April 11, 2022

City of Hamilton
71 Main Street West
Hamilton, ON  L8P 4Y5

Attention: Tim Crowley

RE: Approval under the Canadian Navigable Waters Act (CNWA), for the Construction of the Dredging, located in Chedoke Creek, at approximately 43° 16’ 17.11” N x 79° 53’ 34.76” W, 200 to 330 Macklin Street North, City of Hamilton, in the Province of Ontario

Please find enclosed an approval for the above-noted work issued by the Minister of Transport under subsection 7(6) of the CNWA. This approval replaces any previous approvals that have been issued in relation to this work (if any) and will be the sole approval for this work until such time as a new approval is issued for any future changes.

In order to issue this approval, the Minister has considered each of the factors listed in subsection 7(7) of the Act, additional information provided by you (if applicable) and any adverse effects that the decision to approve the work may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982.

Please note that the CNWA, amongst other obligations, requires the owner to immediately notify the Minister if the work causes or is likely to cause serious and imminent danger to navigation, to take reasonable measures to mitigate potential dangers and to remedy any adverse effects that result from that danger to navigation.

This approval relates only to the interference of your work with navigation under the CNWA and does not grant any rights related to the ownership of the bed of the navigable water.

Please note that it is the owner’s responsibility to comply with any other applicable laws and regulations.

Should you have any questions, please do not hesitate to contact our office in Ontario by phone at 519-383-1863 or by e-mail at NPPONT-PPNONT@tc.gc.ca.

Respectfully,

Kelly Thompson
Navigation Protection Program Officer
Programs Group
Transport Canada
Ontario Region

KT/ww

Attachment(s)

cc: Dale Klodnicki, Wood Environment & Infrastructure Solutions
Canadian Navigable Waters Act
Section 7(6)

APPROVAL

OWNER: City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

WORK(S): Dredging

SITE LOCATION: Located in Chedoke Creek, at approximately 43° 16' 17.11" N x 79° 53' 34.76" W, 200 to 330 Macklin Street North, City of Hamilton, in the Province of Ontario

As per the application (detailed above) to the Minister of Transport, submitted pursuant to the Canadian Navigable Waters Act, for an approval of the work per the attached plan(s) and/or document(s), the Minister hereby approves the work pursuant to subsection 7(6) for the construction of the above mentioned work, in accordance with the following terms and conditions:

1. Install and maintain signs upstream and downstream of dredging site. Signs shall be a white background with black lettering stating the following:
   CAUTION: DREDGING AHEAD

2. All temporary works shall be completely removed from the waterway upon completion.

3. Prior to commencing dredging, please forward photographs showing signage. Email photographs to NPPONT-PPNONT@tc.gc.ca, referencing the name of the waterway and NPP file/submission number in the subject line.

SIGNED on April 11, 2022 in Sarnia, Ontario

[Signature]

Kelly Thompson
Navigation Protection Program Officer
Programs Group
Transport Canada
Ontario Region

For the Minister of Transport