

ITEM	4
MANAGER'S REPORT NO.	11
COUNCIL MEETING	1983 02 14

RE: UTILIZATION OF MUNICIPAL LANDS FOR BRUNETTE RIVER FISH
 ENHANCEMENT PROGRAM
 (ITEM 15, REPORT NO. 1, 1983 JANUARY 04)

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendations of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1983 February 03
 Our File: 15.670
 X-Ref.: 15.711

FROM: DIRECTOR PLANNING &
 BUILDING INSPECTION

SUBJECT: UTILIZATION OF MUNICIPAL LANDS FOR
BRUNETTE RIVER FISH ENHANCEMENT PROGRAM

RECOMMENDATIONS:

1. THAT Council accept the insurance coverage obtained by the Department of Fisheries and Oceans/Unemployment Insurance Commission Job Creation Program as providing sufficient coverage for the construction of the fish rearing pond on Municipal lands adjacent to the Brunette River.
2. THAT a copy of this report be forwarded to:
 Mr. Colin Masson
 Head S.E.P. Job Creation Unit
 Fisheries - Pacific Region
 1090 West Pender Street
 Vancouver, B. C. V6E 2P1

REPORT

BACKGROUND:

Council, on 1983 January 04, authorized the construction of a fish rearing pond on Municipal lands described as Lot 19, D.L. 13, Plan 3046, N.W.D. (see attached Figures 1 & 2). This approval was contingent upon receipt of a letter of understanding from the Department of Fisheries and Oceans stating that this approval will not, in any way, alter the rights of the Municipality to use the subject lands in the future as may be required. In addition, Council requested that this letter include provision for absolving the Municipality of any liability arising

out of the construction of this pond.

EXISTING SITUATION:

The Department of Fisheries and Oceans has provided a letter confirming the fact that the construction of this fish rearing pond will not, in any way, alter the rights of the Municipality to use these lands in the future as may be required.

They have, however, requested clarification of the second condition absolving the Municipality of any liability arising out of the construction of this pond. The D.F.O./U.I.C. Job Creation Program has taken out a Blanket Third Party Insurance Policy and an Occupational Death and Injury Insurance Policy. These policies are in effect only for the duration of the job project. This means that insurance policies are in place during the construction stage. But, if someone were to, by chance, injure themselves at the site in the future, the Department of Fisheries and Oceans cannot readily accept liability.

Therefore, they have requested the Municipality to advise if these insurance policies are sufficient to cover our concerns. Details of these policies have been reviewed by the Municipal Solicitor and he has stated that they will provide satisfactory coverage during the construction period.

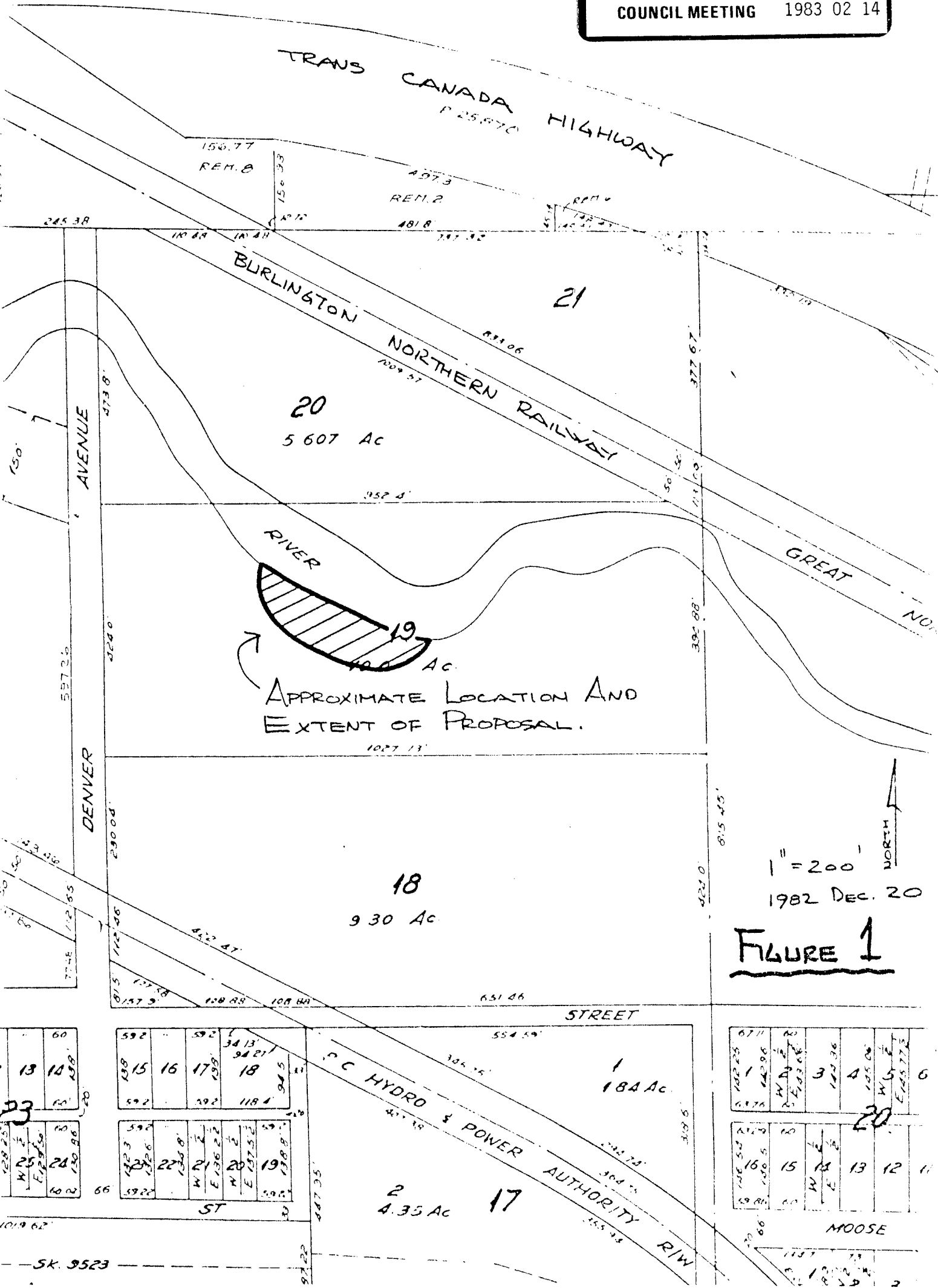
In reviewing this matter, we are of the opinion that it is reasonable to only require indemnification during the construction period. The works to be undertaken will include clearing approximately one acre of dead trees and shrubs which have been killed as a result of flooding due to the build-up of seepage water. A fish-way will then be constructed from the Brunette River into the pond. These works should be viewed as an improvement as conceivably they would improve safety in the area. At the present time, this area is flooded as a result of seepage water which runs down the north facing escarpment and becomes trapped behind the dyke with no direct flow to the river. The pond, therefore, already exists and the net effect of the proposed works will be to remove potential hazards.


A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

PB/jce
Attach.

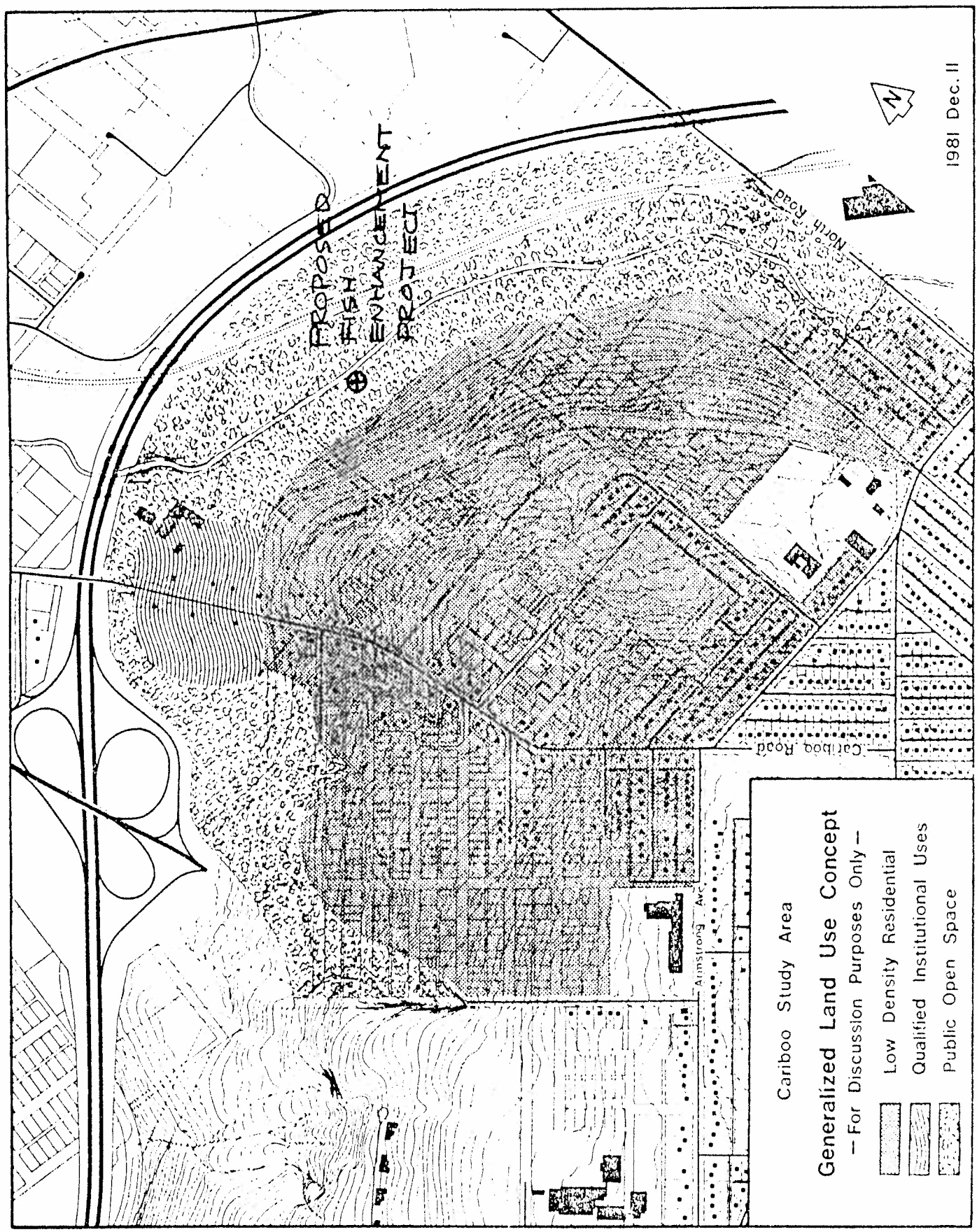
cc: Municipal Solicitor
Director Engineering
Director Recreation & Cultural Services
Chief Public Health Inspector

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1" = 200'
 1982 Dec. 20
FIGURE 1

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Cariboo Study Area

Generalized Land Use Concept
 — For Discussion Purposes Only —




	Low Density Residential
	Qualified Institutional Uses
	Public Open Space

FIGURE 2