



# EROSION PROTECTION WORKS



This brochure outlines the specific standards and criteria under which Transport Canada considers erosion protection 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

**Erosion protection work:** refers to shoreline stabilization, rip rap, and bank protection projects.

**Shoreline and bank stabilization:** the placement of rock, concrete, felled trees, etc., to reduce erosion of the shoreline.

**Rip rap:** a layer of stones placed irregularly on a slope, a bank or a hydraulic structure in order to protect it against scouring.

**Groyne or spur:** a structure built from the bank of a stream or lake in a direction transverse to the current in order to prevent bank erosion.

**Riverine:** resembling a river such as a creek, stream, or similar body of water.

## When is an erosion protection project not considered a minor work?

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

1. The erosion protection works project is associated with a bridge, boom, dam, causeway, or other existing or proposed structure located within the limits of the waterway; or
2. The erosion protection works project includes groynes, spurs, or other deflection devices.

## When is an erosion protection project considered a minor work?

An erosion protection 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 finished erosion protection works are:
  - parallel to, and consistent with the existing or natural shoreline; and
  - integrated or “tied in” to adjacent and surrounding shoreline;
2. The toe of the finished work is located within 5m from the ordinary high water mark; and
3. The slope of the finished elevation is greater than 33 per cent (i.e., 1:1, 1:2, and 1:3 ratios, vertical to horizontal respectively, are acceptable).

## Procedures during construction

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

- A. All temporary works (including but not limited to silt curtains, signs, cofferdams) will be completely removed upon completion of the project;
- B. Navigation shall be allowed safe access through the construction site at all times, and assisted if necessary;
- C. Instream temporary works (berms, cofferdams) are required to facilitate the construction of the erosion protection works so that they are marked with yellow flashing lights from dusk to dawn, or during periods of restricted visibility;

D. Any silt curtains shall 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 shall be lighted from dusk to dawn, or during periods of restricted visibility; and

E. In addition to the above circumstances, the following also applies to riverine systems during construction:

- Temporary “Warning – Construction Ahead” signs must be placed upstream and downstream of the construction site in accordance with the minimum distances outlined in the table below:

Width of Waterway (metres)	Minimum Distances (metres)
<10m	25m
10m – 20m	50m
20m – 50m	100m
>50m	200m

- The warning signs shall be posted during all periods of instream activity;
- The warning signs shall be legible at a minimum distance of 50m; and
- Appropriate landowner permission shall be sought for the placement of the warning signs.

## NOTE

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

You should note that other laws and regulations may be applicable to your erosion protection 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>.

