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Transport
Canada

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Notice #2 Regarding Non-Compliant Boat Lifts in Alberta Waterways

Transport Canada advises owners of boat lifts (boat hoists) currently placed within the limits of Alberta waterways that the placement or construction of any work within the limits of any navigable waterway is unlawful without prior approval by the Minister of Transport, Infrastructure and Communities under the provisions of the *Navigable Waters Protection Act* (NWPA).

The following criteria should be considered when proposing to place a boat lift within the limits of any Alberta waterway:

- the boat lift is not located within 50 metres of any swimming area or boat launch; and
- the boat lift is located within 30 metres from shore.

Non-compliance with the NWPA or the above criteria could result in enforcement action and/or removal of the boat lift at the owner's expense.

Proof of consent from the upland property owner must also be provided to obtain approval under the NWPA. Transport Canada is currently working with stakeholders and owners of upland properties on this issue. These affected applications, which meet the above criteria, will remain on hold at this time. In such cases, Transport Canada will contact these applicants regarding the status of their application. Transport Canada will continue to review applications where the upland property owner's consent has been secured or where the applicant is the upland property owner.

Notwithstanding the above criteria, each application will be considered on its own merit, and may not be limited to the above.

For further information on the NWPA process, please visit our national website at <http://www.tc.gc.ca/marinesafety/cep/nwpp/menu.htm>, or contact our Edmonton office at 780-495-8215 or toll free at 1-888-463-0521 for a copy of the application form and guide.

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