



Department Source: Parks and Recreation

To: City Council

From: City Manager & Staff

Council Meeting Date: June 1, 2020

Re: Missouri Department of Natural Resources Abatement Order on Consent - Albert-Oakland Family Aquatic Center

## Executive Summary

The Parks and Recreation Department is requesting an ordinance to execute an Abatement Order on Consent (AOC) with the Missouri Department of Natural Resources. The AOC is in reference to the reported fish kill due to the discharge of chlorinated water from Albert-Oakland Family Aquatic Center into a tributary of the Bear Creek. The incident occurred between July 12 and July 13, 2019 and was investigated by the Department of Natural Resources and Missouri Department of Conservation on July 15, 2019. The discharge of chlorinated water was due to a faulty drain cap in the pump room of the aquatic facility. Park staff has completed all necessary requirements associated with the AOC including replacement of the faulty drain cap and rerouting the existing pipe to a sanitary sewer line located on park property. As part of the AOC, the Department will pay \$2,026.59 to the Missouri Department of Natural Resources to cover the State's investigative costs and damages. Upon completion of the agreement and payment to the Missouri Department of Natural Resources, the requirements of the AOC will be fulfilled by the City and the order will be closed.

## Discussion

The Abatement Order on Consent from the Missouri Department of Natural Resources is in reference to a fish kill that occurred in a tributary of the Bear Creek located in Albert-Oakland Park. The fish kill occurred due to a faulty drain cap located within the maintenance room of Albert-Oakland Family Aquatic Center. The faulty drain cap caused the discharge of chlorinated water into the tributary of the Bear Creek. The high level of chlorine caused a fish kill in the standing water of the tributary. The incident occurred between the dates of July 12, 2019 and July 13, 2019. Park staff was notified of the potential issue on July 13, 2019 and shut down the chlorine feeder system in the maintenance room to avoid any additional contamination of water leaving the facility. Missouri Department of Natural Resources staff conducted an investigation on July 15, 2019. It was discovered that a drain cap had failed and needed to be replaced. Park staff installed a temporary plug in the drain on July 16, 2019 and installed a new cap on July 30, 2019. This eliminated the source of the leak.

The Abatement Order on Consent required the City to make additional improvements to the drain system at Albert-Oakland Family Aquatic Center and pay for costs associated with the fish kill in the Bear Creek tributary. As part of the AOC, the Department agreed to reroute the existing pipe that flowed into the tributary of the Bear Creek to an existing sanitary sewer line located within the park by May 1, 2020. This work was completed on April 28, 2020.



The Department will also pay \$2,026.59 to the Missouri Department of Natural Resources to cover the State's investigative costs and damages. The total amount due to the State includes \$438.46 for the loss of fish and amphibians, \$1,544.58 in staffing costs associated with the fish kill investigation and \$43.56 in equipment costs associated with the fish kill investigation.

Upon completion of the agreement and payment to the Missouri Department of Natural Resources, the requirements of the AOC will be fulfilled by the City and the order will be closed.

### Fiscal Impact

Short-Term Impact: The Parks and Recreation Department will pay \$2,026.59 to the Missouri Department of Natural Resources to cover the State's investigative costs and damages.  
Long-Term Impact: None

### Strategic & Comprehensive Plan Impact

#### [Strategic Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

#### [Comprehensive Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

### Legislative History

Date	Action
N/A	N/A

### Suggested Council Action

Approve the ordinance authorizing the execution of the Abatement Order on Consent with the Missouri Department of Natural Resources.