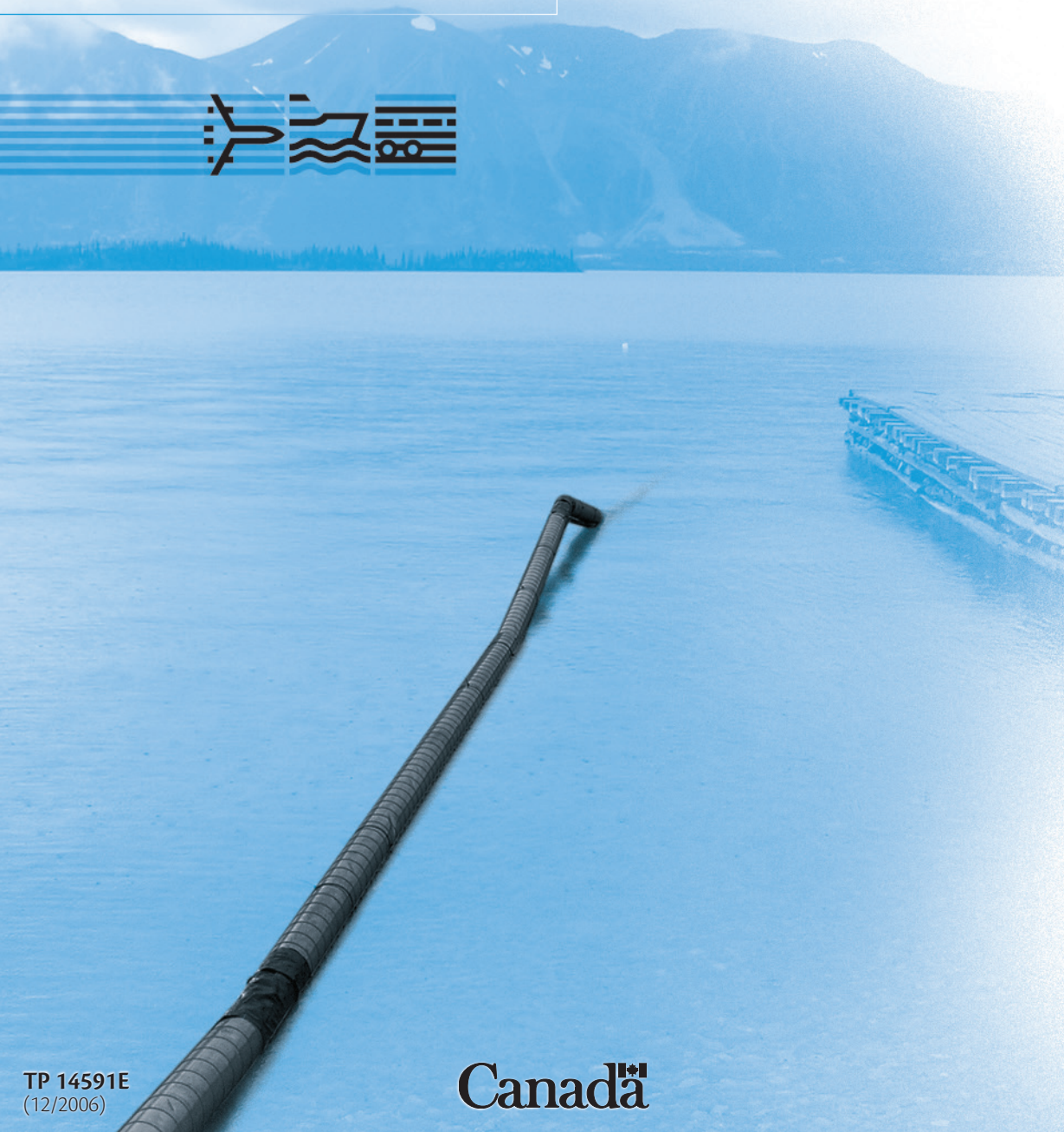




WATER INTAKES



This brochure outlines the specific standards and criteria under which Transport Canada considers water intakes 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

Crib: pieces of timber fixed together to form bays or cells that are filled with stone or concrete; often used to anchor the seaward extremity of an intake pipe.

Cofferdam: a watertight temporary enclosure, from which the water is pumped to expose the bottom and permit the laying of, including but not limited to, foundations or the building of piers.

Berm: a temporary earthen-filled structure serving as a work platform or vehicle access to permit construction in a waterway.

Weir: a low dam built across a stream to raise its level or divert its flow.

Headpond: a reservoir of water created by the construction of a dam or weir.

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

When is a water intake not considered a minor work?

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

1. The water intake includes a crib or other intake structure, including but not limited to anchors, collars and weights, which extend more than 50cm above the bed of the waterway;
2. The seaward end of water intake is located:
 - in depths less than 2.5m in uncharted waterways; or
 - in depths greater than 0.5m (at chart datum) in charted waterways;
3. Construction includes temporary instream works, including but not limited to, cofferdams, berms and roads;
4. The water intake is located within 50m of a navigation channel; or
5. The water intake is associated with a proposed, or existing, weir or dam (headpond resulting from the existence or construction of a weir or dam).

When is a water intake considered a minor work?

A water intake 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 intake pipe is less than 10cm in diameter; and
2. Upon completion, all portions of the pipe (excluding the intake structure/crib) shall lie on the bed of the waterway at all times.

Procedures during construction

For water intake projects determined under these criteria to be a minor work, the following procedure shall be strictly adhered to during construction:

- A. Placement of any temporary floating pipes shall not be left unattended or unsupervised at any time.

NOTE

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

You should note that other laws and regulations may be applicable to your water intake project.

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>.

