

TO: CITY MANAGER

DATE: 1998 08 05

FROM: DIRECTOR ENGINEERING

FILE: 40-02-02

SUBJECT: BYRNE CREEK - FISH KILL ON 1998 JULY 26

PURPOSE: To provide information to Council regarding the recent fish kill in Byrne Creek and to seek approval of the proposed community meeting with the Byrne Creek Watershed residents on Wednesday, 1998 August 19.

RECOMMENDATION:

1. THAT Council approve the proposed community meeting outlined in this report and;
2. THAT copies of this report be sent to:

Fred Randall, MLA Burnaby - Edmonds
Joan Sawicki, MLA Burnaby - Willingdon
Elmer Rudolph, Burnaby Streamkeeper
Ken Glover, Vancouver Angling and Game Association

REPORT

1.0 INTRODUCTION

At the regular Council meeting on 1998 July 27, Council requested staff to provide a report on the recent fish kill in Byrne Creek that occurred on 1998 July 26.

2.0 BYRNE CREEK - FISH KILL INCIDENT ON 1998 JULY 26

On 1998 July 26 at approximately 10:10am, staff received a call via dispatch from a South Burnaby resident, regarding dead fish in Byrne Creek (at Marine Drive and Byrne Road). Subsequently, three other residents called in to report the incident.

Staff, upon receiving and verifying information from the initial caller, contacted the Federal Department of Fisheries and Oceans Violation Reporting line. While on route to the site, staff received phone calls from Ms. Barbara Wernick, Department of Fisheries and Oceans

(DFO) and Mr. Scott Nickerson, Environment Canada (EC), who acknowledged their response.

Upon arriving at the scene, staff noted numerous dead fishes (Coho salmon and Cutthroat trout) ranging in size from 5 cm to 25 cm. The water in the creek was noted to be running clear with no obvious signs of notable odour. However, there was some foam noted in certain spots within the creek.

After the arrival of DFO staff at the site it was decided that due to the nature and severity of the incident the Department of Fisheries would be the lead investigator.

Subsequent investigation by DFO, Environment Canada and City staff, and examination of dead fishes at the time revealed the following:

1. The incident most likely occurred between the evening of Saturday, 1998 July 25 and the morning of Sunday, 1998 July 26.
2. The incident was caused by a toxic substance discharged into the creek at the Hedley/Portland storm outfall.
3. There were approximately 2,000 to 3,000 dead fishes (Coho salmon and Cutthroat trout) in Byrne Creek between Ron McLean Park and Marine Way.

Following the incident, staff along with the Fisheries officers visited neighbouring residents within the immediate drainage area to Byrne Creek to determine if they had seen or heard of any illegal discharge to storm sewers within their area over the 24 hours prior to the fish kill in Byrne Creek. None of the residents contacted had noted any such activity. Engineering crews were also dispatched on Sunday to assist in the tracking of the pollutant source and sampling collection.

On Monday, 1998 July 27, staff received another call regarding a blue discolouration in Byrne Creek near Ron McLean Park. The discharge was a separate incident to the one that took place on the day earlier. Samples were obtained by Department of Fisheries and Oceans staff.

The fish kill incident is currently under investigation by the Federal Fisheries staff. Staff will continue to work closely with Fisheries staff and advise Council of the conclusions and decisions of the Fisheries Department. Under the current City Bylaw provision, maximum penalty that may be prescribed for the chemical dumping offence is \$2,000. However, under the Federal Fisheries Act, the maximum penalty is \$300,000 for first time offence and \$1,000,000 for second time offence plus possible jail term.

3. PROPOSED CITY/COMMUNITY ACTIONS

In the past few years, staff have worked closely with the Vancouver Angling and Game Association on watershed issues in the Byrne Creek drainage basin. Arising from the recent fish kill incident, staff have met with Elmer Rudolph, Burnaby Streamkeeper, and Ken Glover, Bert Richardson and Lloyd Longeway of Vancouver Angling and Game Association to discuss possible joint city/community actions to enhance public awareness on urban streams and to encourage greater community involvement in Byrne Creek Stream Stewardship program. Based on the preliminary meeting, a proposal including a community meeting and a fish release event was identified and is presented herewith for Council's approval.

- Byrne Creek Drainage Basin Community Meeting

The Vancouver Angling and Game Association has been involved in many stream enhancement activities in Byrne Creek. A storm water management plan was developed by the City in 1997 for the Byrne Creek watershed and the plan was approved by Council.

To provide an opportunity for the general public who work or live in the watershed to be more aware of the watershed issues and of the need to protect the urban streams, a community meeting is proposed for the evening of **Wednesday, 1998 August 19 from 7:00pm to approximately 9:00pm in the B.C. Hydro auditorium at 6911 Southpoint Drive**. The objectives of the meeting would be threefold:

- a.) Provide an update on the July 26 fish kill incident.
- b.) Outline the opportunity of establishing a Burnaby Streamkeeping group for Byrne Creek for interested stakeholders.
- c.) Outline the City's watershed initiatives and current programs within the Byrne Creek watershed.

The meeting would be sponsored by the City, Burnaby Streamkeeping and the Vancouver Angling and Game Association. Subject to Council approval, an advertisement and press release on the meeting would be sent to the local newspaper.

- Public Fish Release Event - B.C. Rivers Day

On B.C. Rivers Day, September 27, a number of Burnaby Streamkeeping groups will be holding events at several Burnaby locations. To promote greater public participation in Byrne Creek stewardship program, a public fish release event is proposed for Sunday, September 27 to be organized by the Vancouver Angling and

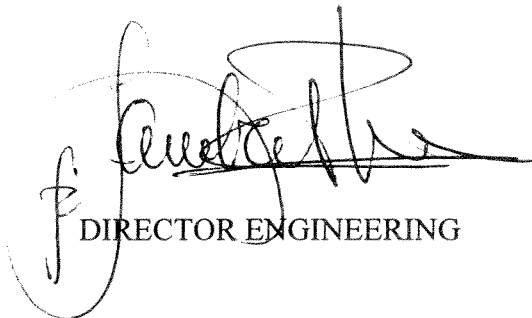
Game Association in concert with other works by Burnaby Streamkeeping groups on that day.

Typically, fish release events are scheduled for Spring and early Summer. However, recognizing the importance of enhancing public awareness on the valuable fisheries resources and habitat in Byrne Creek, it would be beneficial to hold a special fish release event to commemorate the recent fish kill incident and to remind the public of the detrimental effect of toxic chemicals on streams and fish habitat.

Staff have consulted with the Federal/Provincial fisheries and streamkeepers for a possible fish release date in August. Due to concern of high water temperature in August and limited fish stock available, staff were advised that the special fish release should be deferred until late September.

4.0 CONCLUSION

In summary, the illegal discharge of a toxic substance into Byrne Creek on July 25 has created a detrimental effect on the fish population in the creek and destroyed many hard work done by community volunteers over the years. Staff, in consultation with Burnaby Streamkeepers and Vancouver Angling and Game Association are proposing two events - community meeting and special fish release to be held on August 19 and September 27 respectively. Both events would provide an excellent opportunity of inviting the public to participate in the overall effort of preserving and protecting Burnaby's urban streams.



DIRECTOR ENGINEERING

LSC/DD:lml

cc: Director Planning & Building
Director Parks, Recreation & Cultural Services