



The Navigable Waters Protection Act



# SUBMARINE CABLES

(Hydro and Communication)



This brochure outlines the specific standards and criteria under which Transport Canada considers submarine cables (hydro and communication) 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.

## When is a submarine cable (hydro and communication) not considered a minor work?

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

1. The submarine cable is located on a charted waterway;
2. The submarine cable is located within 10m of any existing dock or boat launch; or
3. The cable is located across the entrance to, including but not limited to, any marina, yacht club or harbour.

## When is a submarine cable (hydro and communication) considered a minor work?

A submarine cable 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 cable will be laid on the bed of the waterway, resting on the natural contours of the bed between points of entry and exit.

### NOTE

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

You should note that other laws and regulations may be applicable to your submarine cable 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>**.