

Administration and Inspection Activities for Environmental Protection for Construction in and Around Waterbodies and on Waterbody Banks

182.01 SCOPE

This CAIS covers the construction administration and inspection requirements for the environmental protection requirements and mitigation measures that apply to construction involving work in and around waterbodies and on waterbody banks as specified in OPSS 182, ~~April 2021~~November 2025, and SSP 101F23, ~~October 2021~~November 2025.

182.02 REFERENCES

This CAIS refers to the following, standards, specifications, or publications:

Ontario Provincial Standard Specifications, General:

OPSS 182 Environmental Protection for Construction in and Around Waterbodies and on Waterbody Banks

MTO Standard Special Provisions:

SSP 101F23 Amendment to OPSS 182, ~~April 2021~~November 2025 - Timing of In-Water Works, Oversight Requirements, and Measures to Avoid Harm to Fish

Construction Administration and Inspection Specifications (CAIS):

CAIS 180 Management of Excess Materials
CAIS 517 Dewatering [and Temporary Flow Passage Systems](#)
CAIS 803 Vegetative Cover
CAIS 804 Temporary Erosion Control
CAIS 805 Temporary Sediment Control

MTO Forms:

MTO Construction Inspection Checklist
MTO Non-Compliance Summary Form
MTO Construction Monitoring Report

Canadian and Provincial Statutes:

Endangered Species Act, S.O. 2007, c. 6
[Endangered Species Act, S.O. 2007, c.6 - Ontario Regulation 242/08: General](#)
Fisheries Act, R.S.C., 1985, c. F-14
Fish and Wildlife Conservation Act, S.O. 1997, c. 41 - Ontario Regulation 664/98- Fish Licensing
Species at Risk Act, S.C. 2002, c. 29

Canadian and Provincial Policy:

Fisheries and Oceans Canada Code of Practice: End-of-pipe fish protection screens for small water intakes in freshwater

Fisheries and Oceans Canada Protocol for the Detection of Fish Species at Risk in Ontario Great Lakes Area (OGLA)

Fisheries and Oceans Canada Protocol for the Detection and Relocation of Freshwater Mussel Species at Risk in Ontario Great Lakes Area (OGLA)

[Ministry of Transportation Environmental Guide for Fisheries - Fish Guide](#)

[Ministry of Transportation Environmental Guide for Fisheries - Best Management Practices](#)

[Ministry of Transportation Environmental Guide for Fisheries - Maintenance Works](#)

182.03 DEFINITIONS

For the purpose of this CAIS, the definitions shall be as specified in OPSS 182.

182.04 DESIGN AND SUBMISSION REQUIREMENTS

182.04.01 Submission Requirements

182.04.01.01 ~~Fish Salvage~~ [Licences and Permits](#)

Administrative Activities:

1	M	Check that the Licence to Collect Fish for Scientific Purposes has been obtained by the Contractor from the Ontario Ministry of Natural Resources and Forestry prior to any in-water works in fish-bearing watercourses, as specified in the Contract Documents.	-
2	M	Receive and Check copies of the permits and licences from the Contractor.	-
<u>3</u>	<u>M</u>	Check that copies of all permits and licences required to be kept on site are available for inspection according to the Contract Documents.	-

182.04.01.02 Fisheries Specialist

Administrative Activities:

1	M	Receive the name of the Fisheries Contracts Specialist and/or Fisheries Assessment Specialist from the Contractor when required in the Contract, and check with the MTO CSA to obtain confirmation that the Contractor's fisheries specialist(s) is(are) Qualified Fisheries Specialist(s) on MTO RAQS .	-
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182.05 MATERIALS

Inspection Activities:

1	M	Check that all materials for environmental protection in and around waterbodies or on waterbody banks are according to the Contract Documents.	100%
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182.06 EQUIPMENT

Inspection Activities:

1	-	Check that the equipment used in and around waterbodies or on waterbody banks is as according to the Contract Documents.	100%
2	-	Check that the equipment used in and around waterbodies or on waterbody banks is free of excess or leaking fuel, lubricants, coolant and any other deleterious substances that could enter the waterbody.	100%

182.07 CONSTRUCTION**182.07.01 General Requirements**

Inspection Activities:

1	-	Check and confirm that the Work in and around waterbodies or on waterbody banks is according to the Contract Documents.	100%
2	M	Check that if fish are observed in the work area during construction that the work ceases, and the fish salvaged according to the Contract Documents.	100%
3	-	Check that disturbance/damage to waterbody beds and banks is limited to that specified in the Contract Documents and environmental provisions, and as may be authorized through environmental permits/approvals.	100%

Administrative Activities:

1	-	Check that copies of all permits and licences obtained from regulatory agencies are submitted upon receipt and that any permits required to be kept on site are available for inspection according to the Contract Documents.	-
2	-	Receive notification (using PH CC 818) from the Contractor when there is a release of a deleterious substance or unauthorized death of fish, or harmful alteration, disruption or destruction (HADD) of fish habitat, or when there is a serious and imminent danger of any of these occurring.	-

<u>31</u>	-	Check that the Contractor follows the emergency situations procedures described in the Ministry of Transportation Environmental Guide for Fisheries - Fish Guide and as specified in the Contract Documents MTD/DFO/MNRF Protocol for Protecting Fish and Fish Habitat on Provincial Transportation Undertakings.	-
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182.07.02 Operation of Equipment in and Around Waterbodies or on Waterbody Banks

Inspection Activities:

1	-	Check that Equipment arrives on site in clean condition, is maintained free of fluid leaks and is operated according to the Contract Documents.	100%
2	-	Check that Equipment does not enter a waterbody and is operated on dry land above the high- water levelmark , on ice, or from a floating barge in a manner that minimizes disturbance to the waterbody banks.	100%
3	-	Check that mobile Equipment refueling and maintenance takes place at locations a minimum of 30 metres away from a waterbody or, if not feasible, that the justification is acceptable including, significant terrain challenges (e.g. steep slopes, bedrock cuts), restricted access due to private property, or safety concerns as far away as practicable from a waterbody and in a manner that prevents any sediment and other deleterious substances from entering a waterbody.	100%
<u>4</u>		Check mobile Equipment refueling and maintenance is completed in a manner that prevents any sediment and other deleterious substances from entering a waterbody.	<u>100%</u>
<u>5</u>	-	Check that fuel storage areas are located a minimum of 30 metres away from a waterbody.	<u>100%</u>
<u>6</u>	-	Check that fuel storage containers include secondary fuel containment with sufficient capacity to contain a minimum of 110% of the maximum volume of the fuel storage container(s) stored.	<u>100%</u>
<u>7</u>	-	Check that secondary fuel containment consists of tanks with built in secondary fuel containment (e.g., double walled tanks) and/or an external containment device (e.g., a berm and/or liner).	<u>100%</u>
4	-	Check that an emergency spill kit is kept on site to address any fluid leaks or spills from Equipment.	100%

182.07.02.01 Secondary Fuel Containment for Stationary Equipment

Inspection Activities:

<u>1</u>	-	Check that all stationary Equipment within 30 metres of a waterbody has a secondary fuel containment system.	<u>100%</u>
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<u>2</u>	-	Check that the secondary fuel containment system is as specified in OPSS 182.07.02.01.	100%
<u>3</u>	-	Check that the Contractor undertakes monitoring and maintenance of secondary containment for stationary equipment such that it is functioning as intended and cleared of fluids or other materials (e.g. rainwater, snow, debris) to maintain capacity, as specified in OPSS 182.07.02.01.	100%
<u>4</u>	-	Check that fuel or substance contaminated by fuel, observed within the secondary fuel containment is disposed of according to the Contract Documents.	100%

182.07.03 Dewatering and Temporary Flow Control

Inspection Activities:

1	-	As specified in CAIS 517.	-
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182.07.04 Preservation of Riparian Vegetation

Inspection Activities:

1	-	Check that disturbance/damage to bank vegetation is limited to that specified in the Contract Documents and environmental provisions, and as may be authorized through environmental permits/ approvals.	100%
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182.07.05 Erosion and Sediment Control

Inspection Activities:

1	-	As specified in CAIS 804 and CAIS 805.	-
2	- <u>M</u>	Check that erosion and sediment control measures are in place prior to any soil disturbance.	100%
<u>3</u>	<u>M</u>	Check that site isolation measures are installed prior to any in-water work activities.	100%
3	-	Check that erosion and sediment control and site isolation measures are maintained and remain effective at all times, including seasonal and other shut down periods.	100%
4	-	Check that sediment and other deleterious substances are prevented from reaching waterbodies.	100%
5	-	Determine if additional erosion and/or and sediment control or site isolation measures may be required or if additional locations for these measures may be required.	100%

<u>6</u>	<u>M</u>	<u>Check that erosion and sediment control and site isolation measures are removed according to the Contract Documents.</u>	<u>100%</u>
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182.07.06 Restoration of Disturbed Areas

Inspection Activities:

1	-	Check that disturbed areas are restored to pre-construction condition or better immediately after disturbance or upon completion of the work, according to the Contract Documents.	100%
2	-	Check that re-grading and restoration measures are undertaken according to the Contract Documents.	100%
3	-	Check that all disturbed areas on waterbody banks and riparian vegetation areas are stabilized with effective temporary erosion and sediment control measures and maintained until vegetation is established <u>or other final cover is placed (e.g. rock sheeting).</u> according to the Contract Documents.	100%
4	-	Check that materials used for the restoration of streambeds are not obtained from below the high- water <u>level-mark</u> of any waterbody unless otherwise specified in the Contract Documents.	100%
5	-	Check vegetative cover, as specified in CAIS 803.	100%

182.07.07 Contaminant and Spills Management

Inspection Activities:

1	-	<u>Check that all materials are stored and stabilized according to the Contract Documents.</u>	100%
<u>2</u>	<u>=</u>	<u>Check that sediment and other deleterious substances are prevented from reaching waterbodies according to the Contract Documents.</u>	
<u>3</u>	<u>=</u>	<u>Check that an emergency spill kit is kept on site to address any fluid leaks or spills from Equipment.</u>	<u>100%</u>

182.07.08 Fish Protection

182.07.08.01 Timing of In-Water Works

Administrative Activities:

1	M	Check for compliance with the timing constraints to work in and around waterbodies and on waterbody banks, as specified in SSP 101F23.	-
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182.07.08.02 Fish Salvage

Inspection Activities:

1	-	Check that the salvage and handling of fish stranded by the work or found in the work area during construction is according to the licence(s)/permit(s) obtained for the work and the Contract Documents.	100%
2	-	Check that fish exclusion measures (i.e. blocker nets) are used to prevent fish from re-entering work areas.	100%
3	-	Following the initial fish salvage, Check that additional fish salvage activities are undertaken when fish become stranded by the work or the fish exclusion measures fail, prior to recommencing construction.	100%
4	-	Check that fish exclusion measures are removed once the work in the area has been completed.	100%

Administrative Activities:

1	-	When electrofishing is used for fish salvage, Check that the person(s) leading the electrofishing possess a valid certification for electrofishing in Ontario, or equivalent training Ontario Electrofishing Certification, or equivalent.	-
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182.07.08.03 Reporting Species at Risk

Administrative Activities:

1	-	Receive the reported live capture/release of species protected under the Species at Risk Act (SARA) or Endangered Species Act (ESA) associated with the fish salvage activities.	-
2	-	Receive the reported mortalities of species protected under SARA or ESA associated with the fish salvage activities.	-
3	-	Receive the digital photograph(s).	-
4	-	Check that the appropriate regulatory agencies are notified, according to the Contract Documents.	-
5	M	Notify the MTO CSA and MTO Environmental Planner.	-

182.07.08.04 Fish Screens

Inspection Activities:

1	M	Check that any water intakes or outlet pipes in fish bearing waters have been fitted with screens to prevent entrainment or impingement of fish and that the measures used comply with the DFO Code of Practice: End-of-pipe fish protection screens for small water intakes in freshwater.	100%
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182.07.08.05 Fisheries Specialist Services

Inspection Activities:

1	-	<u>When included in the Contract,</u> Check that the Fisheries Contracts Specialist completes all services, oversight, and documentation requirements, <u>as specified in SSP 101F23 according to the Contract Documents.</u>	100%
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Administrative Activities:

1	-	Receive all monitoring documentation according to Table 1: • MTO Construction Inspection Checklist • MTO Non—Compliance Summary Form • MTO Construction Monitoring Report	100% =
<u>2</u>	=	<u>Check monitoring documentation received from the Fisheries Contracts Specialist for maintenance, non-compliance, or other environmental concerns to be addressed by the Contractor.</u>	=
<u>23</u>	-	When there is a Fisheries Act authorization, <u>SARA or ESA permit, or Endangered Species Act exemption, Endangered Species Act permit, or Species at Risk Act permit,</u> receive the deliverables identified in the authorization, <u>or permit, or exemption</u> from the Contractor.	100% =

182.07.08.06 Additional Measures to Avoid Harm to Fish and/or Fish HabitatInspection Activities:

<u>1</u>	=	<u>When included in the Contract, Check that the additional measures to avoid harm to fish and fish habitat are implemented, as specified in SSP 101F23.</u>	<u>100%</u>
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182.07.09 CONTINGENCY MEASURES

Inspection Activities:

1	-	Check that corrective actions to ensure waterbody and fish habitat protection are taken immediately when an environmental protection measure is found to be ineffective.	100%
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182.07.10 MANAGEMENT OF EXCESS MATERIALS

Inspection Activities:

1	-	As specified in CAIS 180.	-
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182.08 QUALITY ASSURANCE – Not Used

182.09 MEASUREMENT FOR PAYMENT – Not Used

182.10 BASIS OF PAYMENT

Administrative Activities:

1	-	Basis of payment shall be as specified.	-
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WARRANT: Always with OPSS 182, General Specification for Environmental Protection for Construction In and Around Waterbodies and On Waterbody Banks.