



DREDGING



This brochure outlines the specific standards and criteria under which Transport Canada considers dredging as a “minor work” and does not require an application under the *Navigable Waters Protection Act* (NWPA).

The NWPA is a federal law designed to protect the public right of navigation. It ensures that works constructed in navigable waterways are reviewed and regulated to minimize the overall impact on navigation.

The Act includes provisions for the removal of unauthorized works or obstructions that render navigation difficult enough to be considered dangerous.

A Minor Work

Historically, many projects pose no threat to the ongoing safety of navigation if positioned and constructed in accordance with specific known standards and criteria. Such projects are considered by Transport Canada as a minor work and, as such, no application under the NWPA is required.

Failure to construct the work in accordance with the standards and criteria identified in this document may result in enforcement action.

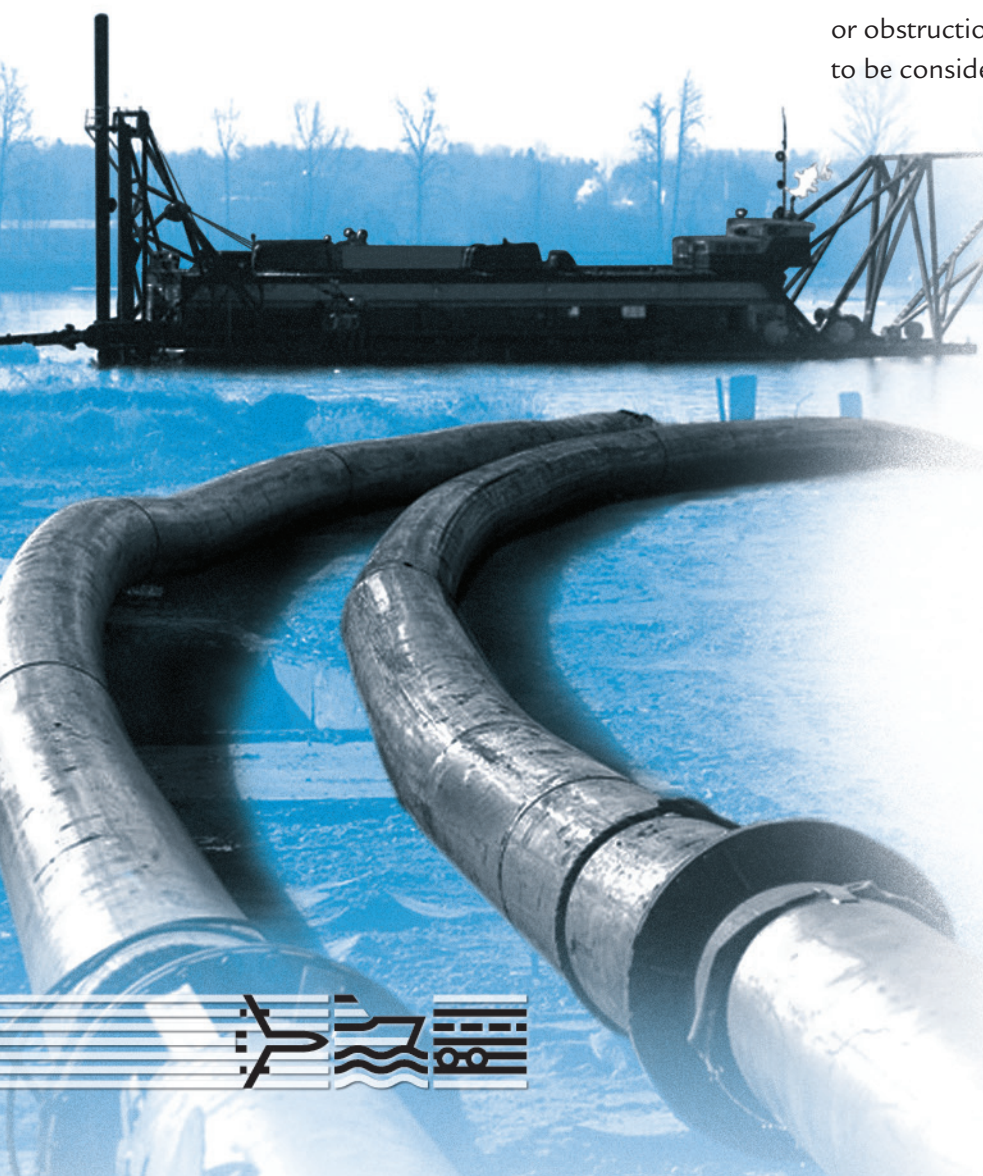
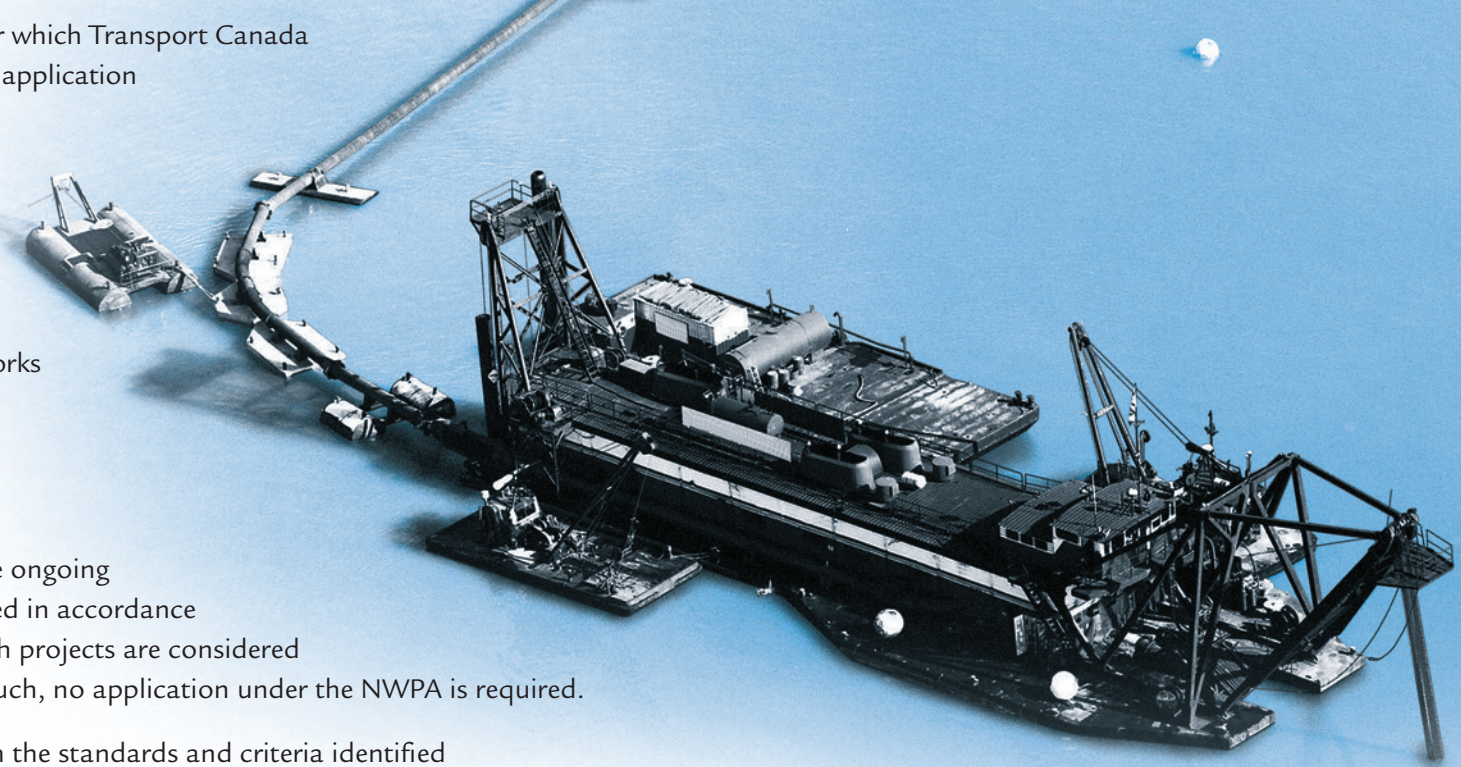
Definitions

Navigation channel: includes a charted channel, buoyed channel, or regularly used channel based on local knowledge.

Barge: includes non self-propelled barge, scow, dredge, pile driver, hopper, or pontoon.

High water mark: the line or mark indicating the highest level reached by a body or course of water.

NOTSHIP (Notice to Shipping): a radio broadcast of marine safety information transmitted to ships concerning the establishment, condition or change of a marine facility, service, procedure or navigational hazard.



When is dredging not considered a minor work?

A dredging project meeting any of the following criteria and standards **requires** the submission of an application for review and approval under the NWPA:

1. Open water disposal of dredgeate (dredged materials) where there are less than 20 fathoms of water at all times;
2. The use, construction or placement of any temporary instream works (including but not limited to cofferdams, berms, roads, causeway, and aquadams);
3. Suction dredging, which includes any floating or submerged pipes;
4. Cables spanning any portion of the waterway (submerged or over the waterway);
5. The subject works and associated marine equipment that are located within 30m of a navigation channel; or
6. Projects that include blasting.



When is dredging considered a minor work?

A dredging project meeting the following criteria is considered a minor work under this policy and **does not require** an application under the NWPA and the project may proceed:

1. The dredging consists of regular maintenance around existing docks, retaining walls, wharves, marina basins, and other structures; and
2. All dredged materials shall be disposed above the high water mark, or within open-water disposal sites as approved by the Government of Canada.

Procedures during construction

For dredging projects determined under this criteria to be a minor work, the following procedures shall be strictly adhered to during construction:

- A. During construction, any silt curtains will be marked with “cautionary buoys” in compliance with the Private Buoy Regulations of the *Canada Shipping Act*:
 - the buoys shall be spaced no more than 30m apart; and
 - the buoys will be lighted from dusk to dawn, or during periods of restricted visibility.
- B. You must request a NOTSHIP (Notice to Shipping) if your project is on a chartered waterway. A NOTSHIP can be obtained through your nearest Canadian Coast Guard Office.

NOTE

Strict adherence to this policy is mandatory. In addition, other situations may arise that prevent the application of this policy to a specific dredging project.

You should note that other laws and regulations may be applicable to your dredging project, including:

- The Collisions Regulations of the *Canada Shipping Act* that outline the requirements for all work, activities and equipment; and
- A listing of approved open-water disposal sites that is available through Environment Canada.

If you require further information or clarification, please contact the Navigable Waters Protection Program Office in your area or consult Transport Canada’s website at: <http://www.tc.gc.ca/marinesafety/oep/nwpp/menu.htm>.

