction nor an authorization in respect of any law, excepting the Navigable Waters Protection Act. An authorization may also be required from the Minister under the Fisheries Act; you should contact the Department of Fisheries & Oceans for such a determination. In addition, contact should also be made with local municipal, provincial and other government offices to determine if other approvals will be required for the proposal.

What is a Navigable Waterway?

A navigable water is any body of water capable of being navigated by floating vessels of any description for the purpose of transportation, commerce or recreation. This includes both inland and coastal waters. The authority to determine the navigability of a waterway and consequently the requirement for an application under the NWPA rests with the Minister of Transport, Infrastructure and Communities or his/her designated representative.

Examples of Some Types of “Works” Requiring Authorization

- Any bridge, boom, dam, causeway, wharf, dock, boathouse, intake, outfall, etc.;
- Dredging; dumping of fill, retaining wall, groyne, breakwater;
- Submarine or overhead cables, tunnel, pipeline;
- Aquaculture facilities;
- Any other device, structure, or thing whether similar in character to the above or not.

Permit Process

There are basically two types of processes followed in reviewing an application under the Act:

- **Formal Approval**

The formal approval process is followed when NWPA officials determine that your work or project poses a substantial interference with navigation. Under the requirements of the Act all bridges, booms, dams, and causeways must be processed by formal approval.

- **Letter of Exemption**

The exemption process is followed when NWPA officials determine that your work or project does not pose a substantial interference with navigation.

How to Make an Application

1. Application Form - Complete, sign and date the enclosed application form.

2. Site Location - Obtain 6 copies of a map or topographic chart of your area. Please include enough details to simplify the location of the proposed project. If not already shown, add the following:

- Name of the waterway in which the project is located;
- Location of the proposed project (draw an arrow showing the exact location of the site on the map);
- Approximate latitude and longitude of the project

3. Plot Plan - One (1) copy of your plot or survey plan, showing adjacent property owners (include names), with the location of the proposed work clearly indicated.

4. Plan View (6 copies) - The plan view shows the proposed project as if you were looking straight down on it from above. Provide these drawings, to scale or dimensioned, containing sufficient detail to clearly show your proposed project, including:

- Any existing works presently on your property or adjacent properties such as docks, slipways, breakwaters etc.;
- Existing shorelines;
- Dimensions (length, width, etc.) of the project all dimensions should be from the ordinary high water mark. See sample sketches for further details;
- Average water depth around the project;
- Scale of drawing.
- North arrow.

5. Profile View or Section View (6 copies) - The profile view is a scale drawing that shows the side, front, or rear of the proposed structure as it would look if you were standing to the side of it; the section view is a scale drawing that shows the proposed structure as it would look if sliced internally for display. Clearly show the following:

- Dimensions of the project, including width, height etc. See the sample sketches for further details;
- The ordinary high water mark (O.H.W.M.) and high water mark (H.W.M.);
- Existing and proposed ground contours;
- Height above the bed of the waterway;
- The type of construction material to be used;
- Scale;

Other information

- a) If any information is missing, your application may be delayed; therefore please ensure that your application, plans, etc. are complete.
- b) Please be advised that it is recommended that applications for approval under the NWPA be made well in advance of the anticipated start-up date, to allow Transport Canada officials to do a complete investigation and possible environmental assessment of your project, which may take three or more months.
- c) Advise whether you have received or applied for a waterlot lease or permit, and if so, with whom you have applied and when.
- d) Provide a proposed construction schedule, advising when you plan on starting the project.
- e) If you are not the upland owner, provide the owners consent in writing.
- f) Provide an environmental assessment or study if one has been prepared.

Where to Make an Application

In accordance with the map below, please submit applications for approval to one of the addresses listed below.

Prairie & Northern Region NWP PROGRAM – AREA OFFICES



Edmonton Office

Applications for Alberta, NWT, and Nunavut

Transport Canada
Navigable Waters Protection Program
1100 9700 Jasper Avenue
Edmonton, AB T5J 4E6

General Enquires 1-780-495-8215
Fax: 1-780-495-8607

Winnipeg Office

Applications for Manitoba and Saskatchewan

Transport Canada
Navigable Waters Protection Program
P.O. Box 8550, 344 Edmonton Street
Winnipeg, MB R3C 0P6

General Enquires 1-204-984-7494
Fax: 1-204-984-8417