

Ambrose Moran

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <MINTC@tc.gc.ca>
Sent: January-24-13 10:55 AM
To: 'ambrose@ambrosemoran.com'
Cc: 'BARRY.DEVOLIN@PARL.GC.CA'; 'DEAN.DEL'
Subject: the Navigable Waters Protection Act.

Mr. Ambrose Moran
ambrose@ambrosemoran.com

Dear Mr. Moran:

Thank you for your correspondence of October 23, 2012, regarding the proposed changes to the *Navigable Waters Protection Act*.

The historic and continuing purpose of the Act is to balance the efficient movement of marine traffic with the need to construct works that might interfere with navigation. This has been the case for more than 130 years and will not change. What is changing is the number of bodies of water to which the legislation applies, restoring the Act's original intent to when it was first introduced in 1882.

NO LONGER PROTECTED BY FEDERAL ACT

Although Jack Lake is not listed in the Schedule of the Act, the infrastructure built in or around the lake will continue to be subject to the common law right of navigation. Canadians' navigation rights, which have been protected under common law for centuries, will not change. This right of navigation protects boaters and other recreational water users. Canadians will continue to have access to the courts if they believe their navigation rights are threatened or if a public nuisance is created.

Please be assured that Transport Canada will introduce clear guidelines reflecting rigorous navigation safety requirements to ensure that infrastructure projects in unlisted waters are built safely.

Likewise, no existing federal, provincial, territorial or municipal laws will be affected in any way. Nothing in these amendments alters the roles and responsibilities of these levels of government. For instance, municipal authority to grant building permits is untouched; therefore, municipalities will continue to decide where and when projects can be built locally. *BOATHOUSES*

In closing, Transport Canada remains committed to reducing regulatory burden while maintaining the safety, security and efficiency of the marine transportation system across the country.

Again, thank you for writing and for sharing your views with me.

Yours sincerely,

Denis Lebel, P.C., M.P.

c.c. Mr. Barry Devolin, M.P.
Haliburton-Kawartha Lakes-Brock

Mr. Dean Del Mastro, M.P.
Peterborough