



AERIAL CABLES (Hydro and Communication)

This brochure outlines the specific standards and criteria under which Transport Canada considers aerial cables 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

Aerial cable: includes hydro power lines and communication cables only.

Limits of the waterway: those portions of the bed of the waterway below the high water mark.

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

Chartered waterway: waterway for which navigation charts are produced by the Canadian Hydrographic Service.

Masted vessel: vessel equipped with a mast to support sails, e.g., a sailboat.

When is an aerial cable not considered a minor work?

An aerial 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 project is located on a chartered waterway;
2. The project is crossing a lake, tidal waters, man-made public canal, or portion thereof;
3. The project is located within 1000m of a lake or tidal waters; or
4. The project includes towers or poles within the limits of the waterway.



When is an aerial cable considered a minor work?

An aerial 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 natural width of the riverine waterway at the crossing location is less than 15m; and
2. The proposed crossing complies with the *CSA Standards for Overhead Systems (CAN/CSA-C22.3 No.1-01)*.

Procedures during construction

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

- A. During construction, 'Warning' signs shall be placed 50m upstream and downstream from the construction site until completion of the project;
- B. Users of the waterway will be allowed safe passage (assisted if necessary) through the construction site;
- C. Permanent or temporary cables not meeting the *CSA Standards for Overhead Systems* shall not be left unattended or unsupervised at any time; and
- D. Any temporary submerged cables not lying on the bed of the waterway 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 aerial cable project.

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