

Mussel-infested boat prompted official row at Osoyoos border crossing



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Conservation officers were worried about the "optics" of allowing a boat carrying invasive mussels from the U.S. into the Okanagan earlier this year, according to newly released documents.

What's more, it was the lack of a pilot car to accompany the oversized load, not Canadian law, that actually stopped a trucker from hauling the 13-metre vessel away from the Osoyoos/Oroville border crossing.

Details of the incident in March were revealed in notes and emails obtained by the *Western News* through a freedom of information request.

The documents paint a bleak picture of the protections in place now, said Anna Warwick Sears, executive director of the Okanagan Basin Water Board, which has warned of grave consequences if invasive zebra and quagga mussels establish themselves here.

"What was evident by the emails is that they have a lot more to do to co-ordinate between provincial ministries and the CBSA," she said.

The water board has been pushing the federal government to implement new regulations that would give the Canada Border Services Agency the power to turn back U.S. boats carrying invasive aquatic species, some of which can survive for weeks out of water.

"The border officials are already there inspecting cars and boats. We're just asking them to be allowed to do something they want to do," said Warwick Sears.

CBSA officers in Osoyoos at least knew in advance that the boat in question was on its way to Kelowna from a mussel-infested lake in Arizona, thanks to a warning from an Idaho inspection station, the documents show.

Although the vessel got a clean bill of health there, CBSA officers inspected it anyway on March 12 and found mussels — later determined to be dead — attached to the boat's propulsion system, then reported their observations to the B.C. Conservation Officer Service.

The conservation officer assigned to the file later requested border guards stop the boat until it was verified to be free of live mussels, but the CBSA "indicated they had no authority under legislation to deny entry into Canada," Supt. Barb Leslie of the Conservation Officer Service wrote in her notes.

As it turned out, the vessel was parked overnight at the border "because the commercial boat hauler couldn't get a pilot car to help transport the boat to its destination (a Kelowna marina) until the following morning," noted Matthias Herborg, who oversaw the

provincial response as the Ministry of Environment's aquatic invasive species co-ordinator.

Herborg wrote he "was confident that there were no live mussels present when the boat entered B.C." as it had been out of water for 30 days, but that transportation of even dead invasive species is banned under the provincial Wildlife Act, so he ordered the boat seized on March 13.

However, he still allowed the boat to travel to Kelowna, where it was decontaminated on land using hot, high-pressure water, and cleared to launch in Okanagan Lake on March 14.

Conservation officers favoured a tougher approach.

During a conference call with Herborg on March 13, Sgt. Jim Beck "was insistent that the best way of dealing with this was to not allow the vessel to proceed into B.C.," Beck's colleague, Bob Hamilton, wrote in his notes.

"Sgt. Beck expressed concern that the optics of this was that the province was not taking the issue of mussels seriously enough and we should not be making concessions."

A request to interview Herborg this week was returned with an unsigned statement from the Ministry of Environment that said the heated conference call was "part of the normal process to identify the most suitable enforcement response."

Eight months later, CBSA officers still don't have the power to turn back boats carrying invasive species.

Fisheries and Oceans Canada spokesman David Walters said in a statement the agency will put out for public comment this fall a proposed "suite of regulatory tools to prevent the introduction of (aquatic invasive species) into Canadian waters, and to control and manage their establishment and spread, if introduced."

Walters was unable to say, however, how soon the proposal could become law.

There's little time to waste, according to the Okanagan Basin Water Board, which commissioned a study that estimated the annual cost to manage a mussel invasion in Okanagan Lake at \$40 million a year for work like scraping shells from in-water equipment. There would also be intangible impacts on property values and other aquatic life.

With mussels now established as far west in Canada as Lake Winnipeg and in most U.S. states, the pests' spread here is "inevitable," said Warwick Sears, "unless we step up our game."

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