



Navigation Protection Program

Building and Boating in Prairie and Northern Region’s Navigable Waters

What you need to know about the *Canadian Navigable Waters Act* and Scheduled Waters

In Canada, the right to navigate our waterways is protected by law. The *Canadian Navigable Waters Act* (CNWA) focuses on protecting navigation in all navigable waters. Transport Canada is responsible for reviewing and regulating works (e.g., bridges, marinas, dams and booms) in these waters.

In Prairie and Northern Region, the waterways described in the box on the right are listed on the schedule to the Act. These are called “scheduled” waters or waterways. All lakes, rivers and canals in the waterway systems are included as items on the schedule.

The CNWA describes the limits of these scheduled waters:

- **For lakes:** includes all features (such as bays, inlets and coves) and the mouths of all connecting waterways (i.e. the sheltered waters used for servicing the lake)
- **For rivers:** only those sections described in the schedule, and the mouths of connecting tributaries measured by a straight line from bank to bank
- **For oceans:** from the outer limit of the territorial sea to the high water level, including all features (such as seas, straits, gulfs and bays) and charted connecting waters to the limit of tidal influence

Do you plan to build on one of these waterways or its shores?

If you do, you must apply for an approval to Transport Canada **before** beginning your project – unless it

SCHEDULED WATERWAYS IN PRAIRIE AND NORTHERN REGION

Lakes

| | |
|------------------|-------------------|
| Great Bear Lake | Lake Winnipegosis |
| Great Slave Lake | Lake Manitoba |
| Lake Athabasca | Lake Winnipeg |
| | Baker Lake |

Rivers

Yukon River - From the rapids near the dam in Whitehorse to the Canada–U.S. border

Mackenzie River

Bow River - From Ghost Lake to the South Saskatchewan River

Peace River - From Williston Lake to the Slave River

Athabasca River - From the confluence with Whirlpool River to Lake Athabasca

North Saskatchewan River - From the confluence with Ram River to the confluence with the South Saskatchewan River

South Saskatchewan River - From the confluence of the Bow River and Oldman River to the confluence with the North Saskatchewan River

Assiniboine River - From the Shellmouth Dam to the Red River

Red River - From the Canada–U.S. Border to Lake Winnipeg

Winnipeg River - From the Ontario border to Lake Winnipeg

qualifies as a minor work (see below). A Navigation Protection Program officer will review your project to assess its potential impacts on navigation.

Once approved, you may be required to meet certain conditions such as signage, lighting, or other requirements to ensure the safety of boaters in the area.

Are you planning a small project?

Several classes of minor works are described in the *Minor Works Order*, including docks, boathouses, water intakes and submarine cables. This order allows small projects to proceed without a Transport Canada review, as long as the work meets the criteria set out for its class, as well as specific terms and conditions for construction.

If you are the owner, it is your responsibility to make sure that your project qualifies as a minor work and that all legal requirements are met.

Are you familiar with the Canadian Navigable Waters Registry?

With the new legislation it will mean that an application of all works, with the exception of work that meets the minor works criteria, will be made publicly available through the Canadian Navigable Waters Registry in all navigable waters in Canada with a mechanism for public comment.

Do you own an existing work – other than a major or minor work - on a non-scheduled waterway that will undergo alteration(s), rebuilding, removal or decommissioning? Or, are you planning to construct or place a new work – other than a major or minor work - in a non-scheduled waterway?

Then you should know that you must either:

- Make an application for an approval and comply with the CNWA (works not minor or major) in a non-schedule water; or

Alsek River – From the confluence of the Dezadeash River and the Kaskawulsh River to the Canada-U.S. border

Tatshenshini River – From Goat Creek to the Alsek River

Arctic Red River – From Backbone Range, Mackenzie Mountains, to the Mackenzie River

Anderson River – From Lac des Bois to the Arctic Ocean

Horton River – From the Haldane River to the Amundsen Gulf

South Nahanni River – From Mount Christie to the Liard River

Liard River – From Mount Lewis to the Mackenzie River

Coppermine River – From Lac de Gras to the Coronation Gulf

Clearwater River – From Broach Lake to the Athabasca River

Saskatchewan River – From the confluence of the North Saskatchewan River and the South Saskatchewan River to Lake Winnipeg

Dubawnt River – From Dubawnt Lake to the Thelon River

Bloodvein River – From Red Lake to Lake Winnipeg

Kazan River – From Ennadai Lake to Baker Lake

Seal River – From Shethanei Lake to Hudson Bay

- Deposit the information requested and publish a notice.

This information is not a substitute for legal advice. Owners are encouraged to seek qualified professional assistance whenever a work may significantly interfere with navigation.

Has your right to navigate safely been impacted?

If you are a boater, and you think that a project on a *scheduled waterway* is interfering with your right to navigate safely, contact Transport Canada. An officer will investigate your complaint and Transport Canada will take the action necessary to make the work safe.

If you see a navigation hazard that puts public safety at immediate risk, contact local emergency-response authorities.

Do you need more information?

If you are not sure that you need to notify Transport Canada ...

If you are not sure that your work is a “major or minor work” ...

If you want to make a complaint about interference with navigation ...

...contact Transport Canada – we are here to help.

Churchill River – From Churchill Lake to Hudson Bay

Hayes River – From Knee Lake to Hudson Bay

Thelon River – From Whitefish Lake to Hudson Bay

Soper River – From the highlands of the Meta Incognita Peninsula to Soper Lake

Arctic Ocean

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Navigation Protection Program

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Canadian Navigable Waters Act: <http://laws-lois.justice.gc.ca/eng/acts/N-22>

For additional guidance material on the *Canadian Navigable Waters Act*, visit the NPP's website at: <https://www.tc.gc.ca/eng/programs-621.html>
